

of Justice ought to understand that because his constituents certainly understand it.

**Mr. Hnatyshyn:** Absolutely.

**Mr. Turner (Vancouver Quadra):** The people of Saskatoon certainly understand it.

**Mr. Hnatyshyn:** Even my father understood it.

**Mr. Turner (Vancouver Quadra):** He ought to support any process which would achieve early reform of the other place into an elected Chamber so that the people of Canada would have a true voice there.

**Some Hon. Members:** Hear, hear!

**Mr. Turner (Vancouver Quadra):** Our proposal would accelerate the move from an appointed Senate to an elected Senate by electing Senators now when vacancies occur rather than appointing them based on provincial lists. I believe the democratic rights of all Canadians would be strengthened by giving them the power to elect all their national legislators. Also, given our amendment, it would recognize the right of the citizens of the Yukon and Northwest Territories to senatorial election, a gap left in the Accord which deprives Canadians living north of the 60th parallel of any future representation or appointment to the Senate.

**Mr. Hnatyshyn:** Wrong.

**Mr. Turner (Vancouver Quadra):** They have no list to propose. I understand the Minister in personal terms, and I suppose the same is true of his predecessor from Newfoundland, feel that their current close allegiance to the Premiers of the day in their respective provinces protects them. However, when the Prime Minister first brought this proposition before the House of Commons I noticed the surprise and dismay on the faces of members of the Conservative Party when they felt this was a complication to their career plans. In any event, the Minister of Justice sits secure so long as there is "Devine Government" in Saskatchewan.

[*Translation*]

Fifth, we believe, Mr. Speaker, that the Accord clauses dealing with the appointment of Supreme Court justices from provincial lists could lead to an impasse between the federal and provincial Governments. We have therefore suggested a solution that would ensure that at all times the Supreme Court has a complement of Justices, and that would protect the basic rights of Northern Canadians, by granting their Governments the same rights as provinces have to nominate candidates to the Court.

[*English*]

Sixth, we propose that the clause concerning compensation for provinces opting out of national shared cost programs be clarified to ensure greater national consistency in programs available to all Canadians, and to ensure that minimum

standards are met by provinces in order to claim compensation for opting out of such programs.

One area that I looked at specifically in gauging my own reaction to the Constitutional Accord, and in this respect there has been a distinct improvement in the Accord over the original agreement at Meech Lake, was that it spells out specifically that nothing in it alters the relative division of powers as between the federal and provincial Governments. In other words, whatever the Supreme Court of Canada determined to be the scope of federal spending power remains in place.

We also recognize there has probably been a strengthening of federal spending power by explicitly recognizing for the first time that it may be exercised within areas of provincial jurisdiction. We are also assuaged by recognizing that national objectives are chosen by the federal Government. However, we should clarify the clause to ensure that Parliament sets those objectives and ensure there is no ambiguity in national standards. I would like to make it clear that we believe this should be spelled out. As we all do in this Parliament, I believe in a strong central Government but in equilibrium with a well-functioning federalism.

I do not fear confrontation with the provinces. That is the inevitable nature of things in a federation. I believe it can be creative and useful. I also believe the Government side-steps that in order to try and get a false perfume of consent. I recommend to the Minister that he not be lulled into believing the agreement is a substitute for achievement.

However, I do not believe in confrontation for its own sake. I believe in co-operative federalism and it does not disturb me that the provinces can opt out. They have done so before and I was part of the negotiating team regarding the Canada and Quebec Pension Plan many years ago.

Seventh, we propose to eliminate the rigid unanimity provision for Senate reform and return to the seven provinces and 50 per cent of the population formula. We believe western Canadians and Atlantic Canadians in particular will want the flexibility we had before the Accord to achieve meaningful Senate reform.

We also suggest that the eventual provincehood of the Yukon and the Northwest Territories and extension of existing provincial boundaries into those territories, should that ever happen, be resolved solely by the federal Government and the territory in question. The last instance we had of a new province coming into Confederation was the 1949 Terms of Union with the Province of Newfoundland. That was negotiated specifically between the federal Government and the Province of Newfoundland and put to the Parliament of Canada for ratification.

Eighth, with regard to future constitutional conferences, we propose to make aboriginal rights a priority. Our aboriginal peoples feel, having been left off the constitutional agenda, any progress made to date will be lost unless First Ministers