

THE SENATE

Thursday, February 15, 1990

The Senate met at 2.00 p.m., the Speaker in the Chair.
Prayers.

LIBRARY OF PARLIAMENT

ANNUAL REPORT OF PARLIAMENTARY LIBRARIAN TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table the annual report of the Parliamentary Librarian for the 1988-89 fiscal year.

THE CANADIAN FLAG

TRIBUTES ON TWENTY-FIFTH ANNIVERSARY

Hon. Joyce Fairbairn: Honourable senators, today is a very special day for all Canadians and for parliamentarians as we celebrate the twenty-fifth anniversary of the day that our Canadian flag was first raised across this land. It was a flag born not out of revolution but out of the peace of the post-war era. It represented change, and change is always difficult for individuals and for nations to absorb.

The historic debate on the flag that took place in 1964 was very long; it was passionate; it was exciting; it was sometimes bitter. It resulted in a joint committee of Parliament trying to bring all of these diverse elements together, and, although the experts were asked to give their views, hundreds and hundreds of Canadians sent in their designs for the new flag.

Only one design was chosen, and it gives me a great deal of pleasure today, honourable senators, to pay tribute to the gentleman who designed the flag that flies above Parliament Hill.

We Canadians do not easily create, or even recognize, heroes, and yet we have had them throughout our history. I know all of you will wish to join with me today in honouring Dr. George Stanley, educator, author, military historian, heraldic expert, and, most recently, Lieutenant Governor of New Brunswick, and his wife, Ruth, who are here with us today celebrating this historic occasion.

MEECH LAKE CONSTITUTIONAL ACCORD AND CANADIAN CHARTER OF RIGHTS AND FREEDOMS

CLARIFICATION

Hon. Royce Frith (Deputy Leader of the Opposition): Honourable senators, I should like to take a moment to clarify what seemed to be a contretemps about the role of the Senate in the amendments to the Meech Lake Constitutional Accord. It took place yesterday or the day before during an exchange between Senator Denis and Senator Simard. Senator Simard

had made his speech on the order that is currently on our order paper about the Meech Lake Accord. Senator Denis, during the course of questioning, maintained that the Senate had unanimously adopted the Meech Lake Accord constitutional amendments.

Senator Doody: This sounds like a caucus discussion.

Senator Frith: Now, just in case people happened to stumble across that and read it, as I did, they might decide that the question was left up in the air as to what actually did happen. So, for future graduate students and others, here are the references: Senator Murray's motion appears at page 2314 in the *Debates of the Senate* of April 21, 1988. The motion in amendment appears at page 2320, which was the proposed amendment to the Meech Lake Accord by Senator MacEachen; and there were some further proceedings on May 25, 1988, at page 2672.

There were also other motions respecting the sending of a Message to the House of Commons, including an amendment by Senator Nurgitz. There was a vote on the earlier motion in amendment, which was adopted, and the amended form that was presented by the opposition was what carried the Senate. The Commons had first adopted its resolution in October 1987, and the resolution, after the proceedings in the Senate, was then reintroduced and adopted in the House of Commons on June 22, 1988; then the constitutional clock ticked and the Senate was bypassed accordingly. The Senate never adopted Meech Lake in its original and present form. It amended it.

Hon. Orville H. Phillips: Honourable senators, I think, as a matter of courtesy, we should reserve equal time in the future for Senator Denis.

Senator Frith: This will give him something to shoot at.

MARRIAGE (PROHIBITED DEGREES) BILL

FIRST READING

Hon. Nathan Nurgitz presented Bill S-14, an act respecting the laws prohibiting marriage between related persons.

Bill read first time.

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

On motion of Senator Nurgitz, bill placed on the Orders of the Day for second reading on Tuesday next, February 20, 1990.