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JOBS AND GROWTH BILL, 2012

Allotment of Time—Motion Adopted

Speech by:

The Honourable Claudette Tardif

Thursday, December 13, 2012

THE SENATE

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[Translation]

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ALLOTMENT OF TIME—MOTION ADOPTED

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, I rise once again during this session of Parliament to speak about a time allocation motion, this time on Bill C-45, A second Act to implement certain provisions of the budget tabled in Parliament on March 29, 2012 and other measures.

From the start of this session of Parliament, just over 18 months ago, the government has used time allocation motions eight times in order to pass bills in this chamber and 28 times in the other place. We saw it last with the passage of Bill C-38, the massive budget implementation bill that amended more than 70 acts in a single piece of legislation.

Today, we have a bill that is 414 pages long, contains more than 516 clauses amending 60 acts, and goes far beyond what could reasonably be considered fiscal policy. In fact, it is not so much a bill as a complex legislative agenda.

I think that the government is showing a serious lack of respect by doing things this way. It is doing a disservice to the institution we represent.

[English]

Is there a particular urgency to the passage of this bill? None that I have seen or heard from the government. In fact, it is difficult to learn anything at all about this bill simply by listening to the government. Perhaps this is the objective of the government. Nobody is certain of the entirety of the content of this bill. As many have already mentioned, we are dealing with one of the largest budget implementation bills in the country's history. If you take something this complex and rush it through Parliament fast enough, maybe no one will notice the things you are hoping they will not notice.

I am sure that some of my colleagues opposite might point out that several of the Senate's committees undertook a pre-study of this massive bill after a motion was passed on October 30. Indeed, the Standing Senate Committees on Banking, Trade and Commerce; Energy, the Environment and Natural Resources; Transport and Communications; Aboriginal Peoples; and Agriculture and Forestry studied this bill's components over a total of 34 meetings and 49 hours and 11 minutes. That is a very good start.

However, no senator is a member of all of these committees. A senator who sits on the Energy Committee and the Aboriginal Peoples Committee may now have a detailed understanding of those elements contained in Divisions 4, 8, 18 and 21 of Part 4. However, that senator has had almost no opportunity to examine the rest of the bill. It is impossible for the members of this place to have had sufficient time at this juncture to study the complexities of this bill thoroughly.

Some might ask: Does the government really expect Canadians and Parliament to be able to provide due diligence in ensuring that this legislation is good public policy? The answer is, of course, it does not. It knows that no senator could possibly have a commanding grasp on the content of the entirety of this bill. Yet, it is demanding that we cast our votes on it later today. This embodies the cynicism — characteristic of this government — responsible for the ongoing erosion of Canadians' faith in their democratic institutions.

Last week, a study was published in *The Globe and Mail* that examined Canadians' attitudes towards democracy. It showed that over the last eight years there has been a substantial, consistent decline in Canadians' belief in the democratic processes of this Parliament. Canadians are already, by and large, checked out of the political dialogue in this country. If we continue on this path, will they eventually stop paying attention all together? Will anyone notice when one day this Conservative government introduces one bill that amends 200 or 300 laws as they see fit and then gives Parliament the rest of the year off?

[Translation]

Honourable senators, I believe it is our duty to take the necessary time in this chamber to debate this massive bill. We have differing opinions on how to make Canada a country with one of the best qualities of life in the world.

We are all here because we care passionately about our country and its future. So why ask us to adopt a time allocation motion in order to adjourn the Senate earlier? Why ask us to quickly pass this huge omnibus bill rather than take the time to examine and discuss the content of a series of separate bills?

I would like to draw honourable senators' attention to the comments that a prominent Canadian parliamentarian made about omnibus bills. I have spoken about these comments in the past, and my honourable colleague also made mention of them. However, I would like to point them out again because there are new senators who have joined us recently who should hear them.

During the First Session of the Thirty-fifth Parliament, the member of Parliament in question rose on a point of order. He said, and I quote:

Mr. Speaker, I am rising on a point of order to make a procedural argument concerning the omnibus nature of this piece of legislation. . . .

We can agree with some of the measures but oppose others. How do we express our views and the views of our constituents when the matters are so diverse? Dividing the bill into several components would allow members to represent views of their constituents on each of the different components in the bill.

Honourable senators, these words were spoken in the House of Commons by none other than the Right Honourable Stephen Harper, Prime Minister of Canada. Mr. Harper, who was vehemently opposed to the omnibus bill, rose on a point of

order on Friday, March 25, 1994, with regard to a government budget bill.

[English]

As mentioned by previously by my honourable colleague, the omnibus bill that the younger Mr. Harper rallied against was 21 pages long and entirely related to budgets and spending affecting 11 statutes. Today, we are examining 414 pages and over 60 different laws to be amended. What has changed? To paraphrase Mr. Harper's words, how can senators represent their regions on this matter when they are forced to vote in a block on such legislation and on such concerns?

What I have seen in this bill in the short time I have had to study it has been troubling. Among other things, it weakens laws protecting Canada's waterways; slashes tax credits for research and development; redefines Aboriginal fisheries without even consulting First Nations communities; eliminates the Hazardous Materials Information Review Commission; corrects numerous mistakes in Bill C-38, including some related to environment assessments and fisheries; and suspends the EI Financing Board.

Honourable senators, we have seen what happens when this government tries to rush legislation. It makes mistakes. That is what happened with this bill's massive precursor, Bill C-38. As Senator Day indicated in his excellent remarks yesterday, this bill actually includes a number of measures to fix mistakes in Bill C-38.

The Hon. the Speaker *pro tempore*: Honourable Senator Tardif, I regret to inform you that your time has expired. Are you prepared to ask honourable senators for an extension?

Senator Tardif: I have two minutes, honourable senators. It is only a conclusion.

The Hon. the Speaker *pro tempore*: Please proceed.

• (1630)

Senator Tardif: Thank you, honourable senators.

Honourable senators, as Senator Day indicated in his excellent remarks yesterday, this bill actually includes a number of measures to fix mistakes in Bill C-38, including omissions in the amended Fisheries Act regarding the passage of fish; poor drafting of transition provisions in the new environmental assessment law; and ambiguity around the ministerial approval process for certain investments by public investment pools. No one should be surprised, then, that Bill C-45 includes several mistakes of its own. The so-called "hiring credit" in Bill C-45 actually includes a hidden seven-cent EI premium rate hike for small businesses. This hiring credit also has the perverse effect of punishing small and medium-sized businesses around the \$10,000 EI premium threshold when they hire new employees or give their employees wage increases.

My Liberal colleagues in the other place attempted to fix these mistakes through amendments to Bill C-45. However, the Conservatives refused to support these amendments.

Before I conclude, I would like to remind honourable senators opposite that this government has a majority in this chamber. Bill C-45 will pass. It is only a matter of time. When honourable senators cast votes on this motion, reflect carefully on why you are being asked to do this. Do you believe in using one's position of relative strength to silence opposing voices?

Some Hon. Senators: Hear, hear!
