

3:11 p.m.

Wednesday, July 31, 1991

[Deputy Chairman: Mr. Schumacher]

MR. DEPUTY CHAIRMAN: If the members are ready to come to order, the committee will come to order. Mr. Chumir has indicated that he would like to be away not later than 4:30.

MR. CHUMIR: I have a cab at 4:30 because I have a meeting in Calgary starting at 6.

MR. DEPUTY CHAIRMAN: So you'd like to leave about 4:15?

MR. CHUMIR: No, 4:30 would be fine, 4:30 exactly.

MR. DEPUTY CHAIRMAN: Okay. And Mr. Day would like to leave as soon as possible after 4, I guess.

The first item for consideration is the approval of the minutes of our last meeting. Are there any questions? Are people familiar with those minutes?

MR. DAY: I actually looked at them.

MR. DEPUTY CHAIRMAN: Okay. Could we have a motion then?

MR. DAY: Because I looked at them, I can't move it. No, I can. Sure.

MR. DEPUTY CHAIRMAN: It's been moved that these minutes be adopted. All those in favour? Opposed? Carried.

Well, we're back again with another proposal by Mr. Cameron.

MR. McINNIS: A much improved proposal.

MR. CAMERON: Still a few rough edges on this one.

MR. DEPUTY CHAIRMAN: Are there any comments or questions concerning 1, The Constitutional Agenda?

MR. CAMERON: May I just make a comment that there are a couple of areas - for instance, the wording here, "most pressing issues," should be "most pressing issue" - where there are some errors that we will correct and that I have noted already.

MR. DEPUTY CHAIRMAN: All right.

Number 2 will be rotating and further test what's on people's minds in a general sense. If there are no questions . . . Yes, Sheldon.

MR. CHUMIR: I'd just kind of mention that Bruce has eliminated (b), "finding ways to reduce waste in government spending." I thought what you were trying to do was get a sense of proportionate or relative concern amongst the populace, and I'm wondering whether we could leave that in. I mean, it doesn't really take any additional time to put it in. I wonder whether that wouldn't give you some kind of balance. These are all directed towards constitutional things; the other one is the waste thing. I just throw that out at you. I think you've probably dumped it because of space, and I'd just like to elicit your feelings.

MR. CAMERON: Well, yeah, typically we do put it into the context of a number of other issues. Since this committee is charged with addressing this issue and because we're dealing with a time problem, I thought we would put it more focused. This questionnaire right now in terms of the pretest - and it wasn't an extensive pretest. We did eight surveys and it's close to 30 minutes.

MR. DEPUTY CHAIRMAN: It has to be cut.

MR. CAMERON: Well, it has to be cut, or something has to be done. We had no refusals on it. People are interested enough that they will answer these questions. It's not a question of respondent exhaustion; it's a question of the budget for the project or the questionnaire length.

MR. DEPUTY CHAIRMAN: Because your proposal is based on a 20-minute questionnaire.

MR. CAMERON: Yeah, 20 minutes.

MR. DEPUTY CHAIRMAN: This 30 minutes is significant; it's a 50 percent increase.

MR. CAMERON: Right, and in terms of long distance and a number of factors like that.

MR. CHUMIR: If it would not offend, I would then move that that question be eliminated.

MR. CAMERON: Which question? Number 2?

MR. CHUMIR: Number 2.

MR. DEPUTY CHAIRMAN: I thought we had this debate last week, that we had to have something to leave in. Did we not have a discussion on that?

MR. CHUMIR: Well, we didn't know we were 30 minutes. Now we know.

MR. McINNIS: We didn't deal with length, particularly long length.

MR. DEPUTY CHAIRMAN: Well, in all fairness, though, I think some of us may have other suggestions for elimination. It might be best if we note your concern and then make a list of the things that are potential candidates for elimination. Would that be fair?

MR. CHUMIR: Sure.

MR. DAY: I'll put a check beside it. I don't have a problem with number 2.

MR. DEPUTY CHAIRMAN: This may be a spot where I could put something forward on behalf of Mr. Anderson. In speaking with him today, he still thinks there should be a question on the measure of the public's discontent with the way our present system is operating; i.e., I guess the British parliamentary system, question period and the way that comes across, and whether or not there is a desire to move more towards the American system.

MR. DAY: I think that can be addressed further on, in 16. That would be my thought.

MR. DEPUTY CHAIRMAN: All right. I just wanted to get on the table as to where this most likely could go.

MR. McINNIS: I have similar representations from my colleagues about that. In a way, the whole exercise here presumes that Canada's broke and it needs fixing. There is some desire to put in there – and I think I have the place where it might go, in 23 – the idea that we could make the status quo work somehow with a certain amount of patience and goodwill. There's also the question of an elected head of state and items like proportional representation, but I'm not going to push those, seeing as how we're way over length already. But that question of radically changing our system of government: if we can squeeze it into 16, fine.

MR. DEPUTY CHAIRMAN: Well, I'll leave that with the miracle worker here.

MR. CAMERON: Sure.

MR. DEPUTY CHAIRMAN: Three.

MR. DAY: I guess I still have concerns under 3 just with the whole aspect of asking them about a constituent assembly when most people don't really have a grasp of what that is. I know we talked about it last time, and I think the feeling then was that the person asking the question would just ask it and if they said, "What do you mean?" or "What's a constituent assembly?" that would be recorded then as they didn't know what they were talking about. Is that what the thought here is?

MR. CAMERON: Well, typically if someone says on the telephone, "What do you mean by that?" they say, "Whatever that means to you." They throw it right back to them. If they don't have an understanding of it, then it goes down as a don't know. The interviewer doesn't prompt with any kind of script trying to define it. What we thought we would do in 3(b) and 3(c) is get some indication of what they saw as a constituent assembly or what they preferred.

MR. DEPUTY CHAIRMAN: My view on this is that I think (b) and (c) should be asked before (a). I don't know why we make it so easy for them to say, "Oh, yeah; that sounds like a good idea," to agree that that's probably a good idea. They won't have a clue about it. I would rather see questions that could raise some of the problems with regard to the thing before they are asked whether they think it's a good thing.

MR. McINNIS: Well, Stan, whether we are afraid of the answers or not isn't a good reason not to ask the question.

MR. DEPUTY CHAIRMAN: I'm not saying don't ask the question, but I do say that I don't know why we can't ask it in a little different way so we have a better feeling for the understanding of the person for this process.

MR. McINNIS: I think what we're dealing with is an issue that has had a considerable amount of discussion. It's not as if this idea is being landed on most people's plates de nouveau in this survey. I really think this is something most people do have an opinion on, but if they don't and if they don't know how it

should be structured, then that tells you something. That tells you that they really don't have a clue. I think we can easily cross-tab in the results people who say yes, it's a good idea but no, they have no idea how it should be selected. Those answers can be easily isolated. In fact, if you find that 80 percent of the people think it's a good idea but 70 percent of those don't have a clue about it, then that tells you they really don't know what they're in support of.

MR. DEPUTY CHAIRMAN: So we would find you not using this poll that's saying we'd better go for a constituent assembly.

MR. McINNIS: Well, the poll's not going to answer the question for the Legislative Assembly, whether it should be done or it shouldn't be done. All it will do is tell us how widespread the notion of support for this is. I mean, we can go right down the list. People have good reasons for supporting the positions they do and bad reasons and neutral reasons or indifferent reasons, and those are pretty tough to distinguish sometimes, especially when it comes to election day. Those ballots all look the same, don't they? Some people push a little harder.

3:21

MR. CHUMIR: I'm inclined to think we should explain in our question what a constituent assembly is, and my sense is that most of the significant proposals for a constituent assembly are ones which imply primarily nonpoliticians.

MR. DEPUTY CHAIRMAN: So-called.

MR. CHUMIR: Well, I think those are generally the ones. There are all kinds of combinations, but the one that's mainly being dealt with is: should there be primarily nonpoliticians on this as opposed to the decision being made by Legislatures and Parliament?

I'm wondering if in fact there are really three questions that come out of this. One is a general instinct with respect to a certain defined constituent assembly. If you were going to do it thoroughly, the second question would be defining the membership, whether it should be politicians and nonpoliticians. Thirdly, how do you determine that, by election or by appointment? I wonder if we couldn't simplify some of that by making the assumption in the first question and asking some questions along the lines of saying that one proposal is that our constitutional agreement should be done through a constituent assembly consisting primarily of nonpoliticians. Then you could do the alternate and ask which they propose.

MR. DAY: I actually don't have a problem with what Sheldon's saying because I think people need to have some understanding. When we say "constituent assembly," if we were to add – and I just throw this out – that one option being discussed for reaching a new constitutional agreement is to create a constituent assembly, which is roughly defined as a separate body of people chosen or elected by some process to deal with constitutional issues, people will understand in basic terms what this is. I'd like to stay away from the word "nonpolitician," because once you go for any kind of election, I guess that makes you a politician.

MR. DEPUTY CHAIRMAN: Sheldon, you know, John knows, and everybody in this room knows that there are elected politicians and nonelected politicians. There are probably more nonelected politicians around in our system than elected, but

they're still politicians. I don't like this idea that the only people who are politicians are people who are elected. We've got some very influential policymakers, and they're politicians who don't have the gumption to go out and get elected, so I don't think it's fair just to say the only way to be a politician is to get elected. That's not the way our system works.

MR. DAY: Right. I don't think Sheldon has a problem with that either.

MR. CHUMIR: I don't care. That's one way, but I think it should be defined.

MR. DAY: Yeah; I don't mind adding the clause.

MR. CHUMIR: I don't have a problem with Stockwell's constraint, but I would say it should be defined.

MR. CAMERON: Well, I think if we defined it broadly enough – you have suggested something like "which is roughly defined as a body of people either elected or appointed to decide on constitutional issues" – then you can get into the specifics of whether they think it should be elected or appointed and who it should be.

MR. CHUMIR: What about contrasting, as you often do in questions? One view is constituent assembly as defined by Stockwell. The alternate view is that it should be decided by our Legislatures and Parliament. Of course, it begs a referendum.

MR. DAY: That's a good question, because I think people need to understand. I think most people looking at a constituent assembly are talking about elected, but before they rush toward this, I think they need to have a picture in their minds that this is another elected body they're talking about that somehow is magically going to be free of all bias, opinion, everything. They need to just understand that this is a separate body, and that's why I don't have a problem with very roughly defining it.

MR. CHUMIR: Then you're making the assumption as to how it's constituted, because there are all kinds of . . .

MR. DAY: Well, no. I think we would say a separate body of people either chosen or elected by some process, and then we can go on with the question: what kind of process do you like?

MR. CHUMIR: Or should it consist of currently elected politicians, other people, and then the process?

MR. McINNIS: Well, I agree that the words "politician" and "nonpolitician" should be taken out; 90 percent of the people want to kill all politicians. Is "selected" neutral enough? I just don't want it to get too wordy here, especially with our time problem. "A separate body of people selected to prepare . . ."

MR. DAY: "Chosen" or "elected"?

MR. McINNIS: I guess "chosen" or "elected" isn't a problem. To deliberate on constitutional issues?

MR. DAY: To deal with.

MR. McINNIS: To deal with.

MR. DAY: To specifically deal with constitutional issues, so they understand it's not an ongoing thing; it's just constitutional stuff.

MR. CHUMIR: But should we distinguish that in saying it's one thing and then the alternate is that it should be determined by Legislatures and Parliament?

MR. CAMERON: Well, we've got that in other questions.

MR. McINNIS: That's the next question.

MR. CHUMIR: Well, no, that's not.

MR. DAY: Because I think people still need the opportunity to say constituent assembly or the existing Legislature, and then this question is just saying should there be some elected representatives on that 3(b)(1).

MR. CAMERON: If they choose constituent assembly.

MR. CHUMIR: But, you see, there's the who and how. You've got the who and the how mixed in 3(b). First of all is who should it be? If you're going to have a constituent assembly either elected or chosen, then you've got to say: should it have currently elected people, should it be totally nonelected people, should it be some of one and some of the other? Then how do you do it? Do you do the thing by elections, some appointed by the federal and provincial legislatures?

MR. McINNIS: I fundamentally disagree with that. The who and the how are the same thing. If it's a special election through universal suffrage, it's whoever the heck they elect; it's the person there. You can't decide ahead of the election who's going to win the election.

MR. CHUMIR: But it might not be an election. It could be somebody who isn't currently elected.

MR. McINNIS: I know. That's one of the options for them to pick. Or do you want to set it up so that a person who is already elected to some other body couldn't run in the election?

MR. CHUMIR: If you're following the debate, lots of people say it shouldn't be; they don't want to have currently elected people involved in this at all. I'm not making a judgment on it, but one of the things I keep hearing is, "No, we don't want currently elected politicians on it." Others say, "Have some elected people; have others who are from the general community, experts."

MR. McINNIS: What you really want to get at is whether people want to keep elected people off the constituent assembly. You want a separate question on that first, before we deal with how they're chosen.

MR. CHUMIR: Well, John, from whatever reading I've been doing, that is an issue that is heavily debated and discussed in all the proposals. They go in all directions. So I would think that if you want to get the answers, it's easy to do something fairly comprehensive. It just gets longer, that's all.

MR. McINNIS: Yeah. You see, in our options, option 1 presumes that they're all people who are already elected to

federal Parliament or provincial Legislatures. You don't have a problem, and that's clear there, right? That means elected people. Option 2 means people who are chosen in a separate election. You want to subdivide that and say that you have an option where nobody who's ever been elected before can run in the election?

MR. CHUMIR: But, John, that's not my idea. I can show you that there are lots of people suggesting it shouldn't be people who are currently elected to Legislatures. Others say that should be the sole . . .

MR. McINNIS: Yes, but our job isn't to resolve that; it's to design the questionnaire, right? We have to have questions here, and I'm trying to get you to state a view as to what you want to ask people on that.

MR. CHUMIR: The first question would be either Stockwell's definition of a constituent assembly or Legislatures and Parliament. The second question would be that there is a dispute or debate over who should be on these constituent assemblies, and you'd say, one, currently elected members of the Legislature and Parliament.

MR. McINNIS: That's there already. That's the first option.

MR. CHUMIR: Yeah, but you're mixing 2 and 3 on this thing. You only have that option, but you don't have the other option of nonelected. People who aren't elected is not there.

MR. McINNIS: Well, presumably if you have an election process, those people are then elected; you can't call them nonelected. So that doesn't fall under option 2. It might fall under option 3, where you have people who are appointed from a list of people who are political virgins, if I can use that term.

3:37

MR. CAMERON: The problem is that there are so many permutations and combinations - part appointed, part elected, elected by whom, appointed by whom - that we could go on and on with at least 10 different combinations of options. I think we have to boil it down to the fundamental issues you want to get at, and one of them is whether people view a constituent assembly or the legislative process as the way to go. That's 3(a). We can rephrase that.

Secondly, only those people who choose constituent assembly at that point would be asked, "How do you see a constituent assembly being comprised?" and we give them options.

MR. CHUMIR: But there's a who and a how, and you have to mix those.

MR. CAMERON: We could separate it out: who do you think should be in that constituent assembly? I agree with the point that has been made that the who and the how - the very nature of the exercise is that they're going to be mixed. You know, if you've got a special election, obviously that's the who and the how. Anybody could run for it and be elected to the constituent assembly. I can come up with a way to try to break that down into who and then how and basically whether they'd be appointed or elected or some combination of the two. Would that be the how? Is that what you envision?

MR. McINNIS: The distinction is just not as neat as you want to make it, Sheldon. The who is presumed by where they come from, right? These are people who carry the tag of the "P" word, whether you like it or not. That's entailed in option 1; the who is entailed with the how. The place where, you know, you get the who and the how and the good thing of how you rig the rules of the election to try to keep politicians out of elections - presumably you can dream up a system that if you can prove you've never been elected to anything before or you aren't electable, then you could run in the election. In the third one you could say: well, we're going to have appointed people, but again only people who have never been tainted by the wing of public office.

MR. DEPUTY CHAIRMAN: John McDonough.

MR. CHUMIR: I don't see . . . Sorry, John. You go ahead.

MR. McDONOUGH: Okay. Just one suggestion on this. If people agree to the option based on a special election - now, we may have this revised and that becomes an option - then you can ask a subsidiary question to only those people who have agreed to that option: should sitting legislators, or something of that nature, run in the election? You could ask a subsidiary question on that point. I just throw that out; it's getting it quite complex. If they answer yes to "We want a special election," ask a subsidiary question about eliminating sitting legislators. That's the point.

MR. CHUMIR: Well, this doesn't answer that question as is. I agree we have to have something in there. Maybe my years as a legal draftsman have kind of muddled by brain, but I don't see that this answers the question. If somebody doesn't want to, which one do they pick if in their mind's eye they say, "I prefer not to have currently elected members of Legislatures in there"? Which one says that? None. They don't have that option. I mean, I keep hearing that in everything I read. A lot of people are saying, "I don't want currently elected members to be doing that." I don't necessarily agree with them on that, but it is an issue on the public agenda and we're not asking it. We're asking a question that does not answer that. You tell me which one answers that question, John. Which of these three?

MR. McINNIS: It's 2 or 3, depending on how they want the people chosen.

MR. CHUMIR: No, it doesn't say that. It doesn't because it's based on a special election, and 2 could be a special election. It doesn't tell you who it includes or excludes, and appointed by federal and provincial legislatures doesn't tell you who it includes or excludes.

MR. DEPUTY CHAIRMAN: But, Sheldon, if they offer it based on a special election, I don't see how any democrat could say any qualified . . . Why should a person who's been elected to a Legislature be disqualified from running for another election?

MR. DAY: Well, Stan, we disqualified people from the Senate.

MR. CHUMIR: You disqualified people from running for the Senate.

MR. DAY: Much to Nick Taylor's chagrin.

MR. CHUMIR: But that's some of the stuff that's been proposed.

MR. DEPUTY CHAIRMAN: Well, I meant "but otherwise qualified."

MR. DAY: But we didn't let MLAs run for our Senate.

MR. CHUMIR: Some of the very credible proposals before the Edwards-Beaudoin committee, Stan, have specifically said that currently sitting members will not be eligible. I'm going to withdraw on this because I'm not making headway. But believe me, there are two separate questions. As a guy who's drafted legal stuff, you've got a who and a how; you have to deal with them. You've got them mixed, and you're not answering it. They're easy to do.

MR. CAMERON: You mentioned some kind of choice between a constituent assembly or deciding by the Legislature. I don't see that that's necessarily the case. A constituent assembly could be held to come up with a position on the Constitution which would be ratified by the Legislature. So I think the way the original question was worded with your addition of defining it in some kind of rough way is a better way of getting at it rather than comparing it to the legislative process, because I think it could be part of the whole package.

MR. DAY: It would be part, and I'm glad nobody has a problem with that clause being added. I do feel it would be a valid question to somehow put to people. Now that they understand in very rough terms what a constituent assembly is - they haven't gone through their list yet, but we've told them in very rough terms - do you want to see it go ahead that way, or do you feel comfortable leaving it with the existing . . . You know, do we want to ask that question? I don't have a problem asking it.

MR. McINNIS: Well, I don't have a problem asking any question, and I don't have any problem making as many distinctions as Sheldon would like to make. The problem we all have is that this thing is 50 percent over in terms of the number of questions before we even start. We're on question 3 and we're adding questions already. That's the problem I have. Now, if we want to make this a question about all the permutations and combinations of the constituent assembly, fine, but we can't ask a lot of the other things that are on there as well.

MR. DEPUTY CHAIRMAN: I feel comfortable with Stockwell's introduction. We shouldn't lengthen it any further, but I think his suggestion for an introduction is necessary.

MR. McINNIS: I agree.

MR. DAY: Well, maybe it's best just to leave it then.

MR. McINNIS: I think Sheldon is desirous of drawing out the antipolitician sentiment. We do have question 3(c), which undoubtedly would elicit that type of comment from people who feel that somehow they have to do something to get politicians out of the process altogether, but you can't use "nonelected."

MR. CHUMIR: Let's move it. Let's roll on.

MR. DEPUTY CHAIRMAN: Four?

MR. DAY: Good. I'm wondering if that's another one we can put a temporary drop notice by and look at again at the end. You know, I've been looking at it again. This is very lengthy, and I appreciate it's been worded as best it possibly could, Bruce, given how complex the amending formula is. But you guys did some work on this back in April, and I'm wondering if my colleagues here would be content for us to draw on that information rather than introduce . . . Given that we're already over - as John said, you've done a recent one that draws out this information - I'm just wondering if this isn't just too much to be hitting people with.

MR. CAMERON: In fact, I had a conversation with Angus on reviewing the question as well, and his suggestion was that I put in two options here, option 1 and an alternate, 4(b), on the next page, which addressed the same thing coming at it from a different perspective. It's his opinion that 4(b) works better because it is more direct and clearer, easier to administer, with therefore less confusion, and you get better data at the end of the day. I agree that option 1 is complicated and wordy.

MR. DEPUTY CHAIRMAN: John McDonough.

MR. McDONOUGH: Okay. Well, I have a problem with 4(b), because it assumes that the current amending formula almost is the one where everyone has a veto, and it doesn't juxtapose the two choices. The two choices, it seems to me, are the current formula and the regional/Victoria formula. The first one gets a little confused. The second question, as I see it, is really a question of: would you like a unanimous veto, and where should it be? I took a leaf from Sheldon's book. Amending formulas run in my blood. I don't know why. I would put something on the table that could just be looked at. Again, it's long, and you might chop it in half by having only one of those two questions in the process.

3:41

MR. CHUMIR: Before you do that, John, could you explain again what's wrong with question 4(b)?

MR. DEPUTY CHAIRMAN: It really says that the choice is between unanimity and the Victoria formula.

MR. McDONOUGH: The current formula is the 7, 50 formula versus Victoria, and then there is the issue of . . .

MR. CHUMIR: What do you mean? I don't even understand that.

MR. McDONOUGH: Oh. The current formula is seven provinces with 50 percent of the population.

MR. CHUMIR: I understand 7, 50. That I understand. What do you mean by "versus Victoria"?

MR. McDONOUGH: Well, the Victoria formula is the general regional veto formula.

MR. CHUMIR: We don't have that now.

MR. McDONOUGH: No, but that seems to be the alternative posed.

MR. CHUMIR: Well, that's the middle one here, isn't it?

MR. McDONOUGH: Right. And those are the two choices in terms of general formulae. Okay? Nobody really is suggesting unanimous consent on everything. Where you've got the unanimous veto issue is on selected measures. We have the unanimous consent already built into our current formula on things like the monarchy, and there is the issue coming out of Meech Lake of adding provinces or what have you. I'm saying that there is a difference between the general formula and the issue of the veto.

MR. CAMERON: Because of what it excludes, what the veto is on.

MR. McDONOUGH: Right. In some respects Alberta wants the 7, 50 traditionally and then a veto on certain . . .

MR. CHUMIR: Special protection for natural resources or culture.

MR. McDONOUGH: Yes. Only on very selected items, not on everything. The first one presumes that all provinces have a veto on everything. That's a formula that's not really out there. I have heard people suggest it, but it's not a formula that's currently being publicly debated. The Edwards-Beaudoin issue was the Victoria formula. Then we have the issue of veto on selected items.

MR. CAMERON: And those items are the monarchy . . .

MR. McDONOUGH: The monarchy, composition of the Senate, the issue with the Supreme Court, language rights, changes to the amending formula. There is a possibility of the division of responsibilities between the provinces which would put it to everything.

MR. CHUMIR: That would subsume the whole thing.

MR. McDONOUGH: That would go back to the option of: if you've chosen that, you want the veto on everything.

MR. McINNIS: Would that include proprietary rights as well for provinces?

MR. McDONOUGH: No, but one could add resources, because resources are something they were going to add under Edwards-Beaudoin.

MR. McINNIS: I'm afraid what John has done has convinced me that the issue is too complicated to collapse into one question.

MR. McDONOUGH: Do you want to see my attempt? I'm not necessarily really happy with it, because again it makes it a very complex piece of work.

MR. McINNIS: Well, it does indicate that to do the issue justice, you need probably three questions, one of which is really a seven or eight parter, nine parts. So you've got 11 questions.

MR. DAY: I appreciate the work John has done on this. I'd still like to see us draw from previous Angus Reid stuff on this particular area. This gets into really lengthy, complicated stuff

that they've already fought through and got some information on.

MR. CAMERON: Yeah. One of the things is that we didn't go into as many specifics on the distinction between the 7, 50 formula, putting three options on the board. I mean, in the previous questions we talked about unanimous consent or some kind of system of regional vetoes, and that was the distinction we made in some of those previous surveys. I could take a look at that.

I think this option suggested by John does work in 4(b) and 4(c). One of the things the committee could consider is that if this is adopted, the people who would answer 4(c) are only those people who agree to 4(b), so it's not as if you're adding a total separate question.

Did you not get a separate page?

MR. CHUMIR: I didn't get a separate page.

MR. CAMERON: In terms of adding to the length, it doesn't add to the length as much as it may appear because not everybody is going to answer that question. Some people won't agree that unanimous consent is necessary.

MR. TAIT: See, the concern we had with the April question you asked was that you only gave the two options, which was unanimity on the one side and a regional veto on the other side, ignoring the 7, 50, which we think is a very viable option.

MR. CHUMIR: You see, people don't really understand this issue, and it seems to me that there's only one thing you can really get out of this, and that is: in the large picture, how accepting are Albertans of being regionalized? That's really the issue we're being asked. I mean, there's a whole range of coleslaw chopped up into specific questions, but that's basically what we all want to know. Are we ready to be regionalized as in Victoria, or are we going to insist that if any province gets a veto, such as either Quebec or Ontario, we want a veto? That's what this thing here tells us generally without getting into a lot of detail. It's very simplified. So to me this question works. This question 4(b) ultimately tells us the general sense, as long as we recognize we're not getting a lot of detailed or qualified information.

MR. McINNIS: With the elimination of "all provinces should have a veto."

MR. CHUMIR: Well, frankly, I don't even have a problem with having that in if people think that. I mean, it sets up the question re veto. That's really the heart of all we can really get out of it that's meaningful. Do you want to be regionalized, or do you want to choose that nobody has a veto?

MR. CAMERON: One comment Angus made about this question is that he said he preferred the 4(b), the alternate, and that to make it even more obvious about how firm the support or opposition to each of those is, we could probe a different way: rather than just yes, no on that, the level of support or opposition for each of those, whether people support or oppose all provinces having a veto, and then a follow-up question similar to the way 16 and 17 are structured on page 8, which gets at "Do you support or oppose that option?" Then, if you support it, does it have to be there, or could you leave that out? If you oppose it, could you accept it, or is there no way that should be

there? That will get at the issue of how much flexibility there is on the question of regional versus provincial veto.

MR. CHUMIR: I personally don't need all that information. If we're going to ask this, I could go with a yes or a no, which leads us in the direction of regional versus we're all equal as provinces. But I wouldn't want to get into anything more complicated and take more time on the amending formula because it's too esoteric. No matter what you do, it's too esoteric.

MR. DEPUTY CHAIRMAN: We've had the suggestion that it be deleted, we've had a suggestion that there be a substitution, and we've had the suggestion that we go with 4(b) basically.

MR. McINNIS: I can live with 4(b). It's not ideal and it's not comprehensive, and if it's not good enough, then I'd say we drop it.

3:57

MR. CHUMIR: I'd go with 4(b).

MR. DAY: Well, in the interests of harmony, I'll drop my request, even though some of you thought it was a good idea, and go with 4(b). That'll work.

MR. CAMERON: Can I just make a suggestion? If somebody does opt for all provinces having a veto, perhaps we could probe on that according to the framework that was set out in 4(c), which is on what issues. Or in fact if anybody says just in general there is a veto, all provinces or even a regional veto, what should that be on?

MR. CHUMIR: I suggest we leave it and not try and wrestle with something that's inherently too complex. Let's leave it as is.

MR. DAY: Agreed.

MR. DEPUTY CHAIRMAN: Agreed?  
Five.

MR. DAY: Looks good to me.

MR. McINNIS: Is it necessary that we ask this question twice? I guess we've been through this. Stockwell, as I recall, was adamant that we address the question specifically about Alberta irrespective of what anybody else does. Am I right?

MR. DAY: Uh huh.

MR. McINNIS: So in that case I guess we need both.

MR. DAY: You mean both 5 and 6?

MR. McINNIS: Yes.

MR. DAY: I feel that if you wanted you could put a question mark beside 6 as one to drop. Five deals with my concern; 6 is asking Albertans: how do you want other provinces to do it? I see that as somewhat extraneous. I'd be willing to put a question mark beside 6 if we're looking for one to drop.

MR. CHUMIR: I can leave it in. Let's put it on the side burner for consideration for dropping.

MR. McINNIS: What we don't have, though, is the idea of a national referendum, which is again a proposal. That gives you the same problems as the amending formula does: how many provinces have to agree on what issues.

MR. DAY: I thought there was a referendum question somewhere else.

MR. CHUMIR: It's almost implicit that if we think we want to have a public referendum, we would support a national referendum.

MR. McINNIS: Okay. So a question mark beside 6.

MR. DEPUTY CHAIRMAN: Seven.

MR. DAY: It looks good to me.

MR. CHUMIR: I'd want to see something more definitive either here or in the later question on 14.

MR. DAY: I think it's defined. It gets very definitive later.

MR. CHUMIR: Maybe we could leave this right now as is, and then I'll raise the issue again at question 14. I don't think we're addressing as precisely as we should an issue we have amongst ourselves here, and that is the degree to which we still want to have a strong federal government versus one that's weakened. I think we can ask this a bit more precisely, but I think everybody would be happy if it would be fairly objective. So let's maybe leave it till later.

MR. McINNIS: Yeah. Well, there is an imbalance in the wording. When we talk about increasing federal powers, those are "taken from the provinces," whereas on the flip side it's a "reduction in federal powers . . . given to . . . the provinces." I would like to see the same wording in either case. The first one would say, "a substantial increase in provincial powers with these taken from the federal government," just so it has the same wording as the alternative does. Otherwise, you're not sure you're testing the same thing across the board.

MR. DAY: I can see John's concern. What about just dropping that phrase altogether? Seven is obviously going just for the general tone, and then as we hit 8, it gets into some really specific stuff. So what about just saying, "a substantial reduction in federal powers"? Just drop it.

MR. McINNIS: Without saying where they come from.

MR. DAY: The reason I'm thinking that is that some people may be thinking of reduction of power of government altogether, and they're saying, "Yeah, I'd like to see some federal power reduced."

MR. DEPUTY CHAIRMAN: They may also say provincial too.

MR. DAY: Exactly. That's right.

MR. CAMERON: Yeah, exactly.

MR. DAY: That's my point. So why throw that in? They might be saying, "I'd like to see it all reduced," and federally they'd like to see it reduced but not if that's going to mean provinces get the appearance of bigger government. If it's general to start, why don't we leave it general? Then it gets really specific, Sheldon, from 8 on. It gets minutely specific.

MR. CHUMIR: I kind of got lost. I thought John was talking about simply having parallel wording on two things, and you've now talked about something . . .

MR. DAY: I'm saying you can keep it parallel in both 1 and 5 just by dropping both phrases "with these given to all the provinces," because this is a general question, right? We're asking for a general tone. Do you think the feds have too much muscle, the provinces, or do you like it more or less the way it is? But when you add "reduction in federal powers with these given to all the provinces," I think you're going to get a bit of a reaction there.

MR. CHUMIR: Well, some people want that.

MR. CAMERON: We've asked that in a number of different surveys. We put in those clauses, "with these given to all the provinces" and "with these taken from the provinces," because we were talking about a transfer of responsibilities, a transfer of power. Just as you said, people could interpret that without that caveat there as, "Yeah, a reduction in powers of government is a good thing, so therefore what do I choose?" They would say yes to all of them.

MR. DAY: Well, this way, if you drop the clause, you leave the option open. That can mean a reduction in government power in general or it could mean reduce the feds and give to the provinces. I think you could get people to react when you say "with these powers given to all the provinces." I think you could have an Albertan saying: "Yeah, that's okay. But I don't know if I want Quebec to have even more power than it's got now, so maybe I'll leave it with the feds. I'll give up the area of Alberta being a little more autonomous at the risk of Quebec being more autonomous." I think it could just twig a bit of a reaction there.

MR. CHUMIR: This is what Allaire is recommending. How can you not ask what Allaire is recommending? Maybe you should have as a category here "a substantial reduction in the power of all governments."

MR. McINNIS: The difficulty in going for what Stock suggests is that you're not really sure which they are responding to. You may be comfortable with that ambiguity, but how do you interpret the answer to the question? You want to try to force a choice which is an understandable choice.

MR. DAY: I appreciate the ambiguity factor there, John. I think, though, that would be dealt with the extensiveness of all these following questions.

MR. CHUMIR: If you want to, I don't mind adding "a substantial reduction in powers of all government," but I don't think . . .

MR. CAMERON: But that doesn't go with this question. We're trying to get a scale.

MR. CHUMIR: Well, why don't we leave that until later? But you've got to ask this. That's what Allaire is about.

MR. DAY: Yeah, you have to ask it, but I'm just saying you could ask it without that clause.

MR. CHUMIR: But you couldn't meaningfully, because Allaire says reduce federal powers and increase provincial powers. How can you leave that out of your main question on the scale? I mean, that's Quebec's starting point, their starting volley.

MR. DAY: Yes, but you allow for it by allowing for an increase in provincial power. But that's all right.

MR. CAMERON: What if we say this: "a substantial reduction in federal powers and an increase in powers to the provinces."

MR. CHUMIR: You've got it right here.

MR. DAY: That's what it's saying. Number 1 says that.

MR. CAMERON: Then "a substantial increase in federal powers . . ."

MR. CHUMIR: Bruce, you've got it here. This is exactly what Allaire said, so I think we've wrestled with it here.

MR. McINNIS: But I think the wording should be parallel in either case.

MR. CAMERON: But it can't be, in a sense, because . . .

MR. DAY: I see what John is saying. One is saying "given" and one is saying "taken."

MR. CAMERON: But that is the case, because you've got a reduction in federal powers all the way to an increase in federal powers.

MR. CHUMIR: But can't you say in the last one "a substantial decrease in provincial powers with those given to the federal government"? That's just reversing the way you phrase the question. That's what John is saying. In the first one you say "a substantial reduction in . . ."

MR. McINNIS: It doesn't matter to me which one is adjusted.

MR. DAY: If push comes to shove, I'd like it left like that.

MR. CHUMIR: But look. This one says, "a substantial reduction in federal powers . . . given to all the provinces," and he's just saying let's do "a substantial reduction in provincial powers with these given to the feds." He's just saying the reverse.

MR. CAMERON: But that's the same thing.

MR. CHUMIR: But the wording is different. He's saying, "a substantial increase." He's just saying change the wording of the last one to use exactly the same form of the wording.

MR. McINNIS: Actually, I had it the other way around.

MR. CHUMIR: Either way.



MR. McINNIS: I suppose either way would do as long as you're giving and taking at both ends equally.

MR. CAMERON: Well, we wrestled with this internally, and we came up with this wording which has been revised twice now to reflect the scale from one end to the other and the fact that it's not just a vacuum here. If you take powers, you give them, and if you give powers, you move them somewhere.

MR. McINNIS: It's a zero-sum game. That's the only way you get people to make a choice.

MR. DAY: So we'll agree with the imperfectness of this.

4:01

MR. CHUMIR: I'm with John. Let's use the same wording, though, in both questions.

MR. CAMERON: Well, let me look at that. I'll wrestle with that because I don't know whether we can. I'm trying to come up with wording that would be able to do that.

MR. DEPUTY CHAIRMAN: I think in the interests of tracking we should stay as close to the way you've asked this question before, if possible.

MR. CAMERON: That would be an added advantage.

MR. McINNIS: It really depends on how you conceive the issue. The question presumes that the issue is federal powers, whereas in my mind the issue is the balance between the two of them. So if you're going to strike a balance, you strike it either way, but you don't offer an option which goes from reduction of federal powers at one end to increase in provincial powers at the other end. You're putting reducing one against reducing the other or increasing one against increasing the other, but you don't put a reduction here against an increase there and expect to get people to make a balanced choice. That's my opinion.

MR. CAMERON: So we have to make the trade-off more apparent.

MR. McINNIS: Well, the simplest way, in my opinion, would be to reword the first option as a substantial increase in provincial powers, with these taken from the federal government.

MR. DAY: Then what do you do with 2?

MR. McINNIS: It doesn't have to change at all. That's just a variation of 1. Actually, I suppose it should be a slight increase in provincial powers.

MR. DAY: Right.

MR. CAMERON: A similar arrangement. A slight increase in federal powers, a substantial increase in federal powers.

MR. DAY: That's the way you had it on the first draft, wasn't it?

MR. CAMERON: Yeah. Okay.

MR. DEPUTY CHAIRMAN: Okay. Are we ready to move on to 8? We're after 4 o'clock now.

MR. McINNIS: Good thing we went over this once before.

MR. DAY: Imagine when it gets to the main committee.

MR. CAMERON: I would just add there - it isn't in there - "have exclusive authority in the area of" just before "Read List," so there would be, you know, a little intro to that. There would also be a comma after "Do you feel the Provincial Government should have exclusive authority." Those are just little housekeeping changes.

MR. McINNIS: I think this is as we laboured over it the other day. I think it's what we agreed to.

MR. DAY: Yeah. There's no sense kicking the semantics out of it.

MR. DEPUTY CHAIRMAN: All right. Moving on to 9, I'd like to put 9 on the table for consideration for elimination as being redundant, because I think it's generally covered in 10.

MR. CHUMIR: I could agree if 10 were changed a bit. I think there's a way of very simply changing 10 in terms of the things that are asked. I think we have to determine whether people want national standards, whether they want separate standards for each province, whether they want the national standards set by the federal government or set in another way. If you asked this question as it is and had your categories - for example, look at the first thing: (a) "Social services and income support programs such as unemployment insurance, welfare and others." If the four categories across said, "separate standards for each province, national standards set by federal government, national standards set by provinces collectively, and national standards set by provinces and feds together," you would have a comprehensive question which would tell you about whether they wanted it national or wanted it with the feds or the provinces or whatever. It wouldn't complicate your question to any significant degree, and I think you'd have much better, comprehensive information.

MR. DAY: I just have a bit of a problem with calling a standard set by the federal government a "national" standard. That would be a federal standard. There's a difference. One involves the provinces . . .

MR. McINNIS: If it's just the province, how could that be a national standard?

MR. DAY: No; provinces working collectively to agree on a standard. That's a national standard. One that's by fiat from Ottawa is a federal standard.

MR. CHUMIR: What do mean it's by fiat? It's our elected representatives. They're not the enemy.

MR. DAY: Well, that's a matter of opinion too.

I like 10, which doesn't get into that, but you're talking about federal standards. I just think establishing standards the way it's worded now is less confusing than what you're proposing there.

MR. CHUMIR: Well, as I say, you could talk about standards, but do you feel there should be separate standards for each province, a common standard? I'd call it national.

MR. DEPUTY CHAIRMAN: I'm attracted to "common standard."

MR. CHUMIR: National standard has a currency in interpretation. I keep running into this. It's funny how politics works, because I run into it continually. People don't like what's out there and they want to change the words. Quite frankly, I don't agree with those things, because I think people have an understanding and you flow into that understanding. But I can get outvoted. So I would argue for using the thing that appears in the newspapers and debate regularly, and that is national standard.

MR. DEPUTY CHAIRMAN: It just gets into newspapers, Sheldon, because they're quoting you and your friends.

MR. DAY: Your federalist friends.

MR. DEPUTY CHAIRMAN: Centralist friends.

MR. CHUMIR: Aside from whatever the terminology, the categories, I would suggest we need the issue of whether it's a separate standard for each province, whether there is a national standard which would be set by the federal government or by provinces collectively or by provinces and the federal government together.

MR. DAY: I'm confused, because doesn't it say that right now? What does "exclusive provincial" mean? That's saying a standard just for a province.

MR. CHUMIR: No, it doesn't have the issue of whether or not there is no national standard. I mean, it may be that people simply don't want to have a common standard there. They want each province to have the authority to set their own . . .

MR. CAMERON: Which is "exclusive provincial."

MR. CHUMIR: Which would be "exclusive provincial." But you don't have that. Here in the text it says the provincial governments should set standards collectively. That's only one choice. The other choice is that each province should set its own standards.

MR. DEPUTY CHAIRMAN: I can see what Sheldon's getting at. Where is the column that results in the provinces working collectively?

MR. CHUMIR: Exactly.

MR. CAMERON: Right. Without the federal government but collectively for a national standard.

MR. DEPUTY CHAIRMAN: No. Isn't that also an option: collectively with the federal government to arrive at a common standard?

MR. DAY: Yeah, it is in number 10, but there isn't a separate column for it.

MR. McINNIS: Somebody - in this case I think it's me - has to go back and say there's a reason why number 9 was on there, and I think we've sort of hit on it the last few minutes in the discussion. It's an issue that does come up from time to time.

The question of national standards came up many, many times in the hearings, and the arguments being put from members of the committee to people in the audience were: we agree on national standards, but who sets these standards? That seems to be important.

4:11

MR. DEPUTY CHAIRMAN: My objection to that, John, is that the mere fact that you say "national standards" tends to put a spin on it in favour of them then being set by the federal government, and I don't think that spin should be put on it. I don't mind being asked whether there could be a common standard arrived at through the collectivity of the provinces and the federal government, but when you use the word "national" . . .

MR. CAMERON: That's why question 9 is there, in fact, but that was in general, collectively or independently.

MR. CHUMIR: Question 9 touches one narrow corner of it. If you want to do it, quite frankly - as I say, I looked at this - you can very easily, by just changing the wording, get out of the corner. You can hit the broad thing, and you can have it all in one question.

MR. CAMERON: You make four categories instead of three.

MR. CHUMIR: Four categories and just, you know, change your wording a little, redefine this to what you're trying to find.

MR. CAMERON: Separate standards established by each province independently.

MR. CHUMIR: Separate standards set by each province independently or a standard . . .

MR. DAY: I don't have a problem with that, but I see some ambiguity here. What does "exclusive provincial" mean? One province?

MR. CAMERON: No. We'd change that.

MR. CHUMIR: You'd have to change these words, you see. You've got to change the headings. These are just headings for whoever's doing the questioning. They'd have to say, "Now, in terms of social services, would you prefer to have separate standards set by each province individually?" As I like to prefer and as was used in our hearings: national standards set by the federal government, national standards set by the provinces acting collectively, or national standards set by the provinces and the federal government acting together.

MR. CAMERON: If there were four, that question would remain fairly similar. There would be four different options, which would be: separate standards established by each province independently, common standards arrived at collectively between the provinces without the federal government, and then there would be national standards established in conjunction with the federal government and the provinces, and national standards established exclusively by the federal government.

MR. DEPUTY CHAIRMAN: I still don't like the term "national standards" myself.

MR. CAMERON: We could say, as one phrasing of that, common standards established collectively by the provinces.

MR. DAY: I don't have a problem with that list that Bruce just read off as long as when you get to the federal, you're saying "set exclusively by" and the other is "setting in conjunction with" the feds. Yeah. The word Sheldon was saying.

MR. McINNIS: I would go with that.

MR. DAY: Okay.

MR. DEPUTY CHAIRMAN: Okay.

MS SKURA: And leave 9?

MR. DEPUTY CHAIRMAN: What is happening with 9? Is that still on the list?

MR. McINNIS: Nine is gone.

MR. DAY: We don't need it then.

MR. DEPUTY CHAIRMAN: We're all agreed that we'll eliminate 9. Okay.  
Eleven.

MR. McINNIS: We could have some fun responses. If people say that it should be entirely the federal government and the provinces should set the standards, that would be interesting.

MR. DEPUTY CHAIRMAN: Yeah.

MR. McINNIS: As opposed to the other way around.

MR. CAMERON: Or the provinces should administer it.

MR. McINNIS: "Manage and administer."

MR. CHUMIR: I think this is fine. I would only throw out a guess, and this is something that would apply to all of them. One thing that we've not asked at all - and I don't know whether we really want to - is the economic development jurisdiction. Is that worth throwing in at this stage? I mean, it is a rather interesting question.

MR. DAY: Whether it should be exclusive or not?

MR. CHUMIR: Yeah. It could be just put in as a different heading in each of the three questions.

MR. McINNIS: Economic development is a very broad field.

MR. CHUMIR: Yeah, it may be a bit too broad. I just thought I'd canvass this.

MR. McINNIS: It presumably includes aspects of taxation and communications and environment.

MR. CHUMIR: Is that opening up a broader can of worms than we can handle in this questionnaire, even if we would like to know the answer?

MR. McINNIS: The only reason I wonder about it is that I don't see that being assigned particularly to one level of government or the other in the Constitution. It's such a broad area that it will include elements of both, no matter how you cut it.

MR. DAY: There's nowhere in here a reflection of some of the discussion we had last time involving entering into the equation who's doing the funding. Like number 11: we kicked around last time that question of should the provincial government have responsibility to manage and administer if it's not responsible for any of the funding. You know, the old pay the piper routine. That's not touched on anywhere in here.

MR. CAMERON: Well, the only way I can see getting at that would be by prompting. If anybody said "exclusive provincial" on any of those or "exclusive federal," then we'd ask: should the province or should the federal government also have exclusive responsibility for funding? But that would be a number of prompts.

MR. CHUMIR: That's too subjective and difficult. I don't particularly want prompts.

MR. CAMERON: Well, I'm not saying that prompts wouldn't be subjective, but it would add to the questionnaire.

MR. CHUMIR: I'd prefer to see the broader question about funding, so they'd have that as a separate question.

MR. DAY: As being separate?

MR. CHUMIR: That's what I thought last week, and I still prefer to see it.

MR. CAMERON: A whole separate series again?

MR. CHUMIR: If you want to deal with funding, I thought . . .

MR. DAY: I forget how we resolved that. Did we just leave it hanging last time?

MR. CAMERON: It was left hanging a little bit in terms of what was going to be included, whether that would be a whole separate battery or whether that could be just left out.

MR. CHUMIR: I think it was thought that it was somehow implicit as to where they wanted the standards and the administration to be.

MR. McINNIS: And because we included taxation policy, including collecting income taxes, among the enumerated powers as well.

MR. CHUMIR: I'd prefer to have it, but I'm ready for peace in our time.

MR. McDONOUGH: Just a question about the issue of combining culture and language. Should they be combined, or should they be looked at as separate items?

MR. DEPUTY CHAIRMAN: I think they're two separate things.

MR. DAY: Yeah, I think so.

MR. DEPUTY CHAIRMAN: One is multiculturalism, and the other one is language policy.

MR. CHUMIR: You want to separate culture and language?

MR. DEPUTY CHAIRMAN: Yes.

MR. DAY: I think they should be separated. I agree. And the funding thing from before: I'll leave that so it gives me the ability to interpret between the lines.

MR. CHUMIR: I suggest we move on, and we'll leave it as is.

MR. CAMERON: Now, we had linked culture and language in a number of other places, so we'll separate those. Matters associated with culture and multiculturalism, should we say?

MR. DEPUTY CHAIRMAN: Yes. Those two can go there. The language should be separate.

MR. CAMERON: Since that is what the ministry here is called. And matters associated with language policy?

MR. DEPUTY CHAIRMAN: Or, as the Japanese would say, culture and more culture.

MR. CHUMIR: Culture goes beyond multiculturalism. I think you really give it a different twist. Part of multiculturalism is culture, but another part of it is tolerance and understanding and human rights. I'd just as well leave that out of there and put a separate question. Leave culture as culture, because I think most people look at it as arts directed stuff.

MR. McINNIS: We do have multicultural questions later on.

MR. CHUMIR: I'd just put culture in because I think it's different from multiculturalism.

MR. McINNIS: Culture and language: that's the Quebec way of describing it. It's the Quebec agenda.

MR. DEPUTY CHAIRMAN: Well, I think people here look at language as not part of the culture question.

MR. McINNIS: There are quite a few people who think the solution to all of that is to make language exclusively provincial so that in Quebec they can have their language problem and we'll have our own.

MR. DEPUTY CHAIRMAN: Okay. Any more?

MR. McINNIS: Does that mean we've added one question to each of those?

MR. CAMERON: Right. That's what it means.

MR. McINNIS: So we've just added three more questions, for those who are keeping score.

MR. CAMERON: We're adding and subtracting at the same time. I think we're just about even. We may be a little less, actually, in terms of what's going out.

MR. DEPUTY CHAIRMAN: You should have a bonus for words saved.  
Twelve.

MR. McINNIS: Again, I found a slight lack of parallelism. The description of the "no" side is good: "Others say that the Charter has had a positive effect, by upholding the individual rights of Canadians." Stop it there. I don't think "even if it means ruling against some existing legislation" needs to be in there, because we've already described that as being one of the consequences of having a Charter of Rights and Freedoms.

MR. DEPUTY CHAIRMAN: I'll bow to that.

MR. CAMERON: I put it in there for balance.

MR. DAY: John, I'm sorry, I was reading something else. You're saying the first part is good?

4:21

MR. McINNIS: Well, the first part of the question says it's negative because it gives

too much power to the courts, allowing them to overturn legislation passed by elected [people]. Others say that the Charter has had a positive effect, by upholding the individual rights of Canadians.

Now, there I think it's balanced, but if you then say even though it does - you throw the negative back in with the positive - I think that might have the effect of turning people back around to the negative again. It seems to me that the argument of one side . . .

MR. DAY: Some people might take the negative as positive though.

MR. McINNIS: Well, these are the two sides of the argument. The balancing of overturning legislation is protection of human rights.

MR. DEPUTY CHAIRMAN: Let's hear from Bruce.

MR. CAMERON: Yeah. I wanted to phrase that so that on the one hand you had what the principle was and what the impact was. In terms of the principle, there's too much power to the courts, and the impact is that it allows the courts to overturn legislation.

MR. McINNIS: You've got it backwards.

MR. CAMERON: Okay. Then the other way around: I've got the positive effect, the principle, that it upholds individual rights, but that means ruling against some legislation. That's why it was in there, to give a balance. I don't know whether it will be enough to just say, "Others say that the Charter has had a positive effect, by upholding the individual rights of Canadians," period, without contrasting it as to why that is the case.

MR. McINNIS: That is the trade-off. If you want to have a Charter of Rights and Freedoms, it does mean that some nonelected people are going to be able to overturn legislation.

MR. CAMERON: Right, and that's why I put it in there.

MR. DAY: I'm a bit uncomfortable. If you don't add that "even if it means," then it leads a person to think: others say the Charter has had a positive effect by upholding individual rights. It's almost giving them an either/or. What do you want? Do you want your provinces to be ultimate and supreme, or do you want individual rights upheld?

MR. CAMERON: One way to do it is to take out even the reference to "allowing them to overturn legislation passed by elected representatives." In both cases you'd say: some people say it's had a negative effect by giving too much power to the courts; others say that the Charter has had a positive effect by upholding the individual rights of Canadians. Then you don't put any caveat there. So you eliminate it from both phrases.

MR. CHUMIR: As a supporter of the Charter, John, I don't think this gives it a negative spin, quite frankly.

MR. DAY: I think it's as balanced as it can be.

MR. CHUMIR: That's my instinct on there. I know what you're getting at. I don't think somebody is pushed. I don't think there's much of a negative connotation of ruling against existing legislation. I think there's lots of cheering that goes up on that thing, so if you're concerned about the spin . . .

MR. McINNIS: Well, coming from a civil libertarian, okay.

MR. DEPUTY CHAIRMAN: So we'll leave it?

MR. McINNIS: Okay.

MR. DEPUTY CHAIRMAN: We'll leave it, Bruce. You've withstood the challenge.

MR. McINNIS: My point is that when it comes to the negative argument, there's no "even though."

MR. CAMERON: Oh, I see.

MR. McINNIS: There is no qualification on the negative argument.

MR. CHUMIR: My sense is that even though it's faulty, even though it gives it a little boost and they say, "Yeah, I like that," all these guys will be saying, "What is this?"

MR. DEPUTY CHAIRMAN: Yeah. I'm getting a little concerned here.

MR. McINNIS: It's bad, or it's good but bad.

MR. CAMERON: Yeah. See, we could add: some people say there's a negative effect by giving too much power to the courts, allowing them to overturn legislation passed by elected representatives, even if that means - what would you put there?

MR. McINNIS: I wouldn't put anything.

MR. DAY: I think the whole thing's redundant if we're going ahead with all of 13, quite frankly, because it's asking that question in 13(b) and 13(c).

MR. CAMERON: In total we'd be able to take a look at that, but we wanted to get at the principle of whether overall, since its inception, it has had a positive or negative effect.

MR. DAY: Then the principle isn't being quite brought out correctly. I agree with John but for a different reason. You're bringing out one principle here in the first sentence when you talk about overturning "legislation passed by elected representatives." That's a very important principle. But when you trail on here, you say "individual rights . . . even if it means ruling against some existing legislation." Those phrases, "some existing legislation" or overruling elected people: boy, one is charged and one isn't.

MR. McINNIS: Well, you've got essentially the charged phrase on the negative side. I don't quarrel with that. That's the argument. I don't quarrel with the way the negative argument is put, not at all.

MR. CAMERON: I see what you mean. Let me have another pass at that with those comments in mind.

MR. DAY: Being totally unbiased, as I always am, and looking at this analytically, or trying to, picture everybody there with a blank slate as far as this question. The tendency will be for people to automatically have a bit of a reaction when it talks about individual rights. They'll say, "Whoa; that's supreme, so yeah, I like it," and that's not really what our concern is, or some of our concern is, in terms of elected representatives being overruled by an unelected body.

MR. McINNIS: You want to put the negative out on the whole thing.

MR. DAY: No. There's a little different slant there.

MR. CAMERON: They're both part of the same equation. I think if we have disagreement from both sides of the argument about the phrasing of the question, perhaps it is balanced yet.

MR. DEPUTY CHAIRMAN: It might be quite close.

MR. DAY: There's a specious argument if I ever heard one.

MR. CAMERON: Well, I'll take a look at it some more.

MR. DAY: So we can stand in the Legislature and say that because nobody liked our legislation, it's got to be good.

MR. McINNIS: It's been used before.

MR. DEPUTY CHAIRMAN: It's got everybody mad, so it must be all right.

MR. CAMERON: No. I agree with both. I'll take a look at the wording on that.

MR. CHUMIR: I think it's a very fair thing because that's exactly what is at stake in the Charter. It's exactly what's at stake. Those are the trade-offs.

MR. McINNIS: I'm actually persuaded that it's okay.

MR. DAY: Yeah, but in some situations, Sheldon, it's not an individual right that's at stake; it's whether the Legislature of a province has the right to be supreme in certain cases. It's not a question of individual rights.

MR. McINNIS: That's a political argument.

MR. DAY: It's very political.

MR. CAMERON: But then that gets back to the division of powers and the constitutional arrangement on that.

MR. DAY: Yeah. Well, we hope we can sift it out of these next questions here, because (b) and (c) in 13 might salvage it too.

MR. DEPUTY CHAIRMAN: Now moving on to the social charter, 13. What will it be called now, John? The Charter of Rights and Freedoms and social issues?

MR. McINNIS: Well, the record will show that my colleague from Calgary-Buffalo wanted that in there, and I think it should be in there too.

MR. CHUMIR: The Charter? Sure. I think that's a good, valid, proper question.

MR. McINNIS: This is something we laboured over pretty hard at the last meeting. I think we've got a very nicely balanced package there which includes the two sides of the notwithstanding clause in (b) and (c) without using such arcane language as that.

MR. DEPUTY CHAIRMAN: Sheldon, you had your hand up.

MR. CHUMIR: Well, it's fine. I guess in (c), though, the wording of the exceptions, the notwithstanding thing - I think there is a better description of what happens in terms of the circumstances in which there are exceptions, and that's that the provincial government should be allowed to opt out of the Charter on matters which the government determines are important to the province. I mean, that's really what it is. It's if they decide they want to opt out. I think this thing is not accurate because it almost implies that there are exceptions carved out. You know, it's great to begin with, but there aren't exceptions to the Charter; they're opting out on specific things.

MR. CAMERON: A supplementary comment: should be allowed to opt out . . .

MR. CHUMIR: . . . of the Charter on matters which the government determines are important to the province.

MR. DAY: No. You can't say it like that. You've got to say which reflects the majority view of that province.

MR. CHUMIR: No; they can't say that.

MR. DAY: Yeah. You're making it very political, Sheldon. You're saying which the government says. No, no. You're going to get people saying, "I don't like that."

MR. CHUMIR: The government does do it.

MR. DAY: No. You've got to have it saying which reflects the majority view of that province.

MR. CHUMIR: Well, then you've got to start getting in and saying after there has been a referendum which reflects the majority view. You can't say that you guys reflect the majority view. You supported the Meech Lake accord, and the people of this province were totally opposed.

MR. DAY: You've just made my point, and I thank you for it.

MR. CHUMIR: No, I haven't. They disagree with what you guys do. The point is that the fact that you want to do something doesn't mean the people of the province do.

MR. DAY: That puts too strong a spin on it. That's much too strong a spin.

MR. CAMERON: Yeah, that's why we've got this wording. It doesn't have much of a spin one way or the other.

MR. DAY: Right. Your wording is better than either Sheldon's or mine. Mine spins it one way; Sheldon's spins it the other.

MR. CHUMIR: No, it doesn't, because this does not describe what happens.

MR. CAMERON: It's meant to go with (b).

MR. CHUMIR: I mean, I don't mind suggestions to changing the language. The fact is that it's the provincial government that makes the decision, and that doesn't imply that the people are in agreement with them.

4:31

MR. DAY: I think it's fairly reflected in

(b) . . . should be made binding on all Federal and Provincial legislation, with no exceptions [or]

(c) Some exceptions to the Charter should be allowed on matters which are felt to be important in certain provinces.

I think that's probably the fairest way, as much as I might want to crank it the other way. Once you start to say "the government," then this changes. It could change on a headline. All of a sudden it could be said that the Edmonton Oilers are getting booted out of Alberta. Anything, then, that is "the government" is going to cause people to react. It has to have this sense of the importance to the populace, the larger feeling of the province.

MR. McINNIS: This thing did change overnight when Quebec re-enacted their language law using the notwithstanding clause.

MR. DEPUTY CHAIRMAN: It was a sea change.

MR. McINNIS: It's going to happen from time to time. I guess probably I'm sort of back with the original wording as well. The difficulty with Sheldon's formulation is that you don't opt out of the whole Charter.

MR. CHUMIR: You do "on matters."

MR. McINNIS: But the Charter remains in effect. It's just that it doesn't affect a particular piece of legislation, which could be an exception or exemption or something.

MR. CHUMIR: Or should be allowed to override the Charter.

MR. DEPUTY CHAIRMAN: Temporarily, too.

MR. CAMERON: That's true. It's five years.

MR. DEPUTY CHAIRMAN: It's got a five-year sunset on these things. It's not forever.

MR. McINNIS: Yeah. I suppose we could try to find a more clinical statement of what the status quo actually is.

MR. DEPUTY CHAIRMAN: I think Bruce has done a pretty good job.

MR. DAY: Yeah. I think (b) and (c) are livable.

MR. CHUMIR: This doesn't get it, though, you see, because the alternate on this thing is that you could say some things are excepted from the Charter right to begin with just by definition, not by the provinces coming in and saying, "We're going to override it." If it's in the Charter but we're overriding it, you're saying that it should be an exception to the Charter. It's not in the Charter itself; it's an exception to the Charter because it's important to the province. That's a nuance that's not there because you need the fact that it's a provincial government that acts.

MR. DAY: Well, new 'ance' or old 'ance', I think he's got it right in (b) and (c) here.

MR. CAMERON: What if we said that some exceptions to the Charter should be allowed on provincial legislation which is felt to be important?

MR. DEPUTY CHAIRMAN: No.

MR. DAY: I think it's good. You've already got legislation in (b); I like (c). It's as neutral as you're going to get it.

MR. DEPUTY CHAIRMAN: You've missed your taxi, Sheldon.

MR. CHUMIR: Yeah, I know. I missed my plane.

MR. DAY: And I missed my appointment.

MR. CHUMIR: I'm going to have to phone over and tell them to get rid of the taxi.

MR. DEPUTY CHAIRMAN: Where's the phone?

MR. McDONOUGH: There's one right out here.

MR. DAY: Did we say that 13(a) is in? Have we agreed on that?

MR. DEPUTY CHAIRMAN: There was never a proposal to take it out.

MR. McINNIS: We had agreed at the last meeting.

MR. DAY: Okay.

MR. DEPUTY CHAIRMAN: Fourteen.

MR. McINNIS: Fourteen was, as I recall, one that has been tried before.

MR. DEPUTY CHAIRMAN: This was for tracking, was it?

MR. CAMERON: Right.

MR. McINNIS: It also presents the whole range of options to try to get some idea of where people sit on the Quebec question.

MR. CAMERON: Yeah.

MR. DEPUTY CHAIRMAN: Is this the one where Sheldon said we could incorporate one of the earlier ones, get rid of one earlier and put it in here, or was that in 16?

MS SKURA: That was in 16.

MR. DEPUTY CHAIRMAN: Is 14 necessary, or is this a candidate for . . .

MR. DAY: Well, 14(a) and (b) are asked in other ways in other questions.

MR. CAMERON: But the whole question works as a complete package.

MR. DEPUTY CHAIRMAN: It pretty well all has to stay together or all go.

MR. CAMERON: Right, or all go. We give people the various options and ask them, once they've said what they oppose or support, which one they prefer, to really get an overall picture of their stance.

MR. DEPUTY CHAIRMAN: Well, I guess we'd better leave it in because we're not going to make the final decision today, I don't think, on what comes or goes. We're trying to come up with a package for the whole committee, and the whole committee's going to have to make the decision on what stays or goes, wouldn't you think, John? I guess we could say our own views, what we feel now.

MR. DAY: I'm certainly hoping the whole committee is going to feel comfortably disposed to going with our opinion on this because, boy, if we start getting down to the whole semantics of this exercise again, there is no point in this exercise.

MR. DEPUTY CHAIRMAN: I guess the committee should have a view saying that this committee feels this.

MR. DAY: Yeah.

MR. McINNIS: I think we should present them with something that's our consensus and is doable.

MR. DAY: Yeah, and if there's a really substantive, overwhelming disagreement, then obviously . . . But I hope this just doesn't become part of a larger exercise.

MR. McINNIS: There's a question I would like to raise. If we look at question 23 on page 11, this also gets into sort of general

views of the overall situation from a somewhat different perspective. I guess this is one where you could sort of play doctor and diagnose the problem. The difficulty I have with the question generally is that it presupposes there is a problem. I wonder if we couldn't make something out of 14 and 23 combined into one; you know, put these various options on a scale from one end to the other. I like 14 better in structure because it does include some elements of the status quo and variations on it, whereas 23 tends to presume it's broken; what is the problem here? I'm just wondering if we couldn't somehow integrate those two into a single question. Maybe somebody can refresh my memory as to why we had . . . They're sort of fishing the same general problem, I think.

MR. CAMERON: Twenty-three may be a candidate for just removing altogether in that we've asked that in previous questionnaires. The only reason I had included that was that the second point there was the key one:

Canada's current constitutional difficulties are a result of a basic incompatibility between French Quebec and the rest of the country.

If the committee can show that a majority of Albertans don't feel that that's the case, that there isn't that incompatibility, I think that is an important finding in terms of knowing what flexibility exists on the whole constitutional issue, that people don't see it as an incompatibility between Quebec and the rest of Canada. But that may be dealt with in a separate way. We don't have to put it in that range, as it is in 23.

MR. DAY: Yeah. Can I just suggest that I think there's one thing that's important in 23 that's sort of implicit, and that is asking people, "Look, do you think our whole system is shot?" What if you were asked a question this way; could there be agreement on this: "Some people feel that Canada's current constitutional difficulties are the result of fundamental flaws in the basic system. Others feel the difficulties arise from such things as the federal government and their strategies, basic incompatibility between French Quebec and the rest of the country, and other reasons. Which do you ascribe to: our system is basically shot and needs a total overhaul, or these constitutional problems are the result of these other pressures?"

MR. DEPUTY CHAIRMAN: I think that's where maybe Mr. Anderson's concern about . . .

MR. DAY: So 23 could just be one question along those lines.

MR. CAMERON: John, you had a concern, too, about phrasing it in terms of a problem rather than just do people see that there is a problem. We have a previous question that we've asked on some of our national tracking studies - I don't have the exact wording here; Angus mentioned to me that it might be included - which is: "How serious do you see the problem? Do you think the country has such serious difficulties that the future of the country is actually threatened, or do you think that it's not that . . ." There's a range of options there which may be a good way of getting at that issue that Dennis Anderson brought up.

MR. McINNIS: If we think what we really want is an answer to 2, then I think we should put it as a question - either agree, disagree, strongly agree, or somewhat - just kind of as a test argument rather than juxtaposing it with all these various other options. When you start throwing other things in, people will say that you haven't got the right list of options. If the goal is

to get a response to that statement, then let's get them to respond to it.

4:41

MR. DAY: Sure. I don't care, as long as . . .

MR. CAMERON: And that would address the . . . Sorry.

MR. DAY: I think we do need to get a sense of if people are saying it's our system that's so badly flawed or is it these other problems. However you want to word that, along John's lines or whatever.

MR. CAMERON: If we get agree/disagree in terms of the fundamental flaws in the system, not an either/or but separate from the difficulty as a result of incompatibility - agree/disagree on those two statements would cover off Dennis Anderson's concerns, your concerns, and this question of incompatibility.

MR. McINNIS: The difficulty, in my opinion, is when you get people to choose one of a number of statements, because there are quite a few other positions that aren't represented in that.

MR. DAY: As along as we can work it to get that sense of: is it a result of basic flaws and therefore the system needs a major overhaul, or is it some of this other stuff? I don't know how you would do that.

MR. DEPUTY CHAIRMAN: John McDonough.

MR. McDONOUGH: The "fundamental flaws in the system" is very broadly based, and if Dennis Anderson is looking at the parliamentary process, if that's his question, Parliament versus the various forms of changing the way Legislatures work, then that's more broadly stated than that focus.

MR. DAY: Yeah. Sure.

MR. McDONOUGH: I have no solution for this, but I . . .

MR. CAMERON: Except to add maybe another statement there, add agree/disagree to it about, you know, a fundamental change has to take place in the structure of the Canadian system including a changing of the parliamentary procedures - however. It's something to incorporate, what Dennis Anderson was talking about.

MR. McDONOUGH: Right. If you're going to agree and disagree, you put that on a scale.

MR. CAMERON: Yeah.

MR. CHUMIR: We're into the issue of combining 14 and 23?

MR. McINNIS: Yeah. This is my fault. I thought that might be a way out of the problems with 23, but we then kind of got sidetracked into dealing with 23. Maybe we should continue in sequence.

MR. DEPUTY CHAIRMAN: We're really on 14, Sheldon, but we had this little digression.

MR. McINNIS: You know, if this is a tracking question, I suppose it might go as a candidate for elimination on the



grounds that we're short of time and we have some data on that. That's basically where you stand on the various Quebec options.

MR. DEPUTY CHAIRMAN: Well, we'll just make our little list of those, John, and then we'll ask Bruce for his opinion, at least.

Fifteen? That sort of goes with 14.

MR. CHUMIR: Well, hold on.

MR. DEPUTY CHAIRMAN: Sorry, Sheldon.

MR. CHUMIR: I've got some comments on 14, because I don't think it quite gets - I mentioned earlier in the day that there are some questions that need to be answered, and I don't think this quite gets as complete a range as we would want answers to. One of the questions we want answers to is attitude towards strength of central government. Do we want a strong central government; do we want to take away more powers from the central government?

MR. DEPUTY CHAIRMAN: We already dealt with that.

MR. CHUMIR: No, we haven't got that adequate, Stan. Just hear me out, because what this thing here says in the continuum, in (a) you've got "the same system of federalism," and in (b) you've got "a renewed federal system with a completely new distribution of powers," but that doesn't tell you anything about what we want to do in that redistribution of powers. That's really neutral, and it seems to me that that should really be two separate questions, and the wording may be - now, there'd be no magic, but I think the types of things we all want to know are what Albertans think about. The first question I would ask is: should there be a renewed federal system with a completely new distribution of powers but ensuring a strong central government? That would be one alternate. I know it hurts, it pains us to hear the words, but it seems to me that's one question. The alternate would be a renewed federal system with a completely new redistribution of powers, transferring significant powers from the federal government to all provinces.

MR. DEPUTY CHAIRMAN: Well, what's question 7 doing?

MR. DAY: Well, Sheldon, that's why I said a while ago that if anything, 14(a) and (b) are redundant. We dealt with it in general terms in 7 and then extensively on through 8, and now we're asking it again. I don't understand it, and I don't even see how it relates necessarily to (c), (d), and (e). If you want to have (c), (d), and (e) stand alone, that's fine, but (a) and (b) are going over ground that we've already gone over in detail.

MR. CHUMIR: But you're asking it in the context of a continuum. What's wrong with asking it? Why is there such a reluctance to ask people whether they want to have a strong . . .

MR. DAY: Then ask it the way it is here.

MR. CHUMIR: But this doesn't ask the question, is what I'm trying to relate.

MR. CAMERON: It specifically does that because we left it open-ended. We're talking about status quo or a change in the current federal system. It would still be a federal system, but there would be a redistribution. Now, we've explored the

redistribution issue in the other questions, so that could be related back in the analysis. If somebody did, say, opt for renewed federalism, they may opt for renewed federalism and they may be very strongly centralist, or they may opt for renewed federalism and be a very strong provincialist. We can get at your concern by looking at it through the data, even if this question were included.

MR. DAY: Yeah, by looking back at it.

MR. CAMERON: By looking back at the data and the answer to that question in conjunction with the other questions.

MR. DAY: So 14 as a whole?

MR. McINNIS: I just think we junk it.

MR. DAY: I don't mind junking it.

MR. DEPUTY CHAIRMAN: Okay. Let's go.

MR. CHUMIR: Junk the change?

MR. DEPUTY CHAIRMAN: No. Junk the whole question 14.

MR. CHUMIR: I wouldn't junk the question.

MR. CAMERON: I might not either, but we can put that . . .

MR. DEPUTY CHAIRMAN: It should be on the list.

MR. CAMERON: Because we've asked it before.

MR. CHUMIR: I think it has some important points, but I'd ask it with greater definition. Again, I think you want to hear whether . . .

MR. DEPUTY CHAIRMAN: John, I made the suggestion that we make our list and then we ask Bruce for his opinion on which can be most easily eliminated in the interests of time.

MR. DAY: Sixteen is agreed?

MR. McINNIS: The reason I think we could do it is because the question has been asked on many other surveys and we have data on it.

MR. DAY: And it's been asked here.

MR. CHUMIR: But is that going to be relevant for ours? How do you do that, John? What I'm troubled with is that you don't ask questions that are central. We have one opportunity, and then we start dragging. You want to bring in that this was done on survey X because we liked the answer there, and survey Y did it differently.

MR. McINNIS: No, that has nothing to do with it. I don't even know what the answer was.

MR. CHUMIR: I'm not trying to imply about this specific question, but I'm saying that if you don't ask it on this survey and you rely on other surveys, which survey are you relying on, and who picks which question and what survey?

MR. McINNIS: The question of whether redistribution of powers should go toward the federal government or the provincial government we've already asked. We haven't done it in this context; I agree.

MR. CHUMIR: Yeah, but this is very central. You haven't asked this precisely, and I don't see why you can't.

MR. DAY: But, Sheldon, I don't know how much more precise you can get, other than asking, previous to this, 31 separate questions all relating to distribution of powers. I just counted up 31 of them. You know, you just can't beat the dead horse anymore. That's why I'd say all of 14 goes up for possible extinction.

MR. CAMERON: The one thing I may just comment on is that by eliminating 14, you're also eliminating from this report, which will be generated on this data, the issue of Albertans' reactions about special constitutional status, sovereignty association, or complete Quebec independence.

MR. McINNIS: Well, look at question 16 before you say that.

MR. DAY: It's dealt with in 16, though.

MR. CAMERON: Right. That's recognition of distinct society. It could be included in there, actually. We can include those elements.

MR. DEPUTY CHAIRMAN: I think John and Stockwell suggest that 14 and 15 be put on the reserve list.

MR. McINNIS: Depending on where we're at at the end of the day.

MR. DEPUTY CHAIRMAN: Sixteen?

MR. DAY: Sixteen I can live with.

MR. DEPUTY CHAIRMAN: Without any changes?

MR. DAY: Well, none of it's perfect, but it's all stuff I thought we hashed out in the last meeting, that was important to us.

MR. McINNIS: If we're going to get at Dennis Anderson's question and some other possibilities, such as the role of the monarchy and the possible question of proportional representation, this would be the place to do it. I'm understanding our situation in terms of length. Anyway, I had some representations that we should try to get at essentially a question of Canada versus a U.S. style of government, the role of the monarchy, and proportional representation: peripheral issues, perhaps. Anyway, I'm duty bound to mention that.

MR. DAY: I appreciate John bringing those up. I think that if we start throwing proportional representation, we've got to do some explanation clauses too.

MR. McINNIS: Yeah. And if people think party discipline's a problem now . . .

MR. DEPUTY CHAIRMAN: It gets worse.

MR. DAY: Yeah. Proportional representation: I just think that's throwing in a curve that would need a significant explanation, preamble, and then questions.

MR. DEPUTY CHAIRMAN: No time for it.

MR. DAY: Let people bring that idea up.

MR. DEPUTY CHAIRMAN: So 16 and 17 go together.  
Yes, Sheldon.

4:51

MR. CHUMIR: Are you moving beyond 16 now, because I've got some . . .

MR. DEPUTY CHAIRMAN: You've got some comments on 16? Make your comments on 16.

MR. CHUMIR: In

(aa) Quebec would be recognized as a distinct society and would have control over all aspects of language, culture and education,

that's not necessarily what the distinct society means. I mean, they could have control of all aspects of language, culture, and education and not necessarily be a distinct society. I think the significance is what you're contrasting. With your first question of being recognized as a distinct society without conferring any special powers, you've got to distinguish that from being a distinct society which confers special powers. And this isn't necessarily for special powers. I mean, the control might have come through, you know, a different decision that maybe all provinces have control over those things or maybe it's appropriate, but what happens in the distinct society is that the standard interpretation is that it vests powers to ultimately override the Charter in certain ways. It could be in terms of demographic issues and, you know, population, not even, in fact, restricted to these things.

MR. CAMERON: In fact, we went into great detail in the national unity study, detailing the number of different areas of jurisdiction that Quebec would have complete control over and whether or not Canadians supported that or not.

MR. CHUMIR: If you wanted to phrase it directly with those two distinctions, the way would be that Quebec would be recognized as a distinct society with special constitutional powers being conferred on Quebec to protect this distinctness. I may even be overstating it slightly.

MR. DEPUTY CHAIRMAN: John McDonough.

MR. McDONOUGH: I was just going to say expanded powers.

MR. CHUMIR: With expanded powers being conferred - yeah - on Quebec to protect this uniqueness. That would be fair enough, probably a better way.

MR. CAMERON: Yeah, because we've found that "special powers" tends to raise a big red flag in front of people.

MR. McINNIS: There are many nuances here. The distinct society is sort of seen as an alternative to special status by some people. I wonder if perhaps that wouldn't be the easiest way to

get at the heart of the matter, to juxtapose a distinct society clause versus special status, special powers, for the province of Quebec. I mean, I think these things are always argued in terms of language and culture, but the truth is that they extend. A power is a power. You can't distinguish when it's being exercised for a correct purpose or an incorrect purpose. If they get the powers, they get them. Maybe I'm misreading the situation, but that's sort of the way I would put it.

MR. CAMERON: I think it's a valid point that specifying language, culture, and education is just one aspect of the issue of special or expanded powers to protect distinctiveness.

MR. CHUMIR: I think it would be fair enough, perhaps, to ask a separate question. I think with Albertans, for example, that when asked should they be able to control language and so on in Quebec, they might separately say or at least there would be a separate response to, you know, Quebec should have control over aspects of language, culture, and education in Quebec. That need not be part of the distinct society thing.

MR. DEPUTY CHAIRMAN: Well, I would think it would be rather strange to think that it was, because I always thought that language, culture, and education were, if not exclusively, certainly predominantly provincial anyway.

MR. McINNIS: Not with the Official Languages Act.

MR. DEPUTY CHAIRMAN: Well, the Official Languages Act is supposed to only apply to the federal government. I guess that leads us to our argument with, say, the Bernier decision. What right do they have? But of course, that's how the great Charter of Rights is being interpreted.

MR. CHUMIR: You see, you could do something along the lines of what I had suggested and maybe have another question just in terms of sounding out the degree to which Albertans are responsive in there. I don't want to get all the kinds of questions in which there might be hardball things without exploring what I think is the receptiveness. You might say: Quebec have control over all aspects of language, culture, and education in the province in order to protect its . . .

MR. DEPUTY CHAIRMAN: Regain control that was stripped away from them.

MR. CAMERON: Without any mention of distinct society in that question.

MR. CHUMIR: Well, in that question, and then you could contrast the real choice between (a) and (b), with special powers or with expanded powers. Why I use "special," John, is because we had "special" in the first question.

MR. McDONOUGH: Yeah, okay. I was just looking for another term.

MR. CHUMIR: You could add "with expanded" because it would be recognized as a distinct society with special powers being conferred to protect.

MR. CAMERON: Yeah. Quebec would be recognized as a distinct society with special or expanded powers to protect this

distinctness, and then another statement saying Quebec having control over all aspects of language, culture, and education. Support or opposition.

MR. CHUMIR: Now, one other thing that I have questions on is (f). The triple E Senate question is phrased on the basis of having equal regional representation, and that's not quite the way we want it.

MR. DEPUTY CHAIRMAN: How did that "regional" get in there, Bruce?

MR. CAMERON: Yes. Provincial?

MR. McINNIS: Equal representation from each province.

MR. CHUMIR: I mean, if one wanted to, the fact is that you could and maybe should structure a question that placed the choices of regional versus provincial. But I've got another kind of a question, a thing that's been missed that's still out, and that is just the general issue of whether all provinces should have equal powers under the Constitution.

MR. CAMERON: Equality of the provinces.

MR. CHUMIR: Equality of the provinces. All provinces should have equal powers under the Constitution. They're not totally equal in the sense of the different numbers of representatives and so on, but the powers are generally considered to be equal. Some of the institutions are a little different, but the powers . . .

MR. CAMERON: All provinces having equal powers under the Constitution, or something of that sort. That was one element that was mentioned in the last meeting that I don't think we've got here, the equality of provinces.

MR. CHUMIR: It's kind of another side of the coin.

MR. McINNIS: And it's unrelated to triple E.

MR. CHUMIR: Unrelated to triple E. It's an additional question.

MR. McINNIS: That's really the flip side of special status.

MR. DEPUTY CHAIRMAN: Okay. Any further comments on 16?

Bruce, maybe you could just review for Stockwell the earlier discussion as to (aa).

MR. CAMERON: Yeah. Well, we would make it three statements. (A) would be fine; (aa) would become: Quebec would be recognized as a distinct society with expanded powers to protect that distinctiveness. Then another statement would be: Quebec would have control over all aspects of language, culture, and education - no mention of distinctiveness - to get at the degree to which there is support for that kind of language control.

5-01

MR. DAY: Is that suggesting control that other provinces wouldn't have within their provincial lines? Is that what that's saying?

MR. CAMERON: Actually, that would be something that we should probably clarify there; you're right. Quebec having control over all aspects of language, culture, and education: it would make a big difference if it was all provinces or just Quebec.

MR. DAY: Right. That's key.

MR. DEPUTY CHAIRMAN: Does it have to be asked because of your previous try in Quebec, or could you word it on the basis that all provinces would have that?

MR. CAMERON: We will get that, I think, from those other . . .

MR. McINNIS: I don't think that third question will tell you very much, if anything, because if there is a demand, it will be couched in terms of language, culture, and that type of thing. Then that would avoid Stock's problem if we eliminated that third formulation and just went with distinct society without power, distinct society with power, to try to find out how far they're prepared to go.

MR. DAY: Yeah. The words "special powers" I think help too.

MR. McINNIS: Expanded powers.

MR. DAY: Yeah. But that suggestion that they have and other provinces don't is what . . .

MR. CHUMIR: I sense that they'd have a hardball position on the special powers, but I think that Albertans are inclined to be quite reasonable with respect to recognizing the desire to protect language and culture. I just think they don't want any special . . .

MR. DAY: I think they're reasonable towards that, but how reasonable towards Quebec having special powers that they don't have here?

MR. CHUMIR: Alone. That, I guess, is what – and you're right – is left begging. It's not implied this way.

MR. DAY: So if that could be addressed in some way, Bruce.

MR. CAMERON: What's that?

MR. DAY: Special powers as opposed to special powers that the rest of us don't have.

MR. DEPUTY CHAIRMAN: Then it becomes power as opposed to special power.

MR. CAMERON: Powers that all provinces have versus special powers that one province has.

MR. DAY: Sheldon's right, I think, in terms of Albertans' tolerance towards Quebec wanting to protect their language and culture, but I don't think in terms of doing it in a way where we can't protect the uniqueness of Alberta. I think that the reaction will be strong against that.

MR. CAMERON: Well, that's where we add as another statement, "all provinces having equal powers under the Con-

stitution." If there is strong support for that and people aren't going to budge from that, then you get exactly at that question, that there have to be equal powers.

MR. CHUMIR: I'd somehow still like to have that asked as to whether they would give them that control.

MR. CAMERON: If 14 is out, there are some issues associated with sovereignty association and independence that that may fit better with, specific Quebec issues and reactions to those. That's substituting one question for another.

MR. DEPUTY CHAIRMAN: You'll have sort of an option for us.

MR. CAMERON: Yeah.

MR. CHUMIR: Don't push 14 out yet, Bruce.

MR. CAMERON: Okay.

MR. McINNIS: Was there anything you're prepared to give up in here?

MR. CHUMIR: Yeah, I've got a couple.

MR. McINNIS: I mean, we've come to the end.

MR. DEPUTY CHAIRMAN: We'll go over that list.

MR. CHUMIR: I just haven't been doing it because I got smacked around when I started the whole thing. I started today.

MR. DAY: Well, Sheldon's prepared to move on some of those age bracket questions, the demographic ones.

MR. CHUMIR: No; I've got a couple here.

MR. DEPUTY CHAIRMAN: Are we ready to move to 17 now?

MR. CHUMIR: I have just a comment along the lines of McInnis' thing of requesting parallelism and similar types of wording. In 17(a) you talk about insisting on certain things if that meant a deal couldn't be reached or in order to reach a deal, and the wording in the last part of 17(b) is that you would be prepared to – well, the first part is if that meant a deal could not be reached, and the second one is would certain things be accepted if it would pave the way for a deal. "Paving the way for a deal" is somewhat softer than, you know, "in order to reach a deal," or "needed to reach a deal." It's just a little softer type of thing. I thought maybe it should be tighter.

MR. CAMERON: Well, we can change it to "in order to reach a deal," make it consistent.

MR. CHUMIR: "Required" or "needed to reach a deal," that it was required to reach a deal. I think that would be more fair. "In order to reach a deal": sure.

MR. CAMERON: Yeah.

MR. McINNIS: So we have "reach" in both cases.

MR. CAMERON: Yeah, right. The last part of the question would be "in order to reach a deal."

MR. CHUMIR: See, there's a real question; in fact, you might even want to toughen them up. I mean, the reality of what legislators are faced with in these things and what they were faced with in Meech is that you're looking down the barrel. I mean, you say the deal craters. You come up with this; you've got a deal. If you don't come up with it, it craters, and the perceptions there, rightly or wrongly, may often be that we have to do this, and that's sometimes the choice. A legislator needs to be a hell of a negotiator.

MR. CAMERON: That's why this question is really important.

MR. CHUMIR: That's why it's geared towards that, and that's why that nuance is - I mean, it's one thing to say it makes the deal easier, just paves the way. We've kind of thrown that in. It's really totally another thing to say: "No; with this everything craters. You say yes, you've got the deal."

MR. CAMERON: I don't agree that this was in any way a skewed question beforehand, but I think this will make it exactly the same. I think in order to reach a deal or to pave the way for a deal, it doesn't really matter if we've got, for instance, the people in 17(b) who are opposed. We're asking them, "Well, okay, if you're opposed, would you still be able to include this to make a deal?" If they support it, would you be able to do without it?

MR. CHUMIR: Well, should we have them both saying that they're required in order to reach a deal? Would that be the wisdom of the committee?

MR. DAY: I have a problem with this; make it parallel but . . .

MR. CAMERON: Sure. I'll make it parallel so that it's the same. That's fine.

MR. McINNIS: This is in the realm of asking people to put themselves, in effect, in the middle of the negotiation and to respond to a set of circumstances. I wonder how far you can go in getting people to dream of themselves having to make this kind of judgment. Do you nuke the country or don't you? Some people will take it that way. Other people will take it as are you going to be tough or compromising. I think we're into a realm here where it would be very difficult to draw firm conclusions from the answers. I'm tending to think it's not all that important a question to ask.

MR. DAY: Seventeen (a) and (b), you mean?

MR. McINNIS: But if we ask it, it should be parallel.

MR. DAY: I guess the one drawback to the question would be if we're talking about a negotiating position with the other provinces and all of Canada and we're going on what Albertans tell us and Albertans tell us on a whole bunch of these, "Well, I feel strongly about all of these, but I wouldn't make it a deal-breaker," then a less benevolent province or set of negotiators from another province could say, "Hey, we can play real hardball in these because the politicians are stuck with the fact that Albertans told them none of these would be a deal-breaker, so

let's chop all that stuff out that Alberta wants." That's the one negative to this type of thing.

MR. CAMERON: It would be terrible if the people actually had a say.

MR. CHUMIR: Yeah. Tough luck.

MR. DAY: No. What it is saying is that the people have said they feel strongly but they're not willing to lose the deal, so this allows people to be taken advantage of in a way.

MR. CAMERON: Yeah. Well, our national unity study had a number of elements like this, not some of the specific things that are added here, but a number of features across the country, who was willing to give where.

MR. McINNIS: Angus Reid is not going to settle this thing one way or the other.

MR. DAY: No. Angus Reid isn't, but if we're coming out as legislators saying we are taking our stance from what the people tell us and the people told us that they don't want Quebec to be a distinct society, period, but they're not willing to make that a deal-breaker, then the negotiators in Quebec see that. And they say, "Hey, we can walk all over the Albertans because as strongly as they feel about it, they're not willing to make it a deal-breaker, so let's demand that we have it."

MR. McINNIS: So do you then go to the other Angus Reid survey and say, oh no; people in Quebec clearly, according to this survey, feel the other way, and therefore you don't have a negotiating position either?

MR. DAY: No, we don't do that because we're not . . .

MR. CAMERON: As much as Angus Reid Group is flattered by the implications, I don't think that the Quebec and Alberta negotiating stances will revolve around these questions.

MR. DAY: I said I don't have a problem with 17(a) and (b), having said all that.

5:11

MR. CAMERON: I understand that this may be sensitive in that it shows the room for movement or no movement among the public.

MR. CHUMIR: I'd like to suggest that we toughen it up and say that agreement is required in order to reach a deal. I'd put it in, and maybe they'd tell us the opposite thing. Maybe they'd tell us to play hardball. You have to use your judgment in any event.

MR. McDONOUGH: I was going to make the point that I think some of these really relate to the Quebec question. The others are not likely to be deal-breakers, with the exception of maybe triple E. I don't know that fixed elections are in that category. Would you separate the categories? I'm just partly looking at the time constraint on this question, the referenda question. Would that be seen as a deal-breaker?

MR. McINNIS: Can I make a suggestion? Given all of the complexity of the argument, maybe we're better off, in terms of

what we as a committee can possibly use this information for, to go back to a more familiar wording and ask people whether they strongly support, support somewhat, somewhat oppose, or strongly oppose, to try to get a depth of feeling. Given the sensitivities and the different ways that people would interpret the question, I'm afraid we would have a lot of difficulty interpreting the answers. It seems to me that what we can really gather from this is whether people are strongly opposed to a distinct society or mildly opposed or supportive strongly or somewhat. I think that's as much as we can possibly gather in terms of the role of this committee, in any event.

MR. DAY: So you're saying change it right here, John, back in 16?

MR. McINNIS: Instead of making two questions of it, just ask in each question whether you strongly support it, support it somewhat, strongly oppose it, or somewhat oppose it.

MR. DAY: That would be a way of eliminating 17(a) and (b) then, right?

MR. CAMERON: Yeah. It would also eliminate the political sensitivity of showing your cards.

MR. DAY: I like what John said there.

MR. CAMERON: I think that from a research standpoint the way this is worded here in 16 and 17 gives you a much better indication of what are the deal-makers, what are the deal-breakers. I just would make the caution that this gives you a truer indication, I think, of what could be included, what could be excluded from the deal.

MR. CHUMIR: I like it.

MR. CAMERON: Either way is fine, strongly or somewhat.

MR. DAY: I'm ambivalent.

MR. CAMERON: Well, we'll put that down in the gray area.

MR. McINNIS: On the watch list.

MR. DAY: What? Seventeen you mean?

MR. McINNIS: Yeah; 17 is on the watch list.

MR. DAY: But if 17(a) and (b) go, it's with the addition of "strongly" and the other ones? Okay.

MR. DEPUTY CHAIRMAN: Eighteen.

MR. DAY: I'm sorry to say I've got a bit of a problem here. I just would like it added that because of the fact that there's a difference in people's minds between a bilingual country - most people don't have any problem with that. But the effects of the policy of official bilingualism is what we want to get at in terms of supporting or not. The first sentence is good: "Officially, Canada is a bilingual country with both English and French as official languages." I'd like to give consideration to, "What do you think about the effects of the policies of official bilingualism

on Alberta?" You could add after that, if you wanted to, "or Canada," but Alberta first. Then strongly support, moderately.

There is a difference in people's minds. We're a bilingual country, and that's great, but the effects of the policies of official bilingualism here in Alberta are a different story. I mean, when the RCMP officer in Sylvan Lake has to pick up the phone and say, "Bonjour," that drives Albertans crazy. But to say we're a bilingual country: a lot of us are proud of that. I don't have a problem with that. Somebody could interpret this as being - if we go with "What do you think about official bilingualism?" it all depends on how the person reads it. I think it needs to be defined a little more. All we add is, "What do you think about the effects of the policies of official bilingualism on Alberta?"

MR. McINNIS: Again, I sort of think we're treating people like they just fell off the turnip truck and they don't know anything about anything at all. I mean, there isn't a Canadian that I know of who doesn't have an opinion on official bilingualism. In fact, the phrase "official bilingualism" distinguishes it from a statement of fact or a sort of neutral statement. It's a reaction to a federal government program, which is official bilingualism. I think the question addresses that in a way that people can draw on their experience rather than trying to lead them off in some direction or other. It seems to me that we have to get an evaluation of how people feel about this policy as it applies to all of Canada, which is what it does, not to take off their Canadian hat and put on an Albertan hat and to look at it in some other way that they may not have looked at it before.

MR. CAMERON: We have data on this question asked exactly this way dating back about four or five years, I think.

MR. DAY: If you remember, we had two interesting presentations - I think it was in Grande Prairie - from people who had their kids in French immersion. One said they had their kids there just because they liked it and it was neat, and the other said, "My kids are there because I believe the effects of the policies of official bilingualism are going to make it tougher for my kids to get certain types of jobs unless they're bilingual." They went on to say, "I don't like that, but it's the reality, and that's why my kids are in French immersion." Those were the two views, perfectly put before us, one saying, "Bilingualism: that's neat," the other saying, "The policies I don't like, and I'm preparing my kids for the negative effects of them." I think the opportunity to clearly differentiate has to be there.

MR. CHUMIR: Well, you know, Stockwell, if you want to ask what they think about the RCMP, I think you should do it precisely rather than try and massage it in a disguised way there. There may be ways in which this can be dealt with, but basically we're talking about the broader policies or the ways in which official bilingualism has been implemented.

MR. DAY: But it doesn't say that. It says that it's a bilingual country; what do you think about this official bilingualism? The thought that could be in their minds is, "Yeah, a bilingual country; I kind of like that."

MR. CHUMIR: I mean, isn't your question in some ways answered in 18(b) in any event? That leads anybody who's unhappy with it to a certain conclusion there, to which I'm certain we're going to have an overwhelming response.

MR. DAY: Yeah, partly it does.

MR. McINNIS: Yeah, I think people are going to oppose the policy no matter how you put it.

MR. CHUMIR: There's going to be an overwhelming opposition.

MR. CAMERON: To what?

MR. McINNIS: Official bilingualism.

MR. DEPUTY CHAIRMAN: The implementation of bilingualism.

MR. CHUMIR: Yeah, the way in which it's been – that's my view.

MR. DAY: Well, this is a democratic meeting. I just put out my views. You can deal with them the way you like.

MR. CHUMIR: Maybe Bruce could – is this one, 18(a), intended to talk about just the broader concept of having a bilingual . . .

MR. CAMERON: Yeah. The basic, first question we ask when we get into any discussion of bilingualism is this question, 18(a). I have no problem including, "What do you think about the effects of the policies of official bilingualism on Alberta? Would you say . . ." But I think then that you can't compare it to the other data that we've got on that. You may not want to.

MR. DAY: Sure. Well, why don't we just drop 18(a) then?

MR. CAMERON: Then that would mean dropping 18(b); 18(b) I think hinges on 18(a). Eighteen (b) is enclave bilingualism.

MR. McINNIS: I agree.

MR. DEPUTY CHAIRMAN: Personally, I want to see 18(b).

MR. DAY: Eighteen (b) is good, yeah.

MR. DEPUTY CHAIRMAN: If that's the only way we can introduce 18(b) . . .

MR. DAY: Well, I think 18(b) could stand alone. "It has been suggested recently that the policy of the official bilingualism should be changed. One proposal . . ." Anyway, I toss it out; I stand to be outvoted.

MR. McINNIS: I suppose 18(b) would stand alone.

MR. DEPUTY CHAIRMAN: Okay. Well, at Stock's request 18(a) will be on the list for consideration.  
Nineteen.

MR. CHUMIR: I would be inclined to eliminate 19(a) and 19(b) just because I think they're motherhood. I think everybody agrees that the aboriginal concerns should be addressed and that they should be represented in constitutional negotiations. I don't think anybody's going to dissent from that.

MR. CAMERON: There are some people in the last year who did, but you're right. The overwhelming majority of people . . .

MR. CHUMIR: Yeah, but that's not anything that I think is going to help me as a legislator.

MR. DAY: So possible deletion of (a) and (b)?

MR. CHUMIR: I think that, you know, 20 and maybe some of these other questions are . . .

MR. McINNIS: Nineteen (b) hints at the question of a seat at the table, but we're into a situation now where people ask, you know, what table?

MR. DEPUTY CHAIRMAN: Constituent assembly?

MR. CAMERON: And how big is the table going to be?

MR. DEPUTY CHAIRMAN: Well, 19 is on the list.

MR. CAMERON: Nineteen (a) and (b).

MR. DAY: To be deleted, you mean. Sure.

MR. DEPUTY CHAIRMAN: For consideration. Okay.  
Twenty?

MR. CAMERON: May I just say that all of questions 20, 21, 22 are questions that we asked on our extensive native issues study last year.

MR. DEPUTY CHAIRMAN: They're just the same?

MR. CAMERON: They're the same. You know, they haven't been asked for a year now. There was a significant sample which could be compared, actually, in terms of any movement that's happened over that time, between then and now.

We wrestled with the wording on these for many, many days and hours, and a number of different people had input on them. So they really get at the issue of land claims and then the issue of powers.

MR. DEPUTY CHAIRMAN: Does it mean that 21 is self-government?

MR. DAY: Yeah, what form it would take.

MR. CAMERON: Yeah, to a degree, and then a philosophical question on where people side in terms of the right to self-government.

MR. DAY: I guess we could stretch and strain on these. In principle I don't have a problem with them. In 20 you've started off by saying no claim and then some claim, and I realize that in your next question there you're trying to say all claims, but I think that somehow people need to understand that it is a claim for all land. In B.C. there are certain groups that are claiming that the entire province is up for negotiation. We had the gentleman in Calgary from – what was it? – was it the Siksika tribe?

MR. DEPUTY CHAIRMAN: Yeah, Andrew Bear Robe.

MR. DAY: Right. I specifically asked him the question, "Are you talking about all the land in Alberta or just certain treaty lands that you see?" and he said all the land in Alberta. So I think that needs to be plain. I think a lot of people would say aboriginal people's land claims are legitimate, but if you're going, number one, no claim; number two, some; number three . . . Some of them are talking about all of the land.

MR. McINNIS: That's not the case in Alberta.

MR. DAY: Some of them. This Andrew Bear Robe said it publicly at our meeting.

MR. DEPUTY CHAIRMAN: Andrew Bear Robe of the Siksika publicly said that they have claims over the entire province. He said that. He's their adviser on land claims.

MR. McINNIS: Okay. I didn't hear that presentation.

MR. CAMERON: There are some people who feel that the first people, too, have no legitimate claim, but there aren't very many on either extreme, I would think. We could put that all aboriginal people's land claims are legitimate and they should be fully compensated with land, money, or both. Just add the "all" there.

MR. DAY: That would help, I guess.

MR. CHUMIR: Well, let's see if you are starting to question these. That's a good, I think, worthwhile distinction. I'm just wondering whether that second question, "aboriginal people have some legitimate land claims that should be settled with some degree of compensation," is the best phraseology as opposed to "should be fully compensated." I mean, if they say it is a legitimate land claim, I would be more inclined to say that yeah, you've got a legitimate land claim; you get full compensation. I don't know exactly what it is, but I mean to say that you have a legitimate claim but distinguish some compensation as opposed to full compensation, and that's a problem.

MR. CAMERON: That's what we're trying to determine here: no claim, some kind of compromise, or full compensation. That's the distinction we're making. We could split it into a number of different nuances on that issue.

MR. CHUMIR: You want to ask all these. The problem is that you haven't. Some combinations are left out.

MR. CAMERON: I don't think they're left out. In the previous survey we did on this issue, that question worked quite well in terms of differentiating people from between full compensation and some compensation, or between no compensation and some compensation.

MR. McINNIS: About how many would say full compensation? Two percent or something?

MR. CAMERON: No. There was a segment of about 14 percent of Canadians that backed native issues and native land claims entirely. So the figure is higher than that. About one in eight people back it fully. There are varying degrees of support depending upon what action is taken. I know the aboriginal issue is important to the committee, but do these three areas get

at what the committee wants? We are obviously looking at areas where we have to cut too.

MR. McINNIS: I liked 21 and 22.

MR. DEPUTY CHAIRMAN: I would sort of like to know what Albertans understand by land claims, whether they have any clear understanding of what the magnitude of the claims are.

MR. DAY: Well, that's my concern with that third question.

MR. CAMERON: Well, there was a question in that study. We asked the percentage of the land that you think is being claimed in your province. So we did get into that, actually. You know, "How much do you think is at stake here?" We also asked about the different areas of rights over resources and royalties flowing from the resources, but those are very specific questions that we got into. I tried to boil it down to a few that would . . .

MR. DEPUTY CHAIRMAN: Are we satisfied with self-government? That seems to be a real sticker. What is the Alberta population's understanding of self-government for aboriginals? Is the committee satisfied that 21 gets at that?

MR. McINNIS: It's in the ballpark.

MR. CHUMIR: I'm happy. Actually, I've been accepting all of the questions here just because they give you a general direction, nuance. When I talked about the combinations before, I didn't mean I would have put them all in there. I said that once we start to debate all versus some on there, then you raise a whole range of different things. I think these ask questions and give you an idea of whether people are anxious to see them addressed, want to push more generous, medium generous, or less generous. I think that's what we need it on.

MR. DAY: If we could just include the word "all" in front of that third one, then, I'd feel a lot better.

MR. McINNIS: Sure. I think that's the intent there.

MR. DEPUTY CHAIRMAN: Are we through with the aboriginal issues? Twenty-three we've sort of talked about already. So we've got a list now.

MR. CHUMIR: We still have the issue of multiculturalism.

MR. CAMERON: Right. Now, maybe just before we get into multiculturalism, 23, we'll talk about what we discussed.

MR. McINNIS: What I'm feeling is that if there's validity in asking response to these statements, it's only if we don't force people to pick one of them and say, "This is my view; I reject the others." The one statement that's missing from this group that I think is important would be something like, "with patience and goodwill we can make our current system work," something along those lines. The way it is now, of course, it (a) presupposes that it's broken and needs to be urgently fixed, and (b) it forces you to pick between some options that may not be ones you associate with.

MR. CHUMIR: I have quite a number of concerns and suggestions on this thing. I'm just wondering, before I take the time to do that, whether the thought of the group is that maybe



you don't have space for a multicultural question. There's certainly enough stuff arising nationally, and if that's one of the ones that has to get eliminated – I mean, we are eliminating – then I won't get into my comments. I've got a lot of concerns and comments on this particular one. There's lots of stuff. Spicer and other things are leaving us with some pretty good information.

5:31

MR. CAMERON: In fact, I have a document – it's just a reprint from the March 1990 *Reid Report* – which takes a look at some of the ways this data has been treated before.

MR. CHUMIR: I guess I'd just like to hear if there's anybody here who would be saying to likely leave it, in light of the space requirements. If nobody's ready to say that, I'll note that and start talking about the good ones.

MR. McINNIS: What have we done with question 23, before we go on?

MR. DEPUTY CHAIRMAN: Yes; 23 is still dangling.

MR. CAMERON: Initially I thought we were going to move to include a few of those statements as agree/disagree, including the basic incompatibility statement, put them into a context of how much do you agree or disagree with each of these statements, and then we ask . . .

MR. DEPUTY CHAIRMAN: About whether it's broken or . . .

MR. CAMERON: Right. We could include that element of, you know, the current system will work fine as long as there's some goodwill.

MR. DEPUTY CHAIRMAN: Is there agreement on that? It's John McInnis' suggestion that with patience and goodwill the present system could be made to work.

MR. McINNIS: Yeah, and then all of the others would be treated in the same way, as in: the following are some statements people have made; tell me whether you agree or disagree.

MR. DEPUTY CHAIRMAN: I guess that is the proposal that's before the committee.

MR. DAY: As long as it doesn't somehow negate what a lot of people are suggesting back here, that they'd like to see some changes in a whole bunch of areas.

MR. McINNIS: Well, I think what we can do is get a reaction to each of them without forcing people to associate themselves particularly with one or the other.

MR. CAMERON: We can get a reaction to the whole issue of the change in the British parliamentary system. Maybe a major overhaul could be one statement I could put in there.

MR. DEPUTY CHAIRMAN: Dennis' statement.

MR. McINNIS: Did he actually use the term "American style"?

MR. DEPUTY CHAIRMAN: Yes, he did.

MR. McINNIS: Well, let's throw that in for the time being then, move to a U.S. style of government. That would deal with some of the questions I had. U.S. presidential style or just U.S. style?

MR. DEPUTY CHAIRMAN: I guess just U.S. because state governments are not presidential.

MR. McINNIS: Well I think people know enough about the American system to know whether they want to be part of that.

MR. DAY: Or to have an opinion on it.

MR. McINNIS: Multiculturalism.

MR. DAY: Where is the multiculturalism?

MS SKURA: They're attached to the very back.

MR. DEPUTY CHAIRMAN: Last page. Last sheet. A short one.

MR. CAMERON: I realize there that are many ways to address the whole multiculturalism issue, and we have dealt with a few different ways. I thought this might be the most appropriate if the committee wants to deal with it.

MR. DAY: When we say "Treating minority groups with generosity," boy, that's really loaded. Everybody's going to respond that of course we should, but when you say, "Do you agree with the way we . . ."

MR. CAMERON: Well, actually . . .

MR. DAY: Well, 60 percent. Right?

MR. CAMERON: Yeah.

MR. DAY: Okay. But if you ask that same group of questions, "Do you agree with the way minority groups are funded at the present time," then what are you talking about with "generosity?" An open-hearted tolerance and acceptance, which is one thing, or let's make sure all minority groups can come and get dollars to have dances and banquets? That's a very different thing.

MR. CHUMIR: Did you guys get the questions that I circulated on there?

MR. DAY: Yeah. These here? Are these the ones you mean?

MR. CHUMIR: Those are mine? I don't know where mine are. I haven't seen other ones.

MR. McINNIS: They're not these ones, eh? Additional multiculturalism questions, 100 and 101?

MR. CHUMIR: No.

MR. CAMERON: I got a fax.

MR. CHUMIR: Yeah, but I asked that they be circulated to everybody.

I agree with Stockwell in the sense that that is the issue. Bruce, I don't think these questions address what is the real

question that's on the national agenda. The national agenda relates to our programs and our policies, and the questions in the larger sense are whether or not our policies are dividing us by treating peoples separately rather than as Canadians or whether or not we should be moving towards more Canadianism and more unity. That was one of the big themes in Spicer, and that is not dealt with here. These questions, 101(a) and 101(b), that "encourage Canadians as a whole to try to accept minority groups" as opposed to "encourage minority groups to try to change," are not options. You can encourage everybody to try to accept minority groups, and you can also encourage minority groups to integrate, if that's your goal. The real distinctions we have to be asking about are ones I've tried to ask in those questions, and that would be . . . I've got just handwritten copies of mine.

It seems to me fairer to ask a general question about the general feelings towards different groups. This may not be right. There may be different nuances. But I would have started off with something along the lines that

Canada benefits from having a mixture of citizens of different races and religions, to get a sense of their feeling. Then it could go on with specific things. You could say:

Canada's multicultural policies have been working well and for the benefit of Canada,

agree or not? Then you could get more specific:

Canada's multicultural policies focus too much on promoting special group interests rather than [being Canadian] and tend to be divisive.

Then you ask do you agree or disagree. Finally:

Canada's multicultural policies should focus more on bringing people together as Canadians by promoting such things as equal opportunity, non-discrimination, english language training, etc. Those are the types of issues. I haven't mentioned dance or song or whatever. I mean, these are kind of codes. I think everybody would understand. I'd prefer to see those addressed directly if we're going to do those questions because those are the things I think we have to answer in policy terms.

MR. DEPUTY CHAIRMAN: Thank you. I'm assuming, Sheldon, that when you say English-language training, we're speaking in the Alberta context.

MR. CHUMIR: Yeah, because we're here.

MR. DEPUTY CHAIRMAN: I suppose in Quebec it's French-language training.

MR. CHUMIR: Sure. Yeah.

MR. DEPUTY CHAIRMAN: Personally, I think Sheldon's suggestion sort of gets at the gut issues in this subject.

MR. CHUMIR: The first one is just a general thing. What do you think about the different mix of peoples we have? Then the other three are just right down to the heartland of the policies. They're what we've been doing as politicians, not what individual groups are doing.

MR. DAY: Sheldon, you mentioned another question that was pretty well motherhood, so we scrapped it. I mean, that's motherhood. If you want it for a leading question, go ahead.

MR. CAMERON: Well, some people would disagree with that.

MR. DEPUTY CHAIRMAN: Yeah, some people would disagree with it.

MR. DAY: Well, some people disagree with motherhood too. It's a motherhood question.

MR. CHUMIR: Lots of people wouldn't agree, I think.

MR. McINNIS: It all depends whether they're married or not.

MR. DEPUTY CHAIRMAN: Well, we all needed motherhood at one point or another.

5:41

MR. CHUMIR: Well, I think how they answer that would be very interesting in relation to the correlation to the other stuff, but I'm not married to that. I think the key that I want to find out is what they think about our policies and what we're doing.

MR. DAY: Sure. Yeah.

MR. McINNIS: Yeah. I think Sheldon's drafts are better. One difficulty with Bruce's draft, if I can describe it as that, is that I don't know that we have an option to accept or not accept minority groups. I can't imagine how you reject them. What is the reject option?

MR. DAY: I'd be for dropping 100 and 101(a) and (b) and going with Sheldon's here. I'd have no problem in agreeing with my Liberal friend.

MR. CAMERON: A rare occurrence.

MR. DAY: Oh, shoot. Is that in *Hansard*?

MR. CHUMIR: Just a reflection of fairness.

MR. DAY: Can we cross that out?

MR. DEPUTY CHAIRMAN: It's down there for posterity, Sheldon.

MR. CHUMIR: I'll treasure that. That page of *Hansard* will be framed.

MR. McINNIS: At least we got it on the record.

AN HON. MEMBER: It will be illuminated.

MR. CAMERON: The question becomes: is there room to include all of them? I guess that's one thing we'll have to look at once we have this new revision. I can test it and see what there is.

MR. DAY: Well, I think the multicultural component has to be dealt with. I think the questioner would be able to go through these fairly expeditiously.

MR. CAMERON: Yeah. Okay.

MR. DEPUTY CHAIRMAN: Now, are we ready to move through a list of extinctions?

I guess the list as we have them consists of 2, 4, 6, 14 and 15, 17(a) and (b), 18(a), 19(a) and (b).

MR. DAY: Do you want to do one at a time? Is that how you want to do it?

MR. DEPUTY CHAIRMAN: No, that's the list. I think we should first hear from Bruce if we'll have time to retain one or more of those.

MR. CAMERON: I think we will, yes.

MR. DEPUTY CHAIRMAN: Okay. Then I suppose we should try to get to a conclusion of what we would like to retain. How much can we retain out of that?

MR. CAMERON: We could probably retain two questions out of that, I think. It's a guess.

MR. DEPUTY CHAIRMAN: Okay. So I guess I'll get everybody to say what their two favourites are; that's a way of beginning on that.

MR. DAY: Can we take just a minute just to flip through on our own?

MR. DEPUTY CHAIRMAN: Yes; I think it would be time well spent.

MR. McINNIS: I have my doubts about whether . . .

MR. CHUMIR: Why don't we just do them one at a time and go through, and then see.

MR. DEPUTY CHAIRMAN: Okay.

MR. DAY: Okay; 2 should go then.

MR. CHUMIR: Two should go.

MR. DEPUTY CHAIRMAN: Anybody here disagree about 2 going?

MR. DAY: If you don't hear any, just keep rolling.

MR. DEPUTY CHAIRMAN: Four?

MR. DAY: I'd agree with 4 to go, given we can only keep two out of this whole list, because it's covered later.

MR. CAMERON: And it's replaced by 4(b).

MR. DAY: Right.

MR. DEPUTY CHAIRMAN: That's just 4.

MS SKURA: That's right; that was actually 4(b). We're keeping the alternative.

MR. DAY: Right.

MR. DEPUTY CHAIRMAN: Six.

MR. CHUMIR: I would say that could go out.

MR. DAY: Yeah. I agree with that.

MR. DEPUTY CHAIRMAN: Is that a consensus: out?

MR. CHUMIR: Thank you.

MR. DEPUTY CHAIRMAN: Fourteen and 15?

MR. CAMERON: What about - oh, 9 was eliminated.

MR. CHUMIR: Nine was out.

MR. DEPUTY CHAIRMAN: Nine is out; we've already done that.

MR. CHUMIR: Does that give us an extra one then? It means we can keep three?

MR. DEPUTY CHAIRMAN: Well, we've got to get this multicultural thing in here.

MR. DAY: Right. Fourteen - is that the question?

MR. DEPUTY CHAIRMAN: Yeah; 14 and 15 go together. A strident attachment to 14 and 15?

MR. DAY: I know Sheldon is attached, but - and again, totally unbiased - I really do feel it's dealt with. At least 14(a) and (b) are dealt with, and actually the whole thing is in other parts.

MR. McINNIS: Well, I don't claim to be unbiased. I've got nothing against the question; I just think we have higher priorities.

MR. DAY: Yup.

MR. DEPUTY CHAIRMAN: I'll go along with that too, so that one's out.

MR. CAMERON: May I just make a comment? I would suggest that if we do remove 14, something be included in the survey regarding Albertans' attitudes about sovereignty association, complete independence, or special constitutional status. Now, we could work that into some of the other questions that we have later.

MR. DAY: Well, it could be added, then, naturally to 16, where you've already gone in that direction.

MR. CAMERON: Right.

MR. CHUMIR: Well, I dissent on 14. I'd like to suggest it be put on a side burner and we have a good heart to heart with Bruce about how many questions we can get in.

MR. DAY: Okay; side burner. That's "SB" as opposed to . . .

MR. McINNIS: If we're picking one out of there, I think the one that's most relevant is: are Albertans interested in negotiating the association part of the sovereignty association? I think that would be a question we'd want to know.

MR. CAMERON: Economic association.

MR. DEPUTY CHAIRMAN: Okay.  
Seventeen (a) and (b).

MR. McDONOUGH: That included expanding 16 to include the "strongly."

MR. DAY: Well, if we included the "strongly" or just "support," then we don't need 17(a) and (b), I think was the deal, right?

MR. McINNIS: Yeah. I quite recognize that those are different questions, and if we're not passing the one off as a way to get at the other.

MR. DAY: Yeah. I'm ambivalent.

MR. CHUMIR: I move that we side-burner that one, because I think we've got some easier ones later.

MR. DAY: Side-burner 17? Okay. For now.

MR. DEPUTY CHAIRMAN: Okay.  
Eighteen (a).

MR. CHUMIR: I think we've agreed.

MR. DEPUTY CHAIRMAN: I thought we'd sort of agreed that 18(b) could stand on its own.

MR. DAY: Yeah. I thought that was where we were too.

MR. DEPUTY CHAIRMAN: So that's what we deleted.  
Nineteen (a).

MR. CHUMIR: I'd say (a) and (b). I move they go out.

MR. DEPUTY CHAIRMAN: Okay.

MR. DAY: Yeah.

MR. DEPUTY CHAIRMAN: Then we'd put in here your multicultural ones. We add that, and we've added some things to the other questions. I guess we have to have your best advice as to whether we're now too short.

MR. CAMERON: No; I think if anything we'd be a little long.

MR. DEPUTY CHAIRMAN: Still a little long.

MR. CAMERON: But that way, if we have a couple of those questions that we talked about that are put on the side, we have some room to move.

MR. DAY: So the SBs are 14 and 17; is that right?

MR. DEPUTY CHAIRMAN: Yeah.

MR. CHUMIR: By and large, we've moved most of this stuff out. The only ones we've kept in - I guess we've got 14, 15, 17(a) and (b), 18, and then the multicult. Why don't we look at the thing and see what it looks like when it's all put together?

MR. McINNIS: I think our direction to Bruce should be to put it together. If we can get it in the 20 minutes including 14, 15, and the two 17s, fine. If not, then they will be the casualties.

MR. CHUMIR: Which would be . . .

MR. McINNIS: Fourteen, 15, and 17(a) and (b). Those are the ones that are on the side burners.

MR. CHUMIR: That's really kind of gutting the thing. Isn't that more than we needed to get out? We've eliminated a fair bit.

MR. CAMERON: But we did add in a number of areas; we added some nuances and some clarifications and a couple of other statements. So even though we did cut out, we also added back in a number of things.

MR. DEPUTY CHAIRMAN: And we were too long to begin with.

MR. CAMERON: Yeah; it was way too long.

MR. DEPUTY CHAIRMAN: We were way over; we were 50 percent over.

MR. CHUMIR: What about doing something along the line of putting all that stuff in, seeing what it looks like, and doing a conference phone call on Monday afternoon?

MR. DEPUTY CHAIRMAN: On a holiday?

MR. CHUMIR: Oh. What about Tuesday afternoon then?

MR. McINNIS: That's not good for me.

MR. CHUMIR: Wednesday morning?

MR. DEPUTY CHAIRMAN: I'm not available before 11 o'clock.

MR. CHUMIR: What about 11 o'clock?

MR. DAY: Well, I'd like to side with what John's saying, that we put them all in but have Bruce look at it. If it's really lengthy, then, being sensitive to where Sheldon is concerned about 14, look at first deleting 17(a) and (b), and if it's still long, then bumping 14.

MR. DEPUTY CHAIRMAN: Priorize your side burners anyway, Sheldon.

5:51

MR. CAMERON: Yeah. What we'll do is a pretesting on it to determine the full length with those side burners in.

MR. DAY: I appreciate Sheldon's sensitivities, but when I said "unbiased" about 14, I mean I'm unbiased in saying that I really think there's fair treatment of these in other places here, where we've added nuances in.

MR. CHUMIR: You don't think we'd maybe kind of change our views a little bit when we saw the thing and maybe find another few places to prune? I'd really like to look at the whole thing.

MR. DAY: I think we can look at it to death.

MR. CHUMIR: For another half an hour conference call to have a look at this, it seems to me it would be worth doing.

MR. McINNIS: I have no objection to that. It's just a question of when. I would say not before Wednesday afternoon in my case.

MR. CHUMIR: You couldn't do it in the morning at 11? Because I've got something in the afternoon.

MR. CAMERON: I can't do it in the morning on Wednesday.

MR. DEPUTY CHAIRMAN: You can't in the morning?

MR. CAMERON: No.

MR. DEPUTY CHAIRMAN: I can't before 11:15.

MR. CHUMIR: What about 3 o'clock Wednesday afternoon, a conference call?

MR. McINNIS: It's okay with me.

MR. DAY: Well, I don't think we have to, but I'm not going to . . .

MR. DEPUTY CHAIRMAN: Where are you going to be?

MR. DAY: Three o'clock next Wednesday?

MR. DEPUTY CHAIRMAN: That means that I've got to sit here until 3 o'clock.

MR. CHUMIR: As well, by the way, there are some wording changes, and there's the multicultural thing. I think we should have a peek at it.

MR. DAY: Well, the multicultural we've agreed on. The wording changes we've pretty well agreed on. I like John's suggestion.

MR. CHUMIR: Three o'clock?

MR. DAY: I like John's suggestion that if it's too bulky . . .

MR. DEPUTY CHAIRMAN: John, you couldn't make it by 2, could you?

MR. McINNIS: Yeah, I think so.

MR. DAY: Okay, sure.

MR. CHUMIR: Could we do it at 2:30? I've got something on at 1:30. One of your guys is getting admitted as a judge.

MR. DEPUTY CHAIRMAN: Who is that?

MR. CHUMIR: Jack Major.

MR. DEPUTY CHAIRMAN: When was he appointed?

MR. CHUMIR: The Court of Appeal. We're doing his thing at 1:30, so I wanted to kind of partake of that. Could 2:30 do it?

MR. DEPUTY CHAIRMAN: When was that announced?

MR. CHUMIR: A couple of weeks ago.

MR. DEPUTY CHAIRMAN: Well, isn't that great. He's a good guy.

MR. CHUMIR: He's one of your hit men who represented you guys in the Code.

MR. DAY: And Code was representing you guys.

MR. DEPUTY CHAIRMAN: So 2:30. Half an hour's half an hour. I've got to drive home.

MR. McINNIS: So we're looking at 2:30.

MR. DAY: At 2:30 on Wednesday?

MR. DEPUTY CHAIRMAN: Are you going to be up here?

MR. DAY: Yeah, I'll be available. What date were we talking? That's the 7th.

MR. DEPUTY CHAIRMAN: Oh, no. Gee, I can't do it on the 7th; that's when I'm leaving on my holidays.

MR. CHUMIR: Tuesday doesn't work?

MR. DAY: No phones in Ottawa?

MR. DEPUTY CHAIRMAN: Who's going to Ottawa? I'm going to head for Victoria via the Yellowhead route. I'm going to be driving.

MR. CHUMIR: What about Tuesday? Have you got a car phone?

MR. DEPUTY CHAIRMAN: Well, you said you were tied up all Tuesday.

MR. McINNIS: Yes. Unless it's like 8 o'clock in the morning.

MR. DAY: Sheldon doesn't get up till 10.

MR. CHUMIR: I'll do it if necessary.

MR. DAY: We're doing this for you, Sheldon.

MR. McINNIS: But that doesn't give you time to revise.

MR. CAMERON: It doesn't give much time to do revisions. Well, we can get the revisions out on Friday.

MR. CHUMIR: There isn't that much, though, is there?

MR. CAMERON: No. There's some rewriting, but we can get that out on Friday.

MR. CHUMIR: I'll rewrite.

MR. DEPUTY CHAIRMAN: Why don't you do it on Wednesday? I can't speak for Dennis, but he should be back then.

MR. DAY: Well, all of us should be able to find a phone somewhere, wherever we are.

MR. CHUMIR: Wednesday at 3 then? With getting Dennis?

MR. DEPUTY CHAIRMAN: Well, I've got to stop somewhere, because we're leaving here by 11:30.

MR. DAY: Well, what's your cellular plugged into? If you're way off in the mountains, you might not . . .

MR. DEPUTY CHAIRMAN: We're going to be on the Yellowhead west. I'll be close to Jasper.

MR. DAY: If you're on the AGT network, you're okay.

MR. DEPUTY CHAIRMAN: No, I'm not. In fact, I don't have anything yet.

MR. CHUMIR: So what is this, 8 a.m. Tuesday or Dennis?

MR. DEPUTY CHAIRMAN: That doesn't give Bruce enough time, because Monday's a holiday.

MR. CHUMIR: Well, he says he can get it done by Friday.

MR. CAMERON: We could get the draft to you Friday.

MR. DAY: It's the private sector. They can get things done.

MR. CHUMIR: Okay.

MR. DEPUTY CHAIRMAN: Well, sure; 8 o'clock.

MS SKURA: At 8 o'clock Tuesday morning.

MR. DEPUTY CHAIRMAN: So I'll just wait for your phone to ring, and you'll set this all up?

MS SKURA: I'll set this up.

MR. DEPUTY CHAIRMAN: Just check with Dennis Anderson.

MS SKURA: Okay.

MR. DEPUTY CHAIRMAN: Before we adjourn, I have one other matter. If I could ask John McDonough about the scope of the people that are interested in attending our hearings now that we're at the last day of registrations.

MR. McDONOUGH: Well, the new numbers: 102 for Calgary, 60 for Edmonton; Rocky Mountain House, 15; Peace River, 10; Wainwright, three and rising; Hanna, five.

MR. CHUMIR: How many in Edmonton did you say?

MR. McDONOUGH: It's 102 in Calgary, 60 in Edmonton. Apparently it hit the news in Calgary that we were closing it off today, and the lines were still ringing as I left.

MR. DAY: So this could be even more than you've got.

MR. McDONOUGH: Yes. Edmonton and Calgary could still increase marginally. Today's the last day.

MR. DAY: We're talking about a week of hearings in Calgary then.

MR. McDONOUGH: We are talking four days minimum, five days possible.

MR. DEPUTY CHAIRMAN: What was the idea? Was the committee to be in two groups again?

MR. McDONOUGH: Yes.

MR. DEPUTY CHAIRMAN: Both groups sitting both weeks?

MR. TAIT: No; one group per week. One group goes out the week of the 9th; one goes out the week of the 23rd.

MR. DEPUTY CHAIRMAN: Oh. Okay.

MR. McDONOUGH: Both groups spending considerable time in Edmonton and Calgary and then visiting each regional centre officially.

MR. DEPUTY CHAIRMAN: Any other questions or comments based on that information?

John.

MR. McINNIS: You've got all of our schedules in terms of when we're available?

MR. McDONOUGH: Yes. There will be a memo coming out very shortly.

MR. DAY: Well, did we set days yet? I mean, I know we looked at the weeks.

MR. McDONOUGH: Yes.

MR. DAY: The week of September 9, right?

MR. McDONOUGH: Yes.

MR. DAY: And September 23.

MR. McDONOUGH: Right. It covers the full week. Because of Edmonton and Calgary, it'll be a full week.

MR. DAY: I just need to give you a couple of . . .

MS SKURA: Stock, which group would you be in?

MR. DAY: I don't know.

AN HON. MEMBER: Are these done the same as last time?

MR. DEPUTY CHAIRMAN: He was on committee B before.

MS SKURA: What did you say about which week you were available?

MR. DAY: Oh; it's either of those weeks.

MS SKURA: Either of those. Then I'm not sure where you are. Actually, I might have it.

MR. TAIT: We have that information somewhere else.

MR. DAY: If I had the choice, I'd go with the week of September 23.

MR. DEPUTY CHAIRMAN: You didn't know you had that choice?

MR. DAY: No. That'd be my choice.

MS SKURA: They were submitted to Garry some time ago as to what the choice was, and I don't know how Garry divided it up.

MR. DAY: Okay. Well, if I'm stuck with the other week, there are just a couple of slots in there I won't be able to make it, that's all. That's the way she goes.

MR. DEPUTY CHAIRMAN: Any other business before the committee?

MR. McINNIS: John, the business of coding all of the correspondence we've got - when do we get our report on that?

MR. McDONOUGH: Okay. The first code of the entire hearings - and I am still in the process of reviewing the last weekend's; hopefully, that'll be done by the beginning of next week. Then it should be input. So in two weeks' time you should get something, hopefully.

MR. DEPUTY CHAIRMAN: What's the process after our call then? Is the secretary going to produce a report on the subcommittee to our committee?

MR. DAY: With the final questions, you mean?

MR. DEPUTY CHAIRMAN: Yeah.

MR. DAY: Yeah, that's what I thought.

6-01

MS SKURA: If that's what the subcommittee wants, I would circulate them to the whole committee. Is that what I'm supposed to do, or do we wait until our meeting of the committee?

MR. DEPUTY CHAIRMAN: I would think that once we agree - whatever comes out of this call on Monday, then I should have something to submit to the chairman.

MR. McDONOUGH: And it should be just a sort of transmittal memo as opposed to . . .

MR. DEPUTY CHAIRMAN: Oh, yes.

MR. McDONOUGH: Just a transmittal memo attaching . . .

MR. DEPUTY CHAIRMAN: The draft questionnaire or something.

MR. McDONOUGH: Yes.

MR. DAY: "After much laborious discussion . . ."

MR. McDONOUGH: I will do one for you, because it should be sent by you, and then to all members, as well as . . .

MR. DEPUTY CHAIRMAN: If we do that on Tuesday morning, I would like to be able to sign that on Wednesday, before I leave.

MR. McDONOUGH: I'll do one so you can sign it Tuesday morning.

MR. DEPUTY CHAIRMAN: I won't be here. I'll be at home. You'll be in on the conference call, I would think, so whatever is decided, do the thing and have it in my office here Wednesday morning.

MR. McDONOUGH: Yes.

MR. DEPUTY CHAIRMAN: The committee is adjourned.

[The committee adjourned at 6:03 p.m.]

