

I would like some clarification on that point. The thought of the committee continuing on through prorogation does not terrify me as much as the thought of the Senate once again implementing some order which is incorrect, or which we cannot legally or constitutionally justify. We should be clear on what we are doing in this area before we go forward with it. If Parliament is prorogued and a Senate committee does have the authority to sit, then surely it would be foolhardy for us to publicly proclaim that we will do it anyway. I would like some clarification on that point and some assurance from knowledgeable authorities that this is in order.

The idea of travelling north has been recommended by some senators who feel strongly about it; I am open on that. I personally do not think it is necessary, but then, again, I am not from the north. I am from another part of the country. These are my comments on the matter, Mr. Chairman, and I leave other senators to say what they wish.

Senator Frith: Mr. Chairman and honourable senators, I will respond to the two points raised by Senator Doody. Considering the first one about expenses, I believe that we have a consensus that senators prefer to give final approval on work of a committee or the establishment of a committee when they have some idea as to the cost. I can see no reason why we should not have it understood that if we adopt this report, and if it is accepted by the Senate, we will stand the order until we have a budget to look at. We will not vote on it until we have a budget. That is on the first point.

• (1420)

On the second point about committees surviving prorogation, there is no question that they do not. The only question is whether Parliament or one of the houses will agree that one of their committees survive prorogation. The only example that occurs to me on the spot is that there have been agreements regarding legislation. Legislation dies on the order paper in the case of prorogation, but there have been examples of the house agreeing, by unanimous consent, that bills will not be dropped from the order paper.

Honourable senators, I do not particularly want to have a set-to about this. I would suggest we finesse the whole thing by dropping the provision regarding proroguing until we have had a chance to look at the question. Later, if we decide that it would be all right to do so, we can put a separate motion authorizing the task force and the committee to continue its work even in the case of prorogation. I suggest, for the moment, that we do not do so.

On the question of costs, I suggest that we wait until we have seen a budget from the Standing Committee on Internal Economy, Budgets and Administration. In the meantime I suggest we give the Committee of the Whole authority to prepare a budget, but that it be understood we will not actually adopt the report in the Senate until we have seen a budget.

Senator Doody: I thank Senator Frith for that. For me, at least, that is satisfactory, but there may be others who have other ideas.

[Senator Doody.]

On the question of the budget, I know that the Standing Committee on Standing Rules and Orders laboured long and hard trying to differentiate between the budgets of standing committees and the budgets of special committees. Now we are into a budget for a Committee of the Whole. I do not know if we would want to call it a standing committee or not. It certainly has never been classified as such in the list of standing committees under our rules or any other set of rules. I think we are into a completely different situation with a Committee of the Whole. How the Senate chooses to deal with a budget of the Committee of the Whole is going to be interesting. Will all 103 of us sit around and discuss the budget, or should only the steering committee handle the budget? We are into an area that has never been examined. Every step we take takes us farther down the road of changing the use of the Committee of the Whole.

Honourable senators, I hate to say, "I told you so," but we embarked on this with the reference of the fisheries boundaries question to a Committee of the Whole and now we are discussing this constitutional matter. We are now getting into a deeper morass, and I think we are not using Committee of the Whole as originally intended. These matters should really be assigned either to a special or a standing committee and not to Committee of the Whole. Having said, "I told you so," I will sit down.

Senator Frith: Honourable senators, at this stage I do not want to get into the general problems raised, because I know Senator Doody's feelings on that. That is, perhaps, as they say, "another show."

In the meantime I suggest we finesse the question of whether it is a standing committee or not by agreeing that we will apply the principle—that is, no vote by the Senate authorizing it until we have a budget.

Senator Flynn: I understand that some representatives from the Yukon and the Northwest Territories are to appear before the joint committee next week or the week after. That is a fact which may have a bearing on the budget and even on the work of the task force. Perhaps we should wait until we know what has transpired in the joint committee before making a decision.

Senator Lucier: Honourable senators, I have been in contact with many people in the Yukon on this matter. I would like to assure Senator Flynn that someone from the Yukon may be appearing before the joint committee, but there are many others who want to appear but who have been denied an opportunity to do so, which is the exact reason I want this committee to go to the north.

I would like to say to Senator Flynn that his people were represented at the signing of the Meech Lake accord by his premier; ours were not represented.

Senator Flynn: You were represented by the Government of Canada.

Senator Lucier: No, we were not. In fact, even the Minister of Indian Affairs and Northern Development, who is our representative, was not there.

Senator Flynn: The Prime Minister was there.