



CANADA'S POLITICS AND GOVERNMENT
NEWSWEEKLY

Since 1989

February 12, 2007

- ▶ SUBSCRIPTIONS
- ▶ ADVERTISING
- ▶ ABOUT HT

Search

[Advanced Options](#)

The Hill Times, February 12th, 2007
LEGISLATIVE PROCESS
By Bea Vongdouangchanh

Tories, Grits fight over Senate reform and proclamation of FAA

Liberal-dominated Upper Chamber accused of stalling Senate reform bill, and Grit Senators want to know why major parts of FAA aren't in force.

The "unelected, unaccountable" Liberal Senators are delaying the Senate Tenure bill limiting Senators' terms to eight years by adjourning debate every day in the Upper Chamber, say Conservatives, but the Grits say it's a "repetitive argument" from the Conservatives who don't understand the Senate's proper role.

"We are 253 days into a Liberal filibuster with no end in site," Government House Leader **Peter Van Loan** (York-Simcoe, Ont.) told reporters last week. "Senators have now had 253 days to debate a bill that consists of only 66 words. [It's] three clauses, one simple concept. Yet every time that bill is brought forward for debate, the unelected, appointed Liberal Senate votes to adjourn debate."

Conservative MP **Tom Lukiwski** (Regina-Lumsden-Lake Centre, Sask.) said it's "unconscionable" that the Liberals refuse to give the bill second reading, even though it's been through the committee process. "On many occasions, Liberal Senators have all said that they agree with reform. It was passed in committee but it just seems that when it comes down from push comes to shove, that the Liberal Senators want to delay," he told *The Hill Times* last week. "It's quite clear that they're doing nothing except for obstructing this bill. They do not want to bring it back into our place to be voted upon and I just think once again that's shameful and Canadians are quite rightfully so outraged by their performance."

Bill S-4, the Senate Tenure Bill, was introduced in the Senate on May 30, 2006. While the Senate has had it for more than 250 days, it has been 41 sitting days, as the Senate only meets three days a week.

The Hill. Foreign Policy. One Great Price.

1 YEAR/50 ISSUES OF THE HILL TIMES
& EMBASSY FOR ONLY **\$199.⁰⁰**

Save \$96.22 off the cover price
offer, no obligation

Call 613-232-5952, and ask for the
Subscription Special

PUBLIC SECTION

- Cover Stories
- Policy Briefings
- Letters
- Classifieds
- Vacation
- Links
- Trial Accounts
- Home Page

MEMBERS SECTION

- Login
- Weekly PDFs
- Archives
- Surveys
- Lists
- FAQ

NEWS

- News Stories
- Book Reviews
- Heard on the Hill
- Legislative Column
- Hill Climbers
- Civil Circles

OPINIONS

- Editorial
- Op-eds
- Letters

COLUMNISTS

- Angelo Persichilli
- Tom Korski
- David T. Jones
- Sean Moore
- Jenefer Curtis
- Chantal Hébert
- Tim Powers
- Ken Rubin
- W. T. Stanbury
- Aaron Freeman
- Richard Cléroux
- Don Lenihan
- Denis Massicotte

FEATURES

- Policy Briefings
- Spin Doctors
- Parliamentary Calendar



THE HILL TIMES
IT'S THE 10TH ANNUAL
"ALL POLITICS" POLL!
 The Best and Worst
 in Federal Politics

MPs,
 Cabinet ministers,
 Senators,
 staffers,
 and strategists
 decide.

[Click here
 for this year's
 poll results](#)

Marc Roy, a spokesperson for the Leader of the Opposition in the Senate, admitted that the Liberals were adjourning debate every day, but only after putting up speakers to debate the bill. He said while the government is not putting up any speakers for debate, there are many Liberal Senators who want to speak on the bill and should have the opportunity to do so, therefore "in no way was there an attempt to stall."

Mr. Roy told *The Hill Times* that the Conservatives' "repetitive tactic" is to blame the Liberals for delay when they are "only thoroughly studying" the bill. "The said the same thing about the Federal Accountability Act," he said. "They put forward flawed legislation and then accuse the Liberals of a delay tactic. But that's what the Senate is there to do—look thoroughly at the bill and make concrete recommendations. This is a fundamental change to an institution of Parliament. Surely Senators need to get it done right, not get it done immediately."

There's no guarantee, however, that it will get passed, even if the Senate sends it back to the House of Commons, as both the NDP and the Bloc Québécois are against having a Senate. Mr. Lukiwski said that he's hopeful the Liberal MPs will be onside with the government and vote with them on the bill.

"We were hoping that the Liberal Senators would agree with us that there's a need for Senate reform," he said. "I would like to think the Liberal Members, the elected Liberal Members of Parliament would agree with us that there's a need for Senate reform. They always seem to say one thing in the public, but when it comes down to votes they tend to change their mind, but on this particular issue, I would like to think that the Liberal Members will vote with us and agree to this very modest first step of Senate reform."

Although he could not speak for his party, NDP MP **Pat Martin** (Winnipeg Centre, Ont.) said he would vote for Bill S-4 "in a heartbeat" as he believes the eight-year term provision is progress. He said there is also potential for the NDP to "revisit" its stance on the abolished Senate if this bill gets to the House. "I can only say that there's room for optimism," he said. "I believe in improving the Senate even if it's incrementally and so I think is the leader of the official opposition. He's on record as saying he supports reforms in the Senate in any way possible short of reopening the constitution. Well, these are reasonable measures. I can't say categorically if the NDP would support it but it does create exciting opportunities for us to revisit our long-standing tradition. I'll be pushing it to be revisited."

Tories delaying FAA implementation

Meanwhile, the government is delaying the full implementation of the Federal Accountability Act for no reason, says New Brunswick Liberal Senator **Joseph Day**, his party's critic for Bill C-2 in the Senate.

"As a result of unrelenting criticism that the Liberals in the Senate were delaying and the self-congratulatory comments by the Harper government of its accomplishment once the bill was passed, it is to my great astonishment that large sections of the ethics and accountability legislation have not been proclaimed into force nearly two

months after Royal Assent," Sen. Day said, adding that "from afar Canadians have been led to believe that much has changed as a result of the passage of Bill C-2" but it really hasn't.

He pointed to the expansion of the Access to Information Act to 50 different agencies and Crown corporations, new lobbying and ethics rules and the establishment of the Procurement Ombudsman as examples where Cabinet must proclaim these parts into effect by setting a date.

"My question to the Prime Minister is which priority is more important to you, the complete implementation of the Federal Accountability Act, or the perception amongst the public that accountability and transparency have been increased?" Sen. Day said. "The Senate has fulfilled its obligation to the people of Canada, now it's the turn of the Harper government."

Conservative MP **Tom Lukiwski**, Parliamentary secretary to the House Leader and a member of the legislative committee which studied Bill C-2, said that "it's absolutely not true" that the government is delaying the implementation. "We brought it in," he said. "We championed this cause, we pushed it as quickly as we could through the House and we encouraged the Senators to pass this as quickly as possible, so to suggest otherwise is quite frankly nonsensical."

Mr. Lukiwski could not say when each of the other parts would come into effect, however. "I can't give you an exact time-frame on that, but it will certainly be done. We want to get it done quickly that's why we worked so hard to get Bill C-2 passed both in our House and in the Senate, so it will come along as quickly as possible."

In a column in the *Ottawa Sun* last week, **Greg Weston** contemplated the idea that the "delay" was on purpose. "Left out of all the fanfare was the fact that eight key sections of the act come into force only when the federal Cabinet (read: Harper) decrees it to be so. And no one we can find in government seems in much of a hurry to get that job done," he wrote. "Officials at Treasury Board, the department responsible for the legislation, point out the act amends almost 150 federal statutes, changes that can't happen overnight. There are regulations to be written, patronage appointments to be made, new staff to be hired, and just a mountain of friggin' paperwork. (And let's be fair: A government shredder can only do so much in a day.)"

Mr. Lukiwski said that "Mr. Weston has been watching too many Oliver Stone movies" because he sees a conspiracy where there is none. "There's absolutely no truth to that whatsoever."

NDP MP Pat Martin told *The Hill Times* that the delay is getting excessive and that people are beginning to assume the government is not sincere. "You can't blame people for assuming the worst, that they're trying to get everything done that they'd like to before the new rules come into effect, especially the public appointments commission," he said. "The appointments are coming in hot and heavy everyday now with well-connected Tories getting appointed to patronage jobs with no oversight and scrutiny, so I mean, I don't think it's hard to assume the worst that they're up to no good."

Mr. Martin said that the government should have had a clear implementation plan at

the beginning. "You shouldn't have launched that Federal Accountability Act until you had some implementation plan figured out," he said. "It's wrong to take credit for changing the way Ottawa does business and never implementing the very thing in the Federal Accountability Act that will change the way Ottawa does business, because really, for all intents and purposes, the FAA has done nothing so far. Zero."

He said that without the government coming forward and putting out potential dates for implementation or giving an explanation, it's hard to believe the government will do anything about it. "It's same old, same old business as usual in Ottawa but yet the Conservatives are enjoying the political bump they've received from this illusion," he said. "If it's all smoke and mirrors, we'll be the first to cry foul because we've invested a lot of political capital in this project and I won't be made a fool of."

Meanwhile, Mr. Lukiwski said he also didn't know whether there was anything happening in the bureaucracy to begin implementing the changes under the Federal Accountability Act, for instance setting up access to information offices in the agencies which are now subject to the Act. "I can't comment on that. I really don't know. All I know is that our will and our desire is to get this thing in force as quickly as possible."

Liberals don't want C-30 passed: NDP

With the environment on the top of the House agenda for all parties this session, there's a political race to grab the upper hand for the title of who can do more before a potential election this spring, but SES Pollster **Nik Nanos** warns that politicians should "not confuse what Canadians say is an important issue with what drives votes" come election day.

"Research indicates that issues that closely touch Canadians, like taxes, healthcare and crime are more likely to drive vote behaviour," Mr. Nanos told *The Hill Times*. "In regards to the environment, the competition on the file is quite crowded. We have a new Green Party leader, **Elizabeth May**, with strong environmental credentials and also a new Liberal leader, **Stéphane Dion**, who is a former environment minister."

Liberal members of the legislative committee studying Bill C-30, the Clean Air Act, pushed recently to extend the deadline for which to refer the bill back to the House by two weeks, and were accused of trying to delay passage of the bill by the NDP and the Conservative members. With an upcoming budget and the potential to defeat the government before any changes were made to the bill, the Liberals were seen as opportunists who could go into the potential election by saying the Conservatives did nothing for the environment and were still against the Kyoto Protocol.

"It's not a rumour, it's a fact, the Liberals want nothing to happen on the environment," said NDP MP **Nathan Cullen** (Skeena Bulkley Valley, B.C.). "They're actually in a strange way playing into the Conservatives' hand who aren't really all that taken with the environment."

Mr. Cullen said that the committee has been trying to work with the Liberals, but they are not being cooperative. "We said to the Liberals if you have the solutions which

you claim to have, [Liberal Leader **Stéphane**] **Dion** claims to understand the environment, then bring forward the proposals. Stuff them in and force the government to do the things they don't necessarily want to do," he said. "What they're doing instead is proposing a mountain of witness, delay tactic everywhere, slowing down the process and not doing the heavy lifting and actually bringing forward proposals, amendments and ideas."

Liberal environment critic **David McGuinty** (Ottawa South, Ont.) said his party is not delaying, however, and is just taking the time necessary to do a good job on making the bill better. "This government unfortunately is giving us no direction," he said. "They've been asked repeatedly about their plan, they don't have a plan and they were forced finally by a line of questioning by me, where they held up C-30 and said this is our plan. [Experts have] said it's not even close to a plan. We asked the minister today and he doesn't have a plan. He's making it up as he goes along. We'll do what we can. We're going to work together as Parliamentarians and I think that ultimately that we're going to prevent it from doing any more damage."

Liberal MP **Mark Holland** (Ajax-Pickering, Ont.) also dismissed the idea that the Liberals are delaying with the intent of defeating the government on the upcoming budget, expected March 20. "I think their urgency is the budget, but the reality is that they're the ones that tabled empty, meaningless, vacuous legislation," he said, adding that the committee has to start from scratch and will try to implement Canada's Kyoto commitments into the bill. "I think the House has expressed its desire for us to meet our Kyoto commitments, to live up to the international obligations to which we are signatories. I expect that that is going to carry a lot of weight with the Canadian public, who also support those Kyoto commitments. If the government decides to stand in the way of doing that, I think they'll have a very big political challenge on their hands."

Mr. Nanos said, however, that voters are not necessarily going to either the Liberals or the Conservatives on the environment issue. "Research conducted by SES shows that for the period during the running of the Conservative attack ads in Ontario there was no change in Conservative support, but that support moved from the Liberals to both the NDP and the Green Party," he said. "This reinforces the view that by attacking the Liberal environment record, voters are not likely turning to the Conservatives, but to the NDP and the Green Party, both of which have more credibility on this file than the government."

Mr. Cullen said "it's cynical politics" to think of the polls when dealing with the environment, because it's not a partisan issue. "I've been given a very specific task. Go in and get the best bill possible for Canada's environment, something that all parties should support, something that every progressive voter in the country will like. We'll get what credit is there for brokering the deal between all parties, but you can't sit there and negotiate on the environment while looking over your shoulder at polls. You've just got to plug ahead."

Bloc Québécois environment critic **Bernard Bigras** (Rosemont-Lat Petite-Patrie, Que.) agreed that the environment should not be partisan issue. "We can study the bill rapidly, and I think the question of elections is another question," he told *The Hill Times* last week. "I think all Canadians want all parties to put the environment issue on the top of their priorities. It's very normal. It's important for all of the people of Canada and it's important for the Liberals, the Bloc and the government to take

action with a real plan to reduce greenhouse gas emissions and to respect the Kyoto protocol."

Last week, Environment Minister **John Baird** (Ottawa West-Nepean, Ont.) appeared before the legislative committee and said that the government will not move toward a carbon tax to regulate greenhouse gas emissions or participate in the international market to trade carbon credits. He said he would outline mandatory industrial regulations in the coming months that would come into force in 2010.

Meanwhile, Liberal MP **Pablo Rodriguez's** (Honoré-Mercier, Que.) private member's bill, C-288, An Act to ensure Canada meets its global climate change obligations under the Kyoto Protocol, will be up for a vote at third reading this Wednesday. It legally binds the Conservative government to implement measures to meet Canada's commitments to the Kyoto Protocol. It will likely be passed, as the NDP and the Bloc have supported it. If passed in the Senate, the government would have 60 days to table its plan to meet the Kyoto Protocol objectives, including reducing greenhouse gas emission to six per cent below 1990 levels. Mr. Baird has said achieving the targets would cause an economic collapse. Some critics say the government would rather call an election than follow through with the terms of C-288.

bvongdou@hilltimes.com
The Hill Times

The week ahead in Parliament: Tories showcase safer streets agenda

The government will focus on its crime package this week, with three bills coming up for debate. First up is **C-35**, the **Reverse Onus Bail Hearings Bill**, which MPs will debate on Tuesday. On Wednesday, the House will discuss **C-27**, the **Repeat Offenders Bill**, and on Friday, **C-10**, the **Mandatory Minimum Sentences Bill** will be debated at report stage. Other bills on the House agenda include **C-31**, the **Voter Identification Bill**, **C-44**, the **First Nations Human Rights Bill**, **C-11**, the **Transportation and Railway Safety Act**, and **C-33**, the **Income Trust Bill**.

On Tuesday, the House will vote on the Bloc Québécois's opposition day motion stating that "having recognized the principle of complying with the Kyoto targets, it is the opinion of this House that the government should provide the government of Quebec with the sum of \$328-million to enable it to implement its plan to meet the Kyoto Protocol targets."

The NDP will have its first opposition day of the winter session on Thursday.

On the committee front, Auditor General **Sheila Fraser** will be appearing before the Public Accounts committee twice this week. First, she will discuss chapter eight of her November 2006 report on funds to Health Canada, on Monday. On Wednesday, she will discuss her recently-released progress report.

The Justice and Human Rights Committee will do a clause-by-clause study of Bill **C-10**, Minimum Sentences for Firearms Crimes, on Tuesday, hoping to get it back to the House for the Friday debate. Also on Tuesday, the International Trade committee will hear from **Eric Siegel**, who was recently appointed the president and chief

executive officer of Export Development Canada. The Government Operations and Estimates committee, meanwhile, will hear from **Ian Bennett**, president and chief executive officer of the Royal Canadian Mint, who will brief the committee on the Mint's governance and business activities. The Government Ops committee will also hear from Public Works Minister **Michael Fortier** on Thursday to talk about the policies and programs of his department.

On Friday, the Foreign Affairs Subcommittee on International Human Rights will study human rights in China. The committee will hear from former Liberal Cabinet minister **Sergio Marchi** who will represent the Canada China Business Council. **Thomas d'Aquino**, president and chief executive officer of the Canadian Council of Chief Executives, will also appear before the committee as well as **Paul Evans**, chair of the executive committee of the Asia Pacific Foundation of Canada.

STATUS OF GOVERNMENT BUSINESS

House of Commons

- S-2 Hazardous Materials Information Review Act (committee)
- C-6 Aviation Safety Bill (committee)
- C-7 Military Justice Bill (second reading)
- C-10 Minimum Sentences for Firearms Crimes Bill (committee)
- C-11 Transportation and Railway Safety Act (report)
- C-14 Adoption Bill (report)
- C-18 DNA identification Bill (committee)
- C-20 Airports and Transportation Appeal Tribunal Bill (second reading)
- C-21 Firearms Centre and Gun Registry Bill (second reading)
- C-22 Age of Sexual Protection Bill (committee)
- C-23 Criminal Procedure Bill (committee)
- C-27 Repeat Offenders Bill (committee)
- C-29 Air Canada Public Participation Act (second reading)
- C-30 Clean Air Act (committee)
- C-31 Voter Identification Bill (third reading)
- C-32 Impaired Driving Bill (committee)
- C-33 Income Trust Bill (second reading)
- C-35 Reverse Onus Bail Hearings Bill (second reading)
- C-36 Canada Pension Plan and the Old Age Security Act (committee)
- C-37 Financial Institutions Bill (committee)
- C-40 Air Travellers Security Charge Act (committee)
- C-41 Competition Act (second reading)
- C-42 Amending the Quarantine Act (second reading)
- C-43 Senate Elections Bill (second reading)
- C-44 First Nations Human Rights Bill (second reading)
- C-45 Seacoast and Inland Fisheries Sustainable Development Bill (second reading)

Senate

- S-3 Military Sex Offenders Bill (third reading)
- S-4 Senate Tenure Bill (second reading)
- C-9 Conditional Sentencing Bill (second reading)
- C-12 Emergency management Bill (second reading)