

[Chairman: Mr. Stewart]

[2:04 p.m.]

MR. CHAIRMAN: Seeing a quorum, I will call the meeting to order. I have an agenda before you. Just before moving through that agenda and indeed getting approval of that agenda, a couple of things. First of all, again with the 24-hour rule imposed upon the Chair, I've felt it probably advisable to post a notice calling a meeting for tomorrow at the same time, 2 o'clock to 5 o'clock, to the extent that the same may be required for our deliberations. So a notice of that has been posted by the clerk, and copies of that will be distributed to you.

Also, I might pick up on something that Mrs. Hewes raised, I believe, just at the close of our proceedings yesterday in respect to how we might go about the formulation of motions and conducting our deliberations. I've been looking at that from the standpoint of the terms of reference that have been referred to the committee by the Assembly. The Assembly's motion deliberately sets forth in the terms of reference four specific and very different questions to this committee. I believe the Assembly therefore, one would have to believe, had some intent in that it wanted specific answers to each of those questions. Each question, as I mentioned, deals with a totally separate and distinct question of privilege that is before this committee.

The first paragraph of the terms of reference deals with whether any breach occurs if the proceedings are conducted solely in English and thereby sort of directs itself to the present procedures of the Assembly. The second paragraph deals with the question of whether Mr. Piquette has in any way breached the privileges of the Assembly and therefore focuses upon the conduct of Mr. Piquette. The third paragraph sort of asks the question: what, if anything, should be done in the future? And the fourth directs itself to any other question which is related to the matters of privilege before the committee.

After reviewing the terms of reference in that fashion, I found it kind of difficult to envisage some form of blanket or other form of motion that might appropriately address each of these very specific questions. Therefore, I would intend to accept the motions that are on any of the questions posed by the reference, and I will deal with them as they are made. There's one motion, as you know, that is currently on the floor, and we have another motion that was proposed by Mr. Moore yesterday at the close of our meeting. So I would propose to continue with the motion on the floor and then secondly, once that has been disposed of, move to Mr. Moore's motion and have the debate on it and then, of course, accept further motions as they are brought forward.

MR. WRIGHT: Mr. Chairman, I thought you were saying we'd move through them 1, 2, 3, 4.

MR. CHAIRMAN: Well, no, I was suggesting that I would accept motions as they are made. I think my duty is to accept motions as they are put forth in a proper manner.

MR. WRIGHT: There is a certain logic in the order they are printed out if you think about it, so I would like to give notice of a motion to deal with question 2 at this point. I can hand the . . .

MR. CHAIRMAN: I should have also mentioned -- and Mrs. Hewes, you may wish to speak to this -- that I've received word from Mrs. Hewes that she, too, wishes to give notice of motions.

MRS. HEWES: Mr. Chairman, do you want these distributed at

this point?

MR. CHAIRMAN: No, perhaps you might just introduce them by way of giving notice of these motions at least, and if you wish to distribute them, that's fine.

MRS. HEWES: If I may do that now, Mr. Chairman, I would like to give notice to the committee of two motions. The first one is . . . Do you want them read into the record, Mr. Chairman?

MR. CHAIRMAN: Yes, perhaps you could do that.

MRS. HEWES:

Be it resolved that the committee recommend to the Assembly that the Standing Orders of the Assembly be amended to provide that French may be used on the following basis:

- (a) in the Assembly and in its committees at any time other than proceedings where an immediate response is expected or requested from another member; provided written notice of 2 hours together with English translation is delivered to Mr. Speaker, the Clerk and to any other member as the Speaker may direct; and
- (b) in the Oral Question Period provided written notice of 2 hours together with English translation is delivered to Mr. Speaker, the Clerk, and to any other member as the Speaker may direct, and at the time of the question(s), all members of the Assembly are provided with an English translation by the member choosing to speak in French.

That is one of the motions, Mr. Chairman. I think it's self-explanatory and quite mechanical in its form. I'll be glad when we get to it to speak to it as to the merit.

Mr. Chairman, the other one is:

Be it resolved that the committee recommend to the Assembly that the Standing Orders of the Assembly be amended to provide that languages other than English may be used in the case of introduction of visitors or special guests.

MR. CHAIRMAN: Thank you, Mrs. Hewes. The motions of which you have given us notice may very well form part of the discussions in respect to Mr. Moore's motion, which is quite similar in a number of respects and may leave the opportunity for amendment if that is as you wish at that time of course.

In the order in which the motions have been received, we will deal firstly with . . .

MR. WRIGHT: Mr. Chairman, in making those remarks, you will not of course have pre-empted any other member's right to make a regular amendment to the motions on the floor. Those are separate motions; they're not amendments in their present form.

MR. CHAIRMAN: Yes, I believe that's in order, Mr. Wright.

Returning then to the agenda that is before you, item 2 is the Approval of Agenda. Basically, the agenda really consists of further discussion and deliberation on motions. So I would ask for a motion approving the agenda.

Moved by Mr. Wright. All in favour, say aye.

HON. MEMBERS: Aye.

MR. CHAIRMAN: Contrary? The motion is carried.

MR. CHAIRMAN: On the motion that is on the floor, the motion made by Mr. Horsman, on my list at the time debate was adjourned I had Mr. Gibeault, followed by Mrs. Osterman, Mr. Hyland, and Mrs. Hewes in that order.

MR. FOX: On a point of clarification, Mr. Chairman. We're getting into a more formalized part of our deliberations here. I'm wondering: do the rules for debate on the motion apply in the same way they do on matters in the Assembly, or can any member speak as many times as necessary on a given matter?

MR. CHAIRMAN: My interpretation of Standing Order 62, which deals with the application of Standing Orders in committees -- on that basis, 62(1) reads:

The standing orders of the Assembly shall be observed in the committees of the Assembly so far as may be applicable, except that

- (a) a member may speak more than once, and
- (b) in Committee of the Whole, no member may speak for more than 30 minutes at one time.

So the 30 minutes is applicable in the committee.

MR. WRIGHT: I can't remember who adjourned debate, if anybody.

MR. CHAIRMAN: I believe Mr. Fox had just concluded his remarks, and I allowed him to conclude. Then I think the time -- actually the clock ran out on us, and that was where we were. Mr. Wright.

MR. WRIGHT: Put me down, please, Mr. Chairman.

MR. CHAIRMAN: Okay. We will then continue with the debate on Mr. Horsman's motion. Mr. Gibeault has the floor.

MR. GIBEAULT: Pass, Mr. Chairman.

MR. CHAIRMAN: Mrs. Osterman?

MRS. OSTERMAN: Well, Mr. Chairman, as I recall, just at the conclusion of yesterday afternoon we began to discuss privilege, and there was some discussion about how the law impacts on privilege. There may be some difference of opinion in that regard, but it seems to me that in dealing with this particular motion now, we should once again have brought to mind what privilege is. In looking at the brief that was prepared for us by counsel and also reading *Beauchesne* that relies on *Erskine May*, I just want to emphasize what is before us. The explanation is:

The distinctive mark of a privilege is its ancillary character. The privileges of Parliament are rights which are "absolutely necessary for the due execution of its powers". They are enjoyed by individual Members, because the House cannot perform its functions without unimpeded use of the services of its Members; and by each House for the protection of its members and the vindication of its own authority and dignity.

Mr. Chairman, I wanted to read that aloud to remind us all again of precisely what is under discussion here, because it does seem that on occasion we bring a number of other matters into

the discussion, and while they may be very interesting, it occurs to me that they are not germane to this particular discussion.

MR. CHAIRMAN: Thank you, Mrs. Osterman. Mrs. Hewes.

MRS. HEWES: Mr. Chairman, speaking to this resolution, I have studied the Hansard transcripts, what has been said, in great detail and I must admit I'm grateful because I think it's given me a far better understanding and comprehension in depth of privilege. In looking at the motion that's presented to us, essentially I have no difficulty with it and can support it.

I would have preferred, Mr. Chairman, if after the word "conclusively" there was the expression "at this time." Now, I'm not sure if you can accept that as an amendment or if the mover could accept it as an amendment, but I believe it would for me and perhaps for other members of the committee describe more accurately what we are now confronted with and faced with. We have heard evidence at great length regarding the North-West Territories Act, the Alberta Act, and a great deal of evidence that has been inconclusive as to the proclamation and whether or not it did occur and has been lost or never did occur and whether that makes any difference relative to our convention in this House. I agree then with (a); that is, that the "rights of members to speak in French . . . cannot be determined by the committee conclusively;" at this time.

It is my view that this is a matter of extraordinary importance to the province and to the nation and that it should be the basis of a lengthy and deliberate discussion, because the results of it and the consequences are very far-reaching for the entire population of the province, Francophone and otherwise. My own personal view is that I would like to see it occur, but I think that does require considerable study as to the merits and the economic costs, the advantages, disadvantages, and how it could occur. So, Mr. Chairman, if this indicated, as I believe has happened in our committee discussions and the evidence before us, that because there is evidence in support somewhat and evidence to the contrary somewhat, it is inconclusive as the motion speaks at this time, this is a position that, yes, I can take. But certainly in taking that, I would like to see the further study undertaken and will speak to that another time in the committee.

The second part of the motion, "whether or not a Member has been deprived" of his ability "to carry out his functions" -- I agree that he has not been deprived of his ability to carry out his functions as a member at this time, and therefore his privilege has not been breached. So, Mr. Chairman, I don't know how you wish to handle that. But with that extra phrase, which could be construed as a friendly amendment, I think it would clarify for me at least the real circumstances we've gone through in the committee and would explain exactly where I am right now. We have not been able to determine it conclusively at this time.

MR. CHAIRMAN: Very well, Mrs. Hewes. I will accept that as a proposed amendment to the motion. Is there any discussion on the proposed amendment?

MR. WRIGHT: Would you just repeat it, please, Mr. Chairman?

MR. CHAIRMAN: As I understand the amendment, it would add "at this time" at the end of paragraph (a) of Mr. Horsman's motion after the word "conclusively."

MR. HORSMAN: Mr. Chairman, I'm not going to oppose the motion, but let's say the words are really quite superfluous because any motion speaks to the time that it is passed. When it is passed, it speaks to now. It doesn't bind us relative to anything in the future. There's nothing in the motion which would say conclusively "now and forevermore." It means "as of now" or "at this time." So if the words will help the hon. member, fine, but really, from a technical point of view, they are not necessary to be added because the motion speaks as of the date of its passage and not as to any future consideration that might be undertaken by the Assembly or by this committee if we want to keep on meeting forever, but I don't think that's anyone's wish or intent.

MR. CHAIRMAN: Mr. Wright, on the amendment.

MR. WRIGHT: Mr. Chairman, I've been seeking for some days now to find something I agree with the Attorney General on, and this is it. I don't think it matters much one way or another, but the fact is that the constitutional rights spoken of here are legal ones, and until the law is changed, it makes no difference whether the matter is to be decided today or next week. It would have been the same had the matter been posed, say, 20 years ago too. So on the grounds that it's bad form to put in redundant words, I would oppose the motion, although I understand the spirit it was promoted in.

MR. CHAIRMAN: May I call the question on the amendment? All those in favour of the amendment, say aye.

SOME HON. MEMBERS: Aye.

MR. CHAIRMAN: Contrary?

SOME HON. MEMBERS: No.

MR. CHAIRMAN: The motion is defeated.  
On the motion, Mr. Wright.

MR. WRIGHT: Yes, on the motion itself, Mr. Chairman, I want to summarize what I mentioned yesterday somewhat discursively as being our objections to the motion as written. As I have just said,

(a) the constitutional rights of members to speak in French in the Assembly cannot be determined by the committee conclusively;

is entirely correct because those are legal rights, and quite apart from the lack of wisdom in trying to decide a legal question and the inappropriateness in general of a committee -- I suppose perhaps any committee of the Legislature -- doing that is the fact that whatever we might do, this is one of those cases when, it being a matter depending on statutory law, the courts do have the jurisdiction to make a declaration. So I do agree with (a).

But (b) is a classic case of what logicians might call *petitio principii* or begging the question, because what privilege is has been redefined to make it clear that Mr. Piquette did not break it. But it's being redefined illegitimately because it says

the essence of privilege is whether or not a member has been deprived of any right, without which he is unable to carry out his functions as a member;

which in general is a good statement, and in *Erskine May* it is the statement because there privilege, with perhaps negligible exceptions, is not a statutory one. But here the very part -- and

in general it's not a statutory one here apart from its being stated that all the privileges that pertain to Assemblies of this nature are enjoyed by the members being stated in the statute. But the ingredients of it are not set out in the statute anywhere, except the question of language, as we say. Therefore, it is not a complete statement of what privilege is. Though that's the essence of privilege, in this case it is also a legal question, as I've just stated on (a). Therefore, there must be a breach of privilege if Mr. Piquette is prevented in speaking from English, if that right exists. And since we aren't deciding whether that right exists, then we can't decide whether it's been breached or not. So that is our problem with the way the return to question 1 has been made here.

There is a subsidiary problem too which is of a more formal nature, and that is that the question before us is this: whether or not a question of privilege arises when the proceedings of the Assembly are conducted solely in English. That's not the question "Has privilege been breached?" And before this was sent to this committee, I argued that it was wrong and proposed an amendment that would make it right. But it was rejected, and therefore we are, strictly speaking, dealing with a silly question because obviously a privilege arises. Actually, according to some of the witnesses, even that is in some doubt. But generally speaking, obviously a question of privilege arises, so everyone can agree that the answer is yes. But we've gone on to deal with the substantive question of whether in fact there has been a breach of privilege, so there's a double problem with the answer as framed. Consequently, I move an amendment which has been written out, Mr. Chairman, and I'll wait while it is being distributed.

Speaking to the amendment, Mr. Chairman, the scheme of this is that we accept (a) as written, and (b) has been altered in accordance with my submission just now to simply say that because of (a) this "committee should not be the tribunal to decide the question." We should therefore respectfully decline to answer the question and should advise the House respectfully not to answer it either. It goes on to say that if the House is anxious nonetheless to have a definite answer to the question, then we should suggest that

either the Lieutenant Governor in Council . . . refer the matter to the Court of Appeal for a decision under section 27 of the Judicature Act . . .

which is tailor-made for questions of this sort, Mr. Chairman, . . . or the Attorney General . . . take such other steps as may be appropriate to obtain the decision of a court of law.

We aren't suggesting that that be done. We're simply saying that if, after having considered our report, the Assembly nonetheless wants a definite legal answer to the question posed, then that's the route to go. I won't comment at this time on the wisdom or not of that; that's another stage down the road, I guess. But that is my motion of amendment, and I so move.

MR. CHAIRMAN: I will accept the amendment.  
Mr. Horsman, followed by Mr. Anderson.

MR. HORSMAN: Mr. Chairman, I speak against the amendment. We heard the interesting points the hon. Member for Edmonton Strathcona has raised when the question of the terms of reference of this Committee on Privileges and Elections was being established in the Assembly, and he has repeated them today in a much more abbreviated fashion than he did during the course of the original motion, for which I thank him. In return, I

will be equally as brief.

Quite frankly, this motion, this amendment, would negate what we've been doing relative to sitting as a committee to answer a question posed to this committee by the Assembly. It simply says, "Sorry, we can't do that; we are going to ask a court to do it for us." I think we can answer the question the Assembly posed to us in the motion and in the terms of reference the committee has had before it. Therefore, I think the motion is just another attempt by the hon. member to get back to his opposition to the original question as it was posed to this committee by the Assembly.

MR. CHAIRMAN: Mr. Anderson, followed by Mr. Fox.

MR. ANDERSON: Thank you, Mr. Chairman. I too would oppose this amendment. First of all, I think fundamentally it proposes a direction I don't agree with, and that would be applying to a court to deal with the internal workings of the Assembly. I don't in fact believe that's the direction we should go. I do believe that there is, as indicated by some of the witnesses and some of the evidence, certainly by most of the experts regarding parliamentary law, a right to responsibility to maintain control of the Legislature itself.

Dealing with Mr. Wright's arguments opposing the original resolution as drafted by the Attorney General, I had some difficulty following the logic, but as I understood it, it suggested that because at some point in the future there might be a right determined, then there might be a breach of that privilege as a result of the right and consequently we couldn't determine that. To myself, though admittedly a non-lawyer, it sounds somewhat akin to saying that there might be a murder sometime in the future. Consequently, we have to determine at this point that somebody might be a murderer. It seems extremely hypothetical, and I don't give too much credence to that argument.

For those two reasons I would oppose the amendment, Mr. Chairman.

MR. FOX: Before speaking in favour of the amendment, I need to correct the record, because Mr. Horsman and Mr. Anderson either deliberately misinterpreted what is written here in the amendment or else didn't read it. The amendment does not suggest that any proceedings of this committee or indeed this Assembly be referred to the court. It doesn't suggest that. It doesn't say that these matters should be decided by them. What it does say -- and it agrees with the hon. Mr. Horsman's amendment -- is that this committee cannot conclusively determine whether or not the constitutional right for a member to speak French in this Assembly exists. That being said, we acknowledge that we can't determine it, so we say -- and I think Professor Dawson said it was quite legitimate for this committee to say so -- that if a matter referred to us is found by the committee in our deliberations to be beyond our scope or ability to determine, in the case of a legal matter, we will not be the tribunal to make that decision and recommend the same to the Assembly. It does go on to say that "if the Assembly remains anxious for an answer" to this question -- and it may well be that the committee decides there never need be an answer to this question -- then it suggests two possible ways that answer might be found. It does not say that we are referring this to the courts or that we recommend it be referred to the courts. It doesn't say that at all.

Now, speaking to the amendment, it seems to me that it follows and is consistent with the spirit of Mr. Horsman's motion. We accept (a), that this committee can't conclusively determine

the constitutional rights of members to speak French in this Assembly, but we go on to say, "Therefore, we won't." The hon. member's motion here says that we can't determine it, but we're going to anyway. I think it just doesn't make sense, and Mr. Wright's amendment to the motion tries to make sense of it and answer, I think, question 1 submitted to us in the motion from the Assembly in the most appropriate way.

MR. CHAIRMAN: Any further debate on the amendment? If not, I'll call the question on the amendment. All those in favour of the amendment, please say aye.

SOME HON. MEMBERS: Aye.

MR. CHAIRMAN: Contrary.

SOME HON. MEMBERS: No.

MR. CHAIRMAN: The motion is defeated. Is there any further debate on the motion of Mr. Horsman? Mr. Horsman, would you wish to close debate?

MR. HORSMAN: Well, I think just a word on this. We have said in this motion that we cannot conclusively deal with the legal questions, but we are saying in this motion, however, that the privilege of a member has not been breached, because he has been able to carry out his functions as a member in an Assembly where English was the sole language in which the proceedings were conducted. I think that has been made amply clear and evident by the evidence, and that's really what this motion says.

Without going back over the whole process to the incident of when it arose, first of all, there was a claim that the privilege of the Member for Athabasca-Lac La Biche had been somehow breached. I think it is clear from having examined all the references to what privilege means that his privilege as a member of this Assembly to carry out and conduct his role as a Member of the Legislative Assembly in all the proceedings has not been breached by reason of the fact that the Assembly has been conducted solely in English. He is totally capable of carrying out all his functions as a member in that respect. I think that's really the essence of this motion, and it's the essence of the whole question of privilege as it's been explained to us by a number of experts.

MR. CHAIRMAN: I'll call a question on the motion.

MR. WRIGHT: Mr. Chairman, I'm sorry. We here didn't understand that this was the closing of debate on the motion by the Attorney General.

MR. CHAIRMAN: Mr. Wright, I asked if there was any further debate on the motion. There was no one that signified, and then I asked Mr. Horsman if he wished to close debate on the motion.

SOME HON. MEMBERS: Question.

MR. CHAIRMAN: All those in favour of the motion, please signify.

SOME HON. MEMBERS: Aye.

MR. CHAIRMAN: Contrary.

SOME HON. MEMBERS: No.

MR. CHAIRMAN: I declare that the motion carries.

MR. GIBEAULT: Mr. Chairman, I'd like those of us opposing that motion to be recorded as such, please.

MR. CHAIRMAN: Clerk, would you take a note of that, please.

MR. WRIGHT: Mr. Chairman, I would move that we proceed to answer to the second question.

MR. CHAIRMAN: Well, I've indicated that I would recognize the motions as received, and Mr. Moore's motion, I think, is number two on the list as being received. Yours is the third motion received, and Mrs. Hewes' are the fourth and fifth.

MR. WRIGHT: It does seem silly since there is a logical order that should be observed in this case. I mean, normally, *faute de mieux*, you take them in the order received, but here there is a logical order to them. I had assumed that when we reached 2 there would a motion forthcoming from that, and then we'd consider 3 in its place.

MR. FOX: Would it be proper, Mr. Chairman, to ask if the committee would agree to dealing with question 2 prior to moving on to question 3?

MR. CHAIRMAN: Perhaps we'd go to Mr. Moore first on that point, since it's his notice of motion that we're talking about.

MR. M. MOORE: Mr. Chairman, the notice of motion that I served yesterday deals with both question 3 and question 4 in part and, I think, has some bearing on the entire notice of motion that was approved by the Assembly and referred to this committee. I'd therefore like to move the motion, and I will read it. I move that:

Be it resolved that the committee recommend to the Assembly that the Standing Orders of the Assembly be amended to provide that, while the working language of the Assembly and its publications remain English, languages other than English may be used on the following basis:

- a) Subject to the approval of the Speaker languages other than English may be used in the Assembly and its committees at any time other than proceedings where an immediate response is expected or requested from another member; provided written advance notice of two hours together with English translation is delivered to Mr. Speaker, the Clerk and to any other member as the Speaker may direct;
- b) Subject to the approval of the Speaker languages other than English may be used in the question period to ask a main question provided written advance notice of two hours together with the English translation is delivered to Mr. Speaker, the Clerk and to any other member as the Speaker may direct. Supplementary questions must be asked in the English language;
- c) No notice or English translation need be provided in the case of introduction of visitors and special guests;

- d) Any document or other written material that is presented as a resolution or in support of a resolution to amend the Constitution of Canada shall be presented to the Legislative Assembly of Alberta in both French and English.

Mr. Chairman, in speaking to that motion I'd like to make several observations . . .

MR. CHAIRMAN: Mr. Moore, just for a moment.

Before I accept the motion, I'd just like to address the point that Mr. Wright has brought up with respect to the order. As I'd indicated earlier, the Chair does intend to accept the motions on the basis of the notices that have been put in in that order.

MR. WRIGHT: I have an additional point to make, however. We cannot proceed with the motion as proposed by the member unless a breach of privilege has been found to have occurred. No such breach has been found yet. Therefore, we cannot move to 3 which is . . .

MR. M. MOORE: Mr. Chairman, motion 3 has really no bearing on whether or not a breach of privilege occurred under question 2 when the hon. Member for Athabasca-Lac La Biche was speaking in *Hansard* on April 7 and his letter of April 8. Motion 3 has to do with a practical resolution to the problem of how members represent their constituents and speak different languages in this Assembly. That is very definitely one aspect of the committee's task at hand that we were asked to do by the Assembly.

MR. FOX: On the point of order, Mr. Moore is referring to this as motion 3. In fairness, if he's numbering motions, it's motion 2. But it says at the top "MOTION re: Question 3," referring directly to the motion from the Assembly to this committee which states, "should a breach of privilege be determined by the committee to have occurred," then the rest follows. It purports to deal with question 3.

MR. M. MOORE: Mr. Chairman, again once more, we have just approved a motion that says "Be it resolved that" because, and then we deal with a) and then b). The essence of privilege is whether or not a member has been deprived of any right without which he is unable to carry out his functions as a member. The committee finds no breach of privilege. We've just finished approving that motion. There's nothing illogical at all about now proceeding to deal with the question of how we might find some remedy for the situation that we find ourselves in.

MRS. HEWES: Mr. Chairman, I would ask you to make a ruling on it, and I'd like to hear from our counsel on it. There's no question in my mind that 3 rests on 2. I think it makes eminent sense to deal with it in the sequence in which it appears. There's no doubt in my mind that should a breach be determined -- and we must do that first. And if that is the case, then the rest of it flows from that. But I'd ask for your ruling on it, sir.

MRS. OSTERMAN: Mr. Chairman, as I heard the motion introduced, while I heard the member say, and as is written, that there's a reference to question 3, the member also referenced question 4, which is much broader. I don't think we have a problem in respect of speaking to it at this time.

MR. CHAIRMAN: Any other discussion on the point of order?

MR. WRIGHT: Sure. I suppose if it's shifted to being the answer to 4, which it logically should be, then we could deal with it. It's still logically out of order, but at least it's not beyond the jurisdiction of the committee to hear.

MR. GOGO: Mr. Chairman, I think the confusion arises on the motion by Mr. Moore that says "re: Question 3." The way I look at this, I would look at (4) on the resolution from the House: "any other question that the committee deems" regarding questions 1 and 2. I don't see it necessarily connected at all to "should a breach of privilege be determined." I think this is separate from that; that would be my understanding. I guess I'd ask Mr. Moore if the term "question 3" was not on the head of his motion -- because I believe he made reference to question 4 in his introduction. I'm sure that would remove any doubt of not debating it at this time.

MR. M. MOORE: Mr. Chairman, yesterday when I gave notice of this motion, that I would be speaking to it in relation to both question 3 and question 4, part of the reason I said question 3 is that question 3 ends with the comment "to supply a remedy," and this is meant to supply a remedy.

It is not meant, obviously by the wording of it, to deal with whatever the committee might decide to do if it finds a breach of privilege had occurred by the hon. Member for Athabasca-Lac La Biche. It isn't meant to be some reprimand or reparation for that event. So part of the problem rests on the fact that the way in which the four directions to the committee are worded doesn't leave you with any definitive, clear-cut action in every case. In other words, supplying a remedy under item 3 may mean two different things.

My motion is meant to connect with question 3 when it comes to supplying a remedy as to whether or not you can speak another language in the House. That is also dealt with, and I was going to come to that in my remarks on the motion. It's also dealt with in the summary of the Speaker's remarks, as contained in *Hansard*, that's referenced in question 4. So I deal with questions 3 and 4, and I don't see the problem with dealing with this without having said what happens.

We've already decided on question 1 in the motion presented by the hon. Mr. Horsman that in fact the committee cannot conclusively determine that French should be used in the Assembly. So now this motion presents some solution or remedy to that problem.

MR. CHAIRMAN: Mr. Wright, further on the point of order?

MR. WRIGHT: That's correct. Yes, Mr. Chairman. Look, let's get on with this. I think we can do it in reasonable shape if we simply agree that for 3 the number 4 is substituted.

MR. CHAIRMAN: All right. I will accept the motion then as made, deleting the reference "MOTION re: Question 3." In other words, the motion will commence, "Be it resolved." Would you care to speak . . . All right. Sorry.

MR. WRIGHT: [Inaudible] it's always been done willingly at the outset. We have to link it to one of the subsections and as one of the four questions, and the hon. member has said really it fits more in with 4 than 3 when you look at it. I agree, and so why doesn't it just stand as the answer, not necessarily the exclusive answer, to question 4?

MR. CHAIRMAN: Agreeable?

MR. M. MOORE: There are many parts of question 4, and I also indicated that the motion does make reference to the supplying of a remedy that's referred to in question 3, so it deals with both question 3 and question 4, but I suggest in part only of each question and not the total answer to either one. The Chair ought to be able to entertain other motions to deal with different questions that have arisen as a result of the committee's deliberations.

MR. CHAIRMAN: Okay, Mr. Moore. We will accept the motion then, and if it has to have a heading at the beginning, we will [use] Motion re: Question 4.

MR. M. MOORE: Mr. Chairman, speaking to the motion then, I'd like to make several observations. First of all, while it perhaps has not been the custom of the Legislature to allow the use of other languages during question period, the debate we've had over the last several weeks does give rise, in my view, to members having to consider whether or not such a procedure in the Legislature is appropriate at this time in our history.

I reviewed the *Hansards* of the dates in question and the Speaker's comments, in particular his comments in summarizing his ruling to the House on April 9, 1987. In summarizing his comments, the Speaker said under item number three of his summary:

that as of a point of order, the Office of the Speaker obliges the Chair to rule the use of the French language in the Chamber as out of order, based on the rules and practices which bind the Chair from making any decision to the contrary until such time as the House itself gives authority to the Chair to permit the use of French in the Chamber.

I took it from reading that summary of the Speaker's remarks on April 9 that indeed the Speaker would welcome, certainly entertain, the opportunity to have within the rules of the House the ability for him to consider the use of other languages.

We then have had a number of expert witnesses appear before the committee, all of whose opinions were summed up quite ably by counsel for the committee yesterday afternoon. A conclusion has been reached, I think quite rightly, that the committee is not able to determine that there is the constitutional right to the use of French in the Assembly.

So then one has to consider how you can resolve this dilemma or does it need be resolved, wherein a member wishes for some reason or other to speak in another language. And I want to say that I think it's important that members have that opportunity, provided that it is used with some discretion and with some fairly reasonable controls given to the Speaker of the Legislative Assembly and provided that there is an opportunity for other members to know what's going on when that's required. So the motion that's before you doesn't speak only to French, because we're now in a situation where you have to speak to languages other than English that might be used in this Assembly because we've not been able to conclude that there's a constitutional right to use French.

In addition to that, it's important, Mr. Chairman, for hon. members to reflect on their own constituencies. In my particular case a very large percentage of the constituents I represent are of French-Canadian origin and speak French in their homes and businesses and in their own communities. It may well be that an hon. member representing the constituency of Smoky River,

including myself, would want to address the Assembly during question period in the French language. Being a member of the Executive Council, I'm not able to give notice that I wish to ask a question. Sometimes I wish that I could; I would ask them of members across the way. Nevertheless, if I were not and wished to ask a question in French, I think I should be entitled under some reasonable rules to do that. I may want to ask it for symbolic reasons, for reasons of wanting to highlight the concern about a particular language or cultural matter that the Assembly was dealing with.

On another day in the life of the Assembly and the MLA for Smoky River, I may want to ask a question in Cree. I have a native Indian band in my constituency who are often impacted by decisions made by governments, and I may want for some reason to ask a question in that language. The hon. Member for Vegreville, for similar reasons, may well want to ask a question in Ukrainian, because a vast number of people in that constituency are of Ukrainian ancestry and indeed speak that language in their homes and businesses as well. So I wanted to make the point that I think the Legislature should think carefully about providing this opportunity in a province like ours for members to use another language in a way which won't upset the workings of the House but will only give all citizens an opportunity to feel that their member is representing them to the best of their ability.

If I could then go on to make a few comments about the subject of the motion itself that's before you. I wanted to deal there with the practical application. Members have raised the question several times of what happens if you allow all languages or languages other than English to be spoken in the Assembly if members decide they're going to tie up the question period with questions in two languages day after day or if members decide they're going to be submitting requests to the Speaker from time to time for speaking in another language, and it becomes difficult for the House to understand, to comprehend, or if the time taken by the House is excessive. What do you do?

It's for that reason that any use of another language when this Assembly is not fully equipped with both written and oral translation services must be subject to the approval of the Speaker. I hasten to remind members that the Speaker is a servant of the House, and in due course, if the Speaker isn't reacting to the wishes of the House, of course he's directed by rule changes or otherwise by members of the Assembly. So I think the Speaker would at all times use his authority to approve or not approve a member in relation to his responsibilities to keep the business of the House moving. So I can't conceive of a change of this nature in the Standing Orders that did not make reference to the fact that the Speaker should approve the request by a member to speak in another language.

In addition to that, it's important that the member himself or herself provide to the Speaker the English translation of whatever is presented in another language for either debate or the question period. In that regard the Speaker would then have an opportunity either to obtain an official translation or what he felt was a reasonable translation to ascertain whether or not the two languages that are written out by the member bear some reasonable accuracy to one another. The Speaker would also be able to ascertain whether or not the question was in order.

So it's important that the Speaker have that length of time. I don't know whether two hours is the right length of time, but it seemed to me to be a reasonable amount of time, unless members find some languages that are not readily spoken or translated nearby. But I think that should be reasonable, and in that

particular case, I guess, the Speaker could always serve notice on the member that they would have to wait until another day. At any rate, the two hours, I think, is reasonable. The fact that the members would translate their own speeches is appropriate because that avoids excessive cost the Assembly will get into if we get into doing that, using funds voted to the Assembly for that purpose. Again that answers two questions that members raised: what about the excessive cost for translation services, and what about tying up the House? Well, we've avoided both of those by saying that whatever happens will be subject to the Speaker's approval. Secondly, we've said the translation must be done by the members themselves.

Then I move into section (b), and that speaks specifically to the question period. And I suggest that the main question in question period be treated no differently than other times when members may wish to speak in a language other than English but that the supplementary questions must be asked in English. It's very obvious why that's proposed. Supplementary questions are supposed to be asked on the basis of the member's interest in the subject and what the answer was by the minister, and you can't always predict the nature of a supplementary question. It depends on the answer. So you can't give notice two hours in advance in writing of supplementary questions. It seems to me that the purpose of representing one's constituents for special reasons in another language could be well served by the main question without supplementaries having to be in that other language. So that's the reason for what's proposed there.

I should, just in dealing with sections (a) and (b) and concluding on those two points, make reference to the fact that the motion does refer to the Assembly and its committees. I'd also suggest that another language could be used at any time other than proceedings where an immediate response is expected or requested. Mr. Chairman, I would not expect the occasion would arise -- if it did it would be extremely rare -- where a member would want to speak another language during committee study of Bills where response is back and forth from members of the Executive Council or where other members need to know what's going on or in the study of the estimates. I would not expect that it would occur.

Nevertheless, if there were some special reason why a member wanted to speak a language other than English during committee study of Bills or other committee work or during estimates, that member would be required to serve two hours' notice in advance with the Speaker, who then, I presume, would contact the Chairman of Committees or the Deputy Speaker and indicate the notice had been received, and a decision would be made between those two individuals as to whether or not it was in order for the member to make some comments in another language. Again, they would in all likelihood only be for some traditional purposes associated with that language or culture and wouldn't be merely for purposes of delaying the work of the House because it was being done in another language other than English.

I think that speaks to the reasons why I believe that all members should support the motion and parts (a) and (b) of it. In part (c) I simply indicated what I think has been the tradition of the House. If a member wishes to introduce guests in the Speaker's gallery or the members' gallery or the public gallery in another language, then that member should feel free to do so without notice. It's only a short introduction; it isn't necessary that other members know exactly what the member said. I can recall very well the hon. Horst Schmid, who was minister of culture for some length of time and trade as well, making



introductions in this House in several different languages, always in the language of the group who happened to be visiting us from other parts of the world. I think Mr. Schmid spoke and understood about eight different languages, and I believe that he even had a shot from time to time at some he didn't understand. But it seemed to make people feel right at home when they were introduced in the Speaker's gallery in their own language. I think all of us felt good about that being done. It hasn't been done so much in this Legislature, but there are still members who wish to use another language, so I think we should just follow tradition there.

Finally, item (d) arises out of the very recent constitutional amendment that was put on the Order Paper in two languages because it's the Constitution of Canada. I have to admit that the wording of the motion in respect to (d) -- I was assisted by the constitutional expert in our caucus, the hon. Attorney General, who has had some recent experience covering many, many days and hours in dealing with constitutional matters. I'm assured by him that that wording is appropriate for ensuring that the Constitution of Canada is dealt with in the two official languages of this country.

I just conclude, Mr. Chairman, by saying once again that I think it's important that members of this committee on all sides of the House support not the right but the opportunity for members of the Legislature to speak from time to time, with some reasonable constraints, a language other than English in this Assembly.

MR. CHAIRMAN: Thank you, Mr. Moore. I have on my list, speaking to this motion, Mr. Fox, followed by Mr. Wright, Mr. Gogo, Mr. Anderson, and Mrs. Hewes. Mr. Fox.

MR. FOX: Yes, Mr. Chairman. At the outset, in speaking to this motion, I would like to commend Mr. Moore for bringing forward what I think is in the main a very thoughtful motion and a very progressive motion that takes into consideration the cultural milieu that is Alberta. It gives some recognition to the very large ethnic minorities in Alberta -- Ukrainian and German being the largest among them, and French -- that built this province and helped us all be where we are today. It's also open enough that it gives the opportunity for expression in this Assembly to groups that are now moving to our province in large numbers and figure very prominently in the future of this province. So on that basis, I think it's a very good motion. I have some concerns with it, however, and I'll get to those.

Some members may disagree with me, but it's my understanding that this is the first attempt in the history of this province to deal with the use of language in the Assembly. I think that till now there has been nothing before us that tells us how we ought to be dealing with French or with languages other than French or English. If this is accepted or accepted as amended, if it may be amended, it would at least provide the direction that we need in this Assembly to make very clear what rules we have in place to deal with the use of language. We did submit a proposal of ours to the committee from our House leader, Ms. Barrett, that tried to deal specifically with the use of French in the Assembly, which is the matter before us. It didn't purport to deal with other languages; it only attempted to deal with the use of French. But certainly we welcome this venture into some new territory here by Mr. Moore and his motion.

In terms of the arrangements that were made in the past, a little over a year ago, between Mr. Piquette and Dr. Carter in terms of the use of French in the Assembly, it's clear that those

arrangements, misunderstood perhaps by both people making them, were not adequate in terms of covering what we need to do and what we need to know about what goes on in here.

We had on the one hand Mr. Piquette having an understanding of what was said in that conversation and the agreement made and going out and acting upon it by notifying, in his own way, people in the Clerk's office and the member to whom he was putting the question. On the other hand, we had Mr. Speaker Carter apparently not letting anybody know what his understanding of the agreement was. Indeed, we questioned the witnesses here, and we weren't able to determine that Mr. Speaker Carter had let anybody know: the Acting Clerk, Acting Table Clerk, House leaders, members of the cabinet.

So anyway it was just obviously not clear enough in anybody's mind, and I think a motion like this is certainly in order and something we need to look very closely at in terms of clarifying these things.

A couple of things I'm concerned about in the motion. One is a technical thing in terms of the procedures outlined in sections (a) and (b), and that is that the use of any language other than English, be it in question period or outside of question period, is subject to the approval of the Speaker. I'm concerned that that puts -- well, it's in a sense pre-emptive and a little redundant, harkening back to some comments Mr. Horsman made about Mrs. Hewes' motion earlier. It seems to me that everything that goes on in the context of this Assembly is subject to the ruling of the Speaker, whether he rules a question in order, out of order, inappropriate, redundant, or whatever. That's his job, and we all rely on the Speaker to do that for us.

But what we're doing here is saying that these determinations should be made by the Speaker prior to the event ever occurring. I'm a little concerned about that, partly because of the pressure it would put on whoever is in the Speaker's Chair. Although I'm sure the hon. Mr. Moore's intention here is to give the Speaker the latitude to determine in advance whether or not there was being an excessive and perhaps unproductive use of other languages in the Assembly -- to restrict that somehow -- but it leaves open criticism of the Speaker by members who may wish to ask questions in another language who are refused that right. They may, because they've had to provide the Speaker with the translated text of the question, make the claim that the Speaker is ruling the question inadmissible because he's not comfortable with the contents. I'm sure the Speaker would not want to be open to that kind of inappropriate criticism.

I think that having been provided with advance notice and the translation ahead of time of whatever a member proposes to do in languages other than English would be enough. If the Speaker in his wisdom determines that a question ought to be ruled out of order based on its content or intent, then I think that's certainly appropriate for him to do so.

In terms of worrying about there being an excessive use of other languages in the Assembly, I don't see that occurring. You know, as the Member for Vegreville, a constituency that owes a great deal of its success to the Ukrainian pioneers who moved to Alberta and built their futures during very difficult times, I have spoken in this Assembly in Ukrainian and will in the future. But I wouldn't do it in a frivolous or gratuitous way; I would speak in Ukrainian when it's appropriate. I think that would be the guide for all hon. members. Indeed, Mr. Piquette, when he's spoken in French in this Assembly, it's been only on very appropriate and important occasions. He was asking a question about French language education to the Minister of Education, who has some competence with the French language,



so it seemed appropriate. It wasn't just an attempt to show that he could speak French. So I don't think it should be a concern to us that there would be an excessive use of other languages in the Assembly, to the point where we need to be restricted by giving the Speaker this latitude to either accept or reject questions in other languages prior to their being asked.

It's a highly unusual practice for members to let the Speaker know of the contents of their question ahead of time, although I can see the merit in terms of the actual translation of the question itself so that the Speaker is not required to understand a multitude of languages. But I submit that while the Speaker needs to know the content of the question, it would be inappropriate to make a ruling on their admissibility ahead of time.

I'm also concerned about this motion. As much as I like the intent and the scope of it, it is in my mind deficient in some degree in that it doesn't make any attempt to recognize the history of this country. We are a bilingual nation; that has been entrenched in a Constitution Act signed by all Premiers save one, who I believe has already come on board. But certainly the Premier of Alberta signed that Act and we're part of it. I know Albertans are proud Canadians, and I think this motion should in some way, while trying to recognize the cultural diversity that is Alberta and give voice to the many minorities that make up this province, have given recognition to the historical fact that Canada is a bilingual nation and a country that was founded in the beginning by French and English settlers and the history that's flowed from that.

MR. CHAIRMAN: Thank you, Mr. Fox. Mr. Wright, followed by Mr. Gogo.

MR. WRIGHT: Yes, Mr. Chairman. Section 1 of the Constitution Act amendment recently agreed to -- subsection 2(1)(a) of it is as follows:

2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and . . .

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

Mr. Chairman, we have here a motion which is excellent in thrust, but it does not do the job that the agreement recently signed by our Premier requires. And that can so easily and gracefully be done. We have a chance to do something immediately in conformity with the spirit of this amendment, which we have every expectation will proceed in due course and in the not too distant future into law.

But regardless of that, it does reflect a fact of Canada and indeed of Alberta that we should recognize. That is not in any way of course to denigrate from the multicultural aspect of our society at all, but it is a fact that there are two founding nations. There are aboriginal people too, of course, behind that, but in the concept of Canada as a state there are those two founding nations. Even in this province there is a role that they play that's special, and there is no recognition of that at all in this motion.

Indeed, as my hon. friend has mentioned, we put before this committee, as earlier we had done informally, a proposal dealing just with the place of French and English and making the point that whatever the legal status of French in this Assembly is -- and we for our part make it very plain that we think the actual legal status is that it is a permitted language; we won't go through all that argument -- there should be a recognition of its place. Yet that should not mean that the full panoply of simultaneous translation and printing of documents in two languages and so on should occur, simply because all of these things have to be interpreted reasonably so that the actual place of the minority, whether it is English in Quebec or French in this province, has a bearing on the measures taken to meet the exigencies of the matter. And the first people to agree in this would be the Franco-Canadian society of Alberta; rights, yes, but to be exercised in a way that is consonant with the place of that group in this society.

To that end we wish to make an amendment to the motion, which I will read out, the thrust of which is to make it a matter of right with regard to the use of the French language, but beyond that to place reasonable modes of exercising that right upon the Assembly that parallel in many ways the modes of exercising the rights that are already set out in the motion. I'll read the amendment, Mr. Chairman, while the written copy is being circulated:

(1) by inserting the following at the beginning of clause (a):

The French language may be used in the Assembly and its committees at any time, other than proceedings where an immediate response is expected or requested from another member, at the sole discretion of the member using it, provided written advance notice of two hours is provided to Mr. Speaker and the Clerk and, at the time of making the remarks in French, the member either provide an English translation in writing of those remarks to all members present or repeat the remarks in English following the making of them in French;

It continues:

(2) in clause (a), by inserting the words "or French" between the words "other than English" and "may be used";

That meets the point that the rest of it deals with the use of languages other than French or English.

(3) by inserting the following at the beginning of clause (b):

The French language may be used in the question period at the sole discretion of the member using it, provided written advance notice of two hours is provided to Mr. Speaker, the Clerk, and the member to whom the question will be directed; and further provided that at the time of putting the question and any supplementaries in French, the member may either provide an English translation in writing of that question and any supplementaries to all other members present or repeat the question and any supplementaries in English at the time of putting them;

and then it continues as in the text.

(4) in clause (b), by inserting the words "or French" between the words "other than English" and "may be used" and by inserting the word "and" between the words "may direct" and "supplementary questions";

These are textual amendments to make the point I've asserted, Mr. Chairman.

(5) in clause (c), by adding the following at the end of it:

and the member making such an introduction in a language other than English shall provide a copy of the written text of the introduction, written with Roman alphabet letters and Arabic numerals, to *Alberta Hansard*;

That has nothing to do with the point I made previously. That's just tidying up the motion from the practical point of view in case the written text is in a script other than Roman.

(6) by adding the following at the end of it:

- (e) except as provided in clause (d),
  - (i) remarks made in English and French in the Assembly shall be recorded in *Alberta Hansard* only in the language in which they are spoken,
  - (ii) all other remarks shall be recorded in *Alberta Hansard* only in English translation, footnoted for the purpose of noting the name of the language in which they were made, and
  - (iii) all other publications of the House shall be in English only.

Those are practical amendments which apply to all languages used other than English, Mr. Chairman. I so move.

MR. CHAIRMAN: Perhaps I'll just give a moment to the various members to digest the amendment.

MR. WRIGHT: Mr. Chairman, I must say that the way I had set this up originally, I'd done it in a way familiar to lawyers: the whole thing appeared, and the amending parts were to be underlined. But I was told that wasn't the -- although it's intelligible, one of the few instances in which doing it the legal way is more intelligible than doing it this way. But here we are.

Mr. Chairman, might it be [inaudible] of wisdom to have a five-minute adjournment now?

MR. CHAIRMAN: Well, maybe that would be appropriate. We can resume, then, to see if I can get my times correct this time. [interjection] Half past: that's easier for me. Okay, we will stand adjourned, then, if the committee is agreed, until 3:30.

HON. MEMBERS: Agreed.

MR. CHAIRMAN: On my list, by the way, at this point in time, I might just mention that I have Mr. Bogle, Mr. Moore, and Mr. Fox.

MR. HORSMAN: Mr. Chairman, are those members there to speak to the amendment?

MR. CHAIRMAN: Yes.

[The committee recessed from 3:23 p.m. until 3:34 p.m.]

MR. CHAIRMAN: Will the committee come to order, then. On my list to speak to the amendment of Mr. Wright, I have Mr. Bogle, followed by Mr. Moore, Mr. Fox, and Mr. Anderson. Mr. Bogle.

MR. BOGLE: Thank you, Mr. Chairman. In speaking against

the amendment as proposed by Mr. Wright, I'd like to begin by saying that the Constitution of Canada clearly recognizes the federal nature of Canada as a bilingual nation. There can be no question of that. That foundation is rooted in the British North America Act which protected the rights of the use of both the French and the English languages in the Parliament of Canada, in the courts, and in the Legislative Assembly of the province of Quebec. In the Constitution Act of 1982 there's a further expansion to include, at the request of the province, the province of New Brunswick.

In the remarks that Mr. Wright made earlier to this motion, the member quoted from two sections of the amendment to the Constitution Act, amendments which recognize that the existing rights of:

French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada.

He went on to cite the second section, which refers to:

The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

If the hon. member had gone on to section (4) in that same portion of the amendment, he would have noted that, and I will quote:

Nothing in the section derogates from the powers, rights, or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.

Now, very clearly the Constitution Act was not, according to this section in the amendment, in any way an attempt to broaden or change the scope of Canada, the role of the two official languages: two official languages at the federal level, two official languages in the province of Quebec, two official languages in the province of New Brunswick. We are speaking about the Legislative Assembly of Alberta and the characteristic of Alberta, the characteristic of our population, our peoples. And I think it's important that we go back, in looking at the main motion -- and it's one of the beauties of the main motion, in recognizing the founding peoples in the province of Alberta and looking at the makeup of our people and recognizing the very strong role that's been played by the people of British origin, who comprise 43.5 percent of the province's population. We also look at the role of the German population, which comprises 10.5 percent, the Ukrainian population at close to 6.2 percent, our French population at just over 5 percent, Scandinavian, and so on.

So it's important to recognize that the motion as put forward by our colleague from Smoky River recognizes the reality of Alberta. It in no way detracts from the reality that we see in Canada, but it does clearly recognize the responsibilities and rights that we have in this province and indeed in this Legislative Assembly.

Therefore, I speak against the amendment as put forward by the hon. Member for Edmonton Strathcona.

MR. CHAIRMAN: Thank you, Mr. Bogle. Mr. Moore.

MR. M. MOORE: Mr. Chairman, I'll be very brief. Mr. Bogle has described very well the situation with regard to the proposed amendment.

The reason that I put the motion forward is that I was aware that we would in all likelihood conclude that we could not determine that there was a constitutional right in this Assembly to speak French; no suggestion whatever, I hope, by any member that Canada is not a country with two languages and that our Constitution shouldn't be upheld by all members of the Assembly. Certainly French and English are the two founding languages of Canada. This motion which I put forward does not in any way detract from that. It provides a practical solution to the rules of the House to use other languages, and I submit that by altering it in the way that's being proposed, you get back into the whole question of the constitutional right that we've been discussing the last several weeks.

The only thing I would add is that if the hon. member Mr. Wright wished to move one of his proposed amendments separately, I would be inclined to support it, and that's item 5, where he suggests there be an addition to clause (c) that requires in the House rules a member to provide copy of the written text of an introduction that's made in a language other than English. My recollection is that if you don't do that, *Hansard* has to send you a note all the time, and that may be a practical thing to add to the motion. But other than that I think the balance of it changes substantially the intent of the motion which I had introduced.

MR. FOX: Well, speaking in favour of the amendment, I noted in my comments originally to the motion that I thought it was basically a very good motion, a thoughtful and progressive motion, and I think that the amendment proposed by Mr. Wright is in keeping with that spirit. It makes it that much more complete a motion in attempting to deal with the use of language in this Assembly, and it does it in a very thoughtful, progressive, and I think reasonable way. It doesn't change anything in the original motion by Mr. Moore. It doesn't subtract, as I read it, any of the words in Mr. Moore's motion, but it does marry to that motion parts of a recommendation that were provided by our House leader, Ms Barrett, in her testimony before the committee. And the gist of that is that the French language may be used in the Assembly in its committees at any time or in question period, subject to certain reasonable restrictions.

The restrictions are much the same as the restrictions suggested by Mr. Moore in his motion, except that it's not dependent upon the approval of the Speaker whether or not the question be put. That's not to say that the Speaker may not in his wisdom decide that the question is out of order based on its content or intent and could rule, as he often does in the course of proceedings in fulfilling his obligations to us. It's not to say that he couldn't rule things out of order, but it's to say that a member desiring to speak French in the Assembly would not have to seek the approval each and every occasion from the Speaker in order to do so. It does say that we would establish, based on courtesy, this provision in our Standing Orders that requires members wishing to speak in French to give advance notice and provide translation, et cetera.

So in terms of what we've done with sections (a) and (b), I think we've retained the spirit and intent of Mr. Moore's motion and made it that much better. In terms of part 5 of Mr. Wright's amendment, I think all it does is again clean up or improve the intent of Mr. Moore's motion, section (c), because what Mr. Wright is suggesting is that a member making introductions in a language other than English will provide a copy of the written text of the introduction, so that *Hansard* isn't left with the problem of trying to interpret remarks in Arabic and somehow fitting

them into the Roman alphabet that their typesetting machines use. So again it's just a straightforward mechanical thing and a matter of courtesy extended by members of the Assembly making introductions in other languages to the people working for *Hansard*.

Again, in the last part of Mr. Wright's amendment, part 6 is just to add a section in there that deals in a specific way with how French used in the Assembly ought to be recorded in *Hansard*. It says:

remarks made in English and French in the Assembly shall be recorded in the *Alberta Hansard* only in the language in which they are spoken, not requiring translation, not requiring any expensive additional things, because the translation of the text is provided by the member who makes the remarks.

It goes further to clarify what is not clarified in Mr. Moore's motion: what happens to remarks that are made in languages other than English or French in this Assembly. It deals with how those remarks ought to be published in *Alberta Hansard* if they're done either in question period or in debate. And if Mr. Moore's motion is passed unamended, I submit it could create a procedural nightmare for people in *Hansard* trying to record in any one of an infinite variety of languages what actually occurred in this Assembly.

So I think Mr. Wright's amendment is a thoughtful and reasonable one, and I urge that other members give it due consideration and see the wisdom in marrying these two very thoughtful documents, Mr. Moore's motion and Mr. Wright's amendment. They don't conflict. They harmonize and complement each other in a way that I think would distinguish this day in Alberta's history and distinguish this Legislature in the country in terms of the way in which we propose to deal with languages used here.

MR. CHAIRMAN: Mr. Anderson, speaking to the amendment.

MR. ANDERSON: Thank you, Mr. Chairman. My remarks are similar to those made by Mr. Bogle earlier, but they address precisely the question regarding the suggestion that we create a situation where the French language is recognized to a greater extent, is superior to what would then be relegated to a second-class position the other languages used in the Assembly. There's no question about the federal nature of the country, its commitment to bilingualism; no question about this province's part in that role and agreement to the accords and the constitutional changes which have throughout the history of our country recognized that historic reality.

However, in my mind there's a fundamental reason for the existence of provinces as a partner in Confederation. The provinces are to deal with the realities in their jurisdiction, as the federal government and the federal nature of our country deals with the reality in the nation as a whole. We subscribe to the use of the French language where that's practical; in fact, have encouraged it in this province to a very great degree through extensive use of bilingual programs and so on. Still, the reality of our province is that we have people from a variety of other backgrounds, some in fact who are more numerous, and the use of languages in some areas -- Ukrainian, for example; German as well -- is perhaps greater than that of French. And I believe that in this Assembly we have to recognize the multicultural nature of our province.

I mention as well that the Meech Lake accord, quoted by Mr. Wright, is quite accurate, although he didn't go on to mention

that it also includes a section which says that we don't derogate from the multicultural nature of the country. I submit again that the purpose of provinces, in part at least, is to recognize practically and reasonably the composition of the country in those units. Within Alberta we have a responsibility to make the multicultural nature apparent here, and therefore the use of languages in this House should be consistent with that. That in no way takes away from the national commitment to the agreements that we've signed in the past and those that we hope to sign in the future, nor does it take away from our belief that as a nation we recognize that national reality. But within our province we have also a reality and an obligation to those people from the various backgrounds who make up this province and, within the context of the province, to have representatives of the people speaking in languages in a way to represent those in fairly equal proportions, of course where that's practical and reasonable. And I believe the original motion develops that.

MR. CHAIRMAN: Thank you. Mr. Gibeault.

MR. GIBEAULT: Mr. Chairman, as was mentioned earlier, I and other members of the committee certainly thought that the motion put before us by Mr. Moore had much merit, and these amendments that Mr. Wright has submitted, I would suggest, are very compatible with that motion. They do strengthen it. They are eminently reasonable amendments. They recognize the two official languages of our country, but they, of course, provide opportunity for the use of other languages in this Assembly. They provide for very reasonable translation procedures and very reasonable provisions of notice for use of languages other than English. They are substantive, well-thought-out amendments, I would suggest, Mr. Chairman, and I certainly would encourage members to support them.

I think if this committee did that, the motion as amended would be an excellent example of the spirit that is behind the Canadian Constitution and the pending amendments that are coming before the Assembly later. And I would suggest that if the committee fails to support it, it would be unfortunate. I think it would be an instance where this committee and perhaps the Assembly in our province would once again be held up for criticism and ridicule across the province. I think these are very good amendments; they're substantive ones, and I urge the committee to support them.

MR. CHAIRMAN: Thank you, Mr. Gibeault. Mr. Wright, speaking again.

MR. WRIGHT: The Minister of Culture and Multiculturalism described the effect of the proposed amendments, Mr. Chairman, as making French a superior language to the others, other than English, and that's an unfortunate choice of words. I think I know what the minister meant, but I certainly wouldn't express it in that way; namely, that it puts the French language in a superior position in the Assembly to languages other than English. But of course English itself is in a much superior position, yet we would not normally say that English was superior to any other language that we use.

I just want to correct -- it's perhaps just semantical but nonetheless something that I feel very strongly about in these matters, in which you can't be too careful in stating exactly what you mean and what you're doing. There is a lacuna or omission in the last proposed amendment there so that it doesn't mesh with the one numbered 5. I'm sorry about that, and I can correct

it now. If Miss Conroy ... There aren't enough for every member, so for every other member perhaps. It's simply to add, Mr. Chairman -- on page 2, in 6(e)(i) -- after the word "Assembly", where it reads "remarks made in English and French in the Assembly", a comma and the words "and remarks made in any language at the Introduction of Visitors or Special Guests." So in the case of those introductions in another language, they too would be recorded, which is the purpose of the clause that Mr. Moore found acceptable, number 5, namely making sure that *Hansard* could get it down. But then in typing this up in a bit of a hurry, the words that meshed it in 6(e) were omitted, Mr. Chairman.

MR. CHAIRMAN: On that point, perhaps it might be in order for me to ask the committee if they are agreed to accepting this supplemental amendment as being in effect part of the amendment originally proposed. Is it agreed?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: On the list to speak to the amendment, Mrs. Hewes.

MRS. HEWES: Thank you, Mr. Chairman. I will support the amendment because it in many ways resolves some of the difficulties that I had with the very fine motion of Mr. Moore. I do want to say that I was most impressed with Mr. Moore's putting this motion forward. I consider it to have real merit, and I'm grateful that the exchange that occurred in the House, as the hon. Member for Athabasca-Lac La Biche -- has in fact produced this very progressive kind of thinking and this move. I think that's something we should all be glad has occurred.

I don't agree at all with the minister's comments about the enormous benefits that have accrued in Alberta as a result of the multicultural nature of the province and that that should be recognized. Mr. Chairman, I spoke at length in this House, when the now Minister of Culture and Multiculturalism introduced the Act changing his department's name and focus, about the tremendous benefits that we've achieved -- sociological, cultural and economic benefits -- and of the cultural strengths that exist in our province.

But my concern in studying the motion last night is that really how this got before us was related to whether or not a question could be asked in French. And I think it arises because of the situation in our country where French in our Canadian Constitution is an official language of the country. I perceive the amendment, as Mr. Wright has pointed out, not in any way to single out French as being superior to other languages -- that is, language other than English -- but that it does in fact, in reality, have a special position in our country, and that that can and should be recognized in Alberta and elsewhere.

We are not, as we know -- thank you, John Donne -- an island in our nation, and I believe, therefore, that this has to be acknowledged and properly acknowledged. I believe that the fact of the French culture as a distinct society in the Meech Lake amendment to the Constitution is appropriate, and I support that. I think it has made a profound difference in our country and will continue to do so, and I don't think anyone here would disagree with it.

Mr. Chairman, my concern about Mr. Moore's motion is that it simply does not acknowledge French and the existence of French as an official language of the country. I believe, in fairness and justice, in the sense of the Canadian Constitution, that

it should do so, and so I have no difficulty in supporting the amendment put forward by Mr. Wright. I believe that this in fact rolls into Mr. Moore's very good motion the recognition of French, and highlights it. It acknowledges it once and for all in the province of Alberta, while not in any way suggesting that other languages, including English, are inferior. I think that needs to be said.

Mr. Chairman, I can support this. Hopefully, if it passes, the amendment that I had put forward would become unnecessary.

MR. CHAIRMAN: Are there any other members wishing to speak to the amendment? Mr. Sigurdson.

MR. SIGURDSON: Yes, thank you, Mr. Chairman. I just want to speak briefly to it. I'm very much in favour of the amendment as moved by Mr. Wright, and I'm also very much in favour of the motion that Mr. Moore brought to the Assembly. It recognizes that we are a multicultural nation, that we're a nation made up by people coming from very many different cultures and very many different lands, and that we recognize that and are thankful for that.

The amendment recognizes, though -- at least going back to the Constitution -- that there are two founding nations, English and French, and that's an important recognition that we must always be cognizant of. In fact, in the Meech Lake accord I am pleased to see that the proposed amendment focuses on -- and if I may, I would just like to quote once again:

The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

And that is that there is the existence of French-speaking Canadians centred in Quebec, but also elsewhere in Canada. As Mr. Bogle pointed out, 5 percent of Alberta's population is French speaking or has French as a background.

When we look at the importance of our nation, the makeup of our nation, it's one that I think, because we have the kind of duality that we have, makes us distinct and gives us that distinction from our neighbour to the south. We've always encouraged -- not always, unfortunately, but we do now encourage a multicultural element in our society, and that's recognized in Mr. Moore's motion. I'm pleased that that's recognized, and I look forward to the opportunity to perhaps have questions and debate in other languages in our Legislature.

But the amendment that Mr. Wright moves recognizes something that is a fundamental characteristic of our nation and of our province and one that has been promoted by all 10 Premiers -- all 10. The Premier of Alberta said that the one point he was truly moved at was when he saw the Premier of Quebec sign the accord in agreement for the first time. Our Premier was moved at that point, and I think we ought to do everything that we can to ensure that we promote the duality and the languages that are official in our land.

MR. CHAIRMAN: Are there any other members wishing to speak to the amendment?

MR. WRIGHT: [Inaudible]

MR. CHAIRMAN: Well, you have an opportunity to speak at any time and as many times as you wish, but I don't know that we have a closing of debate on amendments.

MR. WRIGHT: Well, of course I would like to speak to the ...

MR. CHAIRMAN: Mr. Wright.

MR. WRIGHT: Yes, Mr. Chairman. I think we have covered the ground fairly well. I just want to say that I do not see how any fair-minded person could reasonably speak against this amendment. We do have some kind of a duty as Canadians in the light of the way the Constitution is and the reality of Canada and, indeed, the historical reality of Alberta to make a stand. Now, the stand must be reasonable in all the circumstances, and what we propose here is, one has to say, not a great deal more than a gesture. That is because the fact of the French presence in Alberta, the Francophone presence in Alberta, is not, relatively speaking, a very large one. Consequently, what you do in relation to it is coloured by that, just as in the province of Quebec. What they do in relation to the Anglophone minority there is coloured by the numerical and other strengths of that particular group, or weakness, as the case may be.

Yet it is a reasonable gesture. It does not entail any expense whatever, or negligible expense. It's not the full panoply, as I say, of simultaneous translation or the like; nothing like that. That is what people think unreasonable so often -- and I must respectfully concur, reasonably so -- about the suggestion, that immediately once there is a right like this accorded, it's going to cost a half million or a million dollars annually to implement. There is no suggestion of that here. That fear we can put behind us. Yet we are bidden by our Constitution to make that recommendation, and this is the absolute minimum that should be done.

So I strongly urge members to put aside partisan considerations, if in fact those are in play at this point, and vote for this amendment.

MR. HORSMAN: Mr. Chairman, I'll be very brief in opposing the motion. It's not because I'm partisan on the issue. It's not because I want to, as has been suggested. I think some unfortunate words have been used, and I want to be as nonpartisan as possible here. I don't want to bring our Legislature into ridicule in Canada. I think the use of terminology like that is unfortunate being introduced into this discussion. What the hon. member is proposing is very markedly different than the very reasonable position put forward by the hon. Minister of Hospitals and Medical Care in his motion. It would change the intent of it quite substantially.

I don't think there's anything that can be implied by those of us who do not support the amendment, that we are in any way in contradiction with the spirit or the nature of the Meech Lake accord, and I know as much about that as any member who's sitting in the Assembly at this particular moment. To bring that suggestion into this discussion of this particular method of resolving amendments to our Standing Orders I think is bringing an element which is unfortunate. And to suggest that those of us who do not support the amendment proposed by Mr. Wright somehow or other are in breach of the spirit or intent of the Meech Lake accord is just not factual. What we are trying to do here is to deal with a reasonable and realistic method of dealing with languages other than English in the Assembly. That includes French, Cree, Ukrainian, German, and others that have been mentioned by other speakers.

The other thing I want to just underline, going back to the Meech Lake accord, since it has been introduced into the debate, is to emphasize again the point made by the Minister of Culture and Multiculturalism that included in the Meech Lake accord -- at the specific requests, I think it's fair to say, of Ontario and

Manitoba -- was a clause which made it clear that nothing in the Meech Lake accord would derogate from or undermine in any way the multicultural nature of Canada. That is what has tried to be preserved and enhanced by the motion put forward by the hon. Minister of Hospitals and Medical Care.

I think the motion as he proposed it was perfectly adequate to deal with the interests of French-speaking citizens of Alberta and of this Assembly and appropriate for the reality that exists within our province and this Assembly as well.

MR. CHAIRMAN: Thank you, Mr. Horsman.

Are you ready for the question on the amendment?

HON. MEMBERS: Question.

MR. CHAIRMAN: All those in favour of the amendment, please say aye.

SOME HON. MEMBERS: Aye.

MR. CHAIRMAN: Contrary, say nay.

SOME HON. MEMBERS: Nay.

AN HON. MEMBER: Mr. Chairman, I'd like to have that recorded, please.

MR. CHAIRMAN: All those in favour of the amendment, please raise their hands. Contrary? I declare the amendment fails.

On the motion, I have Mr. Gogo on my list, followed by Mr. Anderson and Mrs. Hewes.

MR. GOGO: Thank you, Mr. Chairman. I'd like to speak in favour of Mr. Moore's motion.

There are many who would have deemed it a very unfortunate day that prompted the resolution by the hon. Government House Leader, Motion 9, that in effect created this committee's activities. However, Mr. Chairman, there are very few clouds ever that do not have their silver lining, and I view this as an opportunity to express some views on what I see as a silver lining within that resolution, and that is to deal with the whole question of members of this Assembly being able to speak in the language of their choice in performing their duties as they see it, representing their constituents, primarily, and Albertans and indeed perhaps all Canadians.

How well I remember, Mr. Chairman, the former Member for Edmonton Sherwood Park, the hon. Mr. Woo, who was the first Chinese member ever elected in the city of Edmonton. I attended a reception on Jasper Avenue with some thousand people of Chinese descent in recognition of that occasion, and at the same time realizing that although the matter was never enforced in a negative way, that member did not have the opportunity of speaking in his native tongue. And how well I remember the former Member for Macleod on the 17th of Ireland attempting to give his speech in Gaelic in this House and having some difficulty because of the absence of rules. So I think indeed it's very fortunate that we're dealing today with a motion that's going to go a long way in enabling a member to do a better job.

Further to that, Mr. Chairman, I've felt for some time, and it's referred to in the motion before us, that the Standing Orders of this House should be reviewed. Here again is, I think, an ample opportunity, and perhaps the House as a whole will look at

the Standing Orders as a result of the report of this committee. I recall under section 62 -- which you yourself, Mr. Chairman, have referred to on occasion: an opportunity for members to speak as often as they wish for up to 30 minutes -- the complaints that I've had while sitting in your chair, sir, of members who did not have an opportunity to speak on business that affected them in their constituencies. Hopefully, when we review Standing Orders, as was indicated in this motion, we'll get around to other parts of the Standing Orders.

Mr. Chairman, I think back to the comments made by the hon. Premier in introducing Bill 1, which in many ways in this past sitting reflected the priorities of the government, and that was culture and multiculturalism and changing the departmental name. Mr. Bogle mentioned earlier the makeup of our unique province. He referred to our population. I can't help but note the sixth largest single group in this province, our native people. I, along with others, would certainly like to see a native person elected to this Assembly and able to express, whether in Cree or Blackfoot or whatever, the traditions and the nature of the native people in their own tongue. I think that would be an exciting time, Mr. Chairman. Mr. Moore's motion enables that to happen.

I'd also like to comment, Mr. Chairman, that this motion removes the uncertainty that many members I think feel in not being to express themselves in a tongue other than English. I've listened with great interest to the discussion on the amendment just recently defeated, and I'm very sympathetic to those views. However, I note from information provided to me the groups in Alberta, based on their ethnic origin and the numbers within that group. For example, the Scandinavians have 78,000. How exciting it would be to have a member speak in that language.

Well, Mr. Chairman, dealing expressly with the motion before us, I have no difficulty with the words "subject to the approval of the Speaker." Mr. Moore expressed a few minutes ago, that if that were not there, how the question period or indeed debate on any Bill could be monopolized by someone speaking another language. Surely that's looked after with that condition "subject to the approval of the Speaker." After all, the Speaker is a servant of this House and should above all see that the rights and privileges of all members are protected. So it wouldn't be monopolized in any event, subject to that.

There are some difficulties under Standing Order 17, where the Speaker by our Standing Orders must recognize the first person standing. I won't say that it wouldn't present some type of difficulty with a member who had given notice to the Speaker wanting to speak in another language, the presumption being made that that speaker would have the opportunity to speak. He or she would still have to comply with the Standing Orders. Further to that, obviously in debate the Speaker has, according to *Erskine May*, a primary responsibility not just to recognize the first person standing but to see that both sides of the question are debated in the House, regardless of the order in which people stand.

I have no difficulty at all. I think it's indeed a credit to this House, Mr. Chairman, to have Mr. Moore's motion before us. I think there are ample safeguards in there for everybody. There is probably some fine-tuning. For example, I wouldn't see why it's necessary, if an hon. member delivered to the Speaker his intent, with the translation, to speak another language, why he or she would have to notify the Clerk or any other person. I don't know as that would be necessary, but surely that's fine-tuning.

Speaking to number 3, that matter has not been a problem in the House to date to my knowledge. If the hon. member wishes

to introduce a visitor or special guest, perhaps when it's further considered, a special occasion could be added to that, Mr. Chairman.

In summary, I think it's a very progressive move that this motion reflects. I think it recognizes all people of all tongues in the province of Alberta. But perhaps more important than any is the fact that the business of this House, which is really why we are here, is to transmit the business of the people of Alberta in making laws and regulations and raising and expending funds with an efficiency that I don't think should be bogged down, and I don't see as the motion proposed by Mr. Moore would in any way do that.

So, Mr. Chairman, I endorse the motion by Mr. Moore, and I think it would herald a new awakening in Alberta to the very, very many people we have who speak different tongues and, hopefully, would represent people to represent those very people in this Assembly.

Thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you, Mr. Gogo. On my list I have Mr. Anderson, Mrs. Hewes, Mr. Wright, Mr. Gibeault, and Mr. Fox. Mr. Anderson.

MR. ANDERSON: Thank you, Mr. Chairman. I made my point actually during debate on the amendment, and Mr. Gogo has reinforced it. I'd only underline again that I think, in keeping with other moves that have been made in the Assembly, that if this one is passed, we take one further step towards underlining the reality of our multicultural province and of allowing the backgrounds of individuals in the province to be represented in the debates of the Assembly.

MR. CHAIRMAN: Mrs. Hewes.

MRS. HEWES: Thank you, Mr. Chairman. I had asked to go on the list earlier in order to move the motion that I'd circulated as an amendment to this motion. I regret that the earlier motion presented did not succeed in the committee. It's clear that the government members present have a particular intention here and desires, and that that will prevail. I will not be guilty now or ever of using the committee or the Assembly wilfully, so I do not intend to present the amendment, since it's clear to me it would not be of any utility at this point.

Mr. Chairman, I hope the motion that the hon. Minister of Hospitals and Medical Care has given to us will give rise to a new awareness in our province of the significance and the benefits of the French language and culture as well as all other languages and cultures that are so distinctive in Alberta society. As I say, I regret that we did not, in the spirit of the Canadian Constitution and the Meech Lake amendment, give acknowledgment and recognition to the dual cultures that are highlighted in our Canadian society. But having said that, hopefully this will go a long way to accomplishing that and other objectives as well.

MR. CHAIRMAN: Thank you, Mrs. Hewes. Mr. Wright.

MR. WRIGHT: Mr. Chairman, I will be voting in favour of this unamended resolution because it is a marked advance over what we have at present, which is nothing. Yet I will be doing so with a degree of sadness, because we have missed an opportunity of being progressive and fair and in line with the rest of Canada and also to strike some blow at those who would have it that we have an extraordinary number of rednecks in the prov-

ince of Alberta. We've missed that opportunity, and so I will vote in favour of this resolution with a fair amount of tristesse, Mr. Chairman.

MR. GIBEAULT: Mr. Chairman, as an Albertan who comes from a French-Canadian background, I'm disappointed that the amendments didn't pass. Looking at the motion that is now before us, it's clear that it was very carefully crafted to avoid any recognition of the official status of the two languages in our country, of French and English. I think that, again, is very sad.

Before I make up my mind how to vote on this though, I wonder if I might ask the mover of this motion if he could give us a clarification regarding section (b). The last sentence says: "Supplementary questions must be asked in the English language." I wonder if the mover of the motion would be of the view that that would be met if supplementary questions were asked in the English language by members after asking questions in languages other than English.

MR. CHAIRMAN: Mr. Moore, you may want to deal with that when you sum up on the motion.

MR. M. MOORE: Could the member repeat just his last sentence?

MR. GIBEAULT: I wanted a clarification, Mr. Chairman, of section (b). The last sentence currently reads: "Supplementary questions must be asked in the English language." My question to the mover of the motion was if it would be his view that that would be met by members who would ask supplementary questions in the English language after they had asked the question in a language other than English.

MR. M. MOORE: Mr. Chairman, it stands by itself. Supplementary questions in all cases, because there are no exceptions in the motion, must be asked in the English language. I explained in my opening comments in support of this motion the reasons for that, which I could repeat again. But I don't...

MR. GIBEAULT: Just to be clear then, I take it that means that this would mean then that it would have to be ruled out of order by the Speaker for a member who would ask a supplementary question in a language other than English, even if he then gave the English translation. Is that what the motion would see?

MR. M. MOORE: Mr. Chairman, I would have to deal with that when I conclude my remarks on the motion.

MR. CHAIRMAN: Mr. Fox, followed by Mr. Russell.

MR. FOX: I, too, will vote in favour of this motion, and I think I outlined to some degree and completely, I guess, why I would in my opening remarks on this motion. I think it's unfortunate, however, that some members of the committee, in their rush to vote against anything that we propose -- that we've missed an opportunity not only to do the very positive things that my colleague Mr. Wright referred to but also some simple things that would facilitate the use of languages other than English in this Assembly: the amendments proposed by Mr. Wright, section 5, section 6, et cetera, that would help clarify what happens to these words after they're spoken in the Assembly. But those go by the by.

And my colleague Mr. Gibeault, referring to section (b) in



the motion. If it's to be interpreted as written, it says: "Supplementary questions must be asked in the English language." If one takes that at its face, that means that whether you want to ask supplementary questions or not after asking a question in a language other than English, you must ask questions in the English language. I'm sure that's not what the mover meant, but that is nonetheless what it says, and I'm not sure if the interpretation of our rules can be liberal enough to deal with intent rather than what is actually written there.

I wonder, too, with some . . . It troubles me to anticipate the debate on the Constitution amendment, what's known as the Meech Lake accord, which will be occurring in this Assembly either in a fall sitting or a spring sitting -- sometime in the near future, at any rate -- a debate on an amendment to the Constitution of this country which will deal in some substantial way with the French and English history of the country.

This motion passed unamended will, I submit, effectively guarantee that members will have almost no opportunity to take part in that debate, however appropriate it may be, in French. Because in order to speak in French at any time in this Assembly in the future, one would have to provide advance notice two hours ahead of time with English translation to Mr. Speaker, the Clerk, and to any other members the Speaker may direct, and of course that's subject to the approval of the Speaker whether or not it be done. So in the context of debate, rising spontaneously to discuss various portions of the Meech Lake accord, the constitutional amendment, I submit that hon. members of this Assembly are effectively being denied the opportunity to do that in French, and one can see that that may be, in the context of that debate, appropriate. The only way they could take part in the debate is if they were to prepare their remarks at some point ahead of time and go through the procedure outlined in the motion. But if it became appropriate or necessary to make some spontaneous remarks in the context of debate, members are, because our amendment failed, now going to be denied that privilege, and that's unfortunate.

But I nonetheless support the motion because it is a significant improvement and a positive recognition of part of the nature of this province.

MR. CHAIRMAN: Thank you, Mr. Fox. I have Mr. Russell, Mr. Sigurdson, and Mr. Horsman on my list.

MR. RUSSELL: Thank you, Mr. Chairman. I'm only entering the debate at this point to correct what I think have been a couple of perhaps accidental or unintentioned representations that have been made about our province, words used like: this is a very progressive move; light will shine in; I'm going to support the motion because it's better than what we've got now, which is nothing. And those things simply aren't true. What this does, and the reason it is such a reasonable motion, is really suggest to the Legislature that we formalize what in fact we are doing now.

In my years in the Assembly I've heard many members speak many languages. Sometimes they're recorded in *Hansard* and sometimes not. If an hon. member has a delegation from his constituency of a particular ethnic background, he may wish to say a few words or phrases in a language that is gracious and courteous towards that delegation and includes them in the proceedings in the House. We very often greet visitors from other countries in their native tongue to try and make them feel welcome. This has been done in an informal way, and perhaps it's because of the actions in the session this spring that now we're suggesting to the Legislature that it be formalized in some way.

We've spent many hours in this committee talking about law and conventions and customs, and certainly the customs of this House have been to do exactly what is here, and I suspect that's been done for many, many years prior to any of us having been a member of the Assembly.

So I don't think there should be any impression left that Alberta is redneck or nonprogressive or that the light needs to shine in or that we are somehow poor supporters of the Canadian Confederation or partnership insofar as the language thing is concerned. Because we haven't been, and we never have been, and this will simply formalize what we've always done. So I wanted to make that correction, because in my view it's very important.

I'll conclude just by offering a remark on how the House works, because there's been a tendency here for members to talk about their own wishes or what they might wish to say, but we are, after all, conducting the affairs of a province. We're merely 83 members who are trustees of business that is important to 2.5 million people. It's true that we come from many backgrounds and speak many languages, but if we're going to work, we have to understand each other and communicate. While the members of the opposition are insistent that they're not asking for expensive simultaneous translation facilities, if that is not to be provided, then we must have some kind of common working language and still accommodate, for whatever reasons, opportunities for members to speak other languages.

So although we may feel that we would want to speak a certain language on a certain occasion, I think it's incumbent upon us to remember that we are conducting business for the people of Alberta, and they would like to know what's going on. It's important that the members of the media can understand what is being said and what is happening so that they can report back to their stations or newspapers. It's important that the viewers of Alberta understand what's going on. Most people now get their news coverage through television and the electronic media.

So I think we should bear in mind that there's the bigger picture other than just our own wishes; that is, the people out there have to know what we're doing at all times. This motion gives us the opportunity, with reasonable notice and arrangements, for business to be conducted in a way that doesn't offend anybody because they can't understand what's going on and without a great deal of added expense or protocol involved.

So I wanted to make those remarks. I wasn't going to speak to the motion, but I really was concerned about some of the remarks that had been offered.

MR. CHAIRMAN: Mr. Sigurdson.

MR. SIGURDSON: Thank you, Mr. Chairman. I, too, am going to support this motion, but I do it with some regret. I think we had an opportunity to recognize something that is truly important in our country, and that's that we do have a second official language and that we ought to be allowed to use it at certain points.

Mr. Chairman, I grew up in a part of Vancouver where all of my neighbours -- across the street, the back alley, the neighbours to the east and the west -- were from a different country. Across the street we had Germans and Portuguese. Next door to us on one side we had Hungarians; on the other we had Italians; and behind us, I believe, we had a Spanish-speaking family. I always thought that I was really fortunate, because we could wander down and visit different cultures just by going into living rooms. I look forward to the day that members are going to

be able to come into the Assembly and speak some of those languages here. I think that's a positive step.

But I think that by defeating the earlier amendment, we've lost something. We had an opportunity to show those very people that Canada is more than just an English-speaking country and that Alberta is more than just an English-speaking province, a unilingual province. We are bilingual, and we are multicultural, and it's regrettable that we didn't take the step forward to promote that. So while I support the motion, I do so with some regret that we didn't take the step forward.

MR. CHAIRMAN: Mr. Horsman, followed by Mr. Oldring.

MR. HORSMAN: Yes. Well, my colleague the Deputy Premier has very adequately stated my concern about the fact that it's not just the members of this Assembly who have to be entitled to know what is being said here, but it's the public of Alberta that has an interest and a role to play in determining what goes on in this Assembly, and we have to do so in a way that can communicate with them properly. Extemporaneous use of other languages might be desirable, but in addition to making it difficult for members of this Assembly to understand what is going on, unless we have simultaneous translation provisions for the viewers who watch the Assembly's proceedings on television or listen to it on radio, it's going to make it incomprehensible to members of the public, who are entitled to know what is being said in this Assembly. I think my colleague has adequately stated that concern.

Relative to the question of any inability to debate the Meech Lake accord, raised by the Member for Vegreville, that's a non-sense argument. Surely what is contemplated here is at least two hours' notice. If there's a member who wishes to participate in that debate, surely whether or not the concern about where they come on the speaking order, et cetera, is real or not, it will be perfectly in order for any member of this Assembly to speak in any language on that Meech Lake accord providing they have given the necessary written advance notice to the Speaker, at least two hours -- that has to be read that way, and if it doesn't in this motion, it certainly will have to when it goes into the Standing Orders. So there'll be no possible way that a motion of that nature cannot be spoken to in languages other than English providing at least two hours' notice is extended to the "Speaker, the Clerk and to any other Member as the Speaker may direct." Obviously, if a motion is going to be debated that affects one particular minister, it may certainly be advisable to have that minister apprised of what is going to be said.

I think that some very specious arguments have been thrown up and, quite frankly, a number of crocodile tears have been shed this afternoon that don't impress me overly. I would urge that members endorse the motion, which is reasonable, realistic, and will be acceptable to all Albertans no matter what their ethnic or linguistic background may be.

MR. CHAIRMAN: Mr. Oldring.

MR. OLDRING: Thank you, Mr. Chairman. I wasn't planning on getting in on the discussion this afternoon, and I will be brief. I just want to reinforce some of the comments of my colleagues earlier.

I think what we're really looking at is what's a practical and reasonable solution to the situation we find ourselves in today. I don't think it is practical to be a fully bilingual Assembly without going to some pretty extreme costs. I think that the \$1.5

million we heard about during the witnesses' testimony is just the beginning, if that's the extent that we want to take it to.

I think what we have here today is a compromise of some sort, I suppose, but I think it's an ideal solution. It respects and recognizes not only our two national languages but of course a number of ethnic languages that are represented throughout this province, and I think that's something that we can't underestimate or put enough emphasis on.

If you look at the statistics -- and I have some provided, going back to 1981, from Statistics Canada. It was interesting for me to note that, yes, there were 111,865 people of French ethnic origin. But I also noted that there were 233,000 of German origin and 136,000 of Ukrainian origin and 65,000 of Dutch origin and 60,000 native people in this province and 37,000 Polish people in this province, and that there are Asians and Arabs and Balkans and Czechs and Slovaks and Chinese and Japanese.

What I'm so delighted with within this motion is that again it helps to emphasize our government's commitment to multiculturalism. To hear people say that they're saddened by this unique opportunity, again we downplay this government's commitment to multiculturalism. All we have to do is go back to the most recent session, and we can see the emphasis that we put on multiculturalism. We've renamed the department from Department of Culture to Department of Culture and Multiculturalism. We have Canada's first institute, in Calgary, dealing with multiculturalism and the development thereof. Some of the strides that our department of multiculturalism has made in this province -- we are leading the way in Canada and other provinces are turning to us; they're turning to our programs. Of course, our most recent initiative is the establishment of the Multicultural Commission.

So I think the motion in front of us this afternoon is very much in tune with that kind of thinking, with recognizing that there are a number of ethnic origins that should have the opportunity to be heard in their native language in this Assembly from time to time. I think it's being done under a reasonable system so that all of us as members will be able to understand as well. The Speaker will be able to keep it under control so that there are reasonable levels. I think we should all be delighted. I think Albertans will be pleased that we're finally giving this formal recognition of a practice that actually has gone on in this Assembly over the years.

So I don't see the need for tears either. I'm surprised that they'd feel this way about it. I support it wholeheartedly, and I can't help but think that the multicultural people of this province will support it wholeheartedly as well.

MR. CHAIRMAN: Mr. Moore, would you wish to sum up?

MR. M. MOORE: Mr. Chairman, thank you very much. I first of all want to express my appreciation to all members of the committee who have spoken in support of the context of the motion that I've put forward. I brought this motion forward after a lot of thought about how we would resolve a problem of a practical nature in the House, knowing as well, in the latter part of our committee deliberations, that it would be unlikely that we would find that we could conclusively say that there was a right in this Assembly to speak French according to the Constitution of Canada or Alberta. I felt very strongly that the representations which had been made to me by French-Canadian people in the constituency of Smoky River were important, and if anyone in the Assembly had some responsibility to try to find a way to deal with their concerns and at the same time deal with

the concerns of people of many nationalities that have founded this province, we had to find some unique way to do that.

It may well be that what's before the committee is a proposal that I hope is supported in the Legislature as well when the committee reports and that is not much different than practice, but I believe, Mr. Chairman, it will be a rather historic occasion when our Legislature does recognize in the House rules that there are ways and opportunities to speak in other languages. And that's so important, I think, to all of us.

One of the hon. members asked a question with regard to the intent of the latter part of section (b) of my resolution, which deals with supplementary questions, and the intent was that they be asked in the English language. The reason for that being in the motion is that it has always been my view as a parliamentarian that supplementary questions were to be asked for the purposes of getting additional information from the member of the Executive Council the question was addressed to. It's hard to determine before the main question is answered what kind of supplementary you might ask. If members are using supplementary questions for other purposes, like asking two questions instead of one, then perhaps the supplementary question is not being properly used. I couldn't figure out a way to give adequate notice in writing, and interpret it into another language, of a supplementary question when one isn't really supposed to, in my view, know what the supplementary is until the answer has been given. Members should know that during the question period I always try to give a full and complete answer so they won't have to ask supplementaries.

The motion, I think, Mr. Chairman, will serve us well if the Assembly when it meets again does adopt it, and I again close by thanking all members for their support.

MR. CHAIRMAN: Is the committee ready for the question?

HON. MEMBERS: Question.

MR. CHAIRMAN: All those in favour of the motion, please signify by raising their hands. Contrary, if any? I declare the motion carried.

MR. GIBEAULT: Mr. Chairman, I'd like it recorded.

MR. CHAIRMAN: The clerk has noted that, Mr. Gibeault.  
Mr. Gogo.

MR. GOGO: Well, Mr. Chairman, was the intent of this committee to sit till 5 o'clock, and if so, was the intent of the committee to deal with item 2?

MR. CHAIRMAN: The next item that we would be proceeding with would be the motion introduced by Mr. Wright entitled, motion re question 2.

MR. HORSMAN: Mr. Chairman, I move that we adjourn.

MR. CHAIRMAN: Motion for adjournment.

MRS. HEWES: Mr. Chairman, may I ask at what time we convene tomorrow?

MR. CHAIRMAN: The meeting is called for 2 o'clock tomorrow, the same as today: 2 till 5.

All those in favour, say aye.

HON. MEMBERS: Aye.

MR. CHAIRMAN: Contrary? The motion is carried.

[The committee adjourned at 4:47 p.m.]