

LEGISLATIVE ASSEMBLY OF ALBERTA

Title: **Monday, May 27, 1985 2:30 p.m.**

[The House met at 2:30 p.m.]

PRAYERS

[Mr. Speaker in the Chair]

head: **INTRODUCTION OF BILLS**

Bill 52

**Appropriation (Alberta Heritage Savings
Trust Fund, Capital Projects Division)
No. 2 Act, 1985-86**

MR. HYNDMAN: Mr. Speaker, I request leave to introduce Bill 52, the Appropriation (Alberta Heritage Savings Trust Fund, Capital Projects Division) No. 2 Act, 1985-86. This being a money Bill, Her Honour the Honourable the Lieutenant Governor, having been informed of the contents of this Bill, recommends the same to the Assembly.

[Leave granted; Bill 52 read a first time]

Bill 53

**Appropriation (Alberta Heritage Savings
Trust Fund, Capital Projects Division)
Supplementary Act, 1985-86**

MR. HYNDMAN: Mr. Speaker, I also request leave to introduce Bill 53, the Appropriation (Alberta Heritage Savings Trust Fund, Capital Projects Division) Supplementary Act, 1985-86. This being a money Bill, Her Honour the Honourable the Lieutenant Governor, having been informed of the contents of the Bill, recommends the same to the Assembly.

[Leave granted; Bill 53 read a first time]

Bill 66

**Appropriation (Supplementary Supply)
Act, 1985**

MR. HYNDMAN: Mr. Speaker, I request leave to introduce Bill 66, the Appropriation (Supplementary Supply) Act, 1985. This being a money Bill, Her Honour the Honourable the Lieutenant Governor, having been informed of the contents of this Bill, recommends it as well to the Assembly.

[Leave granted; Bill 66 read a first time]

head: **INTRODUCTION OF SPECIAL GUESTS**

MR. HYNDMAN: Mr. Speaker, it's my distinct pleasure today to introduce some 28 grade 6 students in the members' gallery from St. Paul school, accompanied by Mrs. Jane Warren. They're alert and interested in the proceedings, and I ask that they rise at this time and that the Assembly give them the appropriate welcome.

DR. BUCK: Mr. Speaker, it's my pleasure to introduce to you and through you five guides from the first Ardrossan guides group. They are accompanied by guiders Blanche Thomson and Linda Robertson. They are seated in the public gallery. I ask them to rise and receive the recognition of the Legislature.

MR. LEE: Mr. Speaker, it's my pleasure to introduce to you and members of the Assembly a student at the University of Calgary. All members of this Assembly are very proud of the fact that the Minister of Advanced Education recently announced the Alberta participation in the expansion of MacEwan Hall. As vice-president of finance, this young lady spearheaded that very effective lobby, if you pardon the expression. In fact, she was so effective that I'm very proud that she has agreed to be my executive assistant for the summer of '85 in Calgary. I'm not going to introduce her as a future leader, because she is already a bright, young leader. She is seated in your gallery. I ask members of the House to give a warm welcome to Miss Whitney Short.

MRS. FYFE: Mr. Speaker, this afternoon I have the pleasure of introducing 56 grade 5 students from the Keenooshayo school in the constituency of St. Albert. They're accompanied by their teachers, Mr. Patrick Collins, Mr. Dennis Fitzgerald, Mrs. Laurel Vespi, and parents Mrs. Marion Stewart, Mrs. Sharon Smith, and Mr. Pat Steward. I ask them all to stand and receive the recognition of the Assembly.

MR. SPEAKER: May I draw the attention of the House to the presence of 24 grade 6 students from St. Justin elementary school. They are accompanied by their teacher Mr. Frank Omoe. Would they please stand to be recognized and welcomed by the Assembly.

head: **ORAL QUESTION PERIOD**

Economic Strategy

MR. MARTIN: Mr. Speaker, I'd like to direct the first question to the Premier. It flows from some comments made on the weekend. As I understand it, the Premier apparently said that the government has tried to figure out how to control a boom which it foresees in the near future but can't see how that control is possible. My question simply is this: is the main economic priority of this government now the development of a plan for control of a boom?

MR. LOUGHEED: No, Mr. Speaker. First of all, I would like to clarify what I said. I said that in 1986 it's our forecast, subject to important variables, including world oil prices and crop conditions, that the economy in the province of Alberta will lead the rest of the nation and that by 1988 we should have a period of major, sustained growth.

The current policy of this government is to do everything we possibly can to encourage economic growth on a sustainable basis and, as we have done with our budget and in many other ways, to prioritize action that will stimulate economic recovery and economic activity. I also went on to say, though, that I think most Albertans agree with my view that we want to have sustainable economic growth within this province, that there are limits to what governments can do, and that to the extent that we can, for example, stabilize development in the oil sands, that should be appropriate government policy.

MR. MARTIN: A supplementary question, Mr. Speaker. It's a slightly new twist than we've had in the Legislature in the past. On what basis did the Premier make his assessment that we will be in a boom in the near future?

MR. LOUGHEED: Mr. Speaker, I don't believe I used the word "boom". If I did, I meant that we couldn't have a sustainable growth period. The reasons I feel that have been expressed, and many observations have been made in this Legislature with regard to the strength of our primary industry of oil and natural gas that arises out of the western energy accord, a number of the other matters that were set forth in the Budget Address, a number of other areas that were reflected in the white paper on industrial and science strategy, and the view that by 1988 we will be overcoming the structural difficulties that I referred to earlier in the session in question period with the Leader of the Opposition. We felt that all these factors, taken together, made that forecast warranted.

MR. MARTIN: A supplementary question, Mr. Speaker. What assessment has the government made of predictions by a number of economists that the world price for oil could fall dramatically in the next year?

MR. LOUGHEED: Mr. Speaker, my personal assessment, arising out of the trip I took to Europe in February as well as the one to New York about three or four weeks ago, is that we deal with a balance of probabilities in this situation. The balance of probabilities, as stated by both the Provincial Treasurer and the Minister of Energy and Natural Resources, I believe, on previous occasions in this Legislature, is that the world oil price is fragile, and this will be particularly so during 1985. We would not expect a major drop in price during 1985. The balance of probabilities and the majority of the informed share that view. That doesn't say that in such a volatile commodity market circumstances couldn't occur that would cause a major drop. We do not think it is the probable situation, and our budget estimates and forecasts of revenues reflect that.

We also note that because we're moving into a period of oil price deregulation on June 1, we'll be affected primarily by the Chicago market. Although the Chicago market will be responsive to world markets, in part it is in essence a market of its own. Again, the forecast with regard to the Chicago market — west Texas crude is the criterion you primarily look at — indicates a reasonably strong position at the moment. There could be some weakening during the summer months, but we don't expect any dramatic drop.

MR. MARTIN: A supplementary question. As the Premier says, it's a guesstimate at best. Talking to different people, there are different analyses of this. My question to the Premier is: what contingency plans is the government drawing up in case it goes down rapidly and there is a severe cutback, because that is a possibility? Has the government developed any contingency plans in this regard?

MR. LOUGHEED: Mr. Speaker, there wouldn't be a situation with regard to contingency plans, except of course in a financial way. We would obviously find ourselves with much lower revenue than we anticipated, just as last year we found higher revenues than we anticipated, and we would have to reflect that. Fortunately, the government of Alberta is in an extremely strong financial position. Basically, we're not in debt, and therefore we're in a position to sustain

ourselves through such a circumstance, through such a contingency. As far as the oil and gas economy here in the province is concerned, almost every forecaster who sees a drop also sees a return within a few years to prices as high as or higher than today, so that if there were a drop in that world commodity price, it would be of short duration.

MR. MARTIN: A supplementary question, Mr. Speaker. It seems as if we're going on a lot of assumptions here that affect the province. The government has previously indicated, in answer to some of my questions, that economic recovery — I believe this is the term; we won't call it a "boom"; we'll give the Premier the benefit of the doubt — is possible without a decrease in unemployment. My question is to the Premier. With this new-found optimism we have, do the Premier's projections indicate that the recovery stage we're talking about that we're about to experience going into 1988 will also occur without a decrease in unemployment?

MR. LOUGHEED: Mr. Speaker, I think I've answered that on a number of occasions in the House. If we look at 1985 to 1988, which is the period I'm referring to, we said that we were in economic recovery in an overall way during 1985, in this current fiscal year. That's what the budget document stated. Our forecast and those of others are that in 1986 we will lead the country. We'll continue to have more people employed in relation to the population than any part of the country. With regard to the structural adjustment involving the building construction and related areas that the hon. Leader of the Opposition and I were involved in questions on early in this session — in terms of *Hansard*, March 15 through to March 20, I believe — as I said at that time, it would take a period of time to work through that adjustment, but I would think we'd be well past it by 1988.

MR. MARTIN: A supplementary question to the Premier. It has to do with the Genesee project that is going to be coming before cabinet. We have these new, optimistic reviews from the Premier. Has the Premier provided this information to the ERCB on their power projections, because they do not seem to have the same faith, and if so, will they be assessing this in cabinet before a decision is made about the Genesee project?

MR. LOUGHEED: Mr. Speaker, I haven't had a chance to fully review that report, and that has not yet been reviewed by the Executive Council. My understanding was that the hearings were held and the information provided to the Energy Resources Conservation Board in late January. Subsequent to that time, as the report itself noted, the western energy accord was signed, which certainly had an important stimulation to investment in this province. My recollection, subject to checking, is that there is reference in the Energy Resources Conservation Board report to a reassessment of the electric energy requirements of the province at a subsequent date, at which time the time frame that I'm responding to in these questions would in part be reflected in current situations.

MR. MARTIN: A supplementary question to the Premier, flowing from the Premier's optimistic forecast over the weekend. As the head of government here and for something as important to Edmonton as Genesee, will the Premier be making his recommendation to the ERCB that in fact they could cut back on some of their projections because of the

new information he has about our going into a recovery stage?

MR. LOUGHEED: Mr. Speaker, the decision involved here is a matter of construction as well as commissioning. The situation with regard to these projects is that the developers — in the case of Genesee, the city of Edmonton — have to make their own decisions. It's their project. They have to make a decision in terms of construction, and then when they've finished construction, whether or not there can be a commissioning. Obviously there can't or should not be a commissioning if the power is not needed. So it's really a decision of the city of Edmonton to make in that particular project, just as it is for the private-sector companies or publicly-owned investor utility companies with regard to the Sheerness project.

It's their decision to make. They have to make it in terms of what they themselves believe will be the electric power energy requirements of the province at the time construction may be completed and whether there is a period of time between the completion of the construction and the commissioning of the project. But that's a decision for the developers, not for the government.

MR. SPEAKER: Might this be the final supplementary in this series.

MR. MARTIN: A supplementary question, Mr. Speaker. It seems to me that the Premier is alluding to some projects that may come on. It seems to me that he would have access to that information. He's been very optimistic in some projections. My question to the Premier is: before they made their projections, did the ERCB have access to the same information the Premier has in terms of making their recommendations?

MR. LOUGHEED: Yes, having regard to the time frame that the Energy Resources Conservation Board was involved in, I believe they had access to the information that I have available. The information we have is not related to major projects, of course. It's related to an overall assessment, sector by sector, having regard to market conditions and bringing into play the variables involved. Our assessment is what I've described in my earlier answers.

Language Education

MR. MARTIN: Mr. Speaker, I'd like to direct the second question to the Minister of Education. It flows from remarks the minister recently made at the Ukrainian Professional and Business Club of Edmonton, where he stated that heritage languages will become less a feature of our system and market languages will become more of a feature. Flowing from that, will the minister outline how far his department has gone in starting the phase-out of instruction in heritage languages in our school system, such as Ukrainian?

MR. KING: The hon. member was not in the audience to hear me make those remarks, and since he is relying upon newspaper accounts, it is perhaps not unreasonable that he misunderstood and misstated what I said on the occasion of making those remarks. My message was that currently there is a developing interest in the province in speaking more than one language. In the years to come, I expect quite a bit of that interest will be fueled by the interest students will have in being able to use other languages, as

adults, for the purposes of trade and travel around the world.

The point I made very carefully was that I thought languages learned for heritage reasons would be "relatively" less a feature of our second language program, but not that in absolute terms they would decline or be eliminated. There are always going to be programs in Ukrainian, German, Cree, Hebrew, Polish, and other languages. My comment was about what might fuel the interest of youngsters in learning those languages, and I believe there is a developing interest in learning languages such as Spanish, Japanese, and Chinese, because students are increasingly thinking about second languages with a view to how it will help them as adults.

MR. MARTIN: A supplementary question. I might say to the minister that many people have been in touch with us from that particular meeting, so they were left confused. Maybe the message was not clear. A question to the minister simply to clarify, then: is it the long-term policy of this government to de-emphasize language education which is not directly related to international marketing?

MR. KING: No, Mr. Speaker. If any of the people who heard me speak are confused, then I appreciate the opportunity to clarify the message. I might wish they had spoken to me to ask what I said instead of speaking to the Leader of the Opposition to ask for his interpretation of what I said; nevertheless, I'd like to be abundantly clear. This government supports the opportunity to learn second and even third languages in our school system. We support the opportunity to provide bilingual education programs, and we will continue to offer bilingual programs wherever there is an interest for those programs and regardless of what fuels the interest. If there are people who wish to learn second languages because those languages are important to them for cultural, family, or traditional reasons, then we will support that. If there are people who wish to learn second languages because of their conviction that the knowledge of a second language will be helpful to them in their adult life for trade or travel purposes, then we will support that.

MR. MARTIN: A supplementary question to the minister. We're saying there is a fair amount of confusion and appreciate the people who come to us to ask questions. That's specifically what we're doing, Mr. Speaker. Then if this is not the policy — and I'm giving the minister ample opportunity to clear it up — why did the minister say that heritage languages will become less of a feature in our system?

MR. KING: The phrase that I used was "relatively less" as new language programs are offered that are based on a different rationale.

MR. MARTIN: A supplementary question. That's precisely why these people are concerned. A different rationale can mean an entirely different thing. I'm sure the minister is well aware of that. Specifically then, does the government have any plan to restrict study of what he calls heritage languages just to the junior high school level?

MR. KING: Mr. Speaker, beginning with my colleague who in 1972 first stated this government's position on multicultural policy, through all the years after 1972 until last fall in this House when we adopted new legislation and

a new policy position, this government has been in the forefront among all governments in Canada in welcoming new Canadians and firmly stating to them that no one becomes part of Alberta's culture on the condition that they give up the culture they came to this country with, or on the condition that they give up the culture of their parents, their grandparents, or their great-grandparents. That continues to be the position of the government today. We will do any of the things we can to welcome new Canadians. We will do any of the things we can to ensure that Albertans living in this province retain their traditional heritage, culture, and interest in their community. We'll do that in the educational system as well as anywhere else. There has never been a moment's deviation from that policy in 15 years and not by any minister.

MR. MARTIN: It's good we understand that, Mr. Speaker. We wouldn't want the minister to be confusing anybody out in the public. I take it that during his speech the minister indicated that Russian might be one of the market languages which could be emphasized instead of the heritage languages now being taught. My question to the minister is simply this: has he asked his officials for any report on the similarity between the Russian and Ukrainian languages to ascertain whether the Ukrainian bilingual program might serve both cultural and market interests?

MR. KING: Mr. Speaker, I could be very wrong, but I hardly think I need to ask my officials that question, because I believe the answer is self-evident to anyone who has been born and raised in this community. I did not suggest that Russian was any more likely to be taught in Alberta's schools than Ukrainian. I consider that a far-fetched speculation. In the course of my remarks, I did make the point that perhaps sometime in years to come the Soviet Union would have a satellite in geosynchronous orbit above the United States and Canada that might be broadcasting to Canada in Russian, and I speculated that if the Soviet Union did that they would be broadcasting in Russian and not in Ukrainian, but I do not consider it likely that people in Alberta will demonstrate more interest in learning Russian than Ukrainian. That flies in the face of the historic reality of the development of our province. That's point number one. Point two, Ukrainian is, as I understand it, so similar to Russian that anyone who has learned Ukrainian can be well served, if they are interested in travel or trade, taking advantage of the knowledge of a second language.

MR. MARTIN: A supplementary question.

MR. SPEAKER: Might this be the final supplementary in this linguistic exercise.

MR. MARTIN: Yes, Mr. Speaker, it might well be. Perhaps it's the minister's speculations that get him into trouble from time to time, but in terms of clearing it up, when he uses the term "market languages", could he give us examples of what he means as the market languages?

MR. KING: Mr. Speaker, I can't recall a day when my speculations ever got me into trouble.

MR. MARTIN: Yesterday and the day before.

MR. KING: The point I was attempting to make in my remarks is that some people choose to learn a second language because of their family history, cultural history,

or tradition. I'll attempt to make the point here one more time. It is because of something within them that they want to learn a second language. I said, on the occasion of my remarks, that "heritage language" was a description of what inside the person motivated their interest to learn a second language. Similarly, I said, some people want to learn a second language not for what is part of their history, their family roots, but because of the prospect of what they see ahead of them as adults travelling around the world, earning their living in the world. I characterized that motivation as being market-oriented.

I said that the position of this government was that, to the best of our ability, we wanted to respond to both those motivations. We want Ukrainians who are proud of their heritage to continue to have the opportunity to learn Ukrainian in this province, and we will provide for that opportunity. We also want the white Anglo-Saxon protestant, who may think of his future as lying with trade with Japan, to have the opportunity to learn Japanese, or Spanish. We would like to respond to both motivations without doing damage to either. We believe we can accomplish that.

Senate Reform

MR. R. SPEAKER: Mr. Speaker, my question to the Premier is with regard to Resolution 13 on the Order Paper. Indications are that Resolution 13 may be held over till the fall. Could the Premier either confirm that or indicate the sequence of discussion that could be held on Resolution 13?

MR. LOUGHEED: Mr. Speaker, I'll refer the question to the Minister of Federal and Intergovernmental Affairs.

MR. HORSMAN: Mr. Speaker, in all likelihood the government will put discussion on that resolution over till after the federal House of Commons has dealt with it. In view of the House of Commons' current schedule, it's unlikely that they will be able to deal with that before our Assembly adjourns for the summer recess. I might add as well that there is a good deal of uncertainty surrounding that particular proposed constitutional amendment, due to the current political situation in the province of Ontario. Members will be aware of the fact that it is necessary to obtain the approval of at least seven of the 10 provinces containing at least 50 percent of the population of Canada, as well as the federal House of Commons, and if, after a lapse of time, the Senate does not approve it, the amending formula will have been deemed to have been met. With the current situation in Ontario being what it is and the fact that the Quebec government is not proposing to deal with constitutional issues until their most current matters and requests have also been dealt with, our Assembly is not likely to be in a position to debate that resolution until the fall, at the earliest.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the Premier, in light of the minister's answer. Would the Premier be prepared to have discussions with the Prime Minister and other premiers with regard to a sunset amendment to that resolution by which the Prime Minister of Canada would be given a limited period of time in which to bring about meaningful Senate reform, otherwise the powers presently with the Senate would be reinstated at the date the sunset clause takes place?

MR. LOUGHEED: Mr. Speaker, I've already had discussions of that nature and made a request to my fellow

premiers and the Prime Minister along the very lines the Member for Little Bow has just raised. Unfortunately, the Prime Minister and many of the premiers did not agree with that request, but that was a request we made in this process leading a constitutional amendment.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the Premier. I appreciate that. In the letter of April 25 the Premier gave wholehearted support to the Prime Minister for Resolution 13 as it stands on our Order Paper, endorsed it on behalf of the government, and was going to present it to the Legislature for further endorsement. Could the Premier indicate what specific commitments the Prime Minister gave to Albertans, to the Premier, or to other premiers with regard to meaningful Senate reform, other than just a discussion meeting of first ministers?

MR. LOUGHEED: Mr. Speaker, that involved an important judgment decision. It was and is still our feeling that the prospects of most of the other provinces of Canada or the federal government being interested in discussions with regard to Senate reform in the foreseeable future are very, very limited. There is not an interest in most other provinces, nor by the federal government, as there is in ours. It's our view that unless some event occurred it would be very unlikely that meaningful discussions with regard to reform of the Upper House, or Senate, would ensue in the foreseeable future.

In assessing the situation and comparing a scenario where there was no prospect in the foreseeable future of any meaningful discussions with the provinces and the federal government at a first ministers' level, and as there was not acceptance of the proposal of a sunset clause with regard to a constitutional amendment on the Senate that would carry, our view was that the best course was the course that was proposed. At our request we were able to establish the undertaking by the Prime Minister of Canada for a meeting, a first ministers' conference, for which there would be adequate preparation to discuss the reform of the Senate. We would have preferred a sunset clause, but that wasn't to be. The alternative was to not favour the amendment, in which case, at least of the circumstances of six weeks ago, such an amendment wouldn't have gone forward. If such an amendment had not gone forward or if it does not go forward, as the Minister of Federal and Intergovernmental Affairs has noted, the prospects of first ministers having meaningful discussions on this issue in the foreseeable future are limited.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the Premier with regard to the report of the Alberta select committee called Strengthening Canada. I know the resolution hasn't been considered by this Assembly at this point, but has the government, through members of the Legislature or members of the Department of Federal and Intergovernmental Affairs, made any plans in terms of discussions of this report with the other provinces? Is some strategy being put in place by the government to inform other provinces and possibly give them some incentive to deal with the matter on a more positive plane?

MR. LOUGHEED: Mr. Speaker, the answer to that is yes. We have, of course, already extensively communicated that document. I was intending to speak on the matter later today, on the resolution before the House, with regard to the follow-up, because we think we should try wherever we can to stimulate interest in the other provinces. But I

do think I should be as straightforward as I can with the Assembly: the prospects of a high priority being given to this issue by many of the provinces are not very promising.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the Premier, and possibly this will be clarified this afternoon in further debate. Can the Premier indicate the government's position at this time with regard to the Triple E concept? Is the government in support of that concept, are they in a state of considering it at the present time, or can the government be firm with regard to the matter?

MR. LOUGHEED: Mr. Speaker, I do not want to anticipate the resolution or the debate, but the answer to the hon. Member for Little Bow's question is yes, we support in principle the recommendations that are in this document.

Status of Women

MR. GURNETT: Mr. Speaker, I'd like to direct a question to the minister responsible for the status of women. It concerns a comment he was quoted as making last week, presumably in connection with my colleague's presentation of Bill 272 on a council for the status of women. He was quoted as saying: "We'll be making a decision, I expect, sometime in the next month or so as to how we will proceed or not proceed . . ." Could the minister be a little more precise as to when that decision will be made? Can we look at it by the end of June or the end of July? Is there a date set when there will be a decision on the council?

MR. JOHNSTON: Mr. Speaker, that's a pretty precise prediction by our measures.

MR. GURNETT: A supplementary question, Mr. Speaker. I think there are a lot of people in this province, perhaps half of them, that would be very interested in a precise point for that decision. My question to the minister is whether he has any intention of recommending to the body that will be making a final decision about such a council, the Executive Council or whatever, that in fact a council on the status of women should be established. Will that be the minister's recommendation?

MR. JOHNSTON: Mr. Speaker, if the member would take the time to devote his research to reading last year's *Hansard*, he would find the answer there.

MR. GURNETT: A supplementary question, Mr. Speaker. Looking at last year's *Hansard*, the minister made a response to my colleague in connection with the special cabinet committee that was established in March 1984 and the holding of its first meeting. The minister said last November: "The formal meeting will take place in the next three to four weeks." Can the minister advise whether that formal meeting of the special cabinet committee did in fact take place by mid-December of last year, and can the minister advise what other formal meetings that special committee has held?

MR. JOHNSTON: Of course, Mr. Speaker, the formal meeting of the cabinet has taken place. In the context of the process, first of all, you can clearly see, from the Speech from the Throne and from the initiatives taken by my colleagues along the front bench, that the agenda of women's issues has in fact been recognized. Some very significant changes have been effected by this government,

and we'll continue to ascribe to that priority. There's no question that in terms of responses that has in fact taken place.

Secondly, in terms of the workings of the secretariat, it is clear that over the past year, since the secretariat has been in place, it has worked very well in attempting to co-ordinate the policy position of this government and make recommendations to a variety of cabinet committees. That has in fact shown up in the response this government has taken. However, if the member is talking about the status of women council — and that was the context of his first question — I have already indicated that I lean in favour of a status of women council. Whether or not I can convince my colleagues remains to be seen.

MR. GURNETT: A supplementary question, Mr. Speaker. I'm sure a lot of people might say "Where?" when the minister comments about the significant action. My question to the minister is whether or not the special cabinet committee dealing with women's issues is going to follow his recommendation and would also endorse the establishment of a council on the status of women.

MR. JOHNSTON: Of course, Mr. Speaker, the gentleman is into the area of speculation. I'm not going to commit the cabinet committee or my colleagues in cabinet to any particular position. We have had a very full debate in this House on a motion from Mr. Musgreave who, in fact, has prompted that debate over the past year and a half since the '82 election. Clearly, there has been ample opportunity for that discussion to take place here. If the Member for Spirit River-Fairview wants me to trot out the kinds of reactions this government has taken, both from and since the Speech from the Throne, I'd be glad to do that. But he's well aware of it, and he's well aware that it's a significant change of position, and we'll continue with that position.

MR. GURNETT: A supplementary question, Mr. Speaker, to the minister. To share his words from another *Hansard* quotation with him, he said in responding to the questions last November regarding the special cabinet committee:

We want to do something very substantive when we meet, and it's in that context that we're preparing a very comprehensive agenda for discussion and consideration in the near term.

The minister has indicated a willingness to indicate what some of those substantive things are. I wonder if he could indicate particularly the actions with regard to public meetings, undertaking contact with organizations in this province that have a concern with women's issues. What's taken place in those particular areas? What investigation of what's happening with women's issues in other areas has been undertaken in connection with that?

MR. SPEAKER: This could give rise to a fairly lengthy litany. I have to leave it to the hon. minister to decide, in light of what he knows about the matter, whether his answer could be fitted into what is appropriate for the question period.

MR. JOHNSTON: Mr. Speaker, I don't have any intention of an accounting of my time, of the scheduling of events, to the hon. Member for Spirit River-Fairview. Of course, if you look across the legislative changes in policy positions which have been outlined by this government in the past three to four months, very significant changes have been

revealed to you. I'm sure you'd like to ignore them, but there are some significant changes.

First of all, if you look at the maintenance legislation which has been introduced — a clear indication of a strong position of enforcing maintenance payments, spousal exchanges, within-province co-operation. Of course, that is a reaction to a significant request which has been given to us. The Attorney General also changed the way in which the interpretation of prosecution of wife batterers is to be proceeded with. You will note, for example, that the statutory change with respect to the Charter of Rights sections is also before this Legislative Assembly. You'll note as well that the Minister of Labour has introduced a change with respect to maternity leave, the Individual's Rights Protection Act. Of course, I remember very well the questions directed to my colleague to my right with respect to women's shelters and wife battering. All those are part of the issue and the agenda we are discussing.

Clearly, it's easy for the Member for Edmonton Norwood to laugh at these matters, but he hates to recognize the fact that we've made some significant changes. I'll be able to debate that with him anywhere if he wants to take that forward.

MR. SPEAKER: Might this be the final supplementary on this topic. Believe it or not, we're getting toward the end of the allotted time, and the hon. Member for Clover Bar has not yet had a chance to ask some questions he has in mind.

MR. GURNETT: Yes, Mr. Speaker. My final supplementary to the minister is just if he could confirm that we will have an answer regarding the establishment of a council of women by the end of June.

MR. JOHNSTON: If you listened carefully to what I said, Mr. Speaker, I said that we will be considering the decision within the next month. When it is announced will be another decision, of course.

Fort Saskatchewan Correctional Centre

DR. BUCK: Mr. Speaker, my question is to either the minister of public works or the Solicitor General. This has to do with the choosing of an alternative site for the new correctional institute in Fort Saskatchewan. Is either minister in a position to indicate when the decision will be made as to where the alternative site will be? Is there any decision as to when that choice will be made?

DR. REID: Mr. Speaker, the difficulty is that we had chosen what we thought was a very suitable site for the construction of the replacement for the Fort Saskatchewan Correctional Centre. The difficulty was that at that time I had not taken into consideration the possible concerns, through the minister of economic planning, who is not here this afternoon, for the future development of secondary and tertiary handling of the petrochemicals produced in that area of the province. It appears that the site we had chosen was on land zoned for light industry and for industrial reserve. We are, therefore, looking for other sites. Those sites will be available for further economic development within the province. My understanding is that there is some land which is currently in the reserve held by the Department of Housing. If that land is suitable, then probably that is where the replacement facility will go.

DR. BUCK: Mr. Speaker, to the hon. Solicitor General. I would like to advise the Solicitor General that the community is certainly glad that the institution is staying there. At one time there was a little bit of waffling. I'd like to say to the minister that we welcome that announcement. In the minister's study of proposed sites, has any serious reconsideration been given to using the present site and using some of the buildings there that are still relatively new?

DR. REID: Mr. Speaker, consideration was given to that possibility early in the planning process. It was felt that in view of the rail relocation and the requirements for land and the economics of that rail relocation, it was better to move the facility from the present site and to free up that land for use by the town of Fort Saskatchewan.

DR. BUCK: Mr. Speaker, to the hon. minister. Has any consideration been given to using the land that was in the hands of the department of public works and was turned over to the town and the county, the almost half-section or more of land directly west of the community?

DR. REID: Mr. Speaker, I'm not aware of the details of the site the member is mentioning.

DR. BUCK: Mr. Speaker, maybe the hon. minister of public works can enlarge on the answer the minister has given us.

MR. CHAMBERS: Mr. Speaker, I'm not clear which site the Member for Clover Bar is referring to.

DR. BUCK: Mr. Speaker, to the hon. minister. You'd think either of the hon. gentlemen would know that the property that's just west of Fort Saskatchewan was what they call jail property. It was in the hands of the Crown for many, many years. That property has subsequently been turned over to the local municipality. That land has not been developed. Has the minister given any consideration to using part of that land?

MR. CHAMBERS: Yes, Mr. Speaker. Quite a number of sites have actually been evaluated and considered for use. As my colleague has just mentioned, that process is being continued with a site that is presently owned by the Alberta Housing Corporation. Of course, it's desirable to acquire the best all-round site.

ORDERS OF THE DAY

MR. SPEAKER: May we revert briefly to Introduction of Special Guests?

HON. MEMBERS: Agreed.

head: INTRODUCTION OF SPECIAL GUESTS (reversion)

MR. BATIUK: Mr. Speaker, it's a real pleasure for me this afternoon to introduce to you and through you to the members of the Assembly, 66 enthusiastic grade 5 students from the Peter Svarich school in Vegreville.

Mr. Speaker, last fall the Alberta Teachers' Association invited all the Members of the Legislative Assembly to spend a day with a teacher in their constituency. I had the opportunity to spend a day in the Peter Svarich school. Not only were there bilingual classes; there were also trilingual classes. I really found it very enjoyable and interesting. I found the demonstrations very impressive, and the school has a fine record.

Mr. Speaker, I have noticed that over a good number of years the grade 5 classes have been coming annually to visit the Legislature. They are seated in the members' gallery. They are accompanied by their teachers Mrs. Nawrot, Mrs. Popowych, and Mr. Kryklywicz; parents Mrs. Porayko, Mrs. Anderson, Mrs. Wilson, Mrs. Vice, and Mrs. Zayatz; and their bus driver, Mr. Zubretski. I would ask that they rise and be recognized by the Assembly.

MR. TRYNCHY: Mr. Speaker, it's my pleasure today to welcome to Edmonton and to the Legislature some 39 students from St. Mary school in Whitecourt. These students are in grades 5 and 6. They are accompanied by their leader, Sandra Finley, other teachers, and, I understand, other parents. They are seated in the members' gallery, and I'd ask them to rise and receive the welcome of the House.

head: GOVERNMENT BILLS AND ORDERS (Third Reading)

[It was moved by the members indicated that the following Bills be read a third time, and the motions were carried]

No.	Title	Moved by
10	Election Amendment Act, 1985	Payne
55	Electoral Divisions Amendment Act, 1985	Payne

head: GOVERNMENT MOTIONS

MR. HORSMAN: Mr. Speaker, before proceeding with Motion 7, I would like to make a brief comment and indicate that I would seek unanimous leave of the Assembly to propose an amendment to the motion. Just a brief word of explanation; it would be to delete "take under consideration" and replace with "approve in principle", so that the amended motion would read:

Be it resolved that the Assembly approve in principle the report of the select special committee to examine the role of an upper House in the Canadian federal system.

Mr. Speaker, I trust that this would be appropriate, and I realize the usual principles relative to members amending their own motions, but with unanimous leave I would appreciate that consideration.

MR. SPEAKER: Is there the unanimous leave the hon. minister has requested?

HON. MEMBERS: Agreed.

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

7. Moved by Mr. Horsman:

Be it resolved that the Assembly approve in principle the report of the select special committee to examine the role of an upper House in the Canadian federal system.

MR. HORSMAN: Thank you very much, Mr. Speaker, and members of the Assembly. I would now like to rise and move Motion 7, as amended, standing in my name and to participate in this debate on the report of the Select Special Committee on Senate Reform.

First, I want to congratulate the members of the committee and in particular its chairman, the hon. Member for Calgary Currie, for producing a thoughtful and thought-provoking report, which I believe will stand as one of the most comprehensive documents on the Canadian Senate and the reform of that institution produced anywhere in this country at any time.

Mr. Speaker, if I wanted to be somewhat partisan — perhaps "partisan" is not the right word. But I could recall some of the remarks that were made following the appointment of the committee back in November 1983 about the fact that it would serve no useful purpose. I won't dwell upon that, because in many ways it would appear this report could not have come at a more appropriate time.

Without straying too far into the area of Motion 13, which is also on the Order Paper in my name, we have to consider the forum in which this report might find a method of implementation, if the motion is approved. The proposed constitutional amendment on limiting the legislative powers of the Senate had apparently, up until a few weeks ago, pushed Senate reform to the top of the agenda for intergovernmental discussions on the constitutional changes.

I should point out, Mr. Speaker, and it was emphasized in the question period today, that this government sought assurances that the proposed constitutional amendment would in no way be a final step in Senate reform but rather a beginning for serious intergovernmental discussions aimed at reform. I point out and repeat what the Premier has already stated in Question Period, that we had sought a sunset clause for this legislation. We thought 1988 would be an appropriate date for the sunset clause to apply in the event that we had not dealt with meaningful Senate reform by that date. The Premier has dealt with that. I will not repeat, except to say that, unfortunately, not enough other provinces agreed with that proposal; therefore, as the members will recall, the preamble to the resolution included a commitment to have first ministers meet before the end of 1987 to address Senate reform.

Mr. Speaker, a continuing committee of ministers would be struck well before that time to thoroughly explore all aspects of the Upper House, including purpose and powers, methods of selection, and basis of representation. This government strongly believes that a written commitment to a future process was essential as part of the proposed amendment, because it would provide a real opportunity to effect long overdue reform of the Senate in Canada. We felt those commitments, in writing, from Prime Minister Mulroney and exchanges of letters between him and our Premier and the written commitment by the Minister of Justice to me would suffice to convince Canadians and members of this Assembly and others that there was, in fact, that commitment. But now, of course, we have to ask whether or not the window of opportunity for meaningful Senate debate and reform is closing as a result of what has taken place in Ontario. We can only wait and see what will happen there, Mr. Speaker. I suggest that even if it is not possible for that Assembly under the current circum-

stances to move through to a constitutional proposal, it is still possible for, and we will press hard for the establishment of, a continuing committee of ministers to push for and review the entire aspect of Senate reform. We shall see what will take place in the next while. In any event, it is the commitment of this government to press forward.

There is a high level of interest shown by Albertans on Senate reform, and that demonstrates the need to commence intergovernmental discussions as soon as possible. Without a doubt, the recommendations of the select committee will play a prominent role in those deliberations. This report has already received national media attention, and its recommendations have been discussed on the floor of the House of Commons. I note, Mr. Speaker, that the hon. Member of Parliament for Edmonton West has raised a recommendation of the committee's report during a recent debate on a private member's motion. I anticipate that the committee's work will continue to be discussed wherever and whenever Senate reform is seriously considered.

Mr. Speaker, the debate on reform of the Canadian Senate has gone on for almost as long as there has been a Senate to reform. Although its credibility as an effective institution has certainly diminished since 1867, it is perhaps worth remembering that agreement on the composition of the Senate was instrumental in securing Confederation. Indeed, the basis of representation in the upper House was the greatest compromise of the Quebec conference of 1864. During their deliberations at Quebec, which eventually led to what was then the British North America Act, the Fathers of Confederation spent six out of the 14 days discussing the composition of the Senate. The composition reached was that there should be equal representation from the three regions: Upper Canada, Lower Canada, and the maritimes.

Equal representation on a regional basis was considered at that time to be absolutely essential to bring particularly Lower Canada, what is now Quebec, into Confederation. Mr. Speaker, this agreement on the composition demonstrated the intention of the Fathers of Confederation that the upper House should provide equal regional representation in the parliamentary process and protect the interests of the provinces. But remember there were only four provinces who entered into Confederation in 1867.

While the Senate's role in representing and, to a certain extent, protecting the interests of provinces is as important today as it was at the time of Confederation, a number of original objectives are now no longer valid. Those have been mentioned very effectively in the report, and I won't dwell upon them. As we are all aware, proposals for the reform of the Senate are legion. In spite of the plethora of governmental, academic, and private reports on reform, there have been very few changes made to the Senate. Prior to the recently announced constitutional resolution on the powers of the Senate, the only real alterations to the upper House have been to change the number of Senators as more provinces entered Confederation. Unfortunately, when that was done, they lost sight of the principle of equality, and today we have a Senate which is not equal in terms of representing the interests of the provinces.

The other important change, of course, was to change the age at which Senators must retire. Now they must retire by age 75. As an aside, I wonder whether or not the Charter of Rights might have some impact upon that. I hope not, but we shall see.

There have, of course, been attempts at reform. In 1978 the federal government introduced Bill C-60, which would have significantly changed the Senate's powers and the manner in which Senators were appointed. But as was the case with so many of the previous government's initiatives.

this one was put forward without the concurrence of the provinces. In their 1979 judgment, the Supreme Court of Canada ruled that most of Bill C-60's proposals for reforming the Senate could not be done unilaterally by the federal Parliament. Indeed, this judgment reaffirmed the constitutional link between the Senate and the provinces and the importance of that relationship in the operation of Canada's federal system.

Mr. Speaker, the question may be asked as to why there is so much interest and urgency about reforming the Senate at this time when historically so little has been accomplished in spite of all the reports and recommendations. Perhaps the big difference, the vital difference, is that with the adoption of the amending formula in the Constitution Act of 1982, governments in Canada now have the ability to change the institutions of our federal system. No longer does the Supreme Court have to decide, as it did in 1979 on the Senate and in 1981 on the federal government's constitutional package, what the proper method for amending the Constitution should be. No longer, Mr. Speaker, do we have to go to Westminster to effect constitutional change.

The method for reforming the Senate is provided for in the amending formula, which I point out with some pride was largely proposed by Alberta. Under subsections 42(b) and (c) respectively, constitutional amendments affecting the powers of the Senate and the method of selecting Senators

and

the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators

must be made in accordance with subsection 38(1), the general amending formula. Under this formula resolutions must be passed by two-thirds of the provinces having 50 percent of the population plus the House of Commons and Senate. Of course, if the Senate does not pass the resolution within 180 days and if the House of Commons again adopts the resolution, then the amendment is approved. In short, Mr. Speaker, the amending formula will allow us to move forward on reform of the Senate.

I believe this is a prime reason for the renewed public interest. People know that governments in Canada have the ability to effect real constitutional change. This government of Alberta took up the challenge by establishing the select special committee. On November 21, 1983, we in this Assembly adopted the resolution which appointed that committee. It's interesting to look back upon the debate that took place that evening and see what was said by various members of the Assembly. At that time, as I indicated earlier, it appeared that there was little interest in this issue and that it would bring about nothing. Of course, that was the subject of some considerable editorial comment throughout the province.

I believe that the adoption of the amending formula and the patriation of the Constitution have created an enhanced awareness by Canadians and Canadian governments of the constitutional experience of other countries. Our system has been shaped largely by the British parliamentary system and, of course, retains the monarch as head of state. These traditions continue to serve us well and provide Canada with a good system of government. Yet Canada has evolved since 1867, and our institutions such as the Senate must reflect those changes. We are now in a position to examine more carefully the institutions of other countries in order to draw on their experiences in reshaping the institutions within our own federal system.

Mr. Speaker, I am impressed that the select special committee carefully examined how Senates or their equivalents operate in other countries, including federal and unitary states. The background documentation in the report includes useful studies on systems in Australia, the United States, the Federal Republic of Germany, the United Kingdom, and France.

This section of the report was of particular interest to me, because I travelled to West Germany in early 1984 with Ontario's former Minister of Intergovernmental Affairs, the hon. Tom Wells, to study the *Bundesrat*, West Germany's second chamber. I was pleased to meet with the committee and spent some considerable time following the trip to share my observations with them. As the committee's report indicates, West Germany's second chamber functions quite differently from the Canadian Senate. Elected state representatives to the *Bundesrat* are appointed by the *Laender* or provincial governments, enabling the *Bundesrat* to act as a forum for intergovernmental discussion. I should also note, Mr. Speaker, that the *Laender* governments in West Germany do not have the same degree of jurisdictional responsibility as do provinces in Canada. This contributes to the importance of the *Bundesrat* in representing the views of the *Laender*.

In its report the committee rejects having our Senate operate as a forum for intergovernmental negotiations. The committee holds the view that the Senate should have a direct relationship with the electorate and not an indirect one, which is the case with the *Bundesrat*, where elected state representatives are appointed. Nevertheless, Mr. Speaker, I note that the committee's recommendations have to some extent been influenced by the *Bundesrat* with respect to the section on powers of the Senate. The committee recommends that the House of Commons be able to over-ride amendments to nonmoney Bills by a vote that is greater in percentage terms than the Senate's vote to amend. In the German legislative system the lower House, the *Bundestag*, can over-ride an objection by the *Bundesrat* on ordinary legislation only if it obtains the same majority as the *Bundesrat* did in passing the objection. That's an interesting addition to the recommendations of the committee's report.

Mr. Speaker, it is interesting to note that in its report of January 1984, the Special Joint Committee of the Senate and House of Commons on Senate Reform also rejected the *Bundesrat* as a model for the Canadian Senate. Before the Constitution was patriated, the idea of the House of Provinces was somewhat more popular. Indeed, the German model greatly influenced the government of British Columbia's proposals on Senate reform in 1978. It will be interesting to see how that particular province, which has given some considerable attention over the years to the subject of the role of the upper House in the Canadian parliamentary system, approaches the table and how much common ground we can find with British Columbia because of their very real interest in what is taking place at the present time and the views they have expressed in the past.

Additionally, as part of my portfolio responsibilities, I had the opportunity to meet with members of the House of Lords in London, as well as with constitutional experts from Australia, to discuss the structure and objectives of their respective upper Houses. I pointed that out in the debate on November 21, 1983. I personally believe there is much to be learned, something to be garnered, from most democratic systems and their treatment of upper Houses.

Mr. Speaker, the select legislative committee has presented this Legislature, and indeed the country, with a report that covers all areas of Senate reform that will be considered

in future discussions: the purpose of the Senate, method of selection, basis of representation, and powers. There can be no doubt that the committee consulted extensively with Albertans throughout the province during its deliberations and, in turn, reflected those views in this report. By going to every provincial capital, the territories, Ottawa, and Washington, the committee also gained an appreciation for the different views that will be represented in future discussions and therefore obtained firsthand the then current thinking of legislators across Canada. That added the element of depth to this report that was so essential.

Let me conclude, Mr. Speaker, by saying that the fine work of this committee places the government of Alberta in the position of being one of the, if not the, most prepared. I think we are the most prepared Legislature in Canada, of the provinces and, for that matter, the federal government, for the upcoming intergovernmental discussions on Senate reform. This government has always held the view that a reformed upper House has an important role to play in representing provincial and regional interests in the federal legislative process. This belief has led us to push for early commencement of intergovernmental discussions on Senate reform. As I indicated in my opening remarks and earlier in the question period, there is now some doubt as to how we will proceed. But members of the Assembly should be aware, as should all Albertans, of the strong commitment of this government to this process of consultation and reform.

I want to assure the Assembly and Albertans that the government of Alberta is confident that the recommendations of the committee will be addressed during the intergovernmental discussions, for now as never before governments in Canada have the means to bring about real and long overdue [changes] to the upper House in Canada. This committee's thoughtful report represents an option to be considered by all participants in the forthcoming discussions. If the motion I placed before the Assembly today is passed by this Assembly, we'll have approval in principle of the three elements of that report. I'll go back over them very briefly: equal, meaning equal representation from each of the provinces; effective, and I believe that will be brought about as a result of what the committee has recommended; and elected, which I will leave for members of the committee who will be participating in the debate to explain more fully. I think the recommendations for the method of election are unique. It has never been suggested before in any of the other reports that I'm aware of but really fits in so neatly with the equality section that it makes this report one of the most effective ever brought forward on this whole subject on the Canadian scene.

Therefore, I speak strongly in favour of the motion now before the Assembly, and I look forward to participation by members during the course of the debate.

[Two members rose]

MR. SPEAKER: I believe it was a photo finish. If I have to decide, I have to say the hon. Leader of the Opposition caught my eye first, followed by the hon. Member for Calgary Currie.

MR. MARTIN: Mr. Speaker, I won't take a great deal of time, because I know a lot of members want to participate in the debate. First of all, the member has gone through and explained the historical significance. I suppose there's always a reason in history why we have something. As I understand it, basing it on the British parliamentary democracy, we thought we needed a Senate to be like the House

of Lords in Britain. We found out, though, that we didn't have any peers, knights, or anything like that, so we still had to have a body there. I think we appointed a few hacks at the time, and the tradition historically has continued right through the ages. It seems to me that it's been going on and on. It's something that has bothered me for many years. Frankly, I see it as one of the most useless institutions there could ever be, very expensive and serving no useful purpose other than as a rest home for partisan politicians. Perhaps all of us can agree on that particular matter.

It seems to me, Mr. Speaker, that recently there was a very good chance that it was finally brought to the forefront in terms of being in the news. This, of course, was the outrageous proposal by a few Liberals that had been there that they were going to somehow stop the legitimate business of Parliament. That's one time I would say that the Prime Minister was correct; it was unacceptable. It might have been a blessing in disguise, though, because at least it brought back to people to at least discuss the issue.

We've made our point about the Senate, and I will come back to what we think should happen. This may not surprise you, but let me say first of all that there are some good points in the Senate report. Let me also say at the start of this, Mr. Speaker, that any change, absolutely any change, from what we have would be a step in the right direction as far as I'm concerned. As I said, all we have now is a very expensive rest home for partisan politicians. What we have right now makes no sense. The only historical thing I can see is that we wanted to base it somewhat on the British system. I've always been a firm believer that we should abolish it to begin with and then work out what we wanted from there.

Let me just go through the problem as I see it, Mr. Speaker. As I try to assess the main democracies that have developed, there seems to be two fundamental forms of government that have emerged in the development of liberal democracies, basically over the last three centuries. One is the parliamentary system, which we're aware of. The other, for lack of a better term, might be called the tripartite system. The United Kingdom was obviously the originator of the parliamentary system and probably still remains its leading practitioner. The revolutionary United States was the originator of what I call the tripartite system and probably remains the leading practitioner at this particular time. As we know, the parliamentary system is characterized by an executive responsible to, and in fact incorporated into, the legislative branch of government, setting aside the now primarily ceremonial functions performed by the head of state. We have a somewhat — I say "somewhat" at this point — independent judiciary, functioning not so much as a check against abuse of legislative power, although this will probably occur more with the Charter of Rights, but basically as it was in the past, a definer and guarantor of the proper functioning of legislation put into place.

The tripartite system as advanced by the United States is somewhat different. It's characteristic of republican governments that do not have constitutional monarchies like Canada's. As anybody that follows American legislative history and even current events finds out, it features very distinct and often competing executive, legislative, and judicial branches, theoretically with no one branch being decisively responsible to any other. We often see that right now in terms of some of the things going on in the United States.

First of all, let me give my bias. Most people here will probably agree with my bias. I personally consider the parliamentary form of government that we have in Canada

and the United Kingdom as superior, because I think the potential for deadlock, as we see in the United States, is there. Regardless of how I feel about it, Mr. Speaker, it is the parliamentary form of government which Canada has inherited, and we're not going to change that. By and large, outside of the Senate and some other changes we should be making — and I'll come to that — I think it has served us very well for some 118 years.

Mr. Speaker, the current Senate was more or less grafted onto the parliamentary model as originally conceived and was to resemble the House of Lords, as I mentioned. As I also mentioned, it has been totally inadequate to its task. As I see it, the problem is simply this: how to alter the Canadian Senate in such a way as to meet the goal of effective regional representation without thereby imposing on Canada's parliamentary system a republican form of legislature which competes with both the House of Commons and the provincial legislatures. If we get into that system, I suggest that it would have a fair chance of reducing both to chaos. I say to the hon. member and the people who have worked on the committee that I have some constructive criticism — and I hope it's taken in this light — of the report and where it might lead.

Again, and I want to make this clear, let me say that if it comes down to this report or what we have in the Senate, I will accept this report as being much superior to what we have. At least it's a time to debate it, and I recommend the chance to do this here in the Legislature. It's time we did this right across the country. It seems to me, Mr. Speaker, that the report of the Alberta Select Special Committee on Upper House Reform fails to deal adequately with those two crucial concerns I expressed. I remind you that one is the goal of effective regional representation and the other has to do with not setting up a republican form of legislature which competes with both our governments at this particular time.

Mr. Speaker, let me indicate to the Assembly why I believe this. To take the second concern first, it seems to me that the report somewhat turns its back on parliamentary government and comes down in favour of a Senate that I believe is more of the tripartite sort, based more on the American model. While hesitating, I will admit that the committee did not go all the way in this regard, because they felt compelled to deny the proposed Senate any effective powers — and this is an important one — over questions of supply. But it seems to me that they would allow the Senate to interfere in many other areas that more properly should be in the House of Commons or in the provincial Legislatures.

In doing so, I think they recognized this problem, because they turned around and proposed a series of countervailing vetoes and categories of votes in an effort to, with one hand, limit the broad powers they would grant their Senate and, with the other, through the back door, if I can put it this way, introduce a legislature that I still think is entirely against our system. Following the executive model as we know it in this Legislature — having the executive responsible, at least in theory, to the Legislature — it seems to me that setting up this new branch is very much going against what we mean in parliamentary democracy. I believe we would come out of this with a hybrid, somewhere in between the two.

I know what the report is attempting to do: effective regional provincial representation. I say in all honesty to the Assembly, Mr. Speaker, that this is precisely what I want. But let me go into it in a little more detail and say where I see the problems. First of all, what would be the

real effect of the committee's proposals for a Senate comprised of an equal number of Senators elected from each province? Let me say first of all that if we're going to have an elected Senate, I totally endorse that. You'll see why in a minute, when I come to my proposal. There should be equal numbers of Senators; no doubt about that. I can accept the American model on that. As far as I'm concerned, Prince Edward Island as a province should have as many Senators as Ontario, if I can use that as the extreme example. I know there are some answers to this, but I'll make the case first.

It seems to me that this particular body could eventually evolve into a body quite similar in its composition to the American Senate, with an important difference because our party discipline is tighter than it is in the United States. I've never known the difference between a liberal Republican and a conservative Democrat. There's a much looser party affiliation. I think we would agree that ours is much tighter. Party discipline could eventually be even more pronounced in this particular Senate than it is in the American one. To the credit of the committee, they recognized this danger of partisanship, if I can put it that way. They came to this. They realized that the emergence of partisan politics in their proposed Chamber would mean the death of the effectiveness, if you like, of a body devoted to regional representation.

I think it's here that they began to run into problems. I throw out some questions, Mr. Speaker. The committee said:

the Senate should be organized without the recognition of political parties . . . it must be structured to represent those regions' interests rather than the interests of national political parties.

I don't care if it's national political parties or whatever; I would like to know how this is going to be achieved. Let me throw out some problems as I see them. If this Senate becomes an important body as the government envisages, or at least as this motion envisages, are we going to say that political parties are just going to ignore it? There could be a fair amount of power in this particular body. How are we going to do this? Are political parties somehow to be banned from endorsing, working for, and even funding individual candidates to the Senate? If we're not looking at this, I believe we're really getting into some severe problems. How are political parties to be persuaded — in the absence of a statutory prohibition, which would surely be against the Charter of Rights and Freedoms — to refrain from such involvement?

In other words, I'm asking very simple, straightforward questions. How are you going to stop political parties from being involved in the election in a particular Senate? Mr. Speaker, if political parties can by some miracle be kept away from Senate races, how are the people going to afford a provincewide campaign? Let's say there is that election and somehow we're able to keep political parties away, which I think would be very difficult because there would be too much riding on it. Whether it was this government or a government that was held by my party or any other party, they would see this as being very important. Somehow, either indirectly or directly, they would be involved.

Let's say for argument's sake, Mr. Speaker, that they are able to keep the political parties at arm's length, if I can put it that way. Then how is the financing going to be done? Sitting in the Legislature, we're all aware that elections cost a lot of money. It seems to me that if political parties can't be involved — and political parties can form. It might not be the Progressive Conservative Party; it could be another party, say, Party X, but with a lot of Conservative

members. There will have to be fund-raising of some sort. Otherwise, the only people who could afford to run, if they didn't have the backing of the parties, would be people who had the means to do so. How else would they be funded? It would be very expensive to run provincewide campaigns. So I'm saying it's going to be very difficult. I think there are some real problems in keeping political parties away, and I'm not sure over the long haul that you necessarily want to do that.

Mr. Speaker, dealing with the partisan politics, the committee proposed that

Senators should be physically seated in provincial delegations, regardless of any party affiliations.

If we all sit together, you know, somehow we'll all think alike: I gather that's the point being made here. I suggest that's just impractical, because even if political parties rear their ugly heads in the Senate, somehow by just sitting together, we'll solve the problem. Of course, we all know there will be caucuses outside, there will be pressures from provincial governments, and there will be pressures from federal political parties on these people. It seems to me that it's impractical. Just sitting together doesn't necessarily mean you're going to represent the regional interest and that parties might not have some say in that.

Mr. Speaker, I really have some problems with another area the Senate committee talked about: the consultations that will go on between the provincial delegations and their respective chairmen, the chairmen in their Senate executive council, and the Senate Speaker and the Speaker of the House of Commons. I know the purpose of this. Consultation is good, but it seems to me that just getting all these people together is going to be a mammoth task. With all the consulting that's going to be done, I'm not sure they'll have time for other things, especially looking after regional representation.

The other area I have some concerns about has to do with beyond the Senate, because I think that's another way the committee is driving at getting effective regional representation. As I understand it, this is done by way of two key recommendations in the report. On page 4 it is recommended that

the Senate should not be a forum for inter-governmental negotiations.

On page 8 of the report it is recommended that the requirement that First Ministers' Conferences meet on a regular basis should be entrenched in the Constitution.

Mr. Speaker, I would like to look quickly at the effect of these two recommendations, if I may. First, by stripping the proposed Senate of any powers on the basis of which to act as a forum for intergovernmental negotiations, the committee would essentially remove the very point, to me at least, of effective regional representation, that being the bringing to bear on national policy of the concerns of the Canadian regions to the national government. In this case specifically, I'm talking about the province. So if they take that away, I'm not sure what else they should be doing. They'd be elected, and that certainly would be better than appointed, but I'm not sure what their role would be.

Mr. Speaker, the other area, seeking to entrench the First Ministers' Conferences on a regular basis in the Constitution: the committee is seeking to ensure that effective regional representation becomes a matter to be worked out at informal meetings, sometimes behind closed doors, of the levels of government. First of all, I think the First Ministers' Conferences are important functions, but I think we could say — and the Premier might agree with me on

this — that in the past at least, they haven't always been very effective in terms of regional representation. It seemed that the national government had a lot of clout, you had a couple of the governments in the centre, and there wasn't much regional input. So I'm not sure that entrenching this — and a lot of it could happen behind closed doors — would necessarily ensure effective regional representation.

As I conclude that part of it, let me just bring up what I would like to consider, Mr. Speaker. I will push for anything that gets rid of what we have at this particular time. I made that very clear. Certainly, my preference always is for elected rather than appointed. In that sense, I could support it. My concern, though, is that it may not be equal or effective. I've tried to make that point.

Let me go through and say my main criticisms. Frankly, as I've tried to mention, I believe we're overgoverned in this country already. We have all sorts of governments. We have the federal government and provincial governments, each one of them growing. Part of the criticism, and I've heard it from people in here, is that we're overgoverned. What we're really suggesting at this particular time is another layer of government. I know there's an attempt to limit the powers, but I also know enough about elected politicians that once they are there, they'll be niggling and looking for something to do. Inevitably, if you have another layer of government — and that's my point — they will start competing with the provincial Legislatures and the national Parliament, and I don't think that's a necessity.

The other point I would like to make in conclusion is to give again, as we did to the select committee, our proposals. I've gone over it with other people. There may be ways to improve; there always are ways to improve particular documents. But I would like the government to consider, because I think what we're suggesting is what they want: if I may use the Triple E slogan, equal, effective, and elected. I'll come back to why I think we have this.

First of all, it doesn't come as any surprise that I feel that the current Senate should be abolished and that we should have no second House providing lifelong appointments to people. I think we can both agree on that matter. But I would not go for another body to govern us. I've called for, and our party has called for, what we call the council of the provinces. Let me go through very quickly. It's not complicated. People would say that the Leader of the Opposition couldn't understand it if it was too complicated. We will point it out and see how it does the three things I suggested.

First of all, Mr. Speaker, we proposed that the council of the provinces would bring representatives of all provinces together in a national context, as a national body. Let me go from there into the function of the council of provinces. The council would represent the interests of the provinces at the federal level. As such it would rule, except as provided in part 5 of the Constitution Act, 1982, on questions requiring consent by both Parliament and the provinces. There are issues that clearly are dealt with by the federal Parliament and issues that clearly are dealt with by the provincial Legislatures. The problem right now, as I'm sure the Premier better than anybody can indicate, is that there is a growing body, a group in the middle, that seems to create problems for us from time to time. What we're suggesting is that this is where the council of provinces would be involved.

The jurisdiction of the council of provinces, as we see it: matters requiring council consideration would be those affecting areas of concurrent power. The definition of issues justifying use of federal emergency powers would be one.

The exercise of treaties relative to provincial jurisdiction is another. Shared cost programs is another. Ratification or rejection of federal appointments to the Supreme Court would be another. There may be others, Mr. Speaker, but that would give you the flavour.

The composition of our council of the provinces, as we see it: seats on the council would be divided equally among the provinces, a prospect very similar to your elected group. Seats would be allocated in the name of the province, though, and not to individual delegates. Let me explain what I mean by that, Mr. Speaker. Provincial representatives would not be permanent but would be appointed by their respective governments according to their appropriateness to the matters at hand. The flexibility would permit provincial cabinet ministers and provincial Assembly members to act as provincial representatives on the council. Similarly, it would allow nonelected officials to act as representatives.

What I'm suggesting here is not a whole new bureaucracy of elected members or whoever. Let's say that the government of the day, in fact this government at this particular time — if it is a matter dealing with energy, for example, the Premier may want to send the minister of energy and a couple of advisers. He may want to send other people from this Assembly. But as soon as that matter is decided, it breaks up until the next time the council of the provinces is brought in — not a new bureaucracy. It seems to me that nobody should be able to talk for regional representation better than the elected people in this Legislature.

The procedure of the council of the provinces, as I see it, would be governed by parliamentary procedure, Mr. Speaker, the same as we do here, designed to facilitate decision-making. Decisions of the council would be made by a majority of the provincial delegations; in other words, equal for P.E.I., Alberta, British Columbia, and Ontario. It seems to me that on a simple majority vote, that's how it would be brought in.

As I mentioned, Mr. Speaker, the council would be called into session by order of the Governor General at the initiative of the federal government or by request of the majority of the provinces. In other words, the federal government or a request by the majority of the provinces can call it in. They deal with the issues and then break up — no new bureaucracy there.

In terms of limitations of powers, Mr. Speaker, the council's powers would not be such as to undermine the principle of the federal government's being responsible to the elected House of Commons and to each of the provincial Legislatures being responsible there, nor would the actions of the council prevent the federal government from carrying out its constitutional responsibilities. In particular, council would have no powers over federal or provincial budgets or estimates.

Mr. Speaker, we have suggested that the Northwest Territories and the Yukon Territory and any other future territory should be represented in the council of provinces, having the right to debate but no vote until they become provinces.

Let me conclude by saying that I believe our proposal of the council of the provinces basically does what the government is asking in terms of their resolution. But it does it without creating a whole new bureaucracy, and it does it very inexpensively. It's equal, because all provinces are treated equally. I believe it's effective. That's certainly debatable between the two. I also say it's elected, because we in the Legislatures are elected. So I think it follows the Triple E proposal but in a less bureaucratic way, if I may.

Let me conclude there by saying that I believe there are certain times — if we're going to have any changes, perhaps it's a combination. No matter what we pass in this House, there will probably be negotiations with all the other provinces at some point or another, and in these types of negotiations, nobody ever gets all the things they want. But I believe it is appropriate that changes should occur, and I hope this government moves quickly. I was a little concerned. I know the Premier said today that it was a judgment call. But it seems to me, Mr. Speaker, that there was an immediacy there. Everybody in the country was angry at this group that was holding up the legitimate business of parliament. If we got just a tinkering, that we cut down the number of days, as we had here, I believe the emphasis would not be as strong.

I say this in all honesty. I know there are more Liberals in the Senate, because they've been in power a lot longer. But for any government, whether it's Conservative or Liberal, that's a nice place to put people that have given service to the party. For any prime minister, whether it be Mr. Mulroney or a future Liberal or NDP or whatever — we would abolish it — the tendency, once you have that, is that it's convenient to appoint people there. If they get that sort of temporary approach, where they can just limit the Senate's powers, it seems to me that the emphasis will be off the federal Parliament. It will not be quite as high a priority to them to change the Senate.

I'm glad in a way that we're not debating this resolution, because I hope for some significant changes in the next two years. If it's just a matter of tinkering, just to limit it a little bit, I don't think that's what any of us in this House want, no matter how we vote on this particular motion. So I say to the government and to the intergovernmental affairs minister in particular: let's be very careful. Let's keep the pressure on so that they want change. It's going to be very convenient a year or two down the line when Mr. Mulroney says: "My goodness, I can put all these people in. I can reward them, give them some place to go." That's precisely what the Liberal government did for many, many years. I don't need to tell you how successful they were in the electoral process. Any government might want to use that. If we don't do something in the next two years, I expect that 100 years from now we may be debating the same thing, only we'll have tinkered with the powers a little bit. I really suggest that we watch that carefully.

In conclusion, the other suggestion I would make — I've had second thoughts about it myself, and it doesn't necessarily fall into the mandate, but it falls into parliamentary reform. If this country is so regional, as we know it is, very different from most other countries in the world, and that's why we're into this particular exercise, it seems to me that one of the things we're going to have to look at — and I don't know how; there are many different ways to do it. Perhaps the Member for Calgary Currie has looked into it. I believe the time has come to look at proportional representation as another way to deal with regional differences. It seems to me that in the past we've had members all of one party coming from certain parts of the country. Alberta is a good example, but Quebec was another at one time. I think that adds to the tensions in the ridings. Perhaps we don't get the best sort of representation at the regional level that we can in that way. I throw that out. I don't know how it should be done. I'm just thinking that in terms of making our institutions more effective, it's something else we may want to take a look at in the future.

Mr. Speaker, I appreciate this time on an important motion. As I said, I hope people aren't too defensive about

it. We're trying to find out what will work. This process is going to go on nationally as well. When the time comes — as I said, I want to make it abundantly clear — I for one will vote for anything that gets us away from the system we have at this particular time.

Thank you, Mr. Speaker.

MR. ANDERSON: Mr. Speaker, in rising to speak to Motion 7 on the Order Paper, I'd first like to express my thanks to the hon. Minister of Federal and Intergovernmental Affairs for his kind words; his leadership in this issue with both motions, to establish the committee and this one before the House; and in particular for his assistance and advice over the last year and a half that we've been working on this issue.

Mr. Speaker, when I talk about this issue in places other than this Assembly, I often tell the story of the dedication of Niagara Falls some 30 years ago, when the Canadian and American governments came together and had political representatives from each nation speaking to a small crowd. The American Senator started and began to wax eloquent, saying that it was a beautiful edifice, that it had obviously taken thousands and thousands of years to chisel out that beauty. At that point a very sharp but undefined person in the crowd said, "Must have been a government project, eh?"

Mr. Speaker, many people would say, as the hon. minister of intergovernmental affairs alluded to earlier, that Senate reform is a government project by that definition. In fact, we have been talking about Senate reform since the day we established the Senate. Why would Canadians want to change the body before it even began its operation? Clearly, it was because the Senate of Canada was not fulfilling the mandate for which it was developed. That mandate, so appropriately outlined before, was to represent first and foremost the smaller provinces, the less populous provinces in the country, in the federal decision-making process. All speeches given by the Fathers of Confederation during the debates alluded to by the hon. minister — and they include John A. Macdonald, George Brown, and Cartier — said that we could not have had Confederation without an agreement for a Senate of equal power to the House of Commons that would protect the interests of the small provinces in that decision-making process.

So with that interest of the Fathers of Confederation, why did we not succeed in developing that system? Historical notes are sketchy in that regard. But clearly the reason seems to be that the fathers of our nation felt the monarchy would make independent appointments through the Prime Minister and, therefore, safeguard the rights of the provinces. They didn't realize that at the time they were making that decision, the whole relationship between the monarchy and the Executive Council of our nation and Britain was changing, and that within only a short period of time the Prime Minister would have the ability to appoint individuals with qualifications and ability, many of them with dedication, but without the purpose of representing the smaller provinces in the federal decision-making process.

Mr. Speaker, regardless of how good our Senators have been as individuals in the past, this has created a century of illegitimacy for the Senate of Canada. Indeed, there is a promise left unkept to the nation, made at the time of Confederation. Winston Churchill once said that democracy is the worst of all possible systems except for all the others. In the case of the Canadian democracy and the Senate of Canada, I suppose some of us would agree with that statement. Again, as the minister said, it's in the context

of that historical perspective and the acrimonious energy and constitutional debates of the Trudeau years that Albertans began to demand that that promise for input into our decision-making process be kept. It was then that this Legislature wisely, I believe, formed the special select committee I've had the honour to chair.

Mr. Speaker, a few words on the composition of that committee. I appreciate the Assembly's wisdom in electing, and the minister's wisdom in nominating, the individuals who are on the committee. The hon. Member for Calgary North West supplied a stability and wisdom to the committee that helped us throughout our deliberations; the Member for Innisfail, a quiet thoughtfulness; the Member for Calgary Egmont, contacts wherever we went throughout the country who were most helpful, as well as a good general understanding of all issues involved; the Member for Lacombe, a quick mind and analytical ability; the Member for Edmonton Kingsway, a sensitivity and intellectual capacity that gave many aspects of our report direction; the hon. Member for Highwood, who, whenever we were taking ourselves too seriously, managed to make sure we were reacting as a friendly group and often added humorous comments. Indeed, I think few of us will forget the repertoire of stories around the country that were both given and evolved as a result of that hon. member. As well, though not of the same party as the rest of us, we got to know and be friends with the hon. Member for Little Bow, who gave his years of experience and understanding of the Alberta public.

In the same vein, I'd like to thank publicly in the Assembly, on behalf, I believe, of the committee members, the staff who worked with us, the people who gave us advice and assistance. In particular, I'd like to mention Rob Reynolds and Garry Pocock from the Federal and Intergovernmental Affairs department; Mike Clegg, the legislative Law Clerk, who helped us a great deal; John McDonough from the Legislature Library, who worked tirelessly on the background sections of this report; and especially Cathy Krysa, the co-ordinator of the committee, who was responsible for helping to compile the entire report. I guess if I were to single out any one person to an even greater extent, it would have to be Mrs. Louise Empson, who was executive secretary to the committee, worked with it throughout its mandate, and gave unstinting dedication and pleasantness. Mr. Speaker, we all became enthusiastic coworkers and friends. I think we all know that friends reach conclusions easier and make decisions better than those who are not.

Mr. Speaker, if I might take liberty with the rules of the House, I notice that there are some of the members of the staff I've mentioned — John McDonough, Garry Pocock, Rob Reynolds, and I think Cathy Krysa was in behind the pedestal there. If they might stand, I'd like to have them recognized. If any of the others I mentioned are here and I can't see them, would they please stand as well? Our thanks again.

Mr. Speaker, I won't go into detail on the committee's work, though I would like to outline in general what we did on behalf of this Assembly. The committee advertised in all parts of the province for individuals who would be interested in the topic of Senate reform and held public hearings in every centre in the province where there was an interest expressed. After we received the briefs — which came from the chambers of commerce, individual citizens, the union of public employees, political parties in the province, and just about any category of individual or group you'd like to name — we took the unprecedented step of returning to those individuals and asking them further ques-

tions by way of letter, thereby involving them in the ongoing process.

In addition, as was mentioned by the minister, we met with ambassadors, high commissioners, the Macdonald Royal Commission on the economy because they have institutional reform as part of their mandate, and the former joint House/Senate committee. We met with premiers Davis and Devine, the Prime Minister of our country at this time, and former Prime Minister Joe Clark. We met with most attorneys general in the country, most ministers of intergovernmental affairs, many constitutional experts, about 20 Senators, more than 20 Members of Parliament, and well over 200 provincial and territorial legislators. So I think we have a reasonable feel for this topic, in the hours of work put in by committee members and staff.

The report may have its deficiencies. Indeed, I suppose many committee members might have one specific area or another they might change slightly, but it's a unanimous report and I believe it represents the feelings of those Albertans who have an interest in this topic. There is a story told of an international student group that was asked to write essays on the elephant. The French student wrote on the sex life of the elephant; the American student wrote on the elephant as an American political symbol; and the Canadian student: the elephant — a federal or provincial responsibility? Mr. Speaker, I think that underlines Canadians' preoccupation, some would say, with constitutional issues. And I think justifiably so, because we're still a young nation, still evolving, still in need of defining and redefining the process by which we're governed. It's our hope, as members of the select committee, that the recommendations contained in the report we make to this Assembly will assist in that regard.

If I may briefly go through the recommendations, I think they essentially fall into three major categories: the Triple E aspect, if you will — the elected, effective, and equal aspect; the dramatic restructuring of the Senate itself; and third, the recognition of the role of first ministers in governing the nation.

In terms of the Triple E aspect, many people will say — and I think the hon. Leader of the Opposition alluded to it — that election has its difficulties in the British parliamentary system. Indeed, once it comes into being, it will cause a more complicated process for governing. It will require some working out of relationships, a rewriting of many rules as to how we operate in this country now. You can go through a litany of the deficiencies of an elected system, but there's one underlying reason it should be the position taken by this Assembly. Clearly, it is that the people of this province and, I believe, the people of this country support the concept of democracy and want that principle entrenched in that particular body in our system of government. There was no question of this in our public hearings throughout the province.

The equal aspect: in this case we recommend six per province and two for each territory till such time as they become provinces. We recommend a smaller number than is in our current Senate to save the taxpayer money but, more importantly, to make for more efficient operation of the Senate itself and an easier election system than more candidates would bring. We believe firmly in the principle of "equal". The argument undoubtedly will be made, and has been made by the more populous provinces, that population should play a role in that regard. To us it's fundamental that we are equal partners in Confederation and, as such, should be equally represented in the body designed to represent the provinces in the federal decision-making process.

The only other nations in the free world anywhere near the size of this country, the United States and Australia, operate on that principle.

In terms of powers for the elected Senate, that's perhaps the most difficult area our committee had to deal with. We had to answer the questions in that regard posed by the Leader of the Opposition and by ourselves at that time: how does a powerful, elected body operate in our system without holding up the workings of government coming out of the House of Commons and yet have the power to represent the feeling of the people of the provinces firmly and without compromise? We feel we've come up with a solution, though one can tinker with the days and the percentages. We say that the Senate should have a veto on all Bills but that on a money Bill they should have to exercise that veto 90 days after the House of Commons forwards it and that once the problems the Senate has identified have been focussed on and the nation has seen what difficulties there might be and has had a chance to respond to the veto of the Senate, the House of Commons could over-ride that by a simple majority. We believe this would give the Senate strength but the government the ability to continue to operate.

We recommend that the Senate vote on all other Bills within 180 days and then again have an opportunity to veto. To over-ride such a veto, the Commons would have to have a larger majority than the Bill was defeated by in the Senate. In other words, if 66 percent of the Senators voted to veto a Bill, the House of Commons would have to have 66 percent plus one to over-ride it. This would effectively give the Senate a full veto if they felt united enough to send a Bill back with a 100 percent negative vote to a veto, which would test the resolve of the Commons in relation to the resolve of the Senate itself.

It was our belief that the Senate had a legitimate role to play in some other areas. For example, we have given the Senate the ability to veto or change international treaties of a nonmilitary nature, believing that treaties very much affect the role of the provinces, and there should be a role to play there. In addition, we recommended that the Senate have the ability to veto changes over English and French language rights in the country through something called the "double majority". If there were to be a change to the existing English language right, it would require a vote of the majority of the whole Senate plus a majority of the English-speaking Senators.

We define these as the Triple E — elected, effective, equal — aspects of the report. In my opinion, as important as that part of the report is the portion that deals with the radical restructuring of the Senate itself. We recommend that we abolish the traditional role of opposition and government in the Senate, because the Senate should not be there to defend or oppose the government of the day but rather to represent the provinces from which they come. To strengthen their view of that responsibility, we suggest they be seated in provincial delegations and that those Senators elect a chairman from each provincial delegation who, together with an elected Speaker, will form an executive council looking after the operation of the day-to-day needs of the Senate and likely negotiating with the House of Commons on issues that come up.

We further recommend that those Senators be elected in provincial rather than federal elections, precisely for the reason the hon. Leader of the Opposition indicated, in terms of trying to ensure that the people of the provinces have the ability to judge senatorial candidates on the basis of their resolve to represent the provinces in the federal deci-

sion-making process rather than their general view on overall national issues, which might be the case if they were to be elected in a federal election. That would have some added benefits by allowing the Senate to work continuously and not stop for elections, thereby holding up the work of the House of Commons. In my opinion, it would also stop any one political party in the country from imposing its will on the Senate. I believe political parties would be involved in the election of Senators. I don't think there's any way we can get around that in our system of government. It would be naive to say otherwise. But those political parties would be provincial political parties. So, at most, one party in a province in this nation might be able to influence six Senators in their province for their province's interest. We would not be in the situation where a national political party, controlled largely, as it must be in the nation, by the most populated parts of the country, exerts its will on that Senate. In the study of the Australian system, there's some suggestion that that may have happened there on a number of occasions.

Mr. Speaker, along with those two elements, the Triple E and the radical restructuring of the Senate, we also feel there is a legitimate role for first ministers in the country. In the absence of an effective Senate, they have evolved to some extent as the protectors of the provinces but also as legitimate purveyors and spokespeople for the feelings of the people of the provinces. We believe that though the first ministers' conferences are now regularized, they should be recognized in the Constitution and entrenched.

To answer the Leader of the Opposition's suggestion that the Senate should be operating as a forum for inter-governmental negotiation, in the system he suggests, which is appointed by the provinces, that could happen. In an elected system where those Senators represent people, not governments, they could not act in that capacity. Frankly, Mr. Speaker, though the hon. Leader of the Opposition may well define his concept of appointed as elected, through our public hearings I can assure him that the people of the province wouldn't define that as elected. We believe that those first ministers' conferences have some other legitimate roles to play, particularly in authorizing the use of emergency powers, since emergency powers affect and impact very directly on provincial jurisdiction, and as well on the appointment of Supreme Court justices, since the Supreme Court of the country is more and more playing a role in determining what judgments are made regarding the distribution of powers and the rights of the provinces.

Mr. Speaker, that is a basic overview of the recommendations of the committee. I draw members' attention to one other section of the report, the short- and medium-term possibilities section, which takes a realistic view, saying that while it is desirable and we advocate an immediate move to the recommendations we've made, we recognize that it may be necessary to go through a period of change, and we outline what some of those changes might be. One might call it a phase-in, though I might indicate that phase-ins have their problems, as was found by the country of Eire. It is said that some years ago they decided they wanted to change the driving habits of the people of the country from driving as the British do on the left-hand side of the road to driving as we do on the right-hand side. They didn't know how to do this so they hired a consultant — rumour has it that it was a Canadian ex-Liberal cabinet minister — who spent about a year and a half and had several subcommittees studying it and finally reached a conclusion. He said to the government of Eire: "We'll phase in these changes. For the first year all trucks, buses,

and public vehicles will drive on the right-hand side of the road, and the following year public cars will go along as well." So there's a caution with phase-ins. In this regard, I believe the people of our province would accept a move toward change as long as it's recognized that that move is not an end in itself and that we are committed to the concept of an elected, equal Senate for this nation.

The last question I'd like to deal with is the suggestion that some make: "Why talk about Senate reform? We've been discussing it for 119 years. It won't happen." The hon. minister of intergovernmental Affairs outlined, correctly in my opinion, that this is the best time in history for that potential to be there, because of both the amending formula, which this province led the way with, and current circumstances. As well, I believe our nation has evolved to the point where we can see what kind of Senate we want.

Before closing, I'd like to indicate that I appreciate the work many dedicated Albertans have done in keeping this topic before Albertans and the nation as a whole, people like Jim Gray and Bert Brown of the Triple E foundation. I know those men and I would support the statement made by an American president that some men look at the world the way it is and say "Why?"; others look at the world the way it could be and say "Why not?"

Mr. Speaker, it's time to end the century of illegitimacy the Senate has faced. It's time for us to keep the promise made to the smaller provinces in this country at Confederation. It's my hope that this committee report will assist this Assembly to reach conclusions that will help us strengthen Canada.

MRS. OSTERMAN: Mr. Speaker, it is with a great deal of pleasure and pride that I take just a few moments today to participate in the debate on this resolution. I do that not because I as the MLA for Three Hills am expert in terms of Senate reform. We have many, many experts who have spent a great deal of time working on this resolution. I particularly commend the hon. member who chaired the committee and all the members of the Legislature who participated. But I feel it's important that I make a few comments because of the citizens who have played such an integral part in the discussion throughout the province during the course of the committee's work. It should not go unnoticed, nor should the record go without showing who some of those citizens were. I think all hon. members know that over the course of the history of this province and of this country, western citizens, particularly Alberta citizens, have played a significant role in very important reforms that have taken place in this country. I hope that one day soon we will be able to say that once again western citizens, in particular Alberta citizens, have played a very significant role.

Mr. Speaker, in November 1983 a group of citizens from the Three Hills constituency first registered the Triple E society in the province of Alberta. Those citizens were represented first by Bert Brown from the small hamlet of Kathryn and area. I know the chairman and other members of the committee are familiar with the work and representations of Bert Brown. The citizens who joined him at that time were Jim and Donna Jackson from Acme and Carol and Gary Hayley, Lorna and Earl Jones, and Mavis Schnell from Airdrie, as well as two people I do not know, Mr. and Mrs. Wyman from the Rockyford area. I think it should be on record that these people were the first who registered the society in a more formal way and began the debate across this province. Of course, they joined with and were joined by many, many others. The hon. member who chaired

the committee mentioned the work of that committee, that has shown not only in Alberta but across this country.

Mr. Speaker, it was only some number of months later, in the spring, that the group was registered as a Canadian society, and of course they now have people who are speaking on their behalf in every province. In his final comments the hon. chairman of the committee so eloquently stated the sort of perspective of people across this country who are speaking to senate reform at this time. I think it's fair to say that governments come and go, even political parties come and go, but the basic tenets of our institutions are here with us for a long, long time and carry us over the times when we have political upheavals. In advocating a much stronger role for the regions of this country, those are the types of situations that these citizens are speaking to.

Mr. Speaker, I am very pleased with the amendment put forth today by the hon. Minister of Federal and Intergovernmental Affairs in speaking to the principles of the report that was tabled with the Assembly. I urge all hon. members to support that resolution, on behalf of not only my own constituents but those whom I have heard from across this province who have supported the initial work of that group.

MR. PAPROSKI: Mr. Speaker, I'm pleased to participate today in the debate on amended Motion 7, a motion that pertains to the reform of Canada's upper House, the Senate. I was honoured to be selected as a member of the Alberta Select Special Committee on Upper House Reform. Why? For the reason that people of Alberta are simply fed up with the upper Chamber as it exists today and that I was permitted to be a part of the final report, entitled *Strengthening Canada*, which provides alternatives to the upper Chamber.

In 1867, Mr. Speaker, the Fathers of Confederation established the Senate for two major reasons. One was to protect and represent, so far as federal legislation was concerned, what Sir John A. Macdonald called sectional interests. The more common or familiar term today, of course, is regional interests. But why not call them provincial interests today? After all, we are a federation comprised of provinces, and in my estimation that is what we should be referring to in the future. Number one, the role of the Senate was an articulation of provincial interests.

The other major role was acting as a counterweight to the popularly elected House of Commons. Both these roles were to be carried out by the exercise of sober second thought, a legislative review component. A third role was to represent property owners. The Senators were to be appointed only from those citizens who were at least 30 years of age and who owned property worth at least \$4,000.

The second Chamber was given powers equal to those of the House of Commons, Mr. Speaker, except with respect to money Bills. What happened to that body with teeth, an absolute veto, and power to introduce legislation? Over the years it has simply become a Sleepy Hollow. The fact is that people are definitely questioning its usefulness. Do we have to expend millions each year on a House of sober second thought? Do we need a patronage-laden institution? Do appointed individuals really represent our interests? If we are equal in Confederation, should there be the inequities in the numbers of Senators from each province? People are angry. They want their Senators to be accountable to somebody in this country other than one man or woman.

Mr. Speaker, the criticisms about the effectiveness and usefulness of the Senate are not new. Listen if you will to

a few quotes about the Senate from people in history. First of all, in 1874 Edward Blake stated the following:

I do not believe it is consistent with the true notion of popular Government that we should have a Senate selected by the Administration of the day, and holding their seats for life.

After being appointed to the Senate in 1921, Sir George Foster wrote in his diary:

As to myself, I have to-day signed my warrant of political death . . . How colourless the Senate — the entering gate to coming extinction. Would it have been better to have gone in the midst of conflict?

Turn to 1922, when R.M. Dawson stated:

The senators take their seats in the Upper House, not as open and fair-minded men, not as impartial critics, not as legislators whose one objective is to produce good statutes; but as violent partisans, men whose minds have become warped and twisted with long party controversy, and whose chief end in life is to promote the interests of those whom they have always supported and to whom they owe their position.

A final quote from John Haig, a Senator in 1950.

We members of the Senate are the highest class of pensioners in Canada.

These are harsh words, Mr. Speaker. They are not my words. Indeed, I know the Senate has produced some tremendous work. But citizens of Alberta and Canada are asking about its present and future goals and whether it should be reformed. Albertans have had enough, and our report, *Strengthening Canada*, clearly illustrates what Albertans believe is necessary in a new Senate. First of all, Albertans want reform. They don't want abolishment. In fact, only 3 percent of the briefs we received were in favour of doing away completely with the Senate.

So what are we proposing? What are we asking of members today? We are asking for support for a streamlined, newly organized body, elected by the citizens of this province and the citizens of every province. We are proposing a Senate in Ottawa of equal numbers from each province, and we are asking for an effective Senate, mindful of its need to represent Albertans' interests in Ottawa. There are those in this House who feel this is a pie-in-the-sky request. I'm not so sure, Mr. Speaker. Of course, it will take time, but it needn't take another generation.

Surely all Canadians will see the merit in having their Senators elected by them instead of chosen by one man or woman leading this country. Surely Canadians will see the necessity of enshrining the first ministers' conference on the Constitution and the benefits accruing to both the provinces and the federal government. It's called more communication, Mr. Speaker. Surely Canadians will see the merit in downsizing the Senate from 104 to 64 seats and the foolishness of the Special Joint Committee on Senate Reform of the House of Commons and the Senate, which was produced in January 1984, where they indicate that there should be an increase from 104 to 144 seats. Our neighbour has a population much greater than ours, and they have 100 Senators. With a population of 23 million people, surely 64 Senators would be sufficient. Surely Canadians can see as well the benefits of a Senate electing its own Speaker and also not permitting Senators to be part of a federal cabinet. Surely Canadians want a Senate as we propose to protect provincial interests in Ottawa but not to usurp the role of the lower House and hamstringing its every move, as we have seen in Australia, where there has been double dissolution. Surely Canadians would not argue with the fairness suggested in the termination of the tenure of

present Senators, a unique proposal that is offering alternatives here. Surely Canadians would feel positive about eliminating the anachronism that Senators must be 30 years of age and own property. After all, if a Member of Parliament can run when he or she is 18 years old, surely they can do the same as a Senator. Surely, Mr. Speaker, the veto powers proposed would not be offensive to Albertans; they are indeed good checks and balances, as we suggest. Surely Canadians would be in favour in physically seating Senators in provincial delegations. Perhaps this would curtail in a small way the adversarial roles we see in the present Senate.

Mr. Speaker, I ask members of the Alberta Legislature to show cohesion from this province, to pass this motion and continue to show leadership to other provinces, that the Senate proposals would benefit all Canadians, not just Albertans. Do we need a Senate? My personal belief is: no, if we don't change the Senate soon and if we don't change it drastically. Due to the timing of our proposal, the interest of the population on Senate reform, and our amending formula, we have the ability to move on reform. Let us act, let us proceed, and let us pass amended Motion 7. Albertans throughout the province have expressed their will and desire through the 272 briefs and 90 presentations they have given us. Albertans have asked for an improved, effective Senate; we have a proposal that offers this to Canadians. Albertans have asked for a Senate of equal numbers of Senators from each province; we have a proposal that offers this to Canadians. Albertans have asked for a Senate that is elected by the people, not appointed by one individual; we have a proposal in front of us that offers this approach to Canadians. Let's get on with it.

MR. R. SPEAKER: Mr. Speaker, I would like to speak to the amended motion that is before us. First of all, I certainly appreciate the minister bringing the amendment forward. For this debate I prepared an amendment similar to it, feeling it was time we stood up and made a commitment to the report, as to whether we really believe in the Triple E concept that was set forward in this brief, a concept that is being put forward by many Albertans. I appreciate that by the amendment we as an Assembly either will or will not concur with the report. I believe that was an excellent change in the menu.

First of all, I would like to offer my congratulations to the hon. Member for Calgary Currie, who chaired the select committee. During our deliberations the hon. member was very open, very understanding, and very patient with all of us in discussing the various ideas and suggestions that came forward. That kind of leadership on the committee was certainly appreciated very, very much. As well, I extend my appreciation to the other members of the committee, the members for Calgary North West, Highwood, Calgary Egmont, Lacombe, Edmonton Kingsway, and Innisfail, who came to each committee meeting with sincerity, with a feeling that we had to forget party lines and partisanship and do our job. I would also like to say that I feel we accomplished that in the report. I'm very pleased and impressed with the recommendations and, as well, the support material that came from the staff and research component of the library in the Legislature Building. The work was excellent and plays a very important part in the report before us.

In indicating my support for this report, I would like to put on the record that the Triple E formula — the election of Senators, the consideration of equal numbers across Canada, and an effective Senate — is a very respon-

sible formula to be implemented in the Canadian Senate. A number of suggestions were made to us as a committee, but as I examine an elected Senate, I support the position whereby Senators are elected at large within the province. I think they would then look at their constituency as the province rather than a region.

One of the questions in the report that has to be answered is funding these elected people. It isn't one of the major parts of the report; it's a detail we have to answer. Where do the funds come from? Do they come from the major political parties, the Liberal or Conservative parties, or are the funds raised from the broad base of people in the province so the person represents the people of the province rather than a political party or a party that's tied to the federal government? That will be an important question that we answer down the road but not one of the first questions to be answered.

When you place equal numbers against representation by population, equal numbers across Canada is a very difficult concept to comprehend. But as was mentioned in the report and by others in this Legislature, I believe, in the United States Senators are elected by region, by state — two to each state — and represent that state. Why can't we do that in Canada? I think we can. As long as we understand that the persons elected in that role represent a province rather than a population or an individual in one of the provinces of Canada, that can be accomplished.

Effectiveness: the Senate at the present time has some very effective powers, but for those to be implemented under the present circumstances, we run into situations like we had just a few weeks ago, where an appointed Senate vetoes the actions of an elected group. That's certainly unacceptable to all of us as Canadians and unacceptable to Albertans. I conclude that section by saying that I give full support to the report; I give full support to the Triple E concept. The implementation of that concept is going to be the difficult role that we play not only in this Legislature but as leaders in other provinces.

I'm not breaking confidence when I say that in our discussions with regard to the Senate with Premier Davis of Ontario, one of the comments he made, and I'm sure this is one he would make publicly, was, "In Ontario we do not have a problem." That's very true. It's not a political problem in Ontario. I'm sure they could say the same thing in Quebec: we do not have a problem with regard to the Senate and its composition. But when a premier raises that kind of item, where does that leave western and maritime Canadians? I believe it leaves us in a role where we as legislators, and even as people in Alberta and western Canada, must proceed to inform people in other provinces as to our problems and how a more effective Senate could work in their favour, how a more effective Senate could look after the provincial interests of Ontario, Quebec, Alberta, and other provinces. So the merits of changing the Senate could be placed before other Canadians.

If we talk about the Triple E concept only here in Alberta, then we as Albertans will accept it, as I think we across this province do wholeheartedly. At the moment there are very few people who reject or fight against it. But it will not become effective until we move it into the minds and the attitudes of other people across Canada. That's the big assignment we as Albertans have. I give full marks to people that are leading the Triple E organization at the present time: Jim Gray, Bert Brown, and Alex Rose, committee individuals who work through chambers of commerce, through various business and community organizations, and sell the concept beyond the borders of Alberta.

What did we as a select committee do to help that process? I know that in the early stages of developing this report we as a committee were criticized, and I even added to some of those criticisms. But what I saw as we proceeded to develop the report and as we talked to Albertans was that a lot of Albertans were interested in the concept; a lot of Albertans wanted material they could use to sell it to other people across Canada. This report is the instrument through which we can move the Triple E concept, put forward a concept of reform for the Senate of Canada. That is going to be the merit of the report we have before us. The usefulness of the report only grows as much as we can sell it to other Canadians, as much as we can inform Canadians about its content.

Mr. Speaker, that is the challenge we face in 1985 and 1986. I believe those comments relate as well to Resolution 13, which will hold its place on our Order Paper until the fall. I understand the purpose of the Prime Minister's resolution, and it's a proper purpose. He recognized that a group of Liberal appointees who were controlling the Senate were controlling the House of Commons, and something had to be done not only for the government but for Canadians as a whole to move on in the parliamentary process. Action was required, and the Prime Minister took action. On the other hand, it disappoints me that the provinces and the Prime Minister did not recognize that the sunset clause would have put some meaning into that resolution in terms of meaningful Senate reform. If the resolution were to pass, the Prime Minister would again have control and power in the House of Commons. Once that power had been taken away from the Senate and the House of Commons was rather autonomous to itself and the Senate was no longer effective, that pattern would likely stay in place for a long period of time. What reason would there be to change it at that time? The government in power is able to do what it wants — pass Bills, pass its budget, take its responsibility, react to the electorate across Canada. To me, it is unfortunate that we were not able to achieve that amendment in the resolution that will possibly be before us this fall.

I suggest to the Premier and the government that between now and the fall session, all steps be taken in an attempt to get further commitments from the Prime Minister on meaningful Senate reform. That could take place in terms of suggesting again the sunset clause. Secondly, it could take place at a specific seminar or discussion on Alberta's report, Strengthening Canada: Reform of Canada's Senate. Thirdly, I think it could take place in terms of the Premier and the Minister of Federal and Intergovernmental Affairs saying clearly, not only to Albertans but to Canadians, that they are in favour of the Triple E Senate concept.

I appreciated the answer of the Premier in question period today, when he stated that his government is in favour of the Triple E concept. I was very impressed with that answer. When I asked the question, Mr. Speaker, I felt I was going to get a very general answer saying that we were going to consider it. I appreciate the fact that the Premier stood in his place today and said that the government is prepared to support that concept for Albertans. That will bring this question to a different level of discussion, because we know the commitment of the Alberta government. Other premiers in Canada will be able to relate to the concept and discuss it in a very open way with the Premier, knowing the government's position. I believe we have a chance at this time to have meaningful Senate discussion.

I have to say that in many instances in discussions with the other provinces, we were the first to raise the subject

with the premiers or with the ministers and MLAs. They were interested, but their knowledge and background in it was limited, because they really hadn't thought about the question. There were other items of political discussion on their agenda. I believe that through our committee process of discussing it with them and sending a report that is comprehensive, we have raised the level of knowledge and understanding with regard to the Senate and Senate reform. We can proceed to the next step where we can encourage these people to do something about Senate reform. In that area I suggest to the Premier and the government that we should have some kind of obvious follow-up plan for Senate reform. I hope the Minister of Federal and Intergovernmental Affairs has a plan in mind that can be suggested.

Mr. Speaker, I understand we wish to adjourn at 5:15. At this time I'd like to adjourn the debate until 8 o'clock.

MR. SPEAKER: Does the Assembly agree?

HON. MEMBERS: Agreed.

MR. SPEAKER: It is so ordered.

MR. CRAWFORD: Mr. Speaker, Her Honour the Honourable Lieutenant Governor will now attend upon the Assembly.

[Mr. Speaker left the Chair]

head: **ROYAL ASSENT**

SERGEANT-AT-ARMS: Order! Her Honour the Lieutenant Governor.

[The Honourable Helen Hunley, Lieutenant Governor of Alberta, took her place upon the Throne]

HER HONOUR: Please be seated.

MR. SPEAKER: May it please Your Honour, the Legislative Assembly has, at its present sitting, passed certain Bills to which, and in the name of the Legislative Assembly; I respectfully request Your Honour's assent.

CLERK: Your Honour, the following are the titles of the Bills to which Your Honour's assent is prayed:

No.	Title
10	Election Amendment Act, 1985
55	Electoral Divisions Amendment Act, 1985

[The Lieutenant Governor indicated her assent]

CLERK: In Her Majesty's name, Her Honour the Honourable the Lieutenant Governor doth assent to these Bills.

SERGEANT-AT-ARMS: Order!

[The Lieutenant Governor left the House]

[Mr. Speaker in the Chair]

MR. CRAWFORD: Mr. Speaker, Motion 7 will be called again at 8 o'clock this evening in order that debate can continue.

[The House recessed at 5:21 p.m. and resumed at 8 p.m.]

head: **GOVERNMENT MOTIONS**
(continued)

7. Moved by Mr. Horsman:
Be it resolved that the Assembly approve in principle the report of the select special committee to examine the role of an upper House in the Canadian federal system.

[Adjourned debate: Mr. R. Speaker]

DR. CARTER: I am pleased to rise in my place to speak to Motion 7, as amended, on the Order Paper, with regard to strengthening Canada through reform of Canada's Senate. As with the chairman of the committee, the Member for Calgary Currie, I too would like to make special mention of the support staff help and assistance which the committee received, because we were doubly fortunate in terms of the various resource people we could call upon. In particular, I would second mention of the name of Louise Empson. She had a special talent to bring to the aid of the committee, and that was the fact that she is bilingual. That, of course, was of great assistance to the committee when we met in Ottawa and especially in *la belle province* of Quebec.

The whole work of the committee was a very interesting experience. I'm sure all members of the Assembly have had a continuing interest in the life of the country, in the development of its history, and are very much aware of the fact that those of us who are alive today, especially in political life, find ourselves very much caught up in the ongoing growth and development of the interesting definition of what Canada is. I also found membership on the committee to be a very special privilege. I know that I found I grew in many different ways, and so I'm very appreciative of that experience.

Canada can be seen as a tapestry, a tapestry which is not yet complete, a tapestry which is still being woven together in terms of the various strands of our historic backgrounds, in terms of the various strands and experiences of the various cultures that have come together to strive to make this tapestry meaningful and colourful. So it is that I see the Senate as being but one important aspect of the melding together of all the various components which together, in the whole, make the fabric known as the Canadian nation. For a moment or two I would like to deal in terms of historical perspective because Canada, as we all know, is not always what we see it to be today. In terms of the bringing together of Confederation it was indeed a very difficult struggle, which was fraught with personality differences, regional interest differences, the kinds of conflicts and the kind of development of consensus which would bring together what was indeed a vision of what Canada might one day truly be.

For a moment I would like to make some quotes from a person who was originally opposed to Confederation in many respects; it was Joseph Howe, the former premier of Nova Scotia, a member of the Nova Scotia Legislature. He was a Member of Parliament. He was in the federal cabinet. He was president of the privy council. He was secretary of state for Canadian provinces and, in latter life, was the Lieutenant Governor of Nova Scotia. A number of years after Confederation had taken place he gave a speech in Ottawa, in February of 1872. For just a moment it's interesting to reflect on the admonition he gave to the young

men he was speaking to. He was speaking to them as a challenge, that Ottawa, as the new capital of this new entity of Canada, was indeed in a privileged position.

To quote from his address in 1872:

... Parliament assembles here, and the young men of Ottawa can see, hear and associate with the picked and prominent men of all the Provinces, gathered from the highest ranks of social and political life in the wide expanse of territory that lies between the Islands of Cape Breton and Vancouver ... But to you, who can sit above their heads, mark every gesture, vibrate with every tone, to whom the sarcasm comes with a flash as vivid as lightning, and the bursts of eloquence are as voluble as thunder — to you the nightly debate brings reality and distinctness, intensely to be enjoyed and never to be forgotten.

Remember that here was the beginning of this nation of ours. He went on to say:

The Houses of Parliament, then, are great Schools of Oratory for the young men of Ottawa. They are something more. They are halls where the great interests of the Country, its resources, wants, and development, are talked over and explained by the most capable and intelligent men that the six Provinces can produce.

So here we see the beginnings of nationhood. We in 1985 have enough difficulty trying to keep pace with what's happening now, but we should also realize that there were, indeed, similar pressures in many ways but also different pressures in place of what was the growth of Confederation. In another part of that same address, Howe pointed out that:

Ottawa ... selected for the seat of Government [over] other cities, of older growth, and of larger population. Montreal, Quebec, Kingston and Toronto, were compelled to make sacrifices for her [Ottawa's] benefit; and now that Confederation has been established, Halifax, Fredericton and Victoria have been somewhat shorn of influence and advantages which they formerly enjoyed.

Those seem to be similarities to what is part of the give and take of what Canadian Confederation is all about. But he issued a challenge to those people in Ottawa, that they must not stop short at city limits, nor allow their mental horizon to be circumscribed by the boundaries even of the Capital of the country.

So it is, too, that with respect to the debate on the Senate today, we don't want the people who have congregated together in Ottawa to find their vision limited by the environs of that city, as important as it may be, but rather to have that kind of understanding and contact and communication with the rest of the whole country. I say to colleagues here in the Legislature, Mr. Speaker, that if they read carefully through the document *Strengthening Canada: Reform of Canada's Senate*, we are still talking about those similar kinds of checks and balances and communication and understanding and perception and sensitivity to the issues throughout this whole country that really bring us together in terms of an ongoing historical context.

Of course, it's easy for us to forget that back in the early days of Confederation there were pressures on in terms of the fact that they were indeed a small number of people, four million, who had

undertaken to govern half a continent, with forty million of ambitious and aggressive people on the other side of a frontier three thousand miles long.

It's all too easy for us to forget that that was one of the pressures that helped to bring together, to weld together,

the framework of Confederation. It was the pressure and the fear of what was happening south of the 49th parallel.

Finally, to quote from Howe in terms of his challenge of saying that

Canada cannot afford to have one drone in the intellectual hive. There never was a country with so many natural resources flung broadcast before so limited a population.

Of course, to speak of resource development and all the rest of it is just to remind ourselves that today, as then, resource management, resource development and how you're going to carve up the economic pie within this country, is also one of the ever present issues and probably always will be in terms of the whole warp and woof of this interesting country called Canada.

One of the other documents to be quoted at the time of Confederation — there was quite a debate as to the formation of the Senate and the Commons. At that time they were known as the Legislative Assembly . . . No, I've got that all mixed up here. Excuse me. I'll come back to that in a minute.

In the resolutions leading up to the formation of the country at Confederation, the eighth of the Quebec resolutions determined the number of members in the Legislative Council — there we have it — the Legislative Council being the equivalent of the Senate. The 11th resolution provided for their appointment for life by the central government. It's interesting to note one of the concerns that was raised at that time. The reformers from Canada West stubbornly continued to prefer the election of Senators. That really meant that those persons from what is present-day Ontario were the ones who really favoured election to the Senate. That is a bit different from some of the input that the committee members had when they were in Ontario this last year.

We have those kinds of pressures that were there. Just on the eve of Confederation, in 1866, it was provided that the Legislative Council, or Senate as the proponents of Confederation were now beginning to call it, would not remain a body of lifetime oligarchy. Instead, after a period when there would be no change, one-eighth of its members were to retire by rotation every year. So that even in recent history, when in our own Constitution repatriation we had to make appeal to Great Britain, so it was in this case 100 and more years ago. It was the British cabinet as well as the colonial secretary and the colonial office officials who strongly objected to a Senate with fixed numbers appointed for life, on the ground of a possible deadlock with the House of Commons.

So these issues of whether to elect or appoint for lifetime or whatever have been part of dialogue and discussion with respect to Senate reform from even before the word "go", if you take "go" as being the time of Confederation.

One of the other areas involved in Confederation was the fact that it seems the early framers of Confederation really saw the minor financial role which was conceived for the provinces in the federation as being emphasized by the frequent equation of them to great municipalities. This can be taken from statements by Galt, for example, who regarded that provincial legislatures were to be nothing more than municipalities of a larger growth.

So what we really have here is the development of the concept of what really were they coming into? What would be the framework? What would be the role and function of the new provinces in relationship to the development of the central, federal authority? That carried with it fiscal responsibilities and delineation of powers. As a matter of

fact, in the Rowell-Sirois report it was seen that, in effect, the Dominion was to become a great holding company designed to unify the efforts of the colonies in realizing the opportunities of a transcontinental domain.

What we're talking about here, Mr. Speaker, is the matter of development. It's accommodation. It's consensus. It's push and pull. It's to and fro. It's the identification of issues and the accommodation to each other's interests, and hopefully the Parliament of the land, meaning the House of Commons and the Senate, together were going to be able to work out, in relationship and interdependence and discussion with the provinces, what that word "Confederation" really was to mean.

I relate that again to the present. All of us are involved in what Confederation really means. When you quote from the documents, whether it is 20 years later, we have delineation, refinement, and a drawing away from the centralization of the federal government decision-making. At any of the provincial conferences of the premiers, whether it was in 1887 or 10 years later, we have the tug of these forces going back and forth between the strength of national and provincial interests as to the definition of what the country really is. That indeed does continue today. That marks the importance of the Senate as being effective, as being a legitimate forum for the discussion and representation of the issues from throughout the whole country — the matter of Senators as well as elected Members of Parliament to be in contact with what the issues truly are outside of the environs of Ottawa, beyond even the environs of the province of Ontario.

So it is that that moves on in terms of regional interests and racial customs. Monsieur le president, je crois que nous devons reconnaître, ainsi qu'être sensibles et sympathiques aux besoins particuliers de tous francophones à travers le Canada. Mr. Speaker, I believe we should recognize as well and be sensitive and sympathetic to the particular needs of all francophones from across Canada.

In terms of the committee going throughout the province, we raised this issue in particular, which had been reported on as part of the Special Joint Committee on Senate Reform. The report was published in January 1984. At various moments in our discussions throughout the province, we raised the issue of the double majority with respect to the protection of linguistic or cultural rights, especially on behalf of francophone individuals within the whole framework, the whole tapestry, of Canada and specifically within the province of Quebec. I for one was greatly encouraged by the response that was received to the question throughout our province. There was indeed a sensitivity by the people of Alberta, whether it was in the south country, central Alberta, or the northern part of the province, that yes, we had to have additional sensitivity with respect to francophone interests and language rights within this country.

So it is that whether we're going to speak about francophones living within Alberta, Quebec, or New Brunswick, from time to time the media reports come in to show us that this is indeed a sensitive matter and one which is part of the fabric of what makes the Canadian tapestry. In April, Senator Gigantes, who was in Edmonton subsequent to this article, met with the Member for Calgary Currie. He responded in the *Montreal Gazette* with respect to the report of our committee, Strengthening Canada, and made this comment:

There is much that deserves praise in the proposal by an Alberta legislature committee for an elected and effective Senate, with equal number of senators from

all provinces. Personally, I feel the country would feel happier with an elected Senate.

The proposal says that decisions involving language issues should be subject to a "double majority", first, of all senators; then, of all those representing French-speaking areas.

He goes on to say that this affects not only language rights but the matter of funding cultural facilities and fighting regional and economic disparity.

Mr. Speaker, it is interesting to note that as recently as last week the draft agreement on the Constitution proposals by the government of Quebec may or may not represent a significant shift in the position of the government of the province of Quebec. Nevertheless, it does show that there is time to come back to the table to do some more discussion about Quebec's participation within Confederation. To quote from that document:

... the Government of Quebec has duly noted the changes that have taken place in Québec and Canada. However, it is of the greatest importance that it be clearly understood what constitutes, today as yesterday, and regardless of the government of the day, the very essence of Québec's concern: the distinct character of the people of Québec and the legitimacy of the legal and institutional instruments derived therefrom.

Later in that report they talk about wanting to have part in terms of key elements of reform with respect to the Senate, the Supreme Court, and representation in the House of Commons. It's an interesting document, which I hope all members of the Assembly will find some time to read.

The present Senate should be commented on in the sense that in spite of the means of appointment, we should not immediately discount that all members of the Senate are really old, senile, and of little use. In the life and workings of our committee, as we met with various Senators from across the country, we came to realize that many of them, if not exactly in their 20s or 30s, are still quite vigorous, that they have a great wealth of experience. In addition to that, many of them have become nonpartisan in many of their deliberations. I found it quite interesting, for example, that with the little palace revolt in the Senate that supposedly was brewing with some of the Liberal Senators, some of the people most opposed to them were some of the Liberal Senators who had been there a bit longer, who also realized that there was some gamesmanship taking place. It was interesting that Senator Molgat, for example, who himself was a Liberal appointment, was not terribly thrilled with Senator MacEachen and Senator Davey, because they had not really been putting in their dues in the House. In the opinion of Senator Molgat they really were acting somewhat irresponsibly.

But on examination and in meeting with some of the Senators, we realized that they have tremendous expertise and experience. Indeed, many special and very important reports have been commissioned and carried out which have brought honour, dignity, and worth to the role of the Senate. As one example, I think the federal government would have been far further ahead to have used Senators in place of the Macdonald Royal Commission, because certainly the expertise is there.

Again, frustration within the country's political system, as we go back a year in history when the report was being worked on. Prior to the last federal election there was a lot of frustration throughout the whole country, a feeling that various issues, various voices, various concerns, were not really being listened to. That same kind of frustration was being felt within the Senate itself, where some of the

members of the Senate felt that it was the Prime Minister's office that wasn't paying any attention to them, whether they were Liberal, Conservative, or independent in terms of their original appointment. I find, for example, that if we really look at the various issues of Senate reform, if we carry through with the issues of Senate reform, it's a bit like quicksilver, trying to put your finger on drop of mercury: it skids around on you. If you do indeed make an approach with respect to the Senate, it has certain ramifications coming back to the Commons and certain ramifications with respect to the operation of the Prime Minister's office as well. Indeed, it obviously may relate back in terms of relationships with the provinces, which keeps us in that same historic milieu of what has really been going on in terms of the dynamic known as Confederation in Canada.

The Supreme Court is one of the areas which causes us great concern, especially with the matter of the patriation of the Constitution. Now we know that many more references have been made to the Supreme Court. I think each Canadian should be concerned as to the kind of shifting role which has indeed taken place, that in actual fact the Supreme Court of Canada now has more clout in terms of the decision-making of the country. Whereas we had been brought up to believe that Parliament, the House of Commons, is really, the supreme decision-making process within our country, a significant shift has perhaps taken place with regard to the Supreme Court. As recently as May 10, a headline in the *Globe and Mail* talks about "Charter limits executive power; Supreme Court says judges can review cabinet orders." That in itself, provincially as well as federally, opens up another whole area of concern with respect to cabinet documents. In terms of our report, I think we have spoken about the matter of appointments to the Supreme Court, and that of course is a concern across the country.

When it comes to politics, the Canadian individual in many respects is basically naive and innocent. That's not a put-down, because what it really means is that Canadians have a basic sense of innate fairness with regard to our institutions. When we talk in the report about equal representation in terms of the Senate, many people say, "You can't have equal representation from the provinces." My response is, "Why not?" Because right now when we have first ministers' conferences, no matter what the size of the province geographically or in population, the first ministers of the provinces sit down together as equals. If you extrapolate from that and take it to the Senate, you can indeed have equal representation from each of the provinces.

As a sidelight, the other thing we have mentioned in the report holds true, that it's essential in the eyes of Canadians today that there be regular first ministers' conferences at regular times, because they see them as being in partnership in terms of the warp and woof of this tapestry of Canada. The matter of elected representation comes back to some of the basic experience of what we as Canadians see as being part of the essentials of our own political process: equal, elected and, of course, effective in terms of trying to strengthen Canada.

Finally, Mr. Speaker, Canada's motto talks about being from sea to sea. That is taken from Psalms 72:8 and does indeed reflect upon this country of ours. From sea to sea, from Atlantic to Pacific, but also to the Arctic Ocean: that's the kind of breadth of geographic area we have. But it also includes within that geographic area dynamic Canadians, people from various strands and various traditions, people who want to be heard, people who want to have a voice

within the makeup and the decision-making of what this country is all about.

Mr. Speaker, I believe that this report, Strengthening Canada, which has been brought forward to the Assembly for consideration really does take into full account that process whereby all Canadians can feel that their voices are indeed heard in terms of the makeup of this interesting tapestry called Canada.

MRS. EMBURY: Mr. Speaker, I'm very pleased this evening to have this opportunity to speak in support of the amended resolution before the Assembly. As a member and vice-chairman of the select committee of the Legislature, I'd like to say that it was a distinct privilege for me to serve on this committee. I would like to commend the chairman, the hon. MLA for Calgary Currie, and all my colleagues who served on the committee. I'd also like to thank the staff who assisted us and to recognize the members from all the provincial governments that we met, and above all, the members of the federal government in both the House of Commons and the Senate. Their hospitality and assistance was of great value to us. Lastly, but not in any way the least commendation, I would like to say a special thank-you to the Minister of Federal and Intergovernmental Affairs for his assistance to all the members of the committee.

We have made recommendations regarding the current membership, the method of selection, the organization, and the powers of the Senate. We've also made specific recommendations such as the requirement that first ministers' conferences that meet on a regular basis should be entrenched in the Constitution.

The urgency of Senate reform is a response to the feelings of many Albertans and to other Canadians at this time. It is agreed that the Senate has not performed in the way it was intended. I would like to commend the Member for Calgary Egmont for bringing forth the points of view of how hard the individual Senate members work today and the many functions they carry out. This is certainly lost in communication across Canada. There is a distinct feeling, however, that the regional representation has been lost and has resulted in a feeling of alienation.

At this time, in regard to that, I would like to commend the citizens of Alberta who have organized themselves to have a distinct interest in this issue of Senate reform. Besides making presentations to our committee, they have gone beyond that and they are now in the process of speaking to other Canadians. I think this support from the citizens will be most valuable in carrying forth the message that is in our report Strengthening Canada.

Therefore, one of our major recommendations in the report is that the Senators, 64 in number, should be elected — six from each province and two from each of the territories. This would be done on provincial boundaries, which is different from the original report which stressed regional boundaries. These Senators would be elected for the life of two Legislatures. While the report recommends that the Senate should be elected by the people with equal representation from the provinces and with powers that allow it to be effective in fulfilling its role, it becomes evident that there must be a consideration of short- and medium-term goals to achieve this ultimate consideration which is addressed in our report. This is important because there will be dramatic changes in the makeup of the Senate. But it's also important because agreement must be reached with the other provinces and, of course, the two major bodies of the government of Canada, the House of Commons and the Senate.

To alter the present method of selection, it is recommended that there be a five-year phase-out period. One recommendation in the short-term is that the election could occur possibly by the members of the Legislatures of each province and by the Members of Parliament from each province. One alternative for the basis of representation would be to see that each province has a minimum of 10 seats, with Quebec and Ontario maintaining their 24 seats. These are recommendations that are in the report and, I'm sure, will create a fair amount of debate.

The report is extremely timely. It is timely because as a member of this government I'm very proud to say that leadership has been shown by this government in assessing this issue in 1984 and bringing forth the report which would be a starting point for negotiation with other provinces. I always found it interesting when addressing public meetings on Senate reform, when so often the question would come forward: "Why should we be studying the Senate again? It's been done over and over again. We've got more reports on the shelf and nothing has been done." My answer to that was that what was lost was that each day is a new era. I think it's particularly important to look at the work that has been done before and to respond to the issues of the day which have a direct effect on this.

I'm very pleased to have been a member of the committee and to support the amended resolution, and also to urge all members of the Legislature to support this resolution so that we can move onward as a provincial government and have direct input and influence on the other provinces and on the federal government.

MR. GURNETT: Mr. Speaker, I'd also like to take a few minutes to make some comments about Motion 7 and to begin by commending the select special committee that developed the report. I found that one of my first reading tasks, once I became a member here, was to start looking through it. It provided lots of interesting reading.

During the by-election in Spirit River-Fairview I was interested to see the interest there was in the whole subject of Senate reform. It was at a time, in fact a situation that is ongoing, when a lot of family farms were wondering about their future and people were looking at the problems facing small towns in our area as a result of that. Amidst those kinds of circumstances I found very interesting the high degree of interest that seemed to exist about a subject like Senate reform. To a certain extent that was an expression of a concern about regional inequalities in this country that have, among other things, economic spin-offs. As we address some of these problems, the benefits may show results in areas that we don't necessarily expect initially.

I don't know if I should pass on to the members here a comment that was mentioned to me by a woman in Calgary recently, but maybe I will. I'm sure she was talking about the Senate as it's misunderstood. Some members have been reminding us that all Senators don't fit the stereotype we have. This woman said to me: "I'm wondering why the Alberta Legislature is interested in dealing with Senate reform. It seems to me that many of the members there act like they're in training for the Senate." Certainly that comment can remain anonymous, but I was interested in it.

MR. JOHNSTON: You've only been here a couple of weeks.

MR. GURNETT: Thank you.

Mr. Speaker, in Canada today we obviously have government that's working at two levels and normally exercising distinct powers in their own areas, but occasionally there are areas of overlap between the provincial and the national level. At that national level we've got the Senate as one of our government bodies. Instead of being the regionally representative Chamber that it was intended to be, it more often seems to me to be a partisanly representative rest home. I think that is a legitimate subject of concern that this committee dealt with.

I'd like to suggest that the failure of the Senate to provide a regional voice in Canadian government is one issue, but the Senate also is very closely tied to some situations of economic unfairness. Looking back at history again, as we were a bit earlier with the Member for Calgary Egmont, and at the situations that led to the development of Confederation, I think we see the roots of that in many ways. As we look at some of the early documents, we see that Confederation was not so much motivated by a vision of a new nation as it was based or anchored in an effort to guarantee that some eastern capitalists would have a good market in a new area and that as Confederation was developed, there was some care taken not to give democracy too large a role. In fact, Sir John A. Macdonald has been quoted, in speaking about the Senate at the time of Confederation, as saying:

A large qualification should be necessary for membership of the Upper House, in order to represent the principle of property. The rights of the minority must be protected, and the rich are always fewer in number than the poor.

So the economic motivation for Confederation and for the Senate has a close tie to the regional issue we're looking at and that this committee's report addresses. The early Canadian leaders, to some extent saw the western region as a vast new captive market, if you like, providing raw wealth and consuming manufactured goods. I am going to quote briefly something that Wilfrid Laurier said in connection with that in 1905. He was addressing the Canadian Manufacturers' Association, and he said:

They [the Prairie settlers] will require clothes, they will require furniture, they will require implements, they will require shoes . . . they will require everything that man has to be supplied with. It is your ambition . . . [speaking to the Canadian Manufacturers' Association in Ontario] that this scientific tariff of ours will make it possible that every shoe that has to be worn in these prairies shall be a Canadian shoe; that every yard of cloth that can be marketed there shall be a yard of cloth produced in Canada; and so on and so on.

So of course, the industrial expansion that accompanied the settlement of the west was focussed in the east, and the settlers in the west were trapped, in a sense, selling wheat and lumber and minerals cheaply and buying manufactured goods expensively. In other words, Mr. Speaker, the shortcomings of the Senate illustrate an unfairness that's also economic, and it's a demonstration that's led to a lack of a truly regional voice in the nation's government structures. These situations, I suggest, go back to the very creation of Canada. Our recognition here of the need for reform in the Senate could be followed by an even more exciting demonstration of national leadership if Alberta were to begin taking action to create the economic democracy that Canadians need every bit as much as they need the parliamentary democracy in the best possible form that we can have it.

The exercise of authority by the Senate has been curtailed over the years. Along with that, of course, there's been a curbing of any effective exercise of regional representation at the national level. I think the question we now look at is how best to ensure that regional or provincial representation at the national level. The work of this committee, I think, makes a contribution to that particular question. Our parliamentary system, as we've been reminded already today, is characterized by an executive that's actually incorporated into the legislative branch of government. The model in the United States is quite different and features these distinct executive and legislative and judicial branches, with no branch that's clearly responsible to the other.

Mr. Speaker, I think the challenge now is how we can alter or replace the Canadian Senate so as to meet the goal of effective, regional representation without, however, imposing on the Canadian parliamentary system a republican form of legislature, which would perhaps end up competing with the House of Commons. My concern is that the report we're considering in this motion, the report *Strengthening Canada*, in a sense turns its back on parliamentary government and comes down, to a large extent, in favour of something that closely resembles an American model.

I have some concerns about the dangers associated with that. We're not going the whole route and giving the Senate every type of power, in the sense that powers of questions of supply are limited, but by this report we are suggesting that the Senate would be able to deal with a lot of matters which more properly should be within the area of the House of the Commons. I'm concerned about a chaos that might be invited by doing that. Obviously, the committee had some concern about that too. I think that accounts for the various vetoes and different kinds of voting that are suggested, so that on one hand, we see giving this new Senate extended powers, and on the other hand, providing some kinds of limitations on that. But I still have a concern about our moving towards this American form of government with competing institutions. I think we need to be very careful, and I'm afraid that in Canada we'd end up with something that would resemble the American Senate. I think there are more things to be concerned about that happening than to see it as benefits.

To their credit I think the committee has certainly recognized the danger that's involved with that, especially on the issue of partisan politics entering in. They realized that that would hurt the effectiveness of this body, Mr. Speaker. But I don't see a real solution in this report. They've recognized the problem, but then they've suggested — just to quote, they say it would be structured "to represent those regions' interests rather than the interests of national political parties." But I don't see that the report addresses how this would be achieved: how we would ban political parties, prohibit any kind of financial involvement by political parties, prohibit political parties working on behalf of certain candidates.

I have another concern, Mr. Speaker. If in some miraculous way it were possible to make sure that political parties didn't have any participation in this restructured Senate, how would any, except those who are independently wealthy in this country, be able to afford the expense of campaigning to be elected to this new type of Senate? I have a concern that we would end up with a very elitist body as a result of that, and that our attempt to find good regional representation would instead be reduced to a matter of dogfights between the Conrad Blacks of the east and the Ron Southerns of the west, or some version of that. I just don't see that the report properly addresses the means to prevent that

happening, if it can in fact even prevent partisan politics entering into the Senate. I don't think we'd be accomplishing what I know the committee wants to accomplish if we look at a body that ended up representing the rich in Canada's regions and spending a lot of its time arguing about procedural matters, because there would certainly be so many procedural details involved that we'd have a very complex structure here.

Having realized that that basically will not work, Mr. Speaker, I see in the report that two other things may have been done to deal with that situation. One is the recommendation on page 4 that

the Senate should not be a forum for inter-governmental negotiations.

The second recommendation that I think deals with this is on page 8:

The requirement that First Ministers' Conferences meet on a regular basis should be entrenched in the Constitution.

It seems to me the vision the committee had at the beginning, of a Senate that would really act in a significant way to do something about regional representation, has now lost most of what it set out to do. The Senate ends up unable to deal with areas of intergovernmental negotiations, and that's the very heart of why there needs to be more attention to effective regional representation in this country — so that the concerns of the provinces can have a way of really coming to bear on the decisions being made at the federal level. I can't help but fear that in this proposal, we're going to end up with a Senate that will basically represent the rich and, since it can't deal with intergovernmental matters, will at best end up making life more difficult for the House of Commons.

I'm concerned about this constitutional entrenchment of the first ministers' conferences, because their level of discussion is on a different scale than a public body such as a Senate that was truly regionally representative. It may in fact be behind closed doors, and it wouldn't have the openness that I think would be possible if we had a Senate that was really doing what we're talking about.

Mr. Speaker, this afternoon my colleague spent some time talking in some detail about the council of the provinces. I'd like to quickly review a few points about that, because I think it's an effective solution to the kinds of concerns I have about what's being proposed in this report. As we pointed out earlier, the council of the provinces would affect all those areas of concurrent powers: definitions of issues justifying use of federal emergency powers, the exercise of federal emergency powers, treaties relative to provincial jurisdiction, and shared-cost programs. All of these things would be within the concern of the council of the provinces, so it would truly deal with that intergovernmental area.

We support the concept that the seats on the council will be divided equally among the provinces and allocated in the name of the provinces, not in the name of individual delegates. Furthermore, as a different approach, we're suggesting that in the council of the provinces, the provincial representatives wouldn't be permanent but, as was said this afternoon, would be appointed by each provincial government, depending on the needs of the particular issues being dealt with by the council of the provinces at any given time. Decisions would be by a majority vote. The council could be called into session by either the Governor General at the initiative of the federal government or by the request of a majority of the provinces. This would allow for a much more effective forum for dealing with issues of intergovernmental concern. It would ensure that debate in

public on national issues that affect the provinces could take place, and it would really formalize the responsibility for this kind of effective federalism on the part of the provinces.

In wrapping up, Mr. Speaker, there is no question that some form of strong Senate reform should be undertaken. But in trying to solve an obvious problem, this report seems to me to discover that, first of all, simplistic answers involving reform don't work, and it ends up having to propose more and more complexities to deal with the potential problems that would arise. It then ends up with something that could be as cumbersome in its own way as what we're trying to eliminate. In these times I think it's critical to reduce extra baggage in government. This is something we're hearing so often from the public in this province and, I think, across this country. We already have too much bureaucracy and too much government, and there's unnecessary confusion and expense as a result. But I have a fear that the reforms proposed here would add to unnecessary government rather than reduce it, and would create a perception in the public that we have government trying to perpetuate itself, to spend time and money keeping itself going instead of running the country in an efficient way. The council of the provinces concept would instead create a different structure that wouldn't be in conflict with the House of Commons. It would have a specific mandate that would define its task as subordinate to the existing legislative and executive structure that exists in the House of Commons.

Mr. Speaker, this motion begins an important process, the careful analysis and evaluation of government structures in Canada. I think the task ahead is considerable. It's going to involve education and promotion, but the goal is certainly valuable: the best and most effective institutions possible. I certainly encourage members here to give serious consideration to the idea of the council of the provinces as a vehicle to truly realize this goal.

In closing, I again want to commend the extensive work of the select special committee, which has, I hope, begun the process in this country that will lead to that truly representative possibility at the federal level and, as I said at the outset, will also lead to some real attention to the economic difficulties that are also connected to this whole area of regional tensions.

Thank you very much.

MR. JONSON: Mr. Speaker, I'd like to start by stating that I, along with all members of the Assembly, recognize the thoroughness of the report of the select special committee. I think it will be important for the debate which will come within Alberta and certainly very, very important for the debate that is going to take place all across this nation. It's probably going to be one of the major documents that will allow us to address the very important issue of convincing Canadians that through a reformed upper House, one which effectively represents the regions of this great nation, we're going to end up with a stronger nation which will be of benefit to everyone.

Many of the speakers this afternoon and evening have gone over the history of the formation of the current Senate, Mr. Speaker, and I will not delve into that. However, I'd like to make one reflection on the history I think it is important to review; there are certain things to be learned from it. Perhaps the Senate in its initial form was the best that could be achieved at that particular time in history. If the Fathers of Confederation made any error at all, it was a matter of underestimating the rapid and dynamic growth this nation was to go through and the extent to which the regions outside central Canada were going to become very,

very important to Canada and need a special type of representation.

The major reason I wish to speak on this particular topic is that the matter of Senate reform has gained the imagination of people in the Ponoka-Rimbey constituency I represent. Although as an individual I have always thought it a very important topic, the degree to which people from all walks of life in the constituency have put time into the Triple E organization and into meetings and discussions on Senate reform is amazing to me. In terms of the report which they now have to consider, they certainly support an elected Senate. They see it as essential to making the Senate credible in the current circumstances of Canada. They certainly support the idea of equal representation and are behind the committee's recommendation that the representation be rather smaller than is currently the case, effective, and equally representative of the provinces across Canada.

If they have one concern about the recommendations in the report, it would be under that all-important topic of what is to be effective as far as an upper House is concerned. The select special committee has taken the approach that, through adding the power to initiate legislation, to amend House of Commons legislation, to have the veto over certain House of Commons Bills, and combining that with the elected and equal factors, we will be making a much stronger and more effective Senate in Canada. But I think it's important to note that the indications I have had are that there is such a strong feeling that the changes in the Senate should bring about effective representation for western Canada that people would perhaps — and in many cases they're very definite on this — have liked to have seen more specific powers suggested for the Senate, rather than it being to some degree a mirror and complementary in its operation to the House of Commons.

I think we're all familiar with the concerns with respect to equality across Canada, access to markets, and so forth, with respect to our transportation network. They point out that the equitable and rapid economic development of all parts of Canada would certainly be of benefit to all Canadians in the long term. This could be in the hands of the Senate and be more assured by a Senate with certain specific powers. They would certainly support the references in the select special committee's report to the Senate's having a special role with respect to trade relationships, nondefence treaties, and the matter of reviewing constitutional change.

I suppose the report could be debated as to its details for a long time, Mr. Speaker, longer than any Legislature has time to spend on it. But I think the people of the province of Alberta are most concerned that the report should be a basis for meaningful discussion and reform in the upper House in the proposed constitutional conference and subsequent discussions. They hope that the neglect, if I can call it that, of many decades as far as adequate attention to the upper House is concerned can be corrected. They would very much want me to support this resolution. They would also hope, as is taking place this evening, that the Assembly will continue to support effective debate and effective reform of the Canadian Senate for the betterment of all Canadians.

Thank you.

MR. LEE: Mr. Speaker, with the quality of debate we've heard this evening from both sides of the House, I'm tempted to begin by saying that I agree with everything that's been said by everybody. To quote a sage toastmaster from the Foothills Toastmasters, Mr. Harold Bickel, "To say what has already been said would be plagiarism, to say

what has never been said would be heresy, so I shall say nothing." [some applause] I see there's popular support.

This is a subject that has been of great personal interest to me. More important, one hot summer night last year, on July 23, my constituency took the time to get together and prepare a position paper, which they later presented to the select committee. I simply want to comment on a couple of points as they relate to Calgary Buffalo. I would like to begin by acknowledging the committee. The hon. Member for Calgary Currie is becoming such an expert on select committees, Constitution reform, and Senate reform, that I believe he should be appointed by the Premier as a minister without portfolio for impossible tasks. However, we have seen some excellent success in the past, so perhaps this is not an impossible task.

Mr. Speaker, I wish to briefly comment on two of the major issues. Should we abort or should we reform the Senate? Secondly, if we're going to have it, should it be elected or should it be appointed? With respect to aborting or reforming, I noted an interesting comment by the former Leader of the Opposition Robert Stanfield. He said: I don't think I'd do too well in the Senate; I speak too fast for them. In some respects, Mr. Speaker, Senate reform has moved forward at the speed of this learned gentleman's speaking pace. But there has been reform. If we check pages 81 to 84 of this document, we'll see that over the past 100 years, various forms of reform have taken place. So Senate reform is indeed possible.

One of the difficulties is that at this point there is very little public support for the Senate as it currently exists, and there's no question that the previous prime minister's cynical appointment of a cadre of friends and supporters to the Senate really raised doubts in the public's mind during the last federal election as to the need for this institution.

If we can't make it effective, then perhaps we should address the alternative of no Senate at all. If there were no Senate, what would be the prime reason for doing so? Well, if we look at most upper Houses anywhere in the world, there really is one primary objective: to protect the minority from the tyranny of the majority. No place is there more evident an example of the tyranny of majority than in the federal government's national energy policy of four years ago. Clearly, we had an example of abuse of federal power. Would we have had a national energy policy if there had, in fact, been an effective Senate representing this province? I doubt it. I think the question would be obvious to anyone who listened. Look at the cruel devastation on this province, not only in terms of economic impact. I read a report recently that suggested that one out of five homes that were foreclosed in the city of Calgary in the last three years was directly related to the impact of the national energy policy. To those who say, "Abolish the Senate", I say: let's take a careful look at what difference an effective reform of the Senate could have made during that time.

When we have bad legislation on the books, do we abolish the legislation before we amend it? I understand there's difficulty with the institution of marriage. Has anybody suggested that it be abolished, or do we reform it?

AN HON. MEMBER: How would you know?

MR. LEE: Mr. Speaker, it's true we used to shoot horses, but I'm not even sure that's the effective solution today. So perhaps the issue of abolishment really isn't appropriate.

The question then is: should we elect Senators or appoint them? This is an interesting question and one that we

debated considerably in Calgary Buffalo. I took a sample survey of those who attended the meeting, and I said: how many here would be willing to stand for election for an elected Senate? One out of four present put up their hand. I said: how many here would be willing to be appointed to the Senate? Half the hands went up. Clearly evident that an appointed Senate provides some very significant opportunities of being able to draw on the best minds of the province and say: "You don't have to go through this interesting challenge called getting elected. Here's the job. Run with it. Do the best you can." We don't require our Ombudsman to be elected. We don't require the Lieutenant Governor to be elected. We certainly don't require our judges to be elected. So I think there's something to be said for appointing Senators accountable to the Legislature and giving the public at large an opportunity to have a say in it.

Let's look at this issue a bit further. Sir Wilfrid Laurier made an interesting statement in the House of Commons on April 30, 1906: I do not say that I must select but I do say to my honourable friend that when I have come to the moment of selection, if I have to select between a Tory and a Liberal, I feel I can serve the country better by appointing a Liberal than a Conservative, and I am very much afraid that any man who occupies the position I occupy today will feel the same way and that so long as appointing is as it is today, in the hands practically of the first minister, I am afraid we stand little chance of reform. Mr. Speaker, as long as the current system exists, that it is the prerogative of the Prime Minister and the Prime Minister only, I don't believe the current system will serve the nation well.

Recommendation 2(b) of the committee recommended that Senators be elected on a first-past-the-post basis. If we look at the realities of popular support, the realities of appointment, and the experience we've had in the past of appointment, I believe, with some hesitations and some reservations, I would come down in favour of electing Senators rather than appointing them. I think there are just too many difficulties with that alternative, despite the fact that there are some merits in appointment.

I would bring one other caution. In the United States, until the early 1900s, Senators were appointed and not elected. Since that has changed, we now have a situation where Senators take positions contrary to their own state. They do it for reasons of conscience, they do it for reasons of party support, and they do it for reasons of ideology. But for whatever reasons, it means that from time to time the state goes without a solid advocate. When we think of a reformed Senate, Mr. Speaker, the top priority must be regional representation. I think we must keep that in mind.

There are some other minor issues that raise some concern for me in this report. It was my feeling and that of my constituency that Senators should have only one term and that it should be staggered. But if we are to have an elected Senate, then I think it makes sense that there be two concurrent terms, if a Senator is re-elected, in order to achieve some of the goals that an elected person wishes to achieve.

In 1913, Stephen Leacock said: Whatever be the virtues of an ideal system of appointment, the Canadian Senate is a mere parody of it. Stephen Leacock was a great humourist, and it's sad that he would make that reference to a great national institution, namely the Senate. But if the Senate is to be effected it must be organized carefully and it must be structured well. I commend the committee for its excellent recommendations for Senate structure.

The question of the use of first ministers' conferences has been brought forward by many people. It's been suggested that perhaps a first ministers' conference or a council of the provinces is the answer as an alternative to a Senate. We should recognize that if, in fact, first ministers' conferences are going to have the kind of authority that is needed for regional representation or if the council of the provinces is going to have the kind of authority that has been recommended in debate here this evening, both are going to require constitutional reform. Faced with that alternative, I think the method and the system to go is, let's reform the existing Senate and let's continue with first ministers' conferences as they're progressing, because I believe that they are making good progress and I'm very pleased to see the importance with which our current Prime Minister views first ministers' conferences.

Mr. Speaker, I wish to make one other point that came out of my constituency debate. If we're going to have a new institution or a newly reformed institution, hopefully it will be an example of good grass-roots communication. I believe that a reformed Senate should take advantage of the very best communication tools that are available today. Number one, government is becoming bigger and more complex despite the efforts in downsizing. I notice that the federal budget referred to the federal government having over 1,100 programs. If the newly reformed Senate is going to stay in touch and in alignment with provincial Legislatures, let's make the best use of computers, of TV coverage, and of the latest technology in staying in touch.

In closing, Mr. Speaker, I support the recommendations of the Senate committee. I think it's an excellent report. It's an historic report. But the final question is: is this seriously possible or are we kidding ourselves? R. MacGregor Dawson stated in *Democratic Government in Canada* in 1949: the Senate will in all likelihood continue to exist as at present constituted for many years to come, not from high esteem in which it is held but largely because of its undoubted convenience to the dominant political party and the general indifference of the Canadian people.

There is hope. We have a dominant political party that I believe is sincerely interested in reform. There is growing support from the public. The existence of the Tripe E organization is an indication of grass-root support. It's true I am an incurable optimist. But who would have believed four or five years ago that we would actually see an amended Constitution in place that was acceptable to all provinces? Not many; yet we have that today. Alberta played a leadership role in the past. I believe that with the Senate reform report and the support from this Legislature, it will play an important role in the future.

If there is no other reason for reform of the Senate, Mr. Speaker, I believe it's a mechanism and a way for us to send one final message to separatists in this province. Every time there is some fundamental misuse of federal power, there seems to be a raised interest in western separatism. I believe a permanent, reformed Senate, elected on behalf of the provinces, equal and effective, would be a permanent message to those who would separate our country. There is a better answer, and the answer is reforming the system and working within it rather than wasting the resources and the time of our people in adopting a mysterious and doubtful new alternative. Charles Kettering said that we should all be concerned about the future, because we will have to spend the rest of our lives there. Regardless of the difficulty of this challenge we must persist, for the future is upon us and reform is long overdue.

MR. R. MOORE: Mr. Speaker, Motion 7 deals with the select committee's report on Senate reform. Its contents have been thoroughly discussed here this evening and this afternoon, so I won't beleaguer my colleagues by going into the contents of the report. During the course of my remarks I hope to touch on other areas related to the report itself.

Mr. Speaker, at the time of Confederation it was agreed that Canada should have two Houses of government, an upper and a lower House. The upper House, the Senate, was created as a Chamber of sober second thought and, more importantly, as a body to protect the interests of the less populated areas. In this they envisioned the provinces as being equal partners in Confederation. We are all aware that the Senate has never functioned as it was originally planned and has, in fact, deteriorated to nothing more than an old folks home. The Senate has totally lost public credibility and is viewed as a patronage House for people who are tied entirely to federal and not provincial concerns. It is therefore necessary to reform the upper House so that it can effectively carry out the role it was intended to by the Fathers of Confederation.

In November 1983 the Alberta government established a committee on Senate reform. I was a member of that committee. Mr. Speaker, it's a pleasure at this point to add my appreciation for the terrific work of the support staff and, like my colleague the Member for Calgary Egmont, to point out the dedicated involvement of Louise Empson throughout the committee's existence.

During 1984 members of the Senate reform committee met with government and opposition parties in every jurisdiction across Canada, as well as with Senators, MPs, and ambassadors in Ottawa. From these discussions there was one point that provincial representatives across Canada agreed upon: there was inequality between regions within Canada. I must admit, though, that Ontario to a lesser degree than many other areas — but they could see that change was necessary. This is encouraging when we see that all areas of Canada recognize that in our system there is an inequality and that it should be addressed to whatever extent. The question as to how much it should change varied the same as the urgency to carry out such change.

From the committee's public hearings across the province, Mr. Speaker, Albertans voiced strong support for an elected, effective, equal Senate. This was clearly stated in the select committee's report tabled in this House. I won't go into detail on the report. Every member is fully aware of the recommendations and how they were arrived at. These were well explained by the hon. Member for Calgary Currie and other members of the committee.

I would, however, like to spend a few moments to talk about other areas related to reform questions. In the present Senate, Quebec and Ontario have 24 members each. There will be strong objections from them to any reduction in this number. It is also very clear that it is totally impractical to raise all other provinces to that number, making the Senate membership an impossible 240. Therefore, someone must compromise. I might point out that in meeting with Ontario and Quebec people, when they were asked the question "Which would be more beneficial to you, 24 members in an ineffective Senate or 6 in an effective Senate?" they all agreed that it was a good point worth consideration. This question of equal membership in a reformed Senate is one point that every western Canadian must do his utmost to get across to his relatives and friends in Ontario and Quebec. Mr. Speaker, we've got our work

cut out for us to sell equal representation to central Canada. But it's a job we must do.

Mr. Speaker, there's another serious situation, and the Member for Calgary Buffalo touched on it. That serious situation that the inequality between regions has created in western Canada and Quebec is the separatist movement. These people are not disloyal Canadians. They are totally frustrated citizens, frustrated with a system which is controlled by the central region, and they've given up hope of any change forthcoming. If a Senate had operated since its inception as originally intended, we would not have these separatists trying to divide the wonderful Canada which is ours today. An effective, equal Senate would not solve all the ills of our country, but it would spell the end of separatist parties and go a long way towards correcting the serious imbalances that now exist.

Mr. Speaker, the NDP recommend abolishment of the Senate. I have difficulty understanding this position, like all their positions. You don't kill the patient because he has cancer; you cure him. It is same with our sick Senate. We reform it and make it operate in the interest of all Canadians. We'll never be equal partners in Confederation without drastic change to the Senate. We need it now, and we must proceed with the long, overdue change.

Mr. Speaker, I ask my colleagues to support Motion 7.

MR. BOGLE: Mr. Speaker, I'd like to begin by sharing, as all other members have, my congratulations to the chairman, the hon. Member for Calgary Currie, and all members of the select committee of this Legislature who participated in the hearings and the studies and the discussions, not only in this province but across Canada, on the very important question of Senate reform. It's a tribute to our legislative and democratic processes that we can put together a nonpartisan committee like this, come in with the unanimously agreed to set of recommendations, and have them thoroughly debated before all members of the House.

Obviously, I'm extremely pleased and proud of the report the committee has brought forward. The concept of a Triple E Senate, one which is elected, equal, and effective, I believe has long been a goal of the majority of the residents of the Taber-Warner constituency. The view was very strongly expressed in a resolution put forward, at one of our annual party policy conferences during a fall meeting, by Kent Francis of Coutts, who spent many, many hours of work on the Taber-Warner document and presentation paper, along with David Bly from Taber and Doug Foxall from Coaldale. I'm also pleased that among those who participated in the hearing in Lethbridge were John Keast from Taber and Ken Hierath from Milk River, who made a presentation to the legislative select committee recommending a Triple E concept for Senate reform.

In my view, this resolution is in keeping with the wishes of the people from the constituency who have expressed an opinion to me. I might add that from time to time I have raised the issue. I wouldn't call it one of the burning issues of the day in the constituency. On the other hand, it's certainly an issue that, when brought into a discussion, engenders interest and response from members of the constituency. It is a subject matter that there is some considerable interest in.

I think the concept the committee has put forward of the way the members of the Senate would be elected and the equality aspect is nothing short of brilliant. The concept of staggered elections, of tying those elections in with provincial elections, of having constituency boundaries along

provincial boundaries, certainly achieves one of the major objectives we have of seeing the provinces' views known in the federal system. It's a matter that certainly needs to be echoed again and again as to how skillful the committee has been in that regard.

If there's one concern I have about the report, it has to do with the proposal for the Senate's effectiveness. It is my belief that with the amended resolution we are considering at this time, whereby we are asked to approve in principle the report of the select committee, we are not in any way limiting the ability of this government in its negotiations, discussions, and dealings with the other nine provincial governments, the two territorial governments, and indeed the federal government, to look for ways to strengthen the Senate even further. I don't believe the package that's been put forward on the effective side is all-inclusive. I can see areas where I believe we might wish to consider even further strengthening the Senate. As an example, I look to the concept of ratifying, in addition to nonmilitary treaties, the appointments of high commissioners and ambassadors overseas and the appointments to certain boards and agencies. There may even be a role relative to some of the Crown corporations.

There is one concern that I want to express, and it has to do with subdivision (f) under Powers of the Senate.

The House of Commons should have the power to override a Senate veto on money or taxation bills by a simple majority.

I'm not sure the example used by the hon. Member for Calgary Currie is applicable under this formula, because a simple majority of the House of Commons to over-ride a Senate veto would not have stopped the imposition of the disastrous national energy program. Therefore, I think some consideration needs to be given to a higher figure, possibly a two-thirds over-ride for that veto.

I was also a little concerned with what I believe was contained in the hon. Member for Calgary Buffalo's opening comments, when he indicated that he agreed with everything that had been said in the Assembly by all members — if I did not misunderstand the words used by the hon. member. I distinctly recall both the Member for Edmonton Norwood and the Member for Spirit River-Fairview, while couching it in terms that seemed to embrace the concept of the report, developing the idea of a council of the provinces. I'll be very pleased to go back and review *Hansard* with the hon. member, but I believe that in the proposal put forward by the two hon. members who represent a party far to the left, we'll find not a strong and effective Senate but a very watered-down committee that has no real, effective voice. I think that's something we in this Assembly and Albertans should be very cautious of. If we want to have a truly effective, strong Senate, then that Senate must be given the ability to perform a function in a federal state.

Mr. Speaker, some of the critics and pundits have suggested that the report we are today debating, and in fact the debate itself, is really a waste of time, that the objectives of the report can never be achieved, that central Canada will never agree to the kinds of dramatic changes that are being put forward in this report. I can't help but think back to the debate that occurred in this Assembly on November 1 and 4, 1976. At that time we debated a resolution put forward by the hon. Member for Calgary West, and I'd like to read that resolution:

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 [consent] of that province.

I well recall, Mr. Speaker, that when that position was put forward in the Legislative Assembly of Alberta, this province stood alone. I well recall the skeptics, the critics, the pundits, who said that our ideas didn't have any hope at all of achieving success because of the idea that there were two provinces in this country that, because of their population statistics relative to other provinces in Canada and because of their historical position in this country, had rights greater than other provinces. I well recall the arguments that were made to those of us who stood up based on principle.

Well, Mr. Speaker, we stood our ground in a belief that in Canada the principle has always been that Canada is made up of provinces, not regions, and that all provinces are equal. If you happen to be a resident living in Prince Edward Island, your provincial government and your premier have just as much right to stand beside and speak directly to and equal to the premier of Ontario, who may represent many, many more people on a multiplier effect. But in terms of the rights of the provinces, there is equality. The same is true if you happen to be a resident of British Columbia, where you look across the way at your sister province and the residents of Nova Scotia. You have no greater and no fewer rights or privileges than enjoyed in that other maritime province.

So to those critics I say: go back and read the debates that occurred in this House on November 1 and 4, 1976, and then review the amending formula that was adopted in the constitutional accord of November 5, 1981. I'll let the reader judge for himself whether or not standing on principle was something that made sense at the time and that proved to be the successful course of action in the longer term.

The basic principle we're striving for today is really quite similar. It's the principle that there be equality through an elected Senate, a Senate made up of equal members from all provinces, and that that Senate be effective. We achieved our goals in 1976, and we can do it again today by standing firm on the principles I've outlined.

It's important that we support the select committee report, *Strengthening Canada: Reform of Canada's Senate*, a report put together by men and women of this Assembly who have worked long and hard, who have given of themselves, and who in my view are truly representing the constituents they were sent here to represent, by bringing forward that kind of report, a report that reflects the views of most Albertans in a very broad context, a report that, based on the principle of equality among provinces and the concept of a directly elected Senate that is effective, is one that all Albertans are looking forward to. They expect no less from us; they expect no less from their federal government.

Thank you.

MR. LOUGHEED: Mr. Speaker, I've been waiting for many weeks, not always patiently, for the opportunity to participate in this debate, because I believe it is a very important and a very timely debate for our province, for our Legislature, and for the longer term future of our nation.

I want to present some views that haven't yet been put forth in this very important debate we've held through the afternoon and evening. I wanted the opportunity to hear members from all corners of the Legislature before making

some observations. I want to explain to the members, through you, Mr. Speaker, a somewhat different position, a perhaps significantly different position, than I held on this matter as of just three years ago, and why.

When I enter into a debate on the Senate, though, from a personal point of view I have to express to you, Mr. Speaker, and the members that it is a good thing I am not superstitious and do not believe that thunderbolts will come from Heaven, from my grandfather. My grandfather was in the Senate for many, many years. He was not only the leader of the government party in the Senate but was in the Senate as a federal cabinet minister, part of the executive council of the day. If he could read what I'm about to say, I'm sure we would be having an interesting family debate.

The reason I'm involved in it from that point of view and raising it historically is that in watching the evolution of Canada, and some of the members have noted it in this debate, the Senate really changed. It changed in its perception. It changed initially, as some have noted well, from a view that it was there to represent regions. It changed to where it is today — a very sad situation. Where it struck me was a luncheon I held in 1981 with a former Premier of this province, the then Senator Ernest Manning, when he was telling me about his frustrations in the debates when they were discussing the numbers of matters of legislation proceeding through the Senate that arose from the national energy program, including such matters as the tax called the petroleum and gas revenue tax, and the complete lack of concern or even interest in the Senate of the day, 1981, in what was happening in the regions of Canada and the impact of such a measure upon the regions of Canada. The combination, on one hand, of looking back from my grandfather's career in the Senate of his time to that discussion with Senator Manning about the national energy program and the way it was automatically approved by the group then in the Senate passing through that measure of October 28, 1980, that never even went to the cabinet of Canada — that is something yet to be established, but something we who lived through it knew happened.

Mr. Speaker, I want to start, as others did, by congratulating the committee. They've done just an excellent job. I want to come back to some of their recommendations that have excited and interested me. They're innovative approaches. So to all the members of the committee, my congratulations. The way a select legislative committee should work — determined, relative to their objective, what they could accomplish, how they should go about doing it, who they should see, who they should discuss it with, the input they would get from the citizens of this province, from people knowledgeable in other parts of Canada, and in other countries as well.

I want to start with the premise of what we're really striving for here in this debate, that in decisions made nationally there be, in this federal system of Canada, a regional input that comes from the various regions of Canada. Let me first of all, though, respond to some of the comments and observations that have been made from time to time, and a few even in this House. After my experience as first minister, there have been ups and downs in that whole system of federal/provincial relationship and the development of national policies, but I think it is important to put on the record in these remarks today, in late May 1985, that it hasn't always been down, that there have been some important, positive examples, situations, and steps forward in terms of federal/provincial relationships which should be taken into consideration in a debate of this nature.

There are a number of important times in which provinces — not the large provinces, but provinces — were able to change the course of national policy, fighting against very important odds in doing so. I can't think of one more significant than what the Member for Lethbridge East and I will recall were those days in November 1981 when we were faced with a unilateral attempt by the Prime Minister of Canada to change the Constitution in this country without involving the provinces. We worked for a whole year and a half to change the course of Canada. Many, many times I think about: what if that had been successful? What if the provinces had become meek and had accepted the criticism that had come their way of the so-called "gang of eight", and we had had a Constitution of Canada that had been pushed through by the federal Parliament without involving the provinces? What a different country that would have been, because once that had been established, from then on it was clear what the role of the provinces would be. But we were able to resist that by pulling together other provinces first, public opinion next, and generally express across this country that basic Canadian factor, that many of the speakers have mentioned, of fairness. When we made that case of fairness, public opinion shifted. So that's one very good example of what can be done by determination of provinces, not necessarily the larger ones.

Part and parcel of that, as the Member for Taber-Warner has just pointed out, is the debate I remember so well, with only one dissent here in the Legislative Assembly in 1976, when we dealt with the matter of the amending formula, when we were alone, the only province. I stood in this very place here in the Legislative Assembly and with the support of the members we had, we pushed that point forward. I can remember the critics and the skeptics saying, "There's no way that will become the amending formula of Canada." But it was, and it did. In 1981 it was the amending formula of this country.

I note that the Premier of Quebec in his proposals would, I'm sure, have read the document which would indicate that there could not be a veto for Quebec, because you could not have a veto for Quebec without having the approval of the Legislature of Alberta. I have fairly strong confidence that approval will not be given. I presented that view pretty directly to the Premier of Quebec and to the leader of the Liberal Party in Quebec. There won't be a veto because we believe in equality of provinces. So that was part of a determination on our part.

There is another very important example of what can happen by a province, not one of the larger provinces, determined to take a position, to stake it out, to develop a support on the premise of fairness. That was on September 1, 1981, when we, basically one province, were able to create major changes in a federal budget — the national energy program of October 28, 1980. It might be an appropriate time for me to remind the Leader of the Opposition, who is unable to be in his seat tonight, that the national energy program was October 28, 1980, and that this government went so far as to turn down the taps to strengthen the position we had — one of the most difficult days I ever had — to effect significant changes in the national energy program which occurred on September 1, 1981. So it is very offensive to me when people suggest, by a misreading of the contemporary history of this country, that we were a participant or signed the national energy program. That of course is pure nonsense and a misreading, intentional or otherwise, of the facts.

The western premiers in this country, Mr. Speaker, have also come together from time to time and been able to

make some very important changes in the course of the country. I remember in 1976 when we started in Medicine Hat at the Western Premiers' Conference, and we developed a position with regard to established program financing, one of the most important parts of federal/provincial relationships — the financing by the federal government of health care and education costs. Out of that communiqué of the western premiers' came a development for all 10 provinces, and then from those 10 provinces in 1976 for the established program finances that have served this country very well indeed.

Then we come to February 14, 1985, and a new era in federal/provincial co-operation. It was a situation then in which we saw what can be done in Canada, with a new Prime Minister projecting in full television. I could not understand at all the comments made tonight by the Member for Spirit River-Fairview to the effect that somehow or other a council of provinces is going to have more attention than a fully televised conference of first ministers. We had the focus. We had the interest and the attention of citizens, and it was a productive conference, one in which we were able to work together and to produce some very important results. There was an openness about it. Yes, perhaps it was personality and chemistry. But the fact was, it worked. When you look at that and at the results of that on February 14 and 15, 1985, that was a beginning of a new era in federal/provincial relations and, I think, one that will continue — I'm optimistic — for some time to come.

Of course, the annual premiers' conference itself in Charlottetown last year was able to develop all 10 provinces supporting the concept of first ministers' conferences occurring on a regular basis, at a specific time each year, such as in the month of November. That idea is now being accepted by the federal government, by the Prime Minister of this country, and came out of the Regina conference in February. We now have ahead of us for five years the undertaking that we will have a first ministers' conference on the economy. We would be discussing fiscal matters as well.

So a lot has happened in terms of federal/provincial relations in a few short months that makes me very positive about it, including of course the western accord. I raise that because the situation of interest with regard to reforming the Senate is by far the highest here in the province of Alberta compared with other provinces. That is so because this province suffered so deeply, was wounded so grievously, by the national energy program. As the Member for Calgary Buffalo pointed out, there is a feeling by many of our citizens that if we had had a national institution such as is proposed along the lines of this committee report, the national energy program would not have gone through. At least it would not have gone through in the general form of discrimination that came out of that particular federal budget of October 28, 1980. It wouldn't have happened to the same degree.

I've thought a lot about that, and on balance I have to agree with that concept. I still think we would have had the national energy program, but we would have seen major modifications in it if we had had a situation where we had a Senate or an upper House along the lines proposed in this legislative committee report. It isn't to say that it wouldn't be difficult with regard to consuming and producing provinces. But I believe now, after a lot of thought, that if we had had in place, in that difficult period following the national energy program during 1981, an upper House which followed along the lines of this document, Strengthening Canada, the national energy program would initially

have been modified significantly, and it would not have taken the stress and strain of a province like Alberta turning down the taps and having to do so many other things to reverse the course of that very ill-fated policy, that was finally put to rest and buried in March of this year.

My concern over the years with the ideas of changing the Senate has been: would those changes occur in such a way that they would weaken provincial governments? I've been very concerned about that, because sometimes on paper an institutional situation, such as a reformed Senate, looks better than the reality of people and personalities working very hard to project their point of view. I believe that is true for a province such as Alberta, because our experience has been in this period 1971-1984 that we've had mandates that have permitted the leaders of government of Alberta to speak in a strong, clear, and direct voice on a national stage, with the citizens in full support of almost all the issues. Would that be the same if you had a situation with regard to a Senate or an upper House that perhaps was talking with many different voices? Or what of a situation, which you could foresee 10 years from now, of a Senate along the lines of this committee report, where the leader of the provincial government, the Premier of the province, was at serious odds on a major point with those elected to the Senate from the province? Then what? That has worried me for some time, so I've been thinking about how we could respond to that.

My view in 1982 supported a discussion paper of this province that what we should do is have a Senate that was appointed by the provincial governments. That of course did not find favour, and I can understand why, because the concept of an appointment simply doesn't have the strength that is required in modern day political activity that emanates from an elected body as distinguished from an appointed body. No matter how the body was appointed, it still wouldn't have the impact upon Canadians that an elected body would have. So I came to the conclusion, in thinking about it over my times and years involved, that perhaps that wasn't right, that there should be an elected body.

Then I've been puzzled as to how we could establish an elected body that wouldn't be at odds with the provincial government and that wouldn't dominate intergovernmental negotiations and that the resource management responsibilities of an elected provincial government would still be the fundamental force of strength in a nation such as ours. How could that work? Then, lo and behold, a select legislative committee of this province came forth with some very brilliant, innovative ideas that dissipated my concerns to the effect that I'm very happy to stand in my place tonight, as the leader of this provincial government, with the motion now reading "approve in principle" the select legislative committee.

Mr. Speaker, why was I able to change my view of concern that such an elected Senate would weaken the position of provincial governments down the road? Because of some very innovative ideas. On page 5 of the summary of recommendations there are two or three gems involving the method of selection and the basis of representation of new Senators. The gems are these. First of all, they are elected in concert with a provincial election. I do not understand the Member for Edmonton Norwood or the Member for Spirit River-Fairview. I never at any time read this document and thought that there wasn't going to be partisan politics in these elections. I expect, as this document in the future becomes a reality of Canada, there'll be lots of partisan politics. But it occurred to me that on a given election day of November 2, 1992, when we're electing

six Senators from the province of Alberta and we're electing a provincial government for the province of Alberta, there's a mood out there. The mood out there has to do with issues, and those Senators that are going to get elected, and that Premier and that government that are going to get elected, by odds are likely to be in the same mood, in the same direction, maybe even of the same party. I think the probabilities are high. I think the probabilities are that whatever the issue is on November 2, 1992, the Senators will be elected on the basis of basic issues and the Premier and the government will be elected on similar ones. So that takes away a great deal of my concern that they could be at odds, at least on issue and on the major thrusts. So that one was a gem.

Then there were a couple of other gems involving that. The next one is the "first-past-the-post basis". Of course, I have always subscribed to that. I won't go off on a long tangent on why, but most of you know.

The next one has to do with the life of two provincial Legislatures. The one thing I noticed on my recent visit to Washington, D.C., is that if you talk to a Senator there with a six-year term and you talk to a Congressman with a two-year term — my, the discussion is different. It occurred to me that the idea of having Senators that weren't worrying the next day about re-election and had two terms — I presume it was a maximum of two terms, but I'm not sure — then that approximately eight-year period, maybe less, that would be involved would be a period of time in which the Senator could be one who would reach a decision with regard to regional representation and do it on the basis of what was best for his region. I think the American experience in that case certainly proves the point.

The next one is the concept of the seating of the delegation. Mr. Speaker, it occurred to me that one of the problems with an elected Senate would be that if they came down there in a partisan, party way but literally were sort of mixed up between one or two or three parties, then the pressure of party discipline that is so strong in Canada in both the provinces and the federal House, as the Member for Edmonton Norwood noted and I agree, would carry into the Senate. But another gem: it's how you sit; it's where you sit; it's the fact that you're there in the sense of a delegation, a teamwork, of your six Senators with a chairman involved. I visualize a Senate, and I presume the committee did, where there isn't a question of one party here and one party there. It's a Senate that comes forth with regard to the 10 delegations of six each around that Senate Chamber. That's a gem, too. That was a very fascinating and interesting idea.

Then in terms of the powers, of course, the idea of the over-ride by the House of Commons, where it should be on an over-ride, and this is an issue that the Member for Taber-Warner and I might have some slight difference with. The over-ride has to be there in this concept, but the over-ride has to be built-in in that other gem, which is that the over-ride only works if the majority is greater in the House than it was in the Senate. That concept, 3(h) on page 6, is another gem. I was just so excited to get this very timely report.

Let's now move from that to where we are in terms of how this document could eventually become, as the amending formula did, the nature of the Canadian parliamentary and political structure — how to get others interested. I have to say that I take considerable issue with the Member for Little Bow. I'm sorry he can't be here tonight. In my judgment, what developed in February and March in the federal Senate and the reaction of the Prime Minister to

make changes to the Senate was a lucky break. Frankly, I think what occurred in the province of Ontario to change their position was an unlucky break in terms of Senate reform, to the effect that it is not now likely, as the Minister of Federal and Intergovernmental Affairs pointed out, for this particular resolution on a constitutional amendment to the Senate to proceed.

I want to explain why I reached that conclusion. First of all, I want to reiterate for the record here, as I did in the question period today, that we would have preferred a sunset clause, because that would have put further pressure on. I accept that argument. It would have put further pressure on, dealing with Senate reform, if the suspensive veto and the proposed constitutional amendment had had, say, a five-year period. We worked hard to try to convince other provinces and the federal government, but we weren't able to do so.

But without such an amendment — that is, the proposed amendment that sits on our Order Paper as Resolution 13 — what are the prospects for meaningful debate in the foreseeable future? I obviously have to be straightforward with this House and say that I do not think they're too promising. Let me set forth some reasons as to why I feel that. First of all, in talking to their premiers, most provinces do not rate the reform of the Senate high on their list of priorities. That's the reality, and we should accept that. Even in Alberta, although it is much more important here than in other provinces, our priority is with economic, trade, energy, agriculture, fiscal, and social issues. We have to recognize that that's a reality with the provinces of Canada. It's not at the top of the agenda.

There's a second reason, at least for many who have been involved. The constitutional process of '80-81 was a very time-consuming, demanding process for the 11 governments. As a result of that, many feel, including myself, that we were diverted from attention to some economic issues. I remember in the fall of 1981 feeling very concerned about the need in the winter, spring, and summer of 1982 to recoup, if you like, our effort and thrust with regard to economic and other issues. So that's there in the minds of other provinces.

There's another particular matter involved, and that is the province of Quebec. In my view, there is a mood with the other provinces that when it comes to the Constitution they would like to see, as would we, Quebec join the constitutional accord. So in any constitutional discussions that occur, there is going to be some pressure by provinces to deal first, before Senate reform, with the issues that Quebec is putting on the table. That may change, and that certainly shouldn't be misconstrued with regard to the position of this province on many of the Quebec proposals. We haven't yet had an opportunity to fully digest the document that the Member for Calgary Egmont raised in the debate today. I've certainly mentioned, though, our position with regard to the amending formula.

I believe there is another factor that doesn't discourage those of us who have faced these odds before. If you think about this proposal for a Senate, it would mean the House of Commons would have to vote themselves into a position of lesser jurisdiction and responsibility. That is a reality that those who are involved should consider.

So I'm disappointed, frankly, that it doesn't appear that we'll be moving ahead with a first ministers' conference on the Senate before the end of 1987. Perhaps events will change in the weeks ahead. I want to read into the record the Prime Minister's letter to me of March 26, 1985, which has been tabled, and which was a direct response to my

first telephone conversation with him on the matter. He refers to the proposed constitutional amendment, and goes on to say:

I want to assure you that the Government of Canada does not see the proposed amendment as the ultimate solution to the Senate's current deficiencies. Please note that the preamble to the resolution therefore includes a commitment to hold a First Ministers' Conference before the end of 1987, the main purpose of which will be to consider thoroughly the future of the Senate. That Conference will review all aspects of the Senate, including its method of selection and powers. To prepare for the Conference, I would propose that the Minister of Justice establish a Continuing Committee of Ministers on Senate Reform soon after proclamation of the amendment.

I accept that sort of undertaking by the Prime Minister of Canada. To this date he's certainly shown to us that he backs up his commitments and undertakings, and I regret the innuendoes made on that point by the Member for Little Bow.

Let's go finally to where we go from here. If this resolution is approved by strong support in this Legislature, it will be an uphill battle, but not an impossible battle. It will be a challenging one. We're determined Albertans can change the course of Canada, because in this document we have fairness and logic, we have recognition of the federal nature of Canada, we have the equality of the provinces, and we have a feel for the country that would give us the unity that's really required in the longer term. We did it before with the amending formula, as I mentioned. We can do it again. This document, and hopefully the passage of this resolution, should now challenge members and, through members, various groups, to start the communication going in the way they did in other cases, particularly with regard to the national energy program, on a citizen-to-citizen and group basis through Canada.

So for those groups within this province that have made the undertaking, sacrifice, and commitment because they believe in a unified Canada with the equality of the provinces, the announced support of the government today, the support of the Legislature here, hopefully passed, backed up by this thoughtful, thorough, and innovative document, is a very good starting place. It's a very good starting place to strengthen regional representation in the national institutions

of our country. I feel very good about the debate today and about the document and being a part of it. I don't in any way underestimate the difficulty. But it is a very good start towards something that I personally believe in deeply, that Canadian unity will stem from equality of the provinces, from respect of the regions, from fairness to citizens of Canada wherever they live.

Congratulations to the committee that brought this document forward. Thank you.

[Mr. Speaker declared the motion carried. Several members rose calling for a division. The division bell was rung]

[Eight minutes having elapsed, the House divided]

For the motion:

Alexander	Isley	Pahl
Alger	Johnston	Pengelly
Anderson	Jonson	Russell
Bogle	Koper	Shaben
Bradley	Koziak	Shrake
Carter	Lee	Stiles
Crawford	Lougheed	Stromberg
Embury	Lysons	Thompson
Gogo	McPherson	Topolnisky
Gurnett	Moore, R.	Webber
Harle	Musgrove	Weiss
Horsman	Nelson	Young
Hyland	Oman	Zip

MR. SPEAKER: There being no members who have not stood, it wouldn't seem useful to ask for those opposed to stand.

Totals: Ayes - 39 Noes - 0

MR. SPEAKER: The motion is carried unanimously.

MR. CRAWFORD: Mr. Speaker, tomorrow afternoon for the hour of designated government business there will be second reading of Bills on the Order Paper. The Assembly will not sit tomorrow night.

[At 10:16 p.m., on motion, the House adjourned to Tuesday at 2:30 p.m.]

