

1:45 p.m.

Tuesday, October 22, 1991

[Deputy Chairman: Mr. Schumacher]

MR. DEPUTY CHAIRMAN: If we could now call the meeting to order. It's 1:45, time marches on, and the approximate cause of this meeting is time.

I'd like to welcome Michael McKenzie of the Angus Reid Group and to thank the members for coming to this meeting on rather short notice. Speaking of notice, the Chair has received a letter from Mr. Chumir strongly protesting the holding of this meeting on the notice that was given, as well as next Tuesday's meeting. He's not happy with the notice for that either, but unfortunately this poll has to be done before the Constitution is written, and if we don't make some headway on the questionnaire, we'll never get there.

MR. DAY: With respect to Mr. Chumir's letter, I think all of us know the incredible time demands of all our schedules. Sometimes we miss meetings, and sometimes we make it. I don't understand what the purpose of his letter is. This is just the reality.

MR. ANDERSON: I missed a couple in the summer.

MR. DAY: Right. This is the reality of political life. He's not a neophyte, so I don't know what his cause for concern is.

MR. DEPUTY CHAIRMAN: I believe that at least our tradition would allow a representative of the Liberal Party to be here to express their point of view. Even though that person might not be able to vote, they could at least express their point of view, and surely somebody could have been here if they felt it was that important.

MR. ANDERSON: Well, we're only making recommendations to the committee in any case, so Sheldon will have a chance for input.

MR. DEPUTY CHAIRMAN: Yes. The purpose of this meeting is to make some recommendations to next Tuesday's meeting.

MR. DAY: He says here that he's in Vancouver. I don't imagine the two-week notice would have changed that. I don't know what Liberal business is happening in Vancouver, but I'm sure it was booked before even more than two weeks here, so I just think that letter is of no consequence.

MR. DEPUTY CHAIRMAN: I just thought the committee should be aware of what . . .

MR. McINNIS: Perhaps he heard Laurence announce that they'd won the election out there and he was going to figure out why they hadn't been given full credit for it.

They should be aware, though, that they could send another representative.

MR. DEPUTY CHAIRMAN: Well, now, that message was given to his office, that they could, I believe. Louise, I don't think you did, but I asked Phyllis to tell them that.

MRS. KAMUCHIK: I believe so. In fact, Mr. Chumir mentioned to me that he was going to try to have Mrs. Gagnon attend, but she couldn't either.

MR. DEPUTY CHAIRMAN: Yes. Well, in any event, on October 15 Bruce Cameron wrote the secretary, Mr. Pocock, that our questionnaire was too long. The Chair has just spent the morning undergoing dental surgery, so I guess at least I'm in the mood for surgery on this questionnaire.

MR. DAY: You're ornery from the start. You're in a foul mood already.

MR. DEPUTY CHAIRMAN: Yeah. Just to maybe get the subject on the table, I did have a conversation with our chairman about Mr. Cameron's letter, and he is certainly agreeable that question 2 could be cut in the manner suggested or, as far as he's concerned, cut entirely. That's the constituent assembly question. The Chair is open for the suggestions and comments of the members, but maybe we should hear from Michael first.

MR. McKENZIE: I tried to go through as much of this questionnaire as possible with Bruce prior to coming to this meeting. It was clear to me that there had been a great deal of discussion and compromise to get to where we're at now. He wasn't sure where he might find the cuts, so to some extent I didn't bring any recommendations for cuts. I think that in evaluating where you might cut, it would be foolish to cut something that you think you will need the information on, but I also understand there may be questions you don't even want the answer to because you might not want the result being made part of the public record. With that, actually it's largely up to you guys as to whether or not you think that when you get ready to negotiate these things, you will need that information about the constituent assembly.

MR. DEPUTY CHAIRMAN: John.

MR. McINNIS: Well, Mr. Chairman, I don't really think we're here to manipulate what should or shouldn't be part of the public record. I think what we're here to do, as I understand it, is to take some of the proposals that were brought forward in the public hearings and present them to a larger Albertan audience, recognizing that not everyone would come to a public hearing even if we had public hearings every day for the next four years. So I have a little concern about dropping important, substantive areas. If we can find a way to reduce questions without getting rid of the important proposals, I'm in favour of that; otherwise, I think we have to look at the other options, which include reducing the sample size or increasing the budget.

MR. DEPUTY CHAIRMAN: Stockwell.

MR. DAY: Well, when we've put our minds to something for the length of time we have, it gives validity to all these questions. We're all reflecting what we've heard from around the province and trying to get that worked in. The realism is that we do have to cut this down in size. In going through these, not that one is more valid than another, but since you've raised the one of question 2, we definitely heard from people when we were on the task force about the idea of constituent assembly. But I found whenever we asked the questions, whether it was the makeup of the committee, how it was going to operate, that type of thing, basically a lot of people endorsed the concept, but as soon as we started asking them, "Well, tell us how," most of them just said, "Well, you give us the idea."

Anyway, it really broke down, so I think if there is an area that could be looked at, we'll go into making our report knowing we've had all these people come forward, knowing how many

talked about a constituent assembly, and that will work its way into our report. But when we start to break down into the minute questioning of the makeup of that, I think that's one area we could probably leave out and still recognize that we've heard that people want the constituent assembly, but it's such a tricky area anyway that very few of their answers were very substantive when we asked them a question. So we could probably drop number 2 yet still know very clearly that a good number of people came forward supporting the basic principle.

MR. ANDERSON: Mr. Chairman, in terms of the recommendations made by Bruce, do we know what his rationale was? Like he recommends 2(b) and (c) be gone and question 8. Does he leave with us or anyone else what his thoughts were in that regard?

MR. DAY: On 8 too?

MR. ANDERSON: It says 8, yeah.

MR. McKENZIE: For 2(b) and (c) the rationale was much as you just stated it; that is, if you know whether or not you want one, which was 2(a), the makeup probably could be left for you to make a decision based on your good judgment.

MR. ANDERSON: And 8 I guess maybe because it kind of duplicates 7.

MR. McKENZIE: Well, 6, 7, and 8 all go through the same areas: one in terms of ultimate authority, one in terms of setting the standards, and the third time with respect to actual management and administration.

MR. ANDERSON: So would removal of those three questions . . .

MR. McKENZIE: Or one of those.

MR. ANDERSON: Yeah, that batch.

. . . bring us to the time required, reduce it by five to six minutes?

MR. McKENZIE: Close, but not quite.

MR. DEPUTY CHAIRMAN: Close, but no cigar.

MR. ANDERSON: If you took out all three of 2 . . .

MR. McKENZIE: If we ended 2(b) and (c) and 8 . . .

MR. ANDERSON: If you did (a), (b), (c), and 8, would that bring us to five or six minutes?

1:55

MR. McKENZIE: That's close to five minutes, probably four minutes. The questions like 2(b), for your information, usually go at about three per minute.

MR. DEPUTY CHAIRMAN: Question 2(b) is three minutes?

MR. McKENZIE: About three per minute, and then question 2(c) is another three-question kind of thing, so it counts as another minute there. Then these other ones go at four or five per minute,

so we're looking at about two and a half minutes for question 8 and about two minutes for 2(b) and (c).

MR. DEPUTY CHAIRMAN: That's four and a half minutes.

MR. ANDERSON: I have a reluctance, Mr. Chairman, to do away with 2 because it was so substantially there, but perhaps at this stage, when we really need to get the elements of a Constitution as opposed to a process - because we know what the process is to some degree for the immediate future - maybe we could leave that possibility to another time.

MR. DAY: Which one was that?

MR. ANDERSON: On 2.

MR. McINNIS: So you're saying all of 2?

MR. ANDERSON: Well, I don't know if it does as much good to just have (a) in because I think the answer to that is clear. There are numerous other polls on it. People say yes, don't they, when asked, "Do you want a constituent assembly?" I just haven't seen anything that indicates otherwise.

MR. McKENZIE: Overwhelmingly in all our other work the people want to have a say.

MR. DEPUTY CHAIRMAN: Yeah. That's been tested, that question, several times.

MR. McKENZIE: Uh huh. In our national unity study.

MR. McINNIS: What question?

MR. DEPUTY CHAIRMAN: That's what I was asking.

MR. McINNIS: The question that people want a say, yeah, but what about a constituent assembly?

MR. ANDERSON: They want a constituent assembly.

MR. McKENZIE: Well, we haven't actually used those formal words in a poll, but whether or not you can extrapolate from the fact that they want to be involved . . .

MR. DEPUTY CHAIRMAN: Do you have any knowledge of what other polling organizations have done on that specific question?

MR. McKENZIE: No, I don't, but I can ask a few people. If it is available, we can find it.

MR. ANDERSON: Why don't we do that? That's a good point. I'm sure I've seen a couple of reported results on that, although I'd be hard pressed to answer from whom and what.

MR. McKENZIE: I'll check on that.

MR. DEPUTY CHAIRMAN: John.

MR. McINNIS: Thanks, Mr. Chairman. It's been a while since the hard work was done on this, but I'm sure those of us who participated will remember that where this thing started to grow

was in the section dealing with the division of powers, especially the area of national standards. We've gone into very elaborate detail, detail that I suspect some people may have trouble conceptualizing in a telephone survey: question 6, dealing with ultimate authority; question 7, dealing with standards conceived in four different ways; and then again to question 8, where we get to administrative authority. There was really an effort to almost split hairs, in my opinion, to try to get people to formulate a position on issues that are fairly abstract and I think somewhat difficult to develop on the survey.

Having had reservations about it, I nonetheless felt that was important to do because we had a lot of discussion and disagreement, perhaps, within our committee about how those issues should be framed, so why not do it? That's the reason we went over length, because of this triplicate set of questions dealing with division of powers and authority. Remember, each one is like a separate question; 6, 7, and 8 are really almost 30 different questions in the survey. That's where we went over length. I really think that sort of an eleventh hour charge to get rid of the constituent assembly really doesn't reflect how we got into this situation in the first place.

As far as the process being clear, I think it might be clear up till the point that the federal joint committee reports back to the federal government. Beyond that point I say it's as clear as mud, and what happens then is the great unknown. It's the void into which all who enter . . .

MR. DEPUTY CHAIRMAN: Do so at their peril.

MR. McINNIS: Their peril, exactly. It could be anything. It could be from a constituent assembly back down to Meech Lake all over again. I still think the process is an issue. I tend to agree with those who say that if you just ask about the phrase "constituent assembly" without any elaboration, you don't have a whole lot. I have personally not seen any polling that probes that in any depth at all. Maybe I'm not as literate on what's been done so far, but I think those are reasonably important things.

MR. McKENZIE: I don't think the second parts of those questions, certainly 2(c) . . . I have not heard of any questions along that line, asking how you would form this constituent assembly.

MR. ANDERSON: Mr. Chairman, I think I'd be willing to remove 8, as suggested in the letter. Maybe John's right hand, Bruce, who wrote the letter that maybe we have too much of that . . . I think 7 is important, but as suggested, maybe we could remove 8. It deals with administration, and I think that does get a little technical for people and apart from the policy and also gets a little out of the Constitution itself and into arrangements. I thought we needed that comprehensiveness earlier, but when you review it, I think there is some sense to shortening it.

MR. McDONOUGH: I would tend to agree with you on that too.

MR. DAY: As far as 8, you mean?

MR. ANDERSON: Yes.

MR. McINNIS: And that one question is going to be how much time?

MR. McKENZIE: Each of those banks is probably about two and a half minutes.

Mr. Chairman, since I wasn't here, I don't know some of the discussions and compromises which led to these three. On 6, 7, and 8, they're very close, but I find 6 and 7 between ultimate authority and setting the standards, whereas I see a more clear differentiation with 8, which is obviously administering and managing.

MR. DEPUTY CHAIRMAN: Well, I think Mr. Anderson made a good point about 8. As the Chair recalls the discussion, there was the most concern over the issues raised in 6 and 7, and 8 was just the icing on the cake. I don't know if other members would agree with me on that.

MR. DAY: Yeah.

MR. McINNIS: I'm agreed too. The only question in my mind is whether we want to ask about exclusive authority or responsibility to manage and administer it. But whether to drop 6 or drop 8, they're essentially . . . Well, I don't know what the difference is, actually.

MR. ANDERSON: One deals with administration and one deals with . . .

MR. McINNIS: Probably 6 is a more understandable question.

MR. DEPUTY CHAIRMAN: I think 8 is the most expendable.

MR. McINNIS: Yeah. That has a preamble and 11 parts, and that's two and a half minutes, you figure.

MR. DEPUTY CHAIRMAN: Only two and a half minutes? It looks longer.

MR. ANDERSON: I agree with John on the constituent assembly. I think we have determined the process for now, but we don't for the future. I guess the question is: can people decide on that now, before they go through this initial part of the process?

MR. DEPUTY CHAIRMAN: Maybe before we make a decision on that, could we ask John McDonough what the phone calls and analysis of what we've heard would indicate on the constituent assembly? Have we heard much by way of written suggestions, the analysis of what has come in?

MR. McDONOUGH: Well, we've heard a lot on the constituent assembly. There's a fair response. It's a little less than . . .

MR. DEPUTY CHAIRMAN: Is it fairly superficial?

MR. McDONOUGH: Well, we've had some extremely complex ideas from some people, who suggested all sorts of quite bizarre approaches, to using Canada Council representatives, who will then choose another group of people, who would eventually choose.

MR. DEPUTY CHAIRMAN: But those are sort of individual things. Is there any common . . .

MR. McDONOUGH: Most of it is people saying: "We want more control. Put the Constitution back in the hands of the people." It's that level of response for the most part.

MR. McINNIS: Some are quite negative to our politicians too.

MR. McDONOUGH: Well, it's partly that. They've heard the concept of constituent assembly, and that seems to be putting the power to amend the Constitution or to rewrite it in the hands of the people. It's at that level. There's not very much in terms of how you would elect the constituent assembly, nor was my process geared to getting a lot of detail on constituent assembly. Well, no. I did have some opportunity to get some of that information, and I don't recall having a lot of it. We haven't run the most recent set of numbers yet. I'm searching the back of my mind, but the big issue is whether you want one or don't want one, and the rest of it gets very small numbers.

2:05

MR. ANDERSON: I guess that's the problem. What do we get out of this one if there isn't a full proposal that people can respond yes or no to? Do we get what John's saying, little bits on everything? I don't know.

MR. DEPUTY CHAIRMAN: My own view is that people just say, "Sounds like a good idea to me," but they don't think about it. They have no real ideas on it; it just sounds good to them. That's why I would like to drop the whole thing, because really the people don't have any real ideas as to how to utilize such an animal. They don't. So why do we bother? I don't know. Maybe it's politics to cater to ignorance. That's all I wanted -- say.

MR. ANDERSON: Well, it may be a legitimate tool at some point, but I guess it has to be . . .

MR. DEPUTY CHAIRMAN: I don't know, but none of us here is prepared to say what that tool is.

MR. McINNIS: That's not the problem. I mean, any one of us could probably write a proposal for a constituent assembly. What we're doing here is asking people what they think about it, what they have on their minds when they think of a constituent assembly, and as I recall, there was a fair amount of thought put into how you structure the questions in terms of whether you like the idea, what kind of people do you want on it, and then how do you choose the people. I think that's the most we can do in a survey like this to see whether anything like a consensus exists on any of those points.

MR. McKENZIE: Mr. Chairman, I can say that when I read through this question, it was well crafted. People will not have a problem responding to it. It's not going to be confusing for people. That much I can say from just having looked at it. Actually, I'm very impressed with the quality of the whole questionnaire, but that particular line of questioning . . .

MR. McINNIS: Well, you're working with geniuses here.

MR. DEPUTY CHAIRMAN: We're looking for retainers later.

MR. McKENZIE: Well, we just might . . .

MR. ANDERSON: Mr. Chairman, why don't we take a quick flip through the rest of it and see if there are other areas to cut?

MR. McINNIS: Question 2, just so that we understand, is a one-minute deal basically, right?

MR. McKENZIE: I would say that it's probably not two but over one.

MR. DAY: It's a what, John?

MR. McKENZIE: It's probably close to two minutes for the whole thing.

MR. ANDERSON: For the three points.

MR. McKENZIE: Yes. It's around two minutes for the whole thing.

MR. ANDERSON: Okay. Well, let's take it out.

MR. DEPUTY CHAIRMAN: So if we dropped 2 and 8, we'd be saving four and a half minutes. Is that what you're saying?

MR. McKENZIE: That's my guess. I'll have to go out and pretest, obviously.

MR. ANDERSON: Could we draw it out so we save five?

MR. McKENZIE: It's amazing the range on these things. When we say that this thing averages 26 minutes, in fact that means that they go from eight to 55, particularly on an issue like this, where some people like to go on and on and on.

MR. DAY: What's the total number of minutes we're trying to chop it down?

MR. McKENZIE: Six.

MR. DAY: So this gives us about four and a half max if we were to do that, right?

MR. DEPUTY CHAIRMAN: If we dropped 2 and 8, we would save four and a half minutes, so we need another minute and a half.

MR. ANDERSON: Well, it tests five to six minutes, so one more quick one, I guess.

MR. DAY: I tried to look at it from the point of view of where there are areas that are appearing . . .

MR. DEPUTY CHAIRMAN: John, of course you know what I'd like to do, and that's number 10.

MR. DAY: Mr. Chairman, I just want to address that I tried to look at some other areas where there was redundancy, and actually it's interesting that you mention 10. I don't know if you saw my notes or not.

MR. DEPUTY CHAIRMAN: No.

MR. DAY: If we could, 10 is important, but again we're just looking for what we can delete and still get answers on, so I was saying, are any of these areas being repeated? If you look at 10 and actually break it down, 10(a), "human rights such as access to housing and health care," those types of things are addressed in 7(a), 7(h), 6(i), 6(a). Question 10(b) and (c): really, the same question about Charter legislation being binding is just being repeated. Question 10(b) and (c) could be seen as redundant

because they are addressed in 9(b). Environmental protection is already addressed in 6(c) and 7(c). We could argue that a lot of this in 10 is repetitive. I'm suggesting that a good chunk of the ones asked in 10 are being asked not exactly the same way but in other places. Not that 10 isn't valid, but if we're looking to shave it down somewhere, there is an area that I could see we could do it, yet we'd still get some answers, inclinations on these particular areas.

MR. McINNIS: Well, that's an interesting argument, Stock, but it's wrong.

MR. DAY: I didn't think you'd come running to embrace it, John.

MR. McINNIS: Section 10 deals with the Charter of Rights and Freedoms very clearly. The other questions you've mentioned deal with the distribution of powers between levels of government.

MR. DAY: Well, no; 9(a) and (b) are directly dealing with Charter rights, and some of those are repeated again in 10.

MR. McINNIS: Well, again these are questions that Mr. Anderson definitely wanted in so that people would understand what they were responding to when we asked them about the Charter of Rights and Freedoms. This is a fairly difficult area for some people, although I suspect that after 10 years more and more people do know the difference between the Charter and ordinary legislation and between allocation of powers in the Constitution. If you say in the Constitution that housing is a provincial prerogative or power, it doesn't mean at all the same thing as putting in the Charter something that has to do with the Charter. Now, I admit that there are all kinds of problems with every one of these proposals, but they are substantive proposals nonetheless. At this stage this has really nothing to do with whether we agree with these things or not. We're asking other people how they feel. You could think that a social charter is the worst idea ever to be brought forward and you still would be legitimate in asking people how they feel about it, particularly if they have a context where they understand what that might mean.

MR. DAY: Yeah, I agree. I think those are important questions. I'm not saying that we don't ask them. I'm saying that because they're being asked in terms of "Do you think they should be federal or provincial," we're accepting the fact they are going to be somehow constitutionally entrenched when we ask those questions. So 10 really is repetitive of that. We're still asking the question. I think the question's valid; I agree with you. We're still asking it in other places. It's just that if we're looking at somewhere to cut down the size of this, here is where we can do it and still get a sense of these questions being asked in other areas. If you're asking, "Should it be provincial or federal," you're automatically assuming this is going to be constitutionally spread out somewhere; it's going to be in there. I think you might even lose the impact that you're looking for, John, in terms of how important this is to people. Once you start to throw the curve of the Charter there, you could have somebody who's very concerned about health care constitutionally, either in the provincial or federal camp, but they don't like the Charter. All of a sudden you're throwing the health care thing in; they could throw out health care with the Charter.

MR. McINNIS: Sure they could, and that would be very interesting if that's what they wanted to do.

MR. DAY: You'd be protected from that happening. That's why I thought you would just naturally favour my proposal here, because you'd be protected from that happening by leaving it in in questions 7 and 6, in my humble view. I'll now rest my case.

MR. DEPUTY CHAIRMAN: Yeah. We've heard some suggestions for cutting from Mr. Anderson and Mr. Day and even myself.

John, do you have any areas that you feel we should be looking at?

MR. McINNIS: Well, I think the only area which you can consider to be redundant is essentially question 8. I don't think we can do a whole lot with our demographics. I think that probably if we're in a position where we can't increase the original \$55,000 budget, the next step would be to look at the sample size, the end size.

MR. DEPUTY CHAIRMAN: So your feeling is that we should either increase the budget or cut down the sample and leave the questionnaire pretty well alone except for 8.

MR. McINNIS: Well, I don't know whether it's possible for us to increase the budget or not.

MR. DAY: I would be voting against that.

2:15

MR. ANDERSON: Mr. Chairman, I have another one-second cut - it will only help marginally - 9(b), which is the new question which, I guess, evolved at my request. In the last sentence it says, "ability to over-turn provincial legislation." Actually, it would be federal or provincial, as the Charter applies, so just take out "provincial."

MR. McINNIS: Actually, I spotted an excess word too, in 2(a): "a separate body of people, either chosen, elected, or appointed." I think if you took "chosen" out, it would probably read a bit better: either elected or appointed by some process. For that matter, even "by some process."

MR. DEPUTY CHAIRMAN: We're improving perfection, Michael.

MR. McINNIS: I don't think we're getting close to answering the question.

Well, I'm not here to argue for an increase in budget. I'm left in the position of saying that I'm definitely opposed to eliminating questions on constituent assembly or on the Charter of Rights and Freedoms because those are both areas that we can't deny we heard from in great numbers. I think it would be a bit of a betrayal to yank those out at this stage. So my next line of defence is to drop the sample size. We gained maybe two and a half minutes, which leaves us short three and a half or four minutes, so maybe we can get the sample size somewhere between 1,000 and 1,200 and still stay within the 57,000, somewhere in the middle - I don't know what it works out to - however many we can get.

MR. ANDERSON: Mr. Chairman, we seem to be in a bit of a dilemma here. I'm reluctant to drop the sample size. I think getting a regional feeling is important in this. For one thing, it will help us assess whether or not the hearing process in the various regions is reflected accurately. I guess all I could suggest, given the problem that we're into, is that we go back to the

committee, giving the committee the option to remove 2 or 10, keep 2 and 10 in and increase the budget, or, I suppose, reduce the sample size. We've got those three options we can give to the committee if we can't determine them. My preference would probably be to do away with 2. I think it's an important area, but I do as well feel that the public debate hasn't focused enough on it to give people a reference point and that it might be more important down the line as opposed to at this stage when we need to deal with the constitutional proposals that are there.

MR. McKENZIE: Mr. Chairman, if I may, I can give you the consequences of changing the sample size so that when you put it to the committee, at least they know what they're talking about.

The overall effect of going from 1,200 down to 1,000 is quite minor. It goes from 2.9 down to 3.2 as your error margin. It will have a greater effect on the regional one.

Are there five regions? Am I right there?

MR. McINNIS: We've never actually discussed what type of regional . . .

MR. McKENZIE: Previous work that I have done with the Alberta government had five regions, so I thought maybe the same ones were being used.

MR. DEPUTY CHAIRMAN: That's never come up.

MR. ANDERSON: We have no predetermined regions as a province.

MR. DAY: At different times you probably have different numbers of regions.

MR. DEPUTY CHAIRMAN: Do you know anything about the regionalization, John?

MR. McDONOUGH: No, I don't. You're probably right, because they were talking about previous polls that had been done and the idea of having a breakdown on the basis of the previous polling. That's why they came up with that particular sample.

MR. ANDERSON: I think we'd usually run about six, wouldn't we? Northeast, northwest, Edmonton, Calgary, central, south. Maybe seven.

MR. DAY: Mr. Chairman, we've had a lot of time put into this, I think good time. I think all parties concerned really have had good input on it.

MR. McINNIS: Stock, just before you summarize things . . . Can you finish your thought about how that affects regions?

MR. McKENZIE: Well, say we had six.

MR. McINNIS: I think five is the figure that has been used before. Anyway, what would that do?

MR. McKENZIE: Essentially that's going to move it from somewhere around 7 to somewhere around 8, depending on whether we have five or six. There's a plus or minus 7 percent error. The way that works is since it's plus or minus 7 - right? - that means it's within a 14-point spread. If it's plus or minus 8, it's within a 16-point spread.

MR. DEPUTY CHAIRMAN: It has quite an effect, doesn't it?

MR. DAY: By chopping down the size of it.

MR. McKENZIE: Yeah, by chopping the 200 interviews off. You'd have about half that effect if you did a middle-of-the-road compromise and cut 100 interviews off.

MR. McINNIS: It has a 1 percent effect on the margin of error.

MR. McKENZIE: Right.

MR. McINNIS: At the very small subsample. Do you want to chop 10?

MR. ANDERSON: Well, my suggestion was 2.

MR. McKENZIE: Numbers 2, 8, and 10 seem to get the . . .

MR. DAY: Yeah.

Maybe just for the purpose of moving along, and the people then can debate it or throw this out, but given the considerable amount of time we've put into it . . . Like I say, it's been good. We've had it reflected from the professionals that the work we've done is quality, and it's nice to hear that. The fact is it's too long; it has to be shortened. Nobody wants to see any of these questions dropped arbitrarily, but I think for reasons already stated, which are on the record now, having spoken today, I'd like to make a motion that we take to the committee the recommendation of deleting 2, 8, and 10. Let the committee deal with those recommendations. That would be my motion.

MR. DEPUTY CHAIRMAN: Any discussion on the motion?

MR. ANDERSON: Do we need to reduce all three to reach that point of six minutes?

MR. McKENZIE: I think that 2, 8, and 10 might overachieve. Obviously, I'm speculating a little bit. I don't know how long. Some questions people have to think harder about, so even the number of words doesn't always tell you, particularly in difficult issues like this.

MR. DEPUTY CHAIRMAN: You'd have to test it out.

MR. McKENZIE: Yes.

MR. ANDERSON: Mr. Chairman, I'd tentatively support the motion, but I would like us to do that review of what surveys have been done on question 2 in particular. Perhaps there are some on 10 as well, though I suspect not in the same kind of way. I have my concerns on 10 historically, just in terms of while I would agree with John that more people probably understand the Charter versus other legislation, my very great bet would be most still do not; more but not most.

MR. McINNIS: You may never have to have that bet honoured.

MR. McKENZIE: Mr. Chairman, I would say that 10, the issue of the Charter, I suspect will be an increasing . . .

MR. DEPUTY CHAIRMAN: Subject of interest.

MR. McKENZIE: Yes. Given the results of some of the recent elections.

MR. DEPUTY CHAIRMAN: The trouble is that that question by the other organizations will not be as well worded as ours.

MR. McKENZIE: Probably not.

MR. McINNIS: I think the motion is outrageous. I can't put it any less strong than that. Yes, we spent a lot of time on this questionnaire, but yes, some of us thought we were doing it in good faith. When we come to dealing with the possibility of three different options to deal with the budget problem, why is it that you guys go directly into the Charter of Rights and Freedoms, you go directly on to the constituent assembly, and you want those out? I just think it's a convenient ruse for you to make a political move on this thing, and I think it's a big, big mistake. I'm going to serve fair warning that if you pass this over my objection, you're going to have a pretty stiff fight at the committee, because I think what's being done is politics pure and simple.

We haven't even considered two of the other options in any detail at all. Even if we had to go all the way to the bottom, which is a thousand – and I don't think we do, because we already have a consensus about the third of the three lengthy questions dealing with distribution of powers – we can get some of our end back with that. You're dealing with somewhere between a .3 and 1 percent margin of error on the sample versus disenfranchising everyone who came to our committee with concerns about the Charter of Rights and Freedoms and the constituent assembly. I submit that in this atmosphere you can't afford to cut that many people and that big an area of debate off for, I think, essentially the reason that you're afraid of what the results could be.

MR. ANDERSON: Mr. Chairman, I think the submission by Mr. McInnis deserves, for the record at least, a response. I think it's both overstated and entirely inaccurate. First of all, I noticed the first place that Mr. McInnis went to cut was on the distribution of powers, and we in fact agreed first off to cut that area. The other two: it is a matter both of dollars and of sample size. You know, it's easy to say: "Go ahead; reduce it by another percent. Make it just a little bit more inaccurate." Aren't we potentially, then, disenfranchising everybody . . .

2:25

MR. McINNIS: It's about two-tenths of 1 percent.

MR. ANDERSON: . . . if we start to water down the process?

I personally agree that both of the topics were raised. So were probably 50 or 60 others that are not in this sample, at least. You know, I'd have to go back through the process, but I don't think that a significant number of the briefs – there were some – talked about a social charter, for example. There were a number, but by far not the majority of briefs at all. I don't think that showed itself as one of the strong, glaring concerns that are there. Nonetheless, if we have room, I've got no problem asking that question as well. The ability, out of the context of a full debate on that complex a question, to get full results . . . But we've been through that argument, and I appreciate the committee's forbearance in adding a couple of clarifying ones before. I think that's fair and would support it, but I would just reject out of hand Mr. McInnis's suggestion that it's political.

There's a number of things in here, frankly, that I would say no to right away but that I think we should ask the question on.

Constituent assembly I agreed from the beginning we should have in because it was mentioned frequently, but I think there is a question about its effectiveness. Is that question going to give us anything without the public being able to focus around some answer? I think at least we should explore what already has been asked on the general question.

In terms of our report to the committee, I would go this far with Mr. McInnis: I would support giving the committee the options with the overall preference that we have. It may not be necessary to have 2, 8, and 10. If we get that timed out by Angus Reid, then we'll see how much room we've got. Maybe we can accept one of those.

MR. DEPUTY CHAIRMAN: We'll need to know that next Tuesday, Mike.

MR. McKENZIE: I can have that for you in a couple of days.

MR. McINNIS: Are you amending the motion?

MR. DEPUTY CHAIRMAN: No.

MR. ANDERSON: Could we hear, Mr. Chairman, the full motion?

MR. DEPUTY CHAIRMAN: The motion was that questions 2, 8, and 10 be deleted.

MR. DAY: The motion was that we take a recommendation to the full committee that 2, 8, and 10 be deleted.

MR. ANDERSON: Maybe, Mr. Chairman, I would amend it. I could say that the committee recommend considering the deletion of any or all of 2, 8, and 10, depending on what time is required for deletion.

MR. DEPUTY CHAIRMAN: Okay.

MR. ANDERSON: That wasn't worded too clearly.

MR. McKENZIE: Mr. Chairman, I will provide you on Friday with the time for those three questions.

MR. McINNIS: What are the mechanics of our meeting next Tuesday? We have a 2 o'clock appointment with some aboriginal groups, do we not?

MR. ANDERSON: Yeah. I think we're meeting in the morning.

MRS. KAMUCHIK: If I may, Mr. Chairman, we haven't got the final times yet, but my understanding is that there will be a committee meeting at 1:15 in this room, 312.

MR. DEPUTY CHAIRMAN: I thought it was going to be in the morning. I thought there was going to be a meeting at 10:45.

MR. ANDERSON: I did too.

MR. DEPUTY CHAIRMAN: That's what I was planning on.

MRS. KAMUCHIK: My latest notice I've been given – I could certainly be behind.

MR. ANDERSON: So could we.

MRS. KAMUCHIK: John, maybe you've heard.

MR. McDONOUGH: What I heard was just before the meeting with the aboriginal groups.

MRS. KAMUCHIK: I think nothing's been quite finalized yet because they're still trying to finalize the meeting with the aboriginal people. But the committee meeting would be in this room, 312, then move up to 512 at 2 o'clock for the meeting with the aboriginals. We're not even sure now if it's going to run into the evening. It depends.

MR. McDONOUGH: On which aboriginal groups are able to come.

MRS. KAMUCHIK: So we may have only an afternoon meeting.

MR. McDONOUGH: I think there's a couple of other committees. Leg. Offices was meeting in the morning.

MRS. KAMUCHIK: Leg. Offices is meeting in the morning, 8 to 10. Heritage is meeting at 10 to 12, and we've got two members on that one, Mr. Ady and Mr. Hawkesworth.

MR. McINNIS: The reason I asked the question is that I do suspect that this may be a controversial subject and perhaps not a five-minute discussion when the committee meets.

MR. DEPUTY CHAIRMAN: Stockwell, did you wish to . . .

MR. DAY: Well, there's an amendment.

MR. DEPUTY CHAIRMAN: Okay. Any comments on the amendment?

MR. DAY: I don't have a problem with the amendment. It gives the committee more leeway to choose one or more of those.

MR. McINNIS: Because we don't have very much information on the other element, we don't know exactly how much more time we need to save, so we don't know exactly how many of the sample we would need to budget as well. I wonder why we couldn't also consider that information. Let's suppose that with question 8 out we're only three minutes over. Then that could mean that in order to preserve the remaining questions, we only have to drop 50 or something out of the sample, in which case the change in the margin of error would be infinitesimal.

MR. DEPUTY CHAIRMAN: You'll give us a sort of broad spectrum of choices?

MR. McKENZIE: A little grid with these questions and sample sizes, and you can sort of pick and choose.

MR. DAY: Great.

MR. McINNIS: So it would be my feeling that all that information would go to the committee.

MR. DEPUTY CHAIRMAN: I think that's a good suggestion.

MR. McKENZIE: I can provide you with that on Friday.

MR. DEPUTY CHAIRMAN: Okay.

Is the committee ready for the question on the amendment?

HON. MEMBERS: Question.

MR. DEPUTY CHAIRMAN: All those in favour, please signify? Carried.

All those in favour of the motion as amended? Carried unanimously.

MR. DAY: I wanted to actually sum up on the motion before you called the vote there.

MR. DEPUTY CHAIRMAN: Oh, sorry.

AN HON. MEMBER: I don't think it would sway.

MR. DEPUTY CHAIRMAN: Quit while you're ahead.

MR. DAY: No, but I think a couple of things that Dennis quite rightly pointed out need to be cleared up.

MR. McINNIS: Can I change my vote?

MR. DAY: Dennis quite rightly pointed out a couple of things, a suggestion about some political involvement here in terms of the question. We're familiar with Mr. McInnis' use of hyperbole when he is not able to substantiate his ground in any other way. So to add to his outrage, I'm shocked, appalled, astonished, bewildered, and overwhelmed in a very extensive and credible way that he's not embracing, at first blush, anyway, the thoughts in terms of 10. What he's asking for is to take a highly volatile issue like the Charter, which we already do address in 9; it's clearly addressed in 9 in two places. What he's saying is take that and take questions like health care, which have been brought to us very clearly by Albertans, very sensibly, and are already addressed in at least four other places in here. He's saying put the two together and risk an explosion, risk people concerned about health care and social needs, take those questions and be willing to throw out their concerns about that because they're linked to as volatile an issue as the Charter, which is fully addressed in 9.

MR. ANDERSON: Could we get a thesaurus for the next meeting?

MR. DAY: I wanted to get that out there.

MR. ANDERSON: In case we missed any of those adjectives.

MR. DAY: Environment also is addressed in two other areas, so it becomes redundant in 10. Constituent assembly: we've heard clearly that people want that subject talked about. Whether we try and drag out the extensive nature of the formation of a constituent assembly through a piece like this is another question. I think it needs to be fairly addressed another day. We know Albertans want to talk about a constituent assembly; we have to do it but not taking the time on this particular one.

Are you asking for a motion to adjourn?

MR. DEPUTY CHAIRMAN: All those in favour of adjourning this meeting, signify. Carried.

[The committee adjourned at 2:34 p.m.]