

LEGISLATIVE ASSEMBLY OF ALBERTATitle: **Friday, June 3, 1983 10:00 a.m.**

[The House met at 10 a.m.]

PRAYERS

[Mr. Speaker in the Chair]

head: **NOTICES OF MOTIONS**

MR. CRAWFORD: Mr. Speaker, I'd like to give oral notice of the following motion, to be moved on Monday:

1. Be it resolved that a select committee of this Assembly be established consisting of the following members: the hon. B.W. Diachuk, chairman, M. Fyfe, J. Thompson, R. Moore, S. Nelson, and R. Martin, with instructions
 - (a) to receive representations and recommendations as to the operations of the Workers' Compensation Act and the Occupational Health and Safety Act; and
 - (b) to evaluate the need for a new workers' compensation facility and make recommendations respecting the nature, scope, and location of the board's rehabilitation services.
 - (c) that the said committee do report to the Assembly, at the next ensuing session of this Assembly, the substance of the representations and recommendations made to the committee, together with such recommendations relating to the administration of the said Act as to the said committee seems proper.
2. Members of the committee shall receive remuneration in accordance with the Legislative Assembly Act.
3. Reasonable disbursements by the committee for clerical assistance, equipment and supplies, advertising, rent, and other facilities required for the effective conduct of its responsibilities, shall be paid, subject to the approval of the chairman.

Mr. Speaker, it's also proposed that when it is moved, one other member of the opposition, with the consent of the Assembly, would be added to the list of names that I read into the record.

MR. SPEAKER: Does the Assembly agree with the proposal of the hon. Government House Leader?

HON. MEMBERS: Agreed.

MR. SPEAKER: It is so ordered.

head: **INTRODUCTION OF BILLS**

Bill 69
Miscellaneous Statutes
Amendment Act, 1983

MR. CRAWFORD: Mr. Speaker, I ask leave to introduce Bill No. 69, Miscellaneous Statutes Amendment Act, 1983.

This Bill is similar in character to the Acts that have been presented in previous years, making numbers of changes in respect of a wide variety of Bills. The changes are not substantive. They're extensive only in the extent

that a number of Acts are involved. It's customary, as has been done in this case, to seek the concurrence of the opposition in respect of this Bill.

[Leave granted; Bill 69 read a first time]

head: **TABLING RETURNS AND REPORTS**

MR. BRADLEY: Mr. Speaker, I'd like to table with the Assembly the annual report of the Surface Reclamation Fund from April 1, 1982, to March 31, 1983. Also, I'd like to file with the Assembly some air quality monitoring data, which was requested earlier in the session, for a number of industries. This air quality monitoring data was compiled by the Department of the Environment.

MR. FJORDBOTEN: Mr. Speaker, I beg leave to table a response to Motion for a Return No. 138. Due to the bulk of the material, I am tabling a list of the documents. The entire package has been delivered to the Clerk's office.

MR. PLANCHE: Mr. Speaker, I'd like to table the annual report of the Department of Economic Development for the year ended March 31, 1982.

MR. BOGLE: Mr. Speaker, I wish to table responses to amended Motion for a Return No. 148 and question No. 152.

MR. PAYNE: Mr. Speaker, I would like to table our response to Motion for a Return 176.

head: **INTRODUCTION OF SPECIAL GUESTS**

MR. PAHL: Mr. Speaker, it's my very great pleasure to introduce to you, and through you to members of the Assembly, two special guests who are seated in your gallery: Mr. Sam Sinclair, president of the Metis Association of Alberta, and Mr. Elmer Ghostkeeper, president of the Federation of Metis Settlements of Alberta. These two gentlemen are of course here to listen in on the motion before the Assembly today on bringing effect to the constitutional accord. While they're here and I'm acknowledging their presence, I would also like to pay tribute to their wisdom and leadership during this whole process, both before the first ministers' conference and during it.

I ask them to rise and receive the traditional welcome of this Assembly.

MR. CLARK: Mr. Speaker, it's a real pleasure for me today to introduce to you, and through you to members of the Assembly, Chief Roy Little Chief of the Blackfoot Band in the Gleichen area. I ask him to stand and receive the welcome of the House.

DR. BUCK: Mr. Speaker, on behalf of my colleague the hon. Member for Little Bow, it's a pleasure for me to introduce 19 grades 7, 8, and 9 students from the elementary and junior high school in Hays. They are accompanied by principal Stewart Windrum, teachers Larry Holland and Jim Wickenheiser, and parent supervisors Mr. and Mrs. Philip Feist and Mrs. Margaret Kress. They are in the public gallery, and I'd like them to rise and receive the welcome of the Legislature.

MR. HIEBERT: Mr. Speaker, I'm pleased to introduce today a select group of four students from St. Brendan school who are here to watch the proceedings. In conjunction with their grade 6 social studies class, they conducted a full-scale election campaign and mock parliament. I'm pleased to introduce the premier — someone I know pretty well — Douglas Hiebert, and his campaign team of Brian Pshyk, Darcy Lukay, and David Chyzowski. Coincidentally, they campaigned with blue and orange buttons and had a landslide victory. I ask them to rise and receive the welcome of the House.

head: ORAL QUESTION PERIOD

Hazardous Waste Disposal

MR. COOK: Mr. Speaker, I wonder if I could ask the Minister of the Environment a couple of questions relating to the Clover Bar dump. What monitoring of dumps in the province for seepage of hazardous wastes is done by the Department of the Environment?

MR. BRADLEY: Mr. Speaker, specifically with regard to the city of Edmonton landfill which is located at Clover Bar, there has been ongoing monitoring of that landfill in a number of different areas. Leachate levels and quality within the landfill are monitored, water table levels outside the perimeter berms are monitored, and ground water quality between the landfill and the river has been monitored. There has been monitoring of the landfill in terms of gases and the types of gases which may be coming out of the landfill. The river water quality is being monitored, and the quality of the ground water being diverted is also reported on.

A report was done by the department in 1977, and this monitoring is a follow-up to it. There are no indications of any problems with regard to the substances which have been emanating from that landfill, and ongoing monitoring will indicate whether or not any further action should be taken in the future if levels of concern are identified.

MR. COOK: A supplementary question, Mr. Speaker. Is there any evidence to suggest that wastes that don't conform to the normal standard, like acids, herbicides, or pesticides, are being dumped at the Clover Bar dump?

MR. BRADLEY: Mr. Speaker, I believe the hon. Minister of Social Services and Community Health responded to that question the other day. The responsibility with regard to that particular type of monitoring lies with the local board of health.

MR. COOK: A supplementary question, Mr. Speaker. In the monitoring being done by the department, is there evidence of seepage of materials like that?

MR. BRADLEY: Mr. Speaker, as I indicated, a report was done by the department in 1977. It indicates some leachate, but there are no particular problems identified.

Child Welfare Services — Slave Lake

MR. APPLEBY: Mr. Speaker, I would like to address a question to the hon. Minister of Social Services and Community Health. I understand that this morning an agreement was signed between the Lesser Slave Lake Indian Regional Council, the federal government, and the

province, to deal with child welfare services in the area. I wonder if the minister could inform us as to just what role the Indian council will play in that agreement.

DR. WEBBER: Mr. Speaker, it really was a pleasure for me to participate this morning in signing a five-year agreement between the federal government, the provincial government, and the Lesser Slave Lake Indian Regional Council, chaired by Walter Twin. Also involved in the ceremonies was our own Minister responsible for Native Affairs.

The five-year agreement is a master agreement. The intent of the agreement is to ultimately have the Indian council assume full responsibilities for child welfare services among the nine member band councils. In other words, nine bands are part of this council, and the ultimate objective is to have them fully responsible for looking after child welfare services.

There will be yearly subsidiary agreements. The first subsidiary agreement is currently under discussion and would involve the provision of supportive and preventive services in the areas of family support services, foster care recruitment, and staff training.

MR. APPLEBY: Mr. Speaker, a supplementary question. Just to be clear on one point, I would ask the minister: would it be the intention of the government to transfer the authority of the director of child welfare to the Indian council?

DR. WEBBER: Mr. Speaker, as part of the agreement, the discussions would involve the ultimate transfer of responsibility for child welfare from our director of child welfare to the council. It would involve provincial legislative changes, but there is provision for that in the agreement.

As I mentioned, our own Minister responsible for Native Affairs was involved in it, and I'd be happy if he would supplement any comments I've made.

MR. PAHL: Mr. Speaker, I could only indicate that it was a great and positive achievement. It not only provides for local control of an important matter for the nine Indian tribes involved but also complements the work of the Indian women's association of Alberta, which has worked long and hard in the area of providing foster homes for Indian children who are under the care of the foster system. With the local involvement by the bands, I'm sure this mechanism will work more effectively in an area where we all recognize that improvements need to be made.

MR. PAPROSKI: Mr. Speaker, I would like to commend the two ministers. I have a supplementary for the Minister of Social Services and Community Health. I am wondering if amendments are required to the Child Welfare Act when it deals with these changes?

MR. SPEAKER: Order please. Possibly the hon. member could get that legal advice somewhere else.

DR. CARTER: Mr. Speaker, my supplementary question to the Minister of Social Services and Community Health is with respect to the master agreement just signed today. What are the ramifications with respect to the relationship involved? Will the band council also be taking some interest and concern about their members who are no longer resident on the reserves?

DR. WEBBER: Mr. Speaker, that's an important part of the agreement, in that the council would be responsible for Indians both on and off the reserves; however, the Alberta government will still remain responsible for non-Indians living on reserves.

Coal Development — Blackfoot Reserve

MR. CLARK: Mr. Speaker, my question is to the Minister of Utilities and Telecommunications. Mr. Minister, I would like to know whether or not you have been contacted by the band council of the Blackfoot Indian people with regard to a large surface mining and power project they have proposed to build on the Blackfoot Reserve, and whether or not you've had time to study this proposal.

MR. BOGLE: Mr. Speaker, approximately five weeks ago I received an information package from Mr. Levi Many Heads, the chairman of the Blackfoot coal committee for the Blackfoot Indian Reserve. In that information package, a number of suggestions are made as to how the band might proceed with the development of both a strip mine and a thermal generating plant on the Blackfoot Reserve. It's well understood, in the information that I reviewed, that this is not a formal application before the ERCB. That would be something that would follow.

Mr. Speaker, I am pleased to report that earlier this week, along with the hon. Member for Drumheller, I was able to meet with Mr. Many Heads and other members of his committee. I'm extremely impressed with the way they're going about their proposal, with the firm recognition that it's still in its infancy stage. But it is an example of a way that this council and this band is trying very hard to find economic development opportunities for their own people.

MR. CLARK: A supplementary, Mr. Speaker. Could the minister inform the Assembly if there are advantages to this project over some of the other coal projects being proposed in Alberta?

MR. SPEAKER: With great respect to the hon. member, that would be a matter of opinion. Perhaps he might discuss that with the minister elsewhere.

MR. CLARK: A supplementary to the minister, Mr. Speaker. Is it the intention of his department to assist the Blackfoot people with this project in any way they can?

MR. BOGLE: Mr. Speaker, first of all, the department has made the suggestion, through the deputy minister as well as me, that the band council work very closely with the existing utility companies in Alberta. That's where the expertise in terms of existing thermal power plants lies. Obviously we will be assisting the band council with information in any way, in terms of requests made of us to look at the feasibility.

I think it needs to be pointed out that there isn't a site that I'm aware of in the province that has all pluses and no negatives. In any event, Mr. Speaker, we are very encouraged that the council is looking at this potential site.

Land Assessment

MR. STILES: Mr. Speaker, my question this morning is directed to the hon. Minister of Municipal Affairs. I'd

like the minister to advise the Assembly, if he can, whether his department has obtained the use of motorized tricycles and, if so, for what purpose?

MR. KOZIAK: Mr. Speaker, through the offices of Public Works, Supply and Services, we have obtained the use of all-terrain vehicles that are three-wheeled. They're used by the department in the assessment of farmland, and the department advises me that the effect of the use of these vehicles is to increase the productivity of assessors, particularly in remote areas, by as much as 100 per cent. The three-wheeled all-terrain vehicles are, in some cases, more acceptable for entry onto farmland than other vehicles and, in all cases where the terrain or the roads are bad, provide for much easier access and, as a result, greater productivity for assessors as they go through the province. My understanding is that they're now being used in ID 17 and are very effective in increasing the productivity of the assessors that are using them.

MR. STILES: Mr. Speaker, a supplementary question. If there has been that change in productivity, does that mean there will be a reduction in the number of assessors employed in the minister's department?

MR. KOZIAK: Mr. Speaker, my hopes are that the Department of Municipal Affairs can continue to provide services to the municipalities, in all those areas where we have legislated responsibility, in a sort of lean and trim condition. If hon. members will recall, one of the bright spots I highlighted during my remarks in presentation of the Department of Municipal Affairs' estimates to the Committee of Supply, was the fact that we had a reduction in manpower of 2.5 per cent for the '83-84 fiscal year. If we can continue to lead the way in that direction, I'll be very proud.

MR. STILES: Just one further supplementary question, Mr. Speaker, if I may. What steps are taken to advise the farmers involved that these assessors are going to be roaming around on the farmland with these motorized all-terrain vehicles?

MR. KOZIAK: Mr. Speaker, it's my understanding that such notice is provided through the municipality on whose behalf we provide these services on a contract basis. However, in the event there's any difficulty, I'll pursue that on behalf of the hon. member and see what problems there are.

MR. HYLAND: Mr. Speaker, a supplementary. The minister made some comment about a reduction of 2 per cent in departmental staff accomplished this year. Is it his intention to continue with that reduction and allow municipalities to contract in the private sector for their assessments, as they did a number of years ago?

MR. KOZIAK: Mr. Speaker, nothing prevents the municipalities from contracting in the private sector for assessors. In some cases, particularly cities, they have their own assessment capability and their own assessment staff. To my knowledge, there are certain municipalities that in fact do contract the assessment services with the private sector rather than with the department.

Infant Death Investigation

MR. HIEBERT: Mr. Speaker, my question is directed to

the Attorney General, and it deals with the announcement yesterday of the fatality inquiry into the unfortunate death of Candace Taschuk. It's my understanding that there have been four months of internal investigation to date. Could the Attorney General indicate why it took so long in the first place to revert to this procedure, when it is possible to get the process under way, and how the actual process works so that the public will know the full circumstances associated with this tragic situation?

MR. CRAWFORD: Mr. Speaker, the investigations began at the end of February. The information from those investigations, which involved both the Medical Examiner's office and the police, was in fact available during the month of May, so it was not quite the delay the hon. member indicates. Indeed, the word "delay" would be wrong. It does take time to undertake and complete, with the necessary degree of thoroughness, the two types of investigation that were going on.

As to the date of the fatality inquiry, I believe it will be possible to have the inquiry concluded and results known by early next month. In saying that, I would only note that obviously things like the scheduling of the provincial judge who would be selected by the chief judge to undertake the inquiry would have something to do with the timing, but we want it to be done very soon.

Unionization of Contractors

MRS. CRIPPS: Mr. Speaker, my question is to the Minister of Labour. I've had a number of unionized contractors contact me regarding their inability to compete in the market place, in that present legislation does not permit them any option. Are any changes being contemplated in the legislation regarding the unionization of contractors?

MR. YOUNG: Mr. Speaker, the question raised by the hon. Member for Drayton Valley is a very important issue at the moment. Because of a rapid build-up of capacity and a downturn in the economy, the competition in the construction industry has produced a very severe situation. According to the contacts I've had, the result is that the unionized sector, which has collective agreements which require certain wage rates to be met but also a variety of other conditions that have been built into the agreements and into practices, is having difficulty being competitive. To give one illustration of a problem in the Fort Saskatchewan area, there is a requirement to pay for travel time, even from the city of Edmonton. Non-unionized contractors would not have to pay that kind of provision.

The result is that I have been asked to consider changing legislation to permit the spinning off or creation of a second corporation, which might operate in a non-union capacity. Mr. Speaker, it is not my intention to do that now, although it is my belief that there will have to be some extensive discussions in the next weeks and months.

MRS. CRIPPS: A supplementary, Mr. Speaker. Recently the Federation of Labour, I believe, announced that special concessions have been made by major unions to forego northern allowances and even to reduce wages in comparison to pipeline construction in the southern regions, in order to make bidding competitive for a major northern pipeline job. Have similar negotiations taken place between construction associations and labor unions, to allow them to become more competitive?

MR. YOUNG: Mr. Speaker, I'm not in a position to report on all the discussions that have gone forward. I do know that a variety of committees of unionized contractors and unions have been meeting to discuss various aspects of this problem. However, I do not believe this has resulted to date in an overall adjustment or agreement to adjust. I would point out that it is my understanding that there have been some changes in interpretation of agreements, which have made certain projects more viable for the unionized sector.

Mr. Speaker, if I could take this opportunity, I think this is a two-faceted problem. There is the immediate difficulty that the unionized sector has in competing and, in my opinion, that is something which in the short run is in the interests of both the unionized contractors and the construction trade unions to resolve. That is something they can resolve between themselves without government intervention.

The second facet of the problem is our ability as a total Alberta economy to compete internationally. If we're to have the best opportunity for development of our economy, there is no question that it is in all their interests, and ours as well, to have regard for competitiveness of our chemical plants and other installations which must compete with product from outside Alberta. During the next few weeks, I want to meet again with the trade unions and contractors to discuss that particular question. I should say that as little as two weeks ago, I had meetings with about 35 representatives of trade unions.

MRS. CRIPPS: A supplementary, Mr. Speaker.

MR. SPEAKER: Might this be the final supplementary on this topic.

MRS. CRIPPS: I've got a lot more. Thank you, Mr. Speaker.

Originally all substantial contracts, I think over \$15 million, were only bid by unionized contractors, because they were the only companies with the capacity to do major projects. Does the minister have any information for the Assembly on changes in the construction capacity of local Alberta non-unionized contractors?

MR. YOUNG: Mr. Speaker, I can't put a quantitative number to it. But I can say that starting about three years ago, it was my observation that the capacity of non-unionized contractors — in skill, in a financial sense, and also in an ability to recruit staff — was changing very markedly, and I had direct representations to me by some of those persons. My understanding now is that the non-unionized sector in fact has the technical capacity, the management capacity, and the financial backing to be able to handle projects of between \$300 million and \$500 million, and perhaps even larger than that.

AOC Loan

MR. McPHERSON: Mr. Speaker, my question is to the Minister of Tourism and Small Business. Could the minister advise the Assembly whether, in considering the approval of the loan to Ram Steel, the Alberta Opportunity Company considered the purchase price of the land or the appraised value of the land after rezoning?

MR. ADAIR: Mr. Speaker, in response to that question, as pointed out by Mr. Parker in Public Accounts the other day, the Alberta Opportunity Company used the

purchase price of the land rather than an appraisal value by some other person. To my knowledge it was, as Mr. Parker stated, the actual purchase price of the land at the time they purchased it.

MR. McPHERSON: A supplementary, Mr. Speaker. Can the minister advise of the price of that land?

MR. ADAIR: No, Mr. Speaker, I can't, in the sense that again I have to revert to the commercial confidentiality of actual figures used between a client and the company. I think it's important that we recognize that having said that it was the purchase price of the land and not the appraised price, in my capacity I feel that I must stop there. The information as to actual values or dollars involved is commercially confidential between the client, in this case Ram Steel, and the company, the Alberta Opportunity Company.

Water Management — Peace River

DR. ELLIOTT: Mr. Speaker, my question is to the Minister of Utilities and Telecommunications. I wish to deal again with the dam at Dunvegan. If the preliminary work on this dam is to be completed in this fiscal year, I am wondering if the minister could give an indication as to when construction would commence and when it might be completed.

MR. BOGLE: Mr. Speaker, the work being undertaken during the current fiscal year is an update of construction costs and geotechnical engineering studies. That is so the proponents of the project will have the information available so that they may determine whether or not to proceed through the various regulatory and environmental studies that would be necessary before a project like this could be approved. In short, we believe we'd be looking at concluding all the preliminary work this fiscal year. If the proponents then decide to proceed, there are another two to three years of necessary work, going through the Energy Resources Conservation Board hearings and the various environmental impact studies. At that point in time, depending on the results of the hearings and the studies, a decision could be made to proceed or not proceed with the project.

DR. ELLIOTT: A supplementary, Mr. Speaker. Does the minister have an indication at this time of the possible cost of this project?

MR. BOGLE: Mr. Speaker, the very purpose of the information being sought through the various studies being undertaken during the current fiscal year is so that the proponents are able to evaluate the costs of the proposal and make a decision as to whether or not to proceed. That will be based on the economic viability of the proposal.

Illegal Suite Conversions

MR. LEE: Mr. Speaker, my question is for the Minister of Municipal Affairs. Could the hon. minister indicate if he is aware of the concern of the city of Calgary with respect to the difficulty of enforcing the Planning Act regarding illegal conversions?

MR. KOZIAK: Mr. Speaker, I believe I am now, as a result of the question posed by the hon. member.

MR. LEE: Mr. Speaker, would the minister indicate if he would be prepared to undertake a review of this concern, in view of the fact that municipal enforcers of the Planning Act have no right of access or entry when illegal conversions are reported by citizens in the city of Calgary?

MR. KOZIAK: Mr. Speaker, I recall that we had substantial debate on this particular issue during the course of the presentation of the principles of the Planning Act by my predecessors and during the course of its passage in this Assembly. There was considerable concern expressed about a proposal that was originally contained and that offered authority, as of right, to enter premises by those that would enforce the provisions of the Planning Act. My recall is — and this is subject to checking, Mr. Speaker — that some changes were made which limited the right of access. Those changes would provide for access only on support or approval by the court system and, having regard to the feelings that were expressed during that debate, I would be loath to recommend any changes.

MR. LEE: A supplementary, Mr. Speaker. Would the hon. minister be prepared to meet with the Calgary city council, possibly on an annual basis, to discuss this and other matters of interest to that council?

MR. KOZIAK: Of course, Mr. Speaker.

Interest Shielding Program

MR. NELSON: Mr. Speaker, I'd like to ask the Minister of Small Business and Tourism a question regarding the small business and farm interest shielding program. Could the minister advise the Assembly as to the number of applications received and moneys paid during the first phase of the program?

MR. SPEAKER: I have a little problem with that. It appears to be a question seeking statistics. It would be well suited for the Order Paper.

MR. NELSON: Mr. Speaker, a supplementary to the minister. Might he advise the House as to the success of the first phase of the interest shielding program?

MR. ADAIR: Mr. Speaker, in relation to the question as to the first phase of the interest shielding program, the program was divided into four phases: the period March 1, 1982, to August 31, 1982; September 1, 1982, to February 28, 1983; and the next two correspondingly for six months. To date we have paid out approximately \$40 million to both small business and farm interests through the interest shielding program, and that includes not just the first phase but some portion of the second phase as well.

MR. NELSON: A supplementary, Mr. Speaker. Due to the larger-than-normal failures of some of these small businesses, and due to the banks not providing assistance and information regarding the program to some of these businesses, has the minister's department taken any leadership role in asking the banks to assist in this manner so that we can possibly see fewer businesses fail?

MR. ADAIR: Initially, Mr. Speaker, we did meet with the heads of the lending institutions, not just the banks

but the credit unions, finance companies, and the farm machinery dealers as well. In recent weeks I have had reports of the odd bank manager who may not have provided the documentation on the counter, and we're checking out those particular areas. There is ongoing communication between the director of the small business interest shielding program and the lending institutions, to ensure that all possible attempts are made to assist the small business community.

MR. NELSON: One further supplementary, Mr. Speaker. Firstly, if the small businesses have received payment for the first or second phases and subsequently failed, are they obligated to repay those moneys? Secondly, are the small businesses that have failed subsequent to the end of the second phase and after moneys may have been payable, entitled to have some of these moneys repaid to them, up to the time of their failure?

MR. SPEAKER: I have a little problem with that question. I'm not sure whether it seeks the answer to a legal proposition or perhaps information that's publicly known from documents. If it deals with government or departmental policy, perhaps the minister might deal with it.

MR. ADAIR: Mr. Speaker, it is an important question, in the sense that there have been some questions raised about businesses that may have received shielding for the first phase of the program and then in the course of, say, the second phase they have gone out of business, for whatever reasons may have occurred. It was not the intent of the program to go back and try to recover what was in fact duly payable to that particular business in the first phase. However, in the second phase they would not be eligible for any further payment under the interest shielding program, because they would then be an inactive business.

Library Grants

MR. PAPROSKI: Mr. Speaker, I'd like to address my question to the Minister of Culture. It pertains to the indexing of library grants. I understand that over past years, libraries have received indexed library grants; however, this year libraries were notified that this policy had changed. Would the minister explain if there has been any reconsideration of this procedure?

MRS. LeMESSURIER: Mr. Speaker, the indexing of library grants was never a policy. It was a practice that was issued in 1978, I think, when there were moneys available for connecting it to indexing grants to the Department of Education. I would like to propose to my colleagues a policy on this subject at the close of this session. I will take that in due course and discuss it with my colleagues.

MR. PAPROSKI: A supplementary, Mr. Speaker. I would like to ask the minister what she has done to communicate this procedure and this possible policy change to libraries and those who are interested in this particular area across the province.

MRS. LeMESSURIER: Mr. Speaker, this was extremely well explained to the libraries at the annual meeting they had in Jasper and also, I would say, through written communication to all the public libraries in the province of Alberta, I would say.

Grasshopper Control

MR. FISCHER: Mr. Speaker, this question to the Minister of Agriculture is on a fairly jumpy subject. In the Provost area, we have quite a serious grasshopper problem. I would like to know if the research department of Agriculture is monitoring these grasshoppers in that particular area.

MR. FJORDBOTTEN: Mr. Speaker, we've been concerned for some time that an infestation of grasshoppers across the province could certainly appear, and we are monitoring the situation. The latest opportunity I've had to check is that there is evidence of quite a significant hatch of grasshoppers in an area in the north-central part of the province, another area in the Peace region, and one in the Three Hills and Drumheller area. However, to call it serious at this point, I couldn't comment.

MR. FISCHER: A supplementary question. If there were such a serious outbreak, is there available chemical?

MR. FJORDBOTTEN: Yes, Mr. Speaker. I have had discussion with the department, and they have instigated discussions with suppliers of chemical. Initially, they advised me that there is a more than adequate supply of chemical.

MR. FISCHER: A supplementary question. Is there any assistance available to farm groups in these cases?

MR. FJORDBOTTEN: Mr. Speaker, we did have a program of assistance for chemical for grasshoppers, but that program has now ended. There is no financial assistance available to assist with the purchase of chemical. However, there is adequate chemical available now through the normal supply outlets, and farmers are certainly encouraged to go and seek their supplies now, in case the infestation were to increase.

Water Wells

MR. ALGER: Mr. Speaker, you more or less talked me into this, since you caught me scratching my fêted locks. But since I have this opportunity, I would like to address my remarks to the Minister of the Environment. Just prior to coming into the room, I learned by telephone that my water problem that took so long — over the long weekend it was relatively well solved, but the resolution now is that the water resources department wants to allow him to pump water at the rate of 20 gallons a minute. My question is: will the Minister of the Environment give me and the constituents of Highwood the assurance that this pumping will be really well and workmanlike monitored, so there is no danger of any further droppage in the water table in that area, or indeed the drying up of any wells?

MR. BRADLEY: Mr. Speaker, the hon. member's information system is much more efficient than mine. I'm pleased to be advised of what is taking place there.

Yes, I assure the hon. member that the department will closely monitor the amount of water being permitted to be pumped from the particular aquifer. I might add that prior to approving any ground water removal, the department undergoes a very extensive process. So I'm pleased to be advised by the hon. member that this project is proceeding.

MR. SPEAKER: The hon. Premier has some information that was sought in yesterday's question period.

AOC Loan
(continued)

MR. LOUGHEED: Mr. Speaker, it is a clarification of an answer to Written Question 188, that was asked with regard to discussions on October 6 or 7, 1980. By a typographical error, the answer referred to October 6 or 7, 1982. That should have been 1980, and I trust that *Hansard* would note that.

Grasshopper Control
(continued)

MR. HYLAND: Mr. Speaker, my question is supplementary to those by the Member for Wainwright. It's to the Minister of Agriculture and relates to the possible grasshopper problem and his assurance that there is supposedly an adequate supply of chemicals. It is a two-pronged question. Is the department doing any testing to find out if these chemicals that are available are indeed effective? It seems the chemicals that were effective were withdrawn a number of years ago. Secondly, if there are sufficient chemicals, is the department prepared to take whatever action it can to assist companies in obtaining chemicals, if they are available, from the States and getting them across the border and temporarily licensed in Canada?

MR. FJORDBOTTEN: Mr. Speaker, to the latter question first, I would say that we will take whatever action we can to assure that there is adequate chemical to take care of those little rascals. As far as the quality of the chemical, I would have to take that as notice.

Auditor General's Report

MR. MUSGROVE: Mr. Speaker, my question to the Provincial Treasurer concerns the 47 recommendations in the Auditor General's report. I would ask the minister if the cost of putting them into effect has been looked at.

MR. HYNDMAN: Mr. Speaker, costs will be a very real consideration with regard to the possible implementation of those more than four dozen recommendations. They are important, and we will assess them all carefully. However, we will be considering not only the direct dollar cost of each and every recommendation but also the cost with regard to the possible addition to the public service of the province. At this time of the economy, we would not see any additions in the public service of the province for reasons of implementing such recommendations or for other reasons.

So we would look, then, at the cost/benefit. They would not be implemented on an at-any-cost basis. We would have to live within our means with respect to the implementation of those recommendations and, in addition, with regard to all other aspects of government.

MR. MUSGROVE: A supplementary question, Mr. Speaker. If one or more of these recommendations were to add any burden to the private sector, would they still be put into effect?

MR. SPEAKER: The hon. member's question is hypothetical, but perhaps it could be interpreted in an un-hypothetical manner.

MR. HYNDMAN: Mr. Speaker, the overall objective, certainly of Treasury, is to try to minimize the extent to which there is a regulatory burden on either the private sector or other elements of government. So if there were recommendations which would add to that burden, either to the private sector or within government, then I would think it would be unlikely they would be proceeded with.

ORDERS OF THE DAY

MR. SPEAKER: May the hon. Minister responsible for Native Affairs revert to Introduction of Special Guests?

HON. MEMBERS: Agreed.

head: **INTRODUCTION OF SPECIAL GUESTS**
(reversion)

MR. PAHL: Mr. Speaker, I would like to acknowledge the presence in the members gallery of representatives of the Indian people of Alberta and members of the native community news media, who are here to witness the upcoming debate on the constitutional accord. I would ask them to kindly stand and receive the traditional welcome of the Assembly.

head: **GOVERNMENT BILLS AND ORDERS**
(Second Reading)

Bill 64
Appropriation (Supplementary
Supply) Act, 1983

MR. HYNDMAN: Mr. Speaker, I move second reading of Bill No. 64, the Appropriation (Supplementary Supply) Act, 1983.

[Motion carried; Bill 64 read a second time]

Bill 65
Appropriation (Alberta Heritage
Savings Trust Fund, Capital Projects
Division) Act, 1983 (No. 2)

MR. HYNDMAN: Mr. Speaker, I move second reading of Bill No. 65, the Appropriation (Alberta Heritage Savings Trust Fund, Capital Projects Division) Act, 1983 (No. 2).

[Motion carried; Bill 65 read a second time]

Bill 70
Appropriation (Alberta Heritage
Savings Trust Fund, Capital Projects
Division) Amendment Act, 1983

MR. HYNDMAN: Mr. Speaker, I move second reading of Bill No. 70, the Appropriation (Alberta Heritage Savings Trust Fund, Capital Projects Division) Amendment Act, 1983.

[Motion carried; Bill 70 read a second time]

head: **GOVERNMENT MOTIONS**

19. Moved by Mr. Horsman:

Be it resolved that:

Whereas the Constitution Act, 1982, provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and resolutions of the legislative assemblies as provided for in section 38 thereof:

And whereas the Constitution of Canada, reflecting the country and Canadian society, continues to develop and strengthen the rights and freedoms that it guarantees;

And whereas, after a gradual transition of Canada from colonial status to the status of an independent and sovereign state, Canadians have, as of April 17, 1982, full authority to amend their Constitution in Canada;

And whereas historically and equitably it is fitting that the early exercise of that full authority should relate to the rights and freedoms of the first inhabitants of Canada, the aboriginal peoples;

Now therefore the Legislative Assembly of Alberta resolves that His Excellency the Governor General be authorized to issue a proclamation under the Great Seal of Canada amending the Constitution of Canada as follows:

PROCLAMATION AMENDING THE CONSTITUTION OF CANADA

1. Paragraph 25(b) of the Constitution Act, 1982, is repealed and the following substituted therefor:

"(b) any rights or freedoms that now exist by way of land claims agreements or may be so acquired."

2. Section 35 of the Constitution Act, 1982, is amended by adding thereto the following subsections:

Land claims agreements

"(3) For greater certainty, in subsection (1) "treaty rights" includes rights that now exist by way of land claims agreements or may be so acquired.

Aboriginal and treaty rights are guaranteed equally to both sexes

(4) Notwithstanding any other provision of this Act, the aboriginal and treaty rights referred to in subsection (1) are guaranteed equally to male and female persons."

3. The said Act is further amended by adding thereto, immediately after section 35 thereof, the following section:

Commitment to participation in constitutional conference

"35.1 The government of Canada and the provincial governments are committed to the principle that, before any amendment is made to Class 24 of section 91 of the Constitution Act, 1867, to section 25 of this Act, or to this Part,

(a) a constitutional conference that includes in its agenda an item relating to the proposed amendment, composed of the Prime Minister of Canada and the first ministers of the provinces, will be convened by the Prime Minister of Canada; and

(b) the Prime Minister of Canada will invite representatives of the aboriginal peoples of Canada to participate in the discussions on that item."

4. The said Act is further amended by adding thereto, immediately after section 37 thereof, the following Part:

"PART IV. 1 CONSTITUTIONAL CONFERENCES

Constitutional conferences

37.1 (1) In addition to the conference convened in March 1983, at least two constitutional conferences composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada, the first within three years after April 17, 1982, and the second within five years after that date.

Participation of aboriginal peoples

(2) Each conference convened under subsection (1) shall have included in its agenda constitutional matters that directly affect the aboriginal peoples of Canada, and the Prime Minister of Canada shall invite representatives of those peoples to participate in the discussions on those matters.

Participation of territories

(3) The Prime Minister of Canada shall invite elected representatives of the governments of the Yukon Territory and the Northwest Territories to participate in the discussions on any item on the agenda of a conference convened under subsection (1) that, in the opinion of the Prime Minister, directly affects the Yukon Territory and the Northwest Territories.

Subsection 35(1) not affected

(4) Nothing in this section shall be construed so as to derogate from subsection 35(1)."

5. The said Act is further amended by adding thereto, immediately after section 54 thereof, the following section:

Repeal of Part IV. 1 and this section

"54.1 Part IV. 1 and this section are repealed on April 18, 1987."

6. The said Act is further amended by adding thereto the following section:

References

"61. A reference to the Constitution Acts 1867 to 1982 shall be deemed to include a reference to the Constitution Amendment Proclamation, 1983."

Citation

7. This Proclamation may be cited as the Constitution Amendment Proclamation, 1983.

Considérant:

que la Loi constitutionnelle de 1982 prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat et de la Chambre des communes et par des résolutions des assemblées législatives dans les conditions prévues à l'article 38;

que la Constitution du Canada, à l'image du pays et de la société canadienne, est en perpétuel devenir dans l'affermissement des droits et libertés qu'elle garantit;

que les Canadiens, après la longue évolution de leur pays de simple colonie à État indépendant et souverain, ont, depuis le 17 avril 1982, tout pouvoir pour modifier leur Constitution au Canada;

que l'histoire et l'équité demandent que l'une des premières manifestations de ce pouvoir porte sur les droits et libertés des peuples autochtones du Canada, premiers habitants du pays, l'Assemblée législative de l'Alberta a résolu d'autoriser Son Excellence le gouverneur général à prédre, sous le grand sceau du

Canada, une proclamation modifiant la constitution du Canada comme il suit:

PROCLAMATION MODIFIANT LA
CONSTITUTION DU CANADA

1. L'alinéa 25b) de la Loi constitutionnelle de 1982 est abrogé et remplace par ce qui suit:

"b) aux droits ou libertés existants issus d'accords sur des revendications territoriales ou ceux susceptibles d'être ainsi acquis."

2. L'article 35 de la Loi constitutionnelle de 1982 est modifié par adjonction de ce qui suit:

"(3) Il est entendu que sont compris parmi les droits issus de traités, dont il est fait mention au paragraphe (1), les droits existants issus d'accords sur des revendications territoriales ou ceux susceptibles d'être ainsi acquis.

(4) Indépendamment de toute autre disposition de la présente loi, les droits — ancestraux ou issus de traités — visés au paragraphe (1) sont garantis également aux personnes des deux sexes."

3. La même loi est modifiée par insertion, après l'article 35, de ce qui suit:

"35.1 Les gouvernements fédéral et provinciaux sont liés par l'engagement de principe selon lequel le premier ministre du Canada, avant toute modification de la catégorie 24 de l'article 91 de la Loi constitutionnelle de 1867, de l'article 25 de la présente loi ou de la présente partie:

- a) convoquera une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même et comportant à son ordre du jour la question du projet de modification;
- b) invitera les représentants des peuples autochtones du Canada à participer aux travaux relatifs à cette question."

4. La même loi est modifiée par insertion, après l'article 37, de ce qui suit:

"PARTIE IV.1
CONFÉRENCES CONSTITUTIONNELLES

37.1 (1) En sus de la conférence convoquée en mars 1983, le premier ministre du Canada convoque au moins deux conférences constitutionnelles réunissant les premiers ministres provinciaux et lui-même, la première dans les trois ans et la seconde dans les cinq ans suivant le 17 avril 1982.

(2) Sont placées à l'ordre du jour de chacune des conférences visées au paragraphe (1) les questions constitutionnelles qui intéressent directement les peuples autochtones du Canada. Le premier ministre du Canada invite leurs représentants à participer aux travaux relatifs à ces questions.

(3) Le premier ministre du Canada invite des représentants élus des gouvernements du territoire du Yukon et des territoires du Nord-Ouest à participer aux travaux relatifs à toute question placée à l'ordre du jour des conférences visées au paragraphe (1) et qui, selon lui, intéresse directement le territoire du Yukon et les territoires du Nord-Ouest.

(4) Le présent article n'a pas pour effet de déroger au paragraphe 35(1)."

5. La même loi est modifiée par insertion, après l'article 54, de ce qui suit:

"54.1 La partie IV.1 et le présent article sont abrogés le 18 avril 1987."

6. La même loi est modifiée par adjonction de ce qui suit:

"61. Toute mention des Lois constitutionnelles de 1867 à 1982 est réputée constituer également une mention de la Proclamation de 1983 modifiant la Constitution."

7. Titre de la présente proclamation: Proclamation de 1983 modifiant la Constitution.

MR. HORSMAN: Mr. Speaker, during the first ministers' conference on the Constitution which was convened in Ottawa on March 15, 1983, to consider matters affecting Canada's aboriginal peoples, an accord was signed by . . .

MR. SPEAKER: Order please. I regret interrupting the hon. minister, but I have some difficulty with this motion. It was put on the Order Paper pending the House's view of it or what the House might wish to do with it. The motion contains a four-part preamble, and our *Standing Orders* do not permit motions with preambles.

The alternatives, as I see them, would be to drop the preamble; to debate, through a motion on notice, whether the preamble should be retained, notwithstanding *Standing Order* 39, I believe it is; or to obtain, if it's available, the unanimous consent of the Assembly that the *Standing Order* in that regard be waived and that the motion be debated in its present form.

MR. HORSMAN: Mr. Speaker, I would ask for unanimous leave of the Assembly to debate the motion in the form on the Order Paper, notwithstanding *Standing Orders*.

MR. SPEAKER: Has the minister the unanimous consent he has asked for?

HON. MEMBERS: Agreed.

MR. SPEAKER: Anyone opposed? It is so ordered.

MR. HORSMAN: Thank you, Mr. Speaker. The accord, which was signed by the Premier, contained certain constitutional amendments and, as the Speaker has noted, a number of preambles. A resolution respecting these amendments was tabled in the Legislature on Wednesday, and copies of the official text in both official languages are now available and are being distributed to members.

Also, I would like to take this opportunity to advise members of the Assembly that there is available for distribution the consolidation of the Constitution Acts of 1867 to 1982. Copies are now going to be distributed to all members of the Assembly for their own use. I am pleased to file copies of these documents with the Assembly, and I would ask that these now be taken to the Clerk of the Assembly.

Mr. Speaker, the resolution before this Assembly is an historic landmark. It proposes the first amendments to Canada's Constitution since its Royal Proclamation by Queen Elizabeth on April 17, 1982. Albertans can take particular pride in this event.

The principles underlying the amendment procedures contained in the Constitution Act of 1982 were incorporated in a resolution passed by this Assembly in 1976.

The resolution reads in part:

Be it resolved that the Legislative Assembly of Alberta, while supporting the objective of patriation of the Canadian constitution, reaffirm the fundamental principle of Confederation that all provinces have equal rights within Confederation and hence direct the government that it should not agree to any revised amending formula for the Constitution which could allow any existing rights, proprietary interests or jurisdiction to be taken away from any province without the specific concurrence of that province.

At the February 1979 first ministers' conference on the Constitution, the government of Alberta introduced into the discussions a proposal for an amending procedure which followed the principles set out by the Alberta Legislature in 1976. The proposal initially received little support. However, over the next few years it garnered support. By April 1981, eight provinces had accepted the formula as the preferred procedure for constitutional amendment in Canada. Without our amending formula, it is highly unlikely that the governments in Canada would have been able to reach an accord on patriation and the amendment of Canada's Constitution at the November 1981 first ministers' conference.

The events leading to the November 5 constitutional accord and this subsequent resolution will not be easily forgotten by Canadians. I for one shall never forget the shock and dismay I felt when, on October 2, 1980, the Prime Minister announced his intention to proceed unilaterally to patriate the Constitution and entrench a Charter of Rights and Freedoms. That statement of Mr. Trudeau's, of his intention to proceed unilaterally, thrust Canada into one of the most dramatic periods in our history. This country, which had been born in a spirit of compromise and co-operation, was in turmoil. In fact, I think it is not too hard to say that our very existence as a nation was threatened. But in the spirit of compromise and co-operation, eight of the 10 provinces united to halt the unilateral process. They had three basic objectives: first, to develop alternative constitutional proposals; second, to familiarize United Kingdom parliamentarians with the events taking place regarding patriation and provincial reactions to them; and, finally, to challenge the federal initiatives in the courts.

On January 21, 1981, the report of the Foreign Affairs Committee of the United Kingdom Parliament released its recommendations, following an inquiry into the role of its Parliament in relation to the British North America Acts. I happened to be in London on that very day, for purposes of meetings on postsecondary educational matters, and I must say that I was delighted with the unanimous, all-party recommendations of the Kershaw report, as it became known after its chairman, Sir Anthony Kershaw. That report stated that the United Kingdom Parliament's

fundamental role in these matters is to decide whether or not a request conveys the clearly expressed wishes of Canada as a whole, bearing in mind the federal charter of the Canadian Constitutional system.

With regard to the unilateral request for amendment and patriation, the report concluded that

it would be proper for the United Kingdom Parliament to decide that the request did not convey the clearly expressed wishes of Canada as a federally structured whole because it did not enjoy a sufficient level and distribution of provincial concurrence.

The eight provinces were buoyed by the overall tone of

the Kershaw report.

On April 24, 1981, wording of the proposed federal resolution was finalized by the House of Commons. But the resolution was set aside to await the decision of the Supreme Court of Canada on the question of the constitutionality of the federal government's unilateral process. The long-awaited decision of the Supreme Court of Canada came down on September 26, 1981, and it crushed the federal attempt to proceed unilaterally. In effect, what the Supreme Court said was that the proposed course of action by the federal government was wrong. The court concluded that:

The agreement of the provinces of Canada, no views being expressed as to its quantification, is constitutionally required for the passing of the "proposed resolution for a joint address to Her Majesty respecting the Constitution of Canada and that the passing of this resolution without such agreement would be unconstitutional in the conventional sense".

The Supreme Court determined — and, by doing so, supported the provincial contention — that not only was there an established constitutional convention requiring provincial agreement to amendments to the British North America Act affecting provincial rights, but also that it would be unconstitutional for Parliament to proceed unilaterally without provincial consent. With that historic decision, the eight provinces were confident that the United Kingdom Parliament would not accede to the federal requests. The federal government had no choice but to renew federal/provincial discussions in an effort to reach a made-in-Canada agreement on patriation and amendments to the Constitution.

The key to resolving the dispute became the amending formula. When the first ministers met in November 1981, the federal government and most of the provinces were anxious to reach a mutually acceptable consensus on the constitutional issue. The focus of the discussions became the amending procedure and the Charter of Rights and Freedoms. As a result of intensive and extensive negotiations and in a spirit of compromise, which is the Canadian way and is our trait, an accord was signed on November 5 by 10 first ministers of Canada: the Prime Minister and nine premiers. All but Quebec had reached the acceptable consensus.

Mr. Speaker, it saddens me that the Quebec government would not — felt it could not — sign the constitutional accord. As I have said on other occasions in this Assembly, it is this government's intention to pay particular attention to the legitimate concerns of the people and the government of Quebec relative to their place within Confederation and the effect of the Constitution Act upon that province. Appropriate ways must be found to ensure that the province of Quebec remains a full partner with us in the development and shaping of this country.

On November 10, 1981, my predecessor, the Hon. Dick Johnston, initiated the debate on the constitutional accord with the introduction of the following motion, which was passed:

Be it resolved that the Legislative Assembly endorse and support the constitutional agreement for patriation signed by the Premier on behalf of Alberta on November 5, 1981.

I would be remiss, Mr. Speaker, if I did not mention that the government of Alberta is grateful for the patience shown by the United Kingdom parliamentarians, who acted as custodians of our Constitution for well over 100 years. We are grateful that they recognized the role and importance of the provinces in Canada as a federally

structured whole.

Sir Anthony Kershaw and I have met on several occasions, and I know first hand of his great and abiding interest in Canada. I think it is appropriate to quote again from his committee's report, wherein it said that:

The primary desire of the United Kingdom Government and Parliament is to maintain and enhance the warm and friendly relations with Canada which have subsisted over many decades and through two World Wars.

I thank God that our relationship has been preserved — and yes, enhanced — that our position in the Commonwealth continues, and that this nation, Canada, still remains united.

With the royal proclamation on April 17, 1982, the Constitution Act, 1982, came into force in Canada. The Act included a requirement on the part of first ministers to meet within one year of the proclamation to discuss constitutional items,

including the identification and definition of the rights of [the aboriginal peoples of Canada] to be included in the Constitution.

I should note that section 35(2), which defines aboriginal peoples, for the first time included the Metis peoples of Canada as aboriginal peoples — a very significant inclusion.

Within Alberta, in anticipation of convening a first ministers' conference, consultation with the Metis associations of Alberta, a process which had begun in the fall of 1981, was intensified. In the summer of 1982, a joint committee comprised of Alberta cabinet ministers and leaders from the Metis Association of Alberta and the Federation of Metis Settlements was established to exchange views and information on issues related to aboriginal rights. Public funds were provided to these organizations to assist them with constitutional research projects and the development of position papers.

A great deal was achieved in that co-operative process. I want to pay tribute to my predecessor, the Hon. Dick Johnston, as well as to the hon. Don McCrimmon, the then Minister responsible for Native Affairs, for their preliminary work together with the Metis groups. After the election of 1982, my colleague now responsible for Native Affairs and I began to meet with the Metis groups relative to establishing an Alberta position at the federal/provincial ministerial meetings held prior to and in preparation for the conference.

I'm delighted that Mr. Sinclair and Mr. Ghostkeeper are present today. I want to say personally that their co-operation throughout the whole process was exceedingly friendly and useful, despite the fact that, I think it's fair to say, we didn't agree on every single point. I think it was useful as well because, during the course of the process, it was possible for my colleague and I as new ministers to become personally acquainted with and to form what I think will be warm, personal links of friendship with the two leaders and their associates who met with us on several occasions. That will always be a highlight of my career as a member of the Legislative Assembly.

The first ministers' conference on March 15 and 16, 1983, has quite rightly been called an historic event. For the first time, the descendants of the original peoples of Canada — the Indian, Inuit, and Metis — together with representatives of the territories, participated in a first ministers' conference to discuss matters of particular concern to them. Alberta, through our Premier, assumed a very important role in ensuring that the Metis people of

Alberta, Saskatchewan, and Manitoba were given separate representation at the table.

During that conference, it became clear that the far-reaching implications of the various subjects under discussion would require further careful consideration. It would have been unrealistic to expect that the conference would resolve all the important issues under discussion. We recognized clearly at the outset that the conference would only be a first step.

Taken in that context, the 1983 constitutional accord on aboriginal rights is a significant achievement. The accord was signed by 16 of the 17 participants at the conference: the first ministers of Canada, other than Quebec, as well as the government leaders of the Yukon Territory and the Northwest Territories, and the leaders of the national aboriginal associations. I should add that while Quebec did not sign the accord, they were present through their Premier, ministers, and other representatives, and took full part in the discussions. It was clear that the government supported in general the direction being taken with respect to the issue of aboriginal rights. Their reason for not signing the accord related to their concerns of November 1981 and did not relate in any way to a reluctance on the part of that government to see progress made with respect to defining and dealing with aboriginal rights in Canada in the long term.

The schedule to the accord — that is, the resolution now before the Assembly — includes the following proposed amendments to the constitution. First, Section 25(b) of the Charter of Rights and Freedoms is amended. The proposed amendment is designed to protect "any rights or freedoms that now exist by way of land claims agreements or may be so acquired" in the future. The previous wording was of concern because, while it may have protected future land claims agreements, there was uncertainty regarding protection of existing land claims settlements.

Secondly, section 35 of the Constitution Act, 1982, is amended by adding two clauses. The first is similar to the proposed amendment to section 25: existing and any future rights by way of land claims agreements are recognized. The second addition, section 35(4), is designed to ensure that aboriginal and treaty rights referred to in section 35(1) are guaranteed equally to male and female persons.

Thirdly, the Constitution Act, 1982, is to be amended to include a new provision, section 35.1, which commits governments to the principle of consultation with aboriginal peoples prior to amendments to Canada's Constitution directly relating to them. This consultation will be accommodated through a constitutional conference of first ministers to which representatives of Canada's aboriginal peoples will be invited. The sections of Canada's constitution identified as relating to aboriginal peoples are section 91(24) of the Constitution Act, 1867, federal legislative responsibility over Indians and lands reserved for the Indians; section 25 of the Constitution Act, 1982, protection for aboriginal rights in the Charter of Rights and Freedoms; and section 35 of the Constitution Act, 1982, rights of the aboriginal peoples of Canada.

Fourthly, the Constitution Act, 1982, is to be amended by including a new provision, section 37.1, which extends the constitutional review process in relation to aboriginal rights. At least two first ministers' conferences will be constitutionally required to be held by April 17, 1987. In addition to these constitutionally required conferences, the March constitutional accord provides for the convening of a first ministers' conference on aboriginal matters

prior to March 15, 1984.

Mr. Speaker, this resolution before the House ushers in a new era in the evolution of Canada as a sovereign federal state. It is right and fitting that these first amendments to the Constitution Act, 1982, and the new Charter entrench and protect the rights of the descendants of the original peoples of Canada. Alberta is committed to maintaining the level of co-operation that prevailed with our native leaders in the preparation of this resolution. My colleagues and I welcome the opportunity to discuss further the concerns and aspirations of the aboriginal peoples of Canada.

I might point out, Mr. Speaker, that this is the second Legislative Assembly to address this resolution, the first being that of our sister province Nova Scotia. I understand that other Assemblies will be debating the resolution in the near future and that the government of Canada, in the not too distant future, will do the same.

In conclusion, Mr. Speaker, I want to say that Albertans can be justifiably proud of the role this government has played in the development of an amending formula. Our Premier, from his leadership in that development, has become, if I may use the term, an historic figure. I suppose it's perhaps not the best term, in view of his current and well known vitality. But in fact that is the case.

That amending formula will ensure and preserve the partnership in Confederation that exists, and must always exist, between the provinces and the federal government, if this great nation of ours, this Canada, this unique experiment in nationhood, will continue to exist to serve all peoples of Canada through its governments at all levels in the centuries ahead.

Thank you, Mr. Speaker.

MR. PAHL: It is indeed a pleasure for me today to . . .

MR. SPEAKER: I believe I saw the hon. Member for Edmonton Norwood before the hon. minister stood.

MR. MARTIN: Mr. Speaker, the first ministers' conference on aboriginal rights and the Constitution was an opportunity for both federal and provincial governments to right the historical grievances of the aboriginal peoples of Canada. We support what the accord and the resolution say, but want to point out today that the Alberta government has not shown in past negotiations with native people, nor in the March 1 first ministers' conference, any commitment to a just resolution of these aboriginal rights. We call for the government to open policy discussions for consultation so that Alberta may have an aboriginal rights policy made with the co-operation of the native peoples of Alberta and all Albertans, rather than a policy handed down by politicians or bureaucrats.

Rather than calling for increased consultation and discussion of aboriginal rights between native people and the provincial government during the conference, the Alberta government sought to protect itself from any expansion of aboriginal rights by calling for the removal of the phrase "elaboration of native rights" in the accord. Mr. Speaker, I believe the record of the Lougheed government throughout the past 10 years has consistently been, whenever the opportunity arose, to limit rather than extend and guarantee, the rights of aboriginal Albertans, the Indians and Metis.

This is in sharp contrast to the policy of the present government in Manitoba. The Manitoba government went to Ottawa for the recent constitutional conference

after a lengthy period of consultation with the aboriginal peoples of Manitoba. I might point out, Mr. Speaker, that they took along Indian and Metis representatives as official delegates. In Alberta, the president of the Indian Association had to almost beg the Premier to meet with him, and then only shortly before the conference. The people of Alberta, especially native people, were left right out of this government's secretive approach. We suggest that there can be only one reason, that the government approaches these events defensively rather than positively and constructively.

The work of the Pawley government in Manitoba resulted in a statement of principles being presented to Ottawa, a statement arrived at out of close consultation with the native people of Manitoba. Mr. Speaker, I'd like to quote one of the key passages in that statement.

Although the treaties and modern agreements have affected the right of the aboriginal natives to some extent, such treaties and agreements cannot be construed as constituting a general extinguishment of fundamental aboriginal rights.

Mr. Speaker, contrast that with the actions of the Alberta government, which continues to stand in the way of even the land claims settlements by Indians who signed no treaty; for example, the Lubicon band in northern Alberta.

The fiscal and trust responsibility of the Federal Government stems from the devolution of Crown responsibility (. . . defined in part in the Royal Proclamation of 1763); and such responsibility cannot be unilaterally abandoned.

In other words, Mr. Speaker, alteration of the meaning of aboriginal rights must involve the consent of the aboriginal peoples. The government of Alberta has happily ignored this fundamental moral and legal obligation.

The government of Manitoba goes on to state what it believes to be the attributes of aboriginal rights, which the government of Alberta has not had the guts to do, if I may say. It recognized that these rights go beyond land rights, to the right of self-government through aboriginal institutions and constitutional protection for the treaties. It recognizes the need for adequate fiscal resources to support viable communities, both economically and politically; the need to transfer program delivery, both provincial and federal, to native institutions, among other things.

But Mr. Speaker, most important is the final principle, divided into two areas. Number one,

that the aboriginal peoples should have the right to initiate amendments to those constitutional provisions which directly and exclusively affect them, such initiation to take place through their representative national organizations . . .

Going along with that, number two:

that no amendment to the Constitution of Canada which directly and exclusively affects one or more of the aboriginal peoples may be made without the agreement of those aboriginal peoples so affected. Such agreement can only be given or withheld by the representative national organization of those aboriginal peoples.

Again, the people most affected would have some say. This is what they did in Manitoba. I suggest that it's a strong commitment by a caring and sensitive government.

Meanwhile, on behalf of Alberta, the Premier advanced nothing but rhetoric and continued emphasis on the word "existing" as a limitation on the interpretation of the scope of aboriginal rights. You could hardly have a

less imaginative or less constructive approach than that of this government.

We support the position put forward by the Manitoba government, which closely corresponds to the position of the Assembly of First Nations. We also urge this government to take the bull by the horns and produce a paper setting out clearly its current position on these matters instead of reacting defensively to the work of others. Such a white paper could be widely circulated in order to canvass the views of Albertans, especially the native peoples of Alberta. Furthermore, if this government is to prove its sincerity in approaching the next conference, it should immediately take steps to resolve, out of court, the Metis mineral rights issue and to expedite the settlement of outstanding Indian land claims in Alberta.

Also, Mr. Speaker, a commitment has been made by the Alberta government to the ongoing process of constitutional discussion, but we understand from the Metis Association that this commitment is in word only. No funding has been committed at this point to work done by the Metis Association, although they have met with Mr. Pahl three times since the March conference asking for funding. My question is, if the government is really committed to ongoing constitutional discussion, when will it provide teeth to that commitment and funding to native groups, so that they can continue their research and travel to local communities to discuss the issues?

In conclusion, Mr. Speaker, we support the current resolution before the House. We strongly hope future conferences will be more productive than the recent example. In the meantime, we hope this government will develop the courage to rectify its destructive approach to the elaboration of the rights of this province's aboriginal peoples.

Thank you, Mr. Speaker.

MR. PAHL: Mr. Speaker, it's indeed a pleasure for me to speak today in support of the resolution before us. Last November, when I was appointed Minister responsible for Native Affairs, one of the first matters which required my attention was the forthcoming first ministers' conference on the Constitution. Through the work of preparing for that conference, I was afforded an opportunity to develop a much better understanding of the aspirations of native people, not only in Alberta but across Canada. I must also say that I had an opportunity to see the tip of the iceberg. On that point, I'd like to acknowledge the support of the hon. Member for Edmonton Norwood and suggest to him that if he listens carefully to my remarks and perhaps reviews carefully the remarks of my colleague, he may want to review his interpretation of the facts.

In fact, Mr. Speaker, a greater understanding and appreciation may be one of the most important and positive results of this constitutional process. During the discussion and the events which occurred prior to patriation and over the past year, the issues related to the aboriginal peoples and the Constitution have received ongoing national attention. As a result of this attention, governments, interest groups, and the general public have gained a greater and deeper understanding of the aspirations of native people and the issues facing us today.

It's always dangerous to generalize on aspirations, but as I understand it there are four matters of fundamental importance to native people. First, aboriginal people, whether they be Indian, Inuit, or Metis, have communicated to me a strong desire to protect their distinct culture and identity within Canadian society. Native people

want and deserve recognition of their unique role and contribution to Canadian history. They want the right to be able to practise their customs and traditions with dignity. And because culture is not static, they want opportunities for the continuing development of their cultures and languages. In sum, native people want to be able to be proud of their special heritage.

Second, the aboriginal people want clear assurances that those rights which they have acquired by virtue of being the original occupants of this land will be protected. In Alberta this is especially the case with the treaty Indians, who want some guarantee that the terms of the solemn treaties they entered into with representatives of Her Majesty will continue to be honored.

Third, aboriginal people, whether Indian, Inuit, or Metis, want to be able to exercise greater control over their own lives and destiny as a people. Native people want the skills and opportunities which will allow them to exercise a greater degree of self-reliance and self-sufficiency. They want a greater opportunity to determine what happens in their own communities and to assure what happens is appropriate from their own perspective. They want to be able to have some effect on the decision-making institutions of society that affect their lives and their life styles.

Fourth, the aboriginal peoples are seeking assurances that they as a people will be afforded improved opportunities for social and economic parity with other Canadians. In short, native people would prefer opportunities for meaningful employment and economic development rather than welfare. They want to be able to provide a better future for their children through decent education. They want opportunities to participate in industrial developments occurring in and around their communities. In general, I sense that they're not asking so much for special concessions as they are for an end to the discrimination and barriers that have prevented them from participating as equals in the economic life of the larger society.

What then is the relationship of the Constitution Act and accord to those fundamental aspirations? Mr. Speaker, I believe that provisions of the Constitution Act, 1982, and the provisions of the present resolution have begun to address in a very real way at least three of the four matters which I've outlined in relation to the fundamental aspirations of native people.

Concerning the desire of native people to protect and maintain their culture and identity, the Constitution Act provides this assurance in two ways: first, through provisions such as section 2, which guarantees freedom of religious expression and belief, and through section 27, which states that the Charter will be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians. Religious freedoms and cultural preservations are thus assured, not only for aboriginal peoples but all Canadians.

Secondly, the Constitution Act gave special recognition and definition to aboriginal peoples. As my colleague mentioned, this was perhaps most important for the Metis people, who for the first time were given clear recognition as an aboriginal people with a distinct identity and history. As well, the Constitution Act, 1982, provided a measure of assurance to the aboriginal people that their special rights would be protected. The Act both recognized and affirmed existing aboriginal and treaty rights of aboriginal peoples of Canada and provided that nothing contained in the Charter would in any way abrogate or derogate from those rights.

In this regard, I should note that the government of Alberta has consistently supported the protection of treaty rights throughout the constitutional discussions. In fact, it was our Premier who was the first to raise the issue of treaty rights during the constitutional discussion before patriation. While our government has not been willing to agree to the inclusion of rights which were not well defined or understood, we have consistently taken the position that treaty rights should be constitutionally recognized and that the federal responsibility for Indians and Indian lands be fully met and respected. As a provincial government, Alberta's focus is on its responsibility for the Alberta Metis.

The accord that was reached by the first ministers on March 16, 1983, again addressed the issue of protection of special rights. Acknowledging that many areas of Canada are not covered by treaty, the resolution before us extends to modern, comprehensive land claims agreements, the same recognition granted to original treaties. Moreover, in response to the concerns expressed by various native groups, this resolution would provide a guarantee that rights identified in section 35 would apply equally to male and female persons.

Finally, Mr. Speaker, by allowing them an opportunity to participate in that process itself, I believe the constitutional process has responded in a very real way to the desire of aboriginal peoples to have a greater say in those matters affecting them. Section 37 of the Constitution Act, 1982, required that a first ministers' conference be convened within one year following patriation. It further required that this conference address constitutional issues and matters directly affecting the aboriginal peoples of Canada and, perhaps most importantly, representatives of the aboriginal groups are invited to participate in those discussions, with an agenda set by the aboriginal peoples.

Recognizing both the complexity of the issues and the fact that one conference could not realistically have been expected to resolve all the concerns, governments have agreed to extend this discussion by providing for three additional conferences, the requirement for two of these being entrenched through the proposed amendments my colleague spoke to. Moreover, in recognition of the participation of aboriginal groups as a principle, governments have agreed to include in the Constitution a provision expressing their commitment to similar consultation with aboriginal groups prior to any future amendment of constitutional provisions which specifically deal with aboriginal matters.

Mr. Speaker, the active participation and involvement of the aboriginal groups have been key throughout this process. While we are respectful of the special relationship which pertains between treaty Indians and the federal government, Alberta did accept a role in assisting the Metis people to participate fully in the discussions. As my colleague has mentioned, funding was provided through the Native Secretariat to the Metis Association of Alberta and the Federation of Metis Settlements to enable those two organizations to undertake the necessary research and prepare for the first ministers' conference. Representatives of both organizations were invited to attend all preparatory meetings at the national level as well as the conference itself, as members of the Alberta government's delegation. When the Metis organizations of western Canada raised concerns about their representation at the first ministers' conference, our government lent its early support in assisting the Metis to obtain a seat at the table in their own right.

My colleague the Minister of Federal and Intergov-

ernmental Affairs has quite rightly pointed out that this resolution is tangible evidence of the fact that the amending formula works. I believe it is also tangible evidence of the fact that governments and aboriginal peoples can achieve some positive results when they work together constructively. In addition, Mr. Speaker, there is a need for practical solutions to day-to-day problems. In this regard I'd like to return to a matter I identified as being of fundamental importance to native people, that being opportunities for more satisfactory participation in the social and economic life of our society.

Mr. Speaker, we have now established a process for constitutional discussion which will be ongoing for the next five years. Through that process, governments and aboriginal peoples will be attempting to resolve some very complex, long-standing issues. While I would not want in any way to diminish the importance of the process, I think it is very important that we do not lose sight of the fact that many of the extraordinary challenges facing native people can be resolved through non-constitutional measures. In fact, in the end it may be that non-constitutional initiatives of a practical nature may be equally if not more important than constitutional ones. This government is committed to pursuing these initiatives with all native Albertans in the ensuing months.

In speaking in support of this historic resolution, which I sincerely hope will be unanimously passed by this Assembly, I must inject a few notes of caution into the debate. No doubt the coming into force of the constitutional amendment proclamation in 1983 will be rightly hailed as a great achievement. No doubt the ongoing process of first ministers' conferences to April 1987 holds hopes of genuine progress for the aspirations of aboriginal peoples of Canada to become full and equal participants in the mainstream of Canadian life. But, Mr. Speaker, it does not, and cannot, stop there. Constitutional amendments in themselves will not solve the grass-roots issues facing Alberta's native people, nor should the hope of solutions with the stroke of a constitutional pen stand in the way of our trying, at the grass-roots level with the native people of Alberta, to address and progress on such issues as better education and health levels and economic opportunities here in Alberta.

Mr. Speaker, I think it's very fitting that the Slave Lake Indian Regional Council, the government of Canada, and the government of Alberta signed a five-year, child welfare master agreement today as a concrete step of working with and alongside native people. I would also note that the amendments brought forward by my colleague the Minister of Education regarding the Northland School Division Act are another tangible evidence of those concrete steps in Alberta.

Mr. Speaker, I suppose that another note of caution is that there are, and most likely will continue to be, honest disagreements between the aboriginal peoples and governments, and quite frankly between governments, on aboriginal issues related to the Constitution of Canada. This fact was recognized during the preparatory work for the March 1973 conference by the joint Alberta government/Metis committees who shared views and information on respective positions with the view to identifying those areas where there may be a consensus. Notwithstanding that, the position of the Alberta government with respect to its responsibility for the Metis people of Alberta will be to continue to support both morally and financially, through their provincial body, the entitlement of the Metis peoples of Alberta to participate as aboriginal peoples in the ongoing constitutional process.

In summary, Mr. Speaker, I should like to emphasize that in my view, this important step, the first made-in-Canada constitutional amendment, that deals with the aspirations of Alberta's and Canada's original people, deserves the support and encouragement of all Canadians. At the same time, in co-operation with our native fellow citizens, we need to work hard on the grass-roots issues that are the stuff and substance of the true freedoms and democratic principles we strive for in our written Constitution.

In conclusion, Mr. Speaker, I urge all members to support the motion for a proclamation amending the Constitution of Canada. Thank you.

MR. THOMPSON: Mr. Speaker, I am glad to speak to this motion, which deals with our relationships with our native citizens, and I'm pleased and not surprised to see this many of them here today to listen to what I think is a very important debate.

I'd like to spend a minute or two on my involvement with the preliminary meeting that set up the first ministers' conference. It was held in late February and was more or less to set the agenda and structure of the first minister's conference in the middle of March. I don't suppose everybody would particularly agree with me, but I'd like to give my observations on that meeting.

First, and it may be a surprise to some people, I thought that the chairman, the hon. Mr. MacGuigan, did a very good job in a difficult meeting. Secondly, I think that most people came to that meeting with their positions pretty well set, which was understandable, but it made reaching a consensus on different aspects of the meeting very hard and somewhat impossible. Thirdly, we had real problems defining terms. For instance, when it came to sovereignty, definitions ranged from "a nation within nations" to some forms of local autonomy; that is just an example. But there were other areas where it was very hard to come to agreement on defining terms. Obviously, until you have a definition of what you're talking about, it's very hard to come to an agreement.

During that meeting, it wasn't very long before it became very obvious that the first ministers' conference in the middle of March would not be able to solve all the problems, and there would have to be subsequent meetings. But it was an experience for me, and I think it was an experience for most of the people there. Although the first ministers' conference itself didn't solve all the problems, obviously it did start the dialogue. I think it gives us hope at least that in the future, probably even the near future, we have a chance to come to agreement on some of these major points.

For my own point of view, Mr. Speaker, I would basically like to talk about the treaty Indians. In my constituency of Cardston, as most members know, I have the biggest reserve in Canada, in both population and area. We have 5,600 Blood Indians on the reserve, and it covers more than 500 square miles. It also has 2,200 eligible voters, which I don't forget. Another reason I want to talk about the treaty Indians more than the Metis is because we have very few Metis in that area. They are settled more or less in northern Alberta. So I really think I should be talking about something I know about. I think the Premier was right when he said that Alberta's primary concern should be the Metis, because obviously the federal government's primary concern is the treaty Indians. They are the two people who signed the treaties. But that does not mean that we do not have an indirect responsibility to our treaty Indians in Alberta.

Mr. Speaker, a couple of weeks ago there was a delegation from Australia over here wanting to look at Alberta. It was a good-will trip I suppose. They were very interested in our relationship with our native people, because obviously they have native people and a reserve system in Australia. They've also seen the same kind of problems down there: there's a high rate of alcohol consumption, a crime rate that is higher than average, suicide is high, a low number of high school graduates, and the death rate of the population is higher than the average of the people there. I'm not a sociologist, a psychologist, or anything else, but when you have two groups of people so dissimilar as far as their history, culture, and traditions are concerned, it may be — and I underline "may" — that the reserve system we both have may have something to do with it. This is more or less an aside; I still think it needs investigation. We agree with research and development in an economic way; I suppose we could stand a little research and development on the social plane.

Something I have always believed in myself, and always will, is local autonomy. I think local autonomy is probably the best way to handle problems. I think this government could, and probably will in the future, make some attempt to give our bands more local autonomy in several areas. If you go back 30 years — and that's not very long in my lifetime — in 1951 or 1952 the Indian Agent on the reserve was a king. The band council could do very little without his agreement. The Indians themselves needed a permit to leave the reserve, whether it was to go to town for groceries, see a doctor, or whatever. There's been a big change. We no longer have Indian Agents, and that is a good thing.

Another thing that's happened in the last 30 years is the fact that the Indians have acquired the vote. It's another indication of the attitude we are taking that they are far more responsible than in the past. I'll give you another one, which the hon. Member for Lethbridge West can understand. They also have the ability to buy liquor. I don't think that's particularly advantageous, but just the same, it's recognition of the fact that they are people like everyone else and have rights like everyone else. Probably the big losers in the Cardston area were the 12 bootleggers who used to supply the Indians on the reserve. I really don't think the drinking problem is much worse today than it was then. It was just more expensive for the Indians to get at that time.

Mr. Speaker, there are three areas where I think that over the years — it's slow and not dramatic but, still in all, we are starting to come to a different outlook toward our native people than we have in the past. I think we should do more in this area. I honestly believe that for those bands or treaty areas that wish it, we should be able to give local autonomy on a government level. I think there should be some mechanism set up where the local bands and reserves get some type of local government, recognized by our provincial government. They should be able to tap into many of the programs that our local counties and MDs have. I don't think it would cost that much money, not that much difference. But it would show a change in the attitude we have toward the people on the reserves. I think they could tap into things like ADC, AOC, water and sewer programs, and senior citizens' lodges. But I want to repeat and re-emphasize: when they want to do it. I don't think it should be forced on them in any way, shape, or form, but the opportunity should be there when and if they wish to accept it. Some of them will; some of them won't. I've been on several

different committees involved in this area. We've been working on it. We've made no dramatic breakthroughs but, believe me, as far as I'm concerned, the underlying philosophy has not changed in the last five or six years.

As far as road grants are concerned, on the reserve in my area the school vans have to travel 350 miles of road. With the funds they have, it's almost impossible for the people to keep those roads in repair. A school van on the reserve lasts about half as long as it does off the reserve. I can understand why some of them would like — I'm not speaking for the Blood reserve here, but I think the opportunity should be put forward for those people who wish to get involved in this type of thing.

Another area I'd like to talk about — a few years ago the member for Stony Plain, who is not here, introduced a resolution, which I supported, that those bands that have children attending off-reserve schools should have a representative on the school board. I still think it's a good idea. I think it would help everybody. Believe me, I understand the problems with absenteeism. I think they need to get more involved in the education system for those areas that are off the reserve.

I really think we could make some gestures in this area that actually don't cost much. But it is putting your mouth where your money is. The fact is that we do feel that Alberta citizens are Alberta citizens and, from my point of view, it would be a step in the right direction. I think we are working to that end, and basically this motion we are discussing today starts to put the machinery in place to do it. I urge all members to support the resolution.

Thank you for your attention, Mr. Speaker.

MR. ALGER: Mr. Speaker, for many years now the question of aboriginal rights has been unclear. Let there be no doubt, however, that this government has supported and will continue to support existing aboriginal and treaty rights. Coming from a constituency with a large native population, I feel it is important to reiterate both the position of this government and the contents of the resolution before us.

Alberta is fortunate enough to have a responsible and productive native population whose contributions to the historic, economic, and social characteristics of this province have been invaluable. We have always felt that they as citizens command unique respect, one which recognizes their heritage. But we must be careful not to create new aboriginal rights, rights that were never previously recognized by law or requested by native groups. By including a provision that protects existing rights and freedoms, two important components are being acknowledged. Firstly, the government will be committed to those aboriginal rights which now exist. Secondly, it will obligate the government to respect any aboriginal rights which may come into existence as a result of any of the proposed amendments to the relevant sections of the Constitution Act, 1982. By clearly defining terms of reference, we will avoid conflicts that may result in long and costly legal battles. We will also understand more fully the consequences and implications that the amendments propose.

I must point proudly to this government's proposal which guarantees that aboriginal and treaty rights will apply equally to both sexes. Modifications of this type will only help to assure that our native population remains an important sector in our province. By assuring that aboriginal people have representation at our constitutional conferences, we may be secure in knowing that

their problems, be they old or new, will be addressed.

Mr. Speaker, with the co-operation of Mr. Merv Edey, I've been able to attend two very important meetings with the chiefs and council of the Eden Valley native people. I was most impressed with their wisdom and general attitude. Do you know, Mr. Speaker, that some of the best and best-natured cowboys and hockey players in the country are enjoying year-round facilities that they themselves financed and erected?

This government has always responded to the needs of the citizens of Alberta. Many of the suggestions that have been presented by interested native groups have been included in the proposed amendments. The government's illustrated willingness to respond to the needs of its native population is second to none.

I wholeheartedly endorse the proposed amendments and look forward to the day when all people of native heritage in the province of Alberta can feel secure and satisfied with the rights and freedoms this government so adamantly endorses.

MRS. FYFE: Mr. Speaker, it's a pleasure to participate in this historic debate today on the Constitution and the accord. Some 23 years ago — and it doesn't seem too long from this side — I accepted a position in the Northwest Territories as a community teacher. It was at Fort Norman. After a week's orientation, learning how to fill out our expense forms and learning about the buffalo in Wood Buffalo park, we were sent to our communities. I recall landing on the Mackenzie River, stepping onto the float dock, looking up to the very large banks of the river, and seeing many of the local residents watching the new arrival into this rather isolated community that received mail about 20 times a year.

It was unfortunate, though, that on arriving in this community, all we had learned about was the buffalo in the park and the expense forms, and nothing about the people we were going to be working with over the year. It was certainly a shock to find out how little I knew. It didn't take long to find out how lacking my knowledge was. But what that year did was instil in me a deep appreciation for a people I did not know before I came, and a deep curiosity that inspired me to study, learn, and try to find out more about the native people with whom I came in contact.

I spent a number of years in the Indian and Metis program at the University of Saskatchewan, studying native history, a bit about the difference in languages, the different people who populate this country. Too often we consider native people as one people. As we all know, that is erroneous. They are many different peoples. As the rest of us in the larger society come from many different cultural and ethnocultural backgrounds, so do the Indian people. They speak different languages and bring different gifts to this country.

I learned how wrong it is to impose our values on the native people. In my first few days, when I was rather young and naive and looking at the very limited resources we had within the school classroom, I shudder to think how little I really did to assist. I hope I didn't do too much damage. But compare that to some of the classrooms I have been in today, particularly the new program on the Alexander Indian Reserve that opened last year. Today there are top-rate classrooms and facilities that are second to none anywhere within this country.

During the mid-70s, I had the privilege again of working with native peoples. That was within the Edmonton Hobbema district, which is now defunct. The bands with-

in this district have taken responsibility for their local government and are responsible in areas that, as the Member for Cardston mentioned, previously were assisted by Indian Affairs' agents and officers and officials who gradually have turned over those responsibilities to the local bands for administration. I felt it was a great privilege working with the bands in this district — I worked with several in the Hobbema district and with the Paul Band at Wabamun — to observe the proceedings of the band councils and the decision-making processes that took place at the band level.

During that time, I was serving as a locally elected municipal government person in St. Albert and was able to compare the decisions that were made in municipal government within our system and the band council decisions. I found it not only of interest but of great assistance in trying to identify what I considered some of the difficulties the local government people face in assuming responsibility for local government.

Tremendous strides have been made by the bands, particularly within Alberta. I think it's common knowledge that bands within Alberta have played second to none across the country in taking responsibility for local government, school programs, and economic development. We know that there is a great deal left to be done at the reserve level, but I think the bands in this province have to be commended for the tremendous amount of hard work and the dedication of the band members who have willingly taken these responsibilities.

Within the constituency I represent, the Alexander Band has made some tremendous strides within the last few years. Two weeks ago, I attended the opening of their new band offices and the new upholstery plant. This upholstery factory competes with large national furniture manufacturers in Canada and is a very significant development for the Alexander Band. As I mentioned previously, the new school that opened last year is second to none anywhere. The band has taken responsibility for education, kindergarten through to grade four, from the municipal district of Sturgeon. It employs top qualified teachers and has equipment I have not seen anywhere else.

The Progressive Conservative Party committed itself to three major ongoing principles last fall. The Alberta government committed itself to co-operate with and to assist the native peoples within Alberta in determining and achieving their own economic and social objectives. A second major principle is to respect and ensure the historic treaty rights of Alberta's native people; and thirdly, to continue to assist native Albertans when they live off the reserve.

During the last term in office before the election, I had the opportunity to serve on the Dr. Grant MacEwan committee that began the review of the Metis Betterment Act. As with any group of people, government in my opinion should assist and co-operate to seek solutions and, as the Member for Cardston said, not impose those solutions on any group of people.

The native leaders in the local communities and the Metis settlements have accomplished a great deal for their people, and a great deal is left to do. At this point I would like to pay tribute to three Metis leaders who have worked vigorously for their people. The first one is the late Stan Daniels, who dedicated a good portion of his life to the Metis people in the province of Alberta. Secondly, I would commend Sam Sinclair — recognized earlier in your gallery, Mr. Speaker — who has brought harmony and a great deal of progress to the native people

within this province; and thirdly, Elmer Ghostkeeper, who I had the privilege to serve with on the Grant MacEwan committee, and I have developed a deep admiration for his abilities in leadership with the people living in the Metis settlements.

In serving on this committee, I had the opportunity last year to visit each of the Metis settlements. We met with the settlement councils and listened to some of the difficulties the councils are experiencing, some of the progress they can take credit for, and toured the settlements to better understand some of the goals and aspirations each settlement has.

Some of the difficult challenges that the Metis people, particularly in the Metis settlements, face are difficulties of determining local government autonomy without a system of taxation as we know it. How to fully determine local government autonomy without it is something that is probably difficult for me to fully comprehend, and we have to work at finding a way that autonomy can be meaningful in the context of the kind of community the native people wish to have.

Another difficulty is the definition of "Metis" itself, the difficulty the settlements face regarding the registration of Metis people that wish to reside within those settlements. Whether the settlements should place limits on registration of members or whether they should open up to any Metis person wishing to come and then further define who would qualify, is a difficult problem that the settlements are facing. Other areas of property rights and economic development are ongoing problems that will seek a resolution, but it all takes time.

The Member for Edmonton Norwood made some rather general ambiguous statements about not taking initiatives. I want to take a few minutes, Mr. Speaker, to list a few of the initiatives this government has taken over the last few years in conjunction with native peoples. One of the first ones that should be re-emphasized today that is complementary to the debate, and it goes back to 1972, is the Alberta Bill of Rights, which made Alberta the first province in Canada that prohibited discrimination against native people. This is an extremely important protection that not only native peoples but all peoples within the province of Alberta have.

Some other significant developments in economic and physical terms have been discussed previously, but I think they're worth summarizing. The development of the new venture capital corporation will be coming on stream. The Alexander Band representatives were in my constituency office two weeks ago wanting information on the Native Venture Capital Corporation, wanting to know how band members will be able to seek assistance from this corporation. So there is significant interest growing regarding the corporation.

The Business Assistance for Native Albertans Corporation, BANAC, was developed to provide assistance for native businesses. I believe there are at least 25 businesses presently receiving assistance from this business corporation, and that's a significant start. A lot of economic development within the native community will not be band or settlement enterprises but will be the development of enterprises of entrepreneurs, which traditionally in Alberta have been successful, but it's an area where there has to be a lot more encouragement. BANAC can play a very significant role in this area.

In 1981 the family and community support service program was extended to Indian reserves, allowing these communities the ability to provide programs to meet their own priorities; to hire staff and to use volunteers within

the reserves to meet the priorities set by those communities. The subsidized mortgage programs for reserves and Metis settlements have brought important new housing projects that were needed. The water and sewer program and the economic stabilization transportation program have assisted to upgrade the level of roads and services within the reserves and on the settlements.

A five-year development program announced in 1982 for eight Metis settlements will fund industrial, recreational, and water and sewer projects on the eight settlements. While native education, that I mentioned previously, has traditionally been a responsibility of the federal government, in recent years the Alberta government has contributed to a higher standard of educational programming within some reserves across Alberta.

Funds were provided to the Metis Association and the Federation of Metis Settlements for research on constitutional issues. In my responsibilities on the Metis Betterment Act committee, I had an opportunity to read a number of publications the Metis Association of Alberta has been responsible for. I have one in my hand that is an example of some of the very fine work that has been done by the Metis Association of Alberta and the Metis settlements association.

The last project that I would like to mention — and this is in no way an exhaustive list of the accomplishments we have seen in Alberta — is Poundmaker's Lodge, an \$8 million dollar building which will be opening in the first part of 1984. This lodge is located within the St. Albert constituency. I am sure everyone in the Assembly and in the gallery is aware that it is a facility for native alcohol programs. AADAC funds the programs, but the actual operations are based on volunteers. The programs from Poundmaker have been extremely successful. I have had the opportunity to meet with representatives from the lodge several times, and commend the work AADAC and the native people involved in this project have achieved.

In my opinion, programs dealing with native communities and individuals will be achieved only through co-operation. This significant debate this morning, discussing the constitutional accord, the new rights that have been achieved, and equality for women — these are significant, Mr. Speaker. But real success does not come about on paper. Paper can provide the basis for rights and ensure that there is legal protection, but real success comes through action. I think the action that has been taken within the province of Alberta to date has been significant. Co-operation between the native communities and the government has indicated that that climate is there and it needs to continue if the aspirations of the native people are to be fulfilled.

In conclusion, I urge unanimous support of this historic resolution. I also urge a continuing climate of co-operation, that we will work together and achieve the goals and aspirations of our native Albertans.

Thank you.

DR. BUCK: Mr. Speaker, I want to briefly take part in the debate this morning. I'm so afraid that when we pass resolutions and laws, we sometimes forget that after the law has passed, we have to look at what happens.

Mr. Speaker, having grown up in the Heinsburg area, knowing many people of native ancestry and having participated with them in hockey and baseball and been with them many times for many years, I would like to say that I think we people who are non-native seem to misunderstand that our native Albertans are our bro-

thers. It is fine, as I say, to pass laws. But after we've passed these laws — if we pass a Bill of Rights as we have in Alberta — we have to make sure that we do not have discrimination in spite of that law.

Coming from an ethnic minority, I think a person from a minority seems to understand persecution and discrimination a bit more than people in the majority. Mr. Speaker, it was only as little as 10 or 12 years ago that you would not ever tell anyone you were Ukrainian, because that was a bad thing to be.

MR. BATIUK: That's why you changed your name.

DR. BUCK: The hon. Member for Vegreville says that's why I changed my name. I'd like him to know that I didn't change my name. I'm the only Ukrainian who ever had his name lengthened, not shortened. It was Buk. Of course "uk" is a Ukrainian indication — Demchuk, Yurchuk. Buck is easier to say than Buk. It was never changed; it just got that way, John. I just want you to be relieved of that problem.

What I'm trying to say to the Assembly, Mr. Speaker, is that we have to remember that we can pass laws, but in interactions we also have to show our fellows — be they white, black, brown, or yellow — that we treat them as equals. It's not good enough to pass laws. We must make people feel that they are equals.

Mr. Speaker, having lived for many years in Fort Saskatchewan and been in the correctional institute in Fort Saskatchewan many times, I am appalled that many people of native blood are in that institution because they didn't have the \$15, \$25, or \$35 to pay a fine and we just dumped them there. I use the term "dumped them there" because basically that is what happens too often. My wife and I have been involved in a course called the Christopher course. It was the first time that people outside the correctional institute — at that time called a jail — were involved with the people inside the institution. There were many native people in there who took part in the course. I well remember how one person said, you know, this is the first time I've really had a white friend. Mr. Speaker, that is quite a condemnation of us who supposedly are white.

We have been treating our native people as second-class citizens in this province for too long. I really don't know why we would ever try to make white people out of native people, because I don't think that in many instances it is such a great thing to try to make people white.

Mr. Speaker, what I'm trying to say today is that we must treat everyone as a brother regardless of his race or religion. Canada is a great country because we come from so many different races, creeds, and religions. There is great strength in that. In meeting with so many of my friends from Frog Lake, Fishing Lake, Kehiwin, and Saddle Lake, I've come to appreciate some of the compassion, tenderness, caring, and sharing that these people have practised for many, many generations. I think this compassion, understanding, helping, and sharing is something the white man can certainly learn from his native brother.

Mr. Speaker, I have a dental assistant who is a Loucheux Indian from Inuvik. She is probably one of the nicest people I have ever met. She is a diligent worker. She tells me some of the problems she had when she first came to the big city.

I'm trying to indicate that we have to understand people who come from a different culture, even though it

is right here in Alberta. We can't solve all the problems with money or case workers looking after people. The only way we can ever solve any of the problems we have — and I say "we" collectively — is to work together.

Mr. Speaker, I would just like to say that after we have debated the resolution before us and passed it, let's not forget that we have to work together and be brothers. Only that way will the laws we pass help people. It's only by working together that we will all be equals in the light of the law and in each other's eyes.

Thank you so much.

MR. WOO: Mr. Speaker, I rise to take part in the debate on Motion 19 with some very mixed feelings and emotions. We as governments and as citizens of Canada have reached a very crucial time in terms of how we are going to treat our aboriginal citizens. I want to be very brief, but I wish to take the opportunity to share a few thoughts and make a couple of comments with respect to Motion 19, Mr. Speaker. Certainly I hold the view that the treatment of Canada's original inhabitants will forever be a very tragic and sad commentary in the pages of Canadian history. What happens from now on will remain to be seen.

Over a span of 50 years, Mr. Speaker, from 1871 to 1921, the time the final X was applied to parchment and paper, 11 treaties were completed with the Indian people of Canada. With each treaty, Indian nations ceded their land, and with that final X in 1921, it would appear that for all intents and purposes the sun set on the Indian people forever.

Where are we now? I think two historical events possibly set the stage. Governments have always listened but have failed to hear and understand, and certainly, in many respects, have not acted in good faith in responding to Indian concerns. I recall the signing of the North-West Angle Treaty in 1873 between the government of that time and the Ojibwa nation. In 1889 the Lieutenant-Governor of Manitoba and the Northwest Territories, the hon. Alexander Morris, on behalf of the Canadian government, had occasion to return to treat with the Ojibwa nation. At that time, the governor approached the meeting with a great degree of confidence that he would be successful, until the Ojibwa chief reminded him that it had been 16 years since the signing of the treaty in 1873 and they were still awaiting the fulfilment of those treaties. In 1885 the Metis people of the Northwest Territories, who lived along the North Saskatchewan River, relayed a series of petitions to Ottawa in order to ascertain their land ownership concerns. Over the course of a number of years, those petitions were ignored. As a result of that, Mr. Speaker, history gave Riel to the Metis people and to Canada. I think these two examples by themselves set the stage for where we are today.

Motion 19 contains within its apparent simple framework a number of very crucial and critical points. My concern is not the length of time it has taken governments to react to responses, Mr. Speaker. My concern is that because that framework is now in place, there is an attempt to stampede the Indian and Metis peoples into coming to terms, without fully sitting down first of all to determine where they are and what their aspirations and concerns are.

The governments we have today — we as citizens have the opportunity and freedom to belong to political parties, groups, or organizations. Certainly as provincial governments, we have the opportunity to represent those concerns that reflect special interests because of regions

or because of the way our society is made. Should it be any different, recognizing that the Indian nations of Canada comprise many different nations, languages, and cultures? Should they not be afforded the same opportunity to have that time to sit down, make their own determinations within their own individual frameworks, and then come forward with these concerns and talk about them in a very logical and pragmatic way to ensure that the concerns they represent are met with fully?

There are a number of contradictions as a result of the Indian Act and the framework that derives from the British North America Act that perhaps preclude Indian people from government but do not preclude them from being governed. I think there is a requirement on the part of treaty Indians themselves to make the determination of whether they are status Indian people, whether they are registered or non-registered, or whether they enjoy the full treaty rights. I think the same applies in terms of the Metis people of Canada. They must be afforded the opportunity to make a conscious choice as to where and what they want to be.

In concluding my remarks, Mr. Speaker, what it really boils down to is that this is not the time or place — and I've said it before, and I want to state it again for the record — for do-gooders, bleeding hearts, or opportunists. I think we have to examine the statements we make within that context. What we are really talking about is a very important matter in terms of the original peoples of this country. I believe the original peoples of Canada and the governments of Canada meet once again at the crossroads of what will become Canadian history. It is my hope, Mr. Speaker, that the aboriginal peoples and the governments of the provinces and of Canada will approach the bargaining table not within the context of the treaty of 1873, where one side came to take, by force if necessary, what the other side was prepared to give in good faith, but on the basis of understanding, identity, and equity, to be full partners in the determination of a convention that will ensure aboriginal peoples the proper and rightful place in what is, after all, their own country.

MR. McPHERSON: Mr. Speaker, it is with great pleasure that I stand today to participate in this historic resolution. I would like to join others who spoke before me in recognizing and acknowledging Mr. Sinclair and Mr. Ghostkeeper who, I assume, are still in your gallery — I can't see them, but I imagine they are — and the many other native Indian citizens who have taken the time to come to the Legislature today and listen to this important debate.

The protection of existing aboriginal and treaty rights is indeed an important issue, one which the government of Alberta has long supported. The province of Alberta recognizes the need for aboriginal peoples to protect their unique heritage. They occupy a special place in Canadian society, as they are its original peoples. Canada is their cultural homeland. It is understandable that the aboriginal peoples wish to maintain their distinct cultural identities through aboriginal rights and treaties. Our government wholeheartedly supports the objectives of the treaty Indians of Canada to maintain the objectives they have achieved now and will continue to enjoy. We recognize the importance of their special relationship with the government of Canada.

The Metis people hold a unique position within Canada's cultural mosaic. As you know, Mr. Speaker, the Metis particularly are a provincial responsibility and, as such, fall within our legislative jurisdiction. The govern-

ment of Alberta has worked diligently in consultation with the Metis to ensure that their special needs are met. To date our provincial government has made significant progress in this area. The land base provided to Alberta's Metis in the form of Metis settlements established under the auspices of the Metis Betterment Act, the land tenure program designed to provide Metis and other Albertans residing on Crown lands in northern Alberta with a secure land title, and special funding in such areas as culture and education, illustrate our commitment to the Metis in Alberta.

Currently a joint committee under the chairmanship of the Hon. Dr. Grant MacEwan, with government and Metis members, is reviewing the Metis Betterment Act in order to develop recommendations directed at political, social, cultural, and economic development on Metis settlements. The government is committed to addressing Metis concerns in Alberta and is actively developing solutions to perceived problems. This is an ongoing process within our province and one that has a very high priority with our government.

The treaty Indians are recognized, and their existing rights are fully protected through Canada's Constitution Act. The Metis, as a provincial concern, are recognized and accommodated through the province's legislative initiatives. I think we can be very proud of what we have accomplished so far. New initiatives and efforts are expected in the near future, as the government demonstrates its responsiveness to the needs and concerns of all Albertans.

Mr. Speaker, I strongly support this historic resolution. The existing treaty rights of our Indian peoples must be supported. We must also be mindful of the needs of the Metis. I feel that we have met this challenge and obviously will continue to do so.

Thank you.

MR. KOZIAK: Mr. Speaker, I too am pleased to join my colleagues in this Assembly in supporting Government Motion No. 19, an historic motion and debate.

In rising to speak to the motion, I'm mindful of my special duties as Minister of Municipal Affairs responsible for the Metis Betterment Act. Members such as the Member for St. Albert and, just recently, the Member for Red Deer have mentioned some of the special attention we have given to Metis settlers in this province that is unparalleled in any of the other provinces of Canada.

I was amused to listen to the contribution in this respect by the Member for Edmonton Norwood, when he described the nice words the government of Manitoba was offering to its aboriginal people. Contrast that with the actions that have taken place over decades in this province with respect to the Metis people. He didn't describe the eight settlements that exist in Manitoba, because they don't. He didn't describe the extensive water and sewer programs we are providing to the Metis settlements in this province. He didn't describe the many programs in these areas that the Member for St. Albert so eloquently described. He didn't describe the land tenure program. I should point out that since its inception, approximately 1,500 people have benefited from our land tenure program. A thousand lots have been surveyed, and over 400 titles have been issued.

It's not just a question of the land. It's a question of community planning, provision of roads, and provision of primary power supplies. This is an all-encompassing type of program. I raise these as an indication of our commitment to the aboriginal people in the province of

Alberta.

Over the period of time that I'm privileged to serve in the capacity of Minister of Municipal Affairs, it's my goal to work with the settlement councils in one very important and particular direction. Over the last six or seven months, in decisions I've had to make with respect to Metis settlements in this province, I've relied very heavily on the advice of settlement councils. It's my goal over this term to work with the settlement councils, with the Federation of Metis Settlements, toward greater self-government on Metis settlements.

That can be achieved by the acceptance of greater and greater responsibility by Metis settlers. I'm sure that not only as a result of the events that have taken place — and I refer specifically to constitutional discussions — but as a result of the commitment to the development of infrastructure and other support, over the very near future we will see the acceptance, within a municipal government concept, of further responsibility and self-government by Metis settlements in this province. That is my hope and that is my goal, Mr. Speaker.

MR. ADAIR: Mr. Speaker, I rise to speak to Motion 19. I am pleased to offer my support for the motion. I do so recognizing that the government of Alberta was the leader in seeking to include the Metis people as aboriginal peoples of Canada. Yes, Mr. Speaker, Alberta was leading the way.

Mr. Speaker, we as Members of the Legislative Assembly have much to learn from our native peoples in the province of Alberta. I look back with a sense of pride to the years I served as minister without portfolio responsible for northern development and Indian and Metis liaison. During that period I learned a great deal from the native peoples of Alberta, both the Metis and the treaty, the status and non-status. It was during the '70s, Mr. Speaker, up to this date, that a great deal of progress occurred in this province. We have moved, in a sense, a good number of miles down the road of progress.

I had the opportunity to work with many of the Indian and Metis leaders in this province, and they have worked very hard to improve their way of life. I recall names like Harold Cardinal, Joe Dion, Harry Daniels, Sam Bull, Chief Harry Chonkolay, Chief Jim Shot-Both-Sides, Chief John Snow, Chief Walter Twin, plus Stan Daniels, whose unfortunate death earlier this year ended an era for the Metis people of the province of Alberta. He was a very, very strong supporter in his capacity as president of the association in the years I served, and after as well. He was followed by Jim Duscharme and then Sam Sinclair, the present president, who is sitting in the Speaker's gallery. Other names: Helen Gladue, Muriel Venne, Bertha Clark, Richard Poitras, Maurice L'Hirondelle, and the present president of the Metis federation, Elmer Ghostkeeper, from Paddle Prairie in my constituency of Peace River.

Mr. Speaker, I recall a discussion I had with a gentleman by the name of Adrian Hope some years ago. We were discussing what the Metis people were really seeking from the government and the people of Alberta. As we were walking, he said to me: one of the things I hope you, the government, will do is walk with us, not in front of us. Well, in my opinion, we are prepared to do just that. I hope we can continue to work together to resolve the concerns and issues of both the Metis and the Indian peoples of Alberta.

I should also point out, if I may, Mr. Speaker, the very valuable contributions by members of the Northern Al-

berta Development Council. In receiving various briefs from native communities of northern Alberta, I recall names like Stan Smith, Henry Sinclair, Mariella Sneddon, and the present member on the council, Peter Erasmus. They have served both the native people and the people of northern Alberta very well.

Mr. Speaker, I wanted to make these brief comments about my concerns and support for Motion 19. I would like to go on record as strongly supporting Motion 19.

MR. LOUGHEED: Mr. Speaker, I want to take a moment to join in this debate and say a few words about the resolution and the matters related to the resolution.

In listening to the debate with considerable interest, I thought it was important for us to recall the observations by the Minister responsible for Native Affairs, the Member for Edmonton Mill Woods, about the assessment of the aspirations of the native people of this province. It raised in my mind the view that perhaps it would be important, as the debate in *Hansard* is printed, to see if we can have a response to whether or not that evaluation of those aspirations is relatively close with the various groups within the province. I would suggest they are, and I think it would be important to have that confirmed.

I also want to note again in the record the importance of discussions between people in the resolutions of matters. I recall having a meeting in November 1981 with both Mr. Sinclair and Mr. Ghostkeeper about the Constitution itself and the need not to lose that one word that was so important to them, the recognition of the need for the definition within the Constitution of the aboriginal peoples of Canada to include the Indian, Inuit, and Metis people of Canada — the importance of adding that particular provision being impressed upon me in those discussions of November 1981.

Mr. Speaker, because I don't believe I can recall any significant questions raised with me in the House by members of the opposition relative to the March meeting, and I don't recall an opportunity to have really given a report, I do want to say a word about this to the Assembly. I reported to caucus. With regard to the March meeting we had with first ministers, I thought there were two or three aspects to it that should be presented to this Assembly. First of all, I believe all those who were involved gained an understanding and at the same time recognized that there were and are some basic differences in views with regard to the issue of rights, and that that should be recognized as we move forward in these discussions that form part of the resolution. There was a concern I had, and shared with others, about having expectations that matters can be resolved in a constitutional way as distinguished from a more direct fashion, and I want to return to that in a moment.

I was pleased, and didn't really realize the implication of it until it was over — the need to support the Metis people in the provinces of Alberta, Saskatchewan, and Manitoba to have their separate places at the table. That was extremely important, and I was impressed with the representations made by the Metis people at the table at the time. It was clear that that's fundamental to any future meeting of this nature.

I want to reiterate the view of our government that we consider that our responsibility as a provincial government has priority with the Metis people, but we have responsibilities with the Indian people as well. We take that view because we support and endorse the position of the Indian people that their position emanates to a large

degree from treaty rights, and those treaty rights flow from the federal government and under the Constitution, as the Minister of Federal and Intergovernmental Affairs has noted, from the federal government. I've been in so many meetings over the years that one of the frustrations I've felt by moving, so to speak, to the other side of the table with the native people is the fact of always being caught between two governments, caught on a decision — as I'm sure the hon. Member for Edmonton Sherwood Park knows from his experience — that needs to be made when there are two governments involved. I believe that what we need to see as this process evolves is more of a priority on the provinces to meet the needs of the Metis people and more of a priority by the federal government to meet the needs of the treaty Indian people, with a supportive position by both, instead of placing the native peoples, the Indian and Metis peoples, in the position that they have to get approval from both governments to do anything or get anything done. I'm sure the Member for Edmonton Sherwood Park, with his experience, would know and recognize what I mean with regard to that, as would the hon. Minister of Tourism and Small Business and others.

With regard to the Metis situation in the province, there's lots to be done. We've made considerable progress in a number of areas. There have been suggestions with regard to the need to reassess the land tenure program. That's under way. The Minister of Municipal Affairs has made comments with regard to the Metis settlement Act and his goals. It was referred to by others as well, in particular the Member for Red Deer and the Member for St. Albert. Yes, a lot of progress has been made, but much more to be done.

I think that perhaps there's an underrating of the significance of the announcements today — at least from my point of view, I thought it was significant — by the Minister of Social Services and Community Health and the Minister responsible for Native Affairs about the child welfare situation, and the questions involved there that were directed in the question period of the House. That is an aspect of this question of autonomy and self-government in a very practical way. And maybe there's a base. If I were asking questions — I don't want to ask questions, but some do. Just as a suggestion to those that want to ask questions, I think you missed a question. I would have asked them the question: isn't this an effective starting point, and how can you have it spread to other parts of the province? That's a question for you that you can make on Monday. [interjection] Well, I can't get over in the opposition, and I don't particularly want to, so I want to ask my question. [interjections]

MR. MARTIN: Next election.

MR. LOUGHEED: There are dreamers.

Mr. Speaker, there were two elements that involved discussions with the Indian Association of Alberta over the last couple of years that I'd like to put on the record of *Hansard* right now. Number one specifically involved working with the bands on roads relative to the question of the ownership of roads, and I hope we're making progress in that area. I notice the Minister of Transportation is unable to be here today, but I think there needs to be follow-up. The fundamental point that I think is important with regard to the Indian Association of Alberta is that I trust they will accept the present view we have, which is different. It is a clear difference in direction. It

should be recognized with regard to this government that we now feel that a primary thrust of our dealings with the treaty Indian people in the province of Alberta should be on a band-by-band relationship. The priority is on a band-by-band basis as distinguished from an overall association one, and I want to underline that as well. Some very important comments about local autonomy have been made in this debate by the Member for Cardston, the Member for Edmonton Sherwood Park, and others.

I'd like to close with these observations, Mr. Speaker. First of all, with regard to this resolution, I hope it will be unanimously supported. I do believe it is significant; I do believe that perhaps it's even historic. But I trust that above all, there will be a recognition that the progress that I personally see can be made with the Metis and Indian people, the native people of this province, lies much more, as the hon. Minister responsible for Native Affairs was attempting to emphasize, in the non-constitutional than the constitutional field. I do not underestimate the importance of some of the constitutional proposals brought forward. I hope we would not see false expectations. We will see disagreements as the constitutional process occurs and as the conferences that are part of this resolution move forward, and there should not be a misunderstanding by members of this Assembly, the public generally, or groups involved. There are conflicts in terms of rights. There are significant conflicts. I'm not suggesting — and I do not want to put a wet blanket upon these conferences, but I did want to raise that caveat as we vote on this particular resolution.

On the other hand, I believe there is considerable opportunity to make progress on practical, pragmatic ways in which we can help, by way of local autonomy, by way of programming, and in many other ways directly with the Metis people, the treaty Indians, and the native people of this province. I would prefer that that be the higher emphasis and that we could work in a co-operative way with them, and that they on their part can respond with the specifics that perhaps don't solve major problems but very much improve the quality of life of the native and aboriginal peoples of this province.

With those qualifications, that emphasis, and with that statement of policy position by the government, I urge the support of the Assembly for the motion. Thank you.

MR. SPEAKER: May the hon. minister conclude the debate?

HON. MEMBERS: Agreed.

MR. HORSMAN: Mr. Speaker, I'd like to thank all the members who participated in this debate today. In moving the passage of the resolution I would like to clear up

one point, and that is that the document circulated today contains both the English and French texts. I would like unanimous consent of the Assembly to have both official languages included in the record as part of the resolution, although it was not part of the Order Paper.

MR. SPEAKER: Is it agreed?

HON. MEMBERS: Agreed.

MR. SPEAKER: It is so ordered.

MR. HORSMAN: Mr. Speaker, I thank all hon. members. I'd like to conclude the debate with a quotation from Lord Tweedsmuir, a great Governor General of this country, speaking to a law assembly in the '30s:

Law, I think, should be regarded as an elastic tissue which clothes the growing body. That tissue, that garment, must fit exactly. If it is too tight it will split, and you will have revolution and lawlessness, as we have seen at various times in our history when the law was allowed to become a strait-waistcoat. If it is too loose it will trip us up and impede our movements. Law, therefore, should not be too far behind or too far ahead of the growth of society, but should coincide as nearly as possible with that growth.

The same principle applies to the Constitution of this country. Let us keep those worth-while thoughts in mind as we have made another step in this Assembly in the growth of that garment which clothes our nation: the Constitution of our country.

Thank you for the support on this resolution.

[Motion carried]

MR. CRAWFORD: Mr. Speaker, I think all hon. members will be able to judge as well as I the business of the Assembly on Monday. The Order Paper will simply be approached with any available second readings, followed by committee study and third reading. There will be the motion I gave oral notice of this morning. And who knows? There may even be the motion with respect to adjournment of the sitting until fall. That will be on the Order Paper on Monday as well.

Mr. Speaker, I move that we call it one o'clock.

MR. SPEAKER: Does the Assembly agree?

HON. MEMBERS: Agreed.

[At 1 o'clock, pursuant to Standing Order 5, the House adjourned to Monday at 2:30 p.m.]