

*The Constitution*

the Senate and some advocate appointments by the provincial Governments or sharing appointments between federal and provincial Governments. Various groups in western Canada, particularly in Alberta, favour what they call a "Triple E" Senate. A committee of the Alberta Legislature has just given a well researched report, and the Alberta Legislature has passed a resolution for the adoption of that report. Others have suggested that the legislative powers of the Senate be reduced and that it be assigned some new and more specialized powers. Some have suggested a double majority on linguistic matters or a role in reviewing appointments to major federal boards.

However, there is no consensus at present among the public or Governments on the nature of a broad reform package that would be generally acceptable, nor are we close to one. Many proposals must be examined and debated before they can be reconciled. That will take a long time. In the meantime, the Senate's powers would remain as they are and the possibility of obstruction would continue to haunt the Members of this House.

With all of that in mind, the Government has chosen a course to deal with both the short term and the medium term. We are proposing that the present legislative powers of the Senate be curtailed to bring it into line with the principles of democratic parliamentary government. We are making a commitment that in addition to this limited constitutional measure the future of the Senate be thoroughly addressed after the amendment is enacted. After careful consideration we feel that reducing the powers of the current Senate is the most reasonable way to overcome, at this time, this anomaly in our representative and responsible federal institutions. It has the advantage of ensuring that the will of the elected House will ultimately prevail. It can be brought about in relatively short order.

Our resolution proposes that the power of the Senate over money Bills be reduced to a suspensive veto of 30 days, which is more than adequate time for it to study money Bills and give us its views. Money Bills would be defined in the Constitution. Each such Bill would be so certified by the Speaker of the House of Commons whose opinion could not be challenged in court. The Senate would have a suspensive veto of 45 days over all other Bills.

Both of those periods are longer than the average time taken by the Senate to pass Bills in recent decades. The average time taken is perhaps four or five days. In addition, the Senate has a custom and a right to begin to study Bills as soon as they are introduced in the House of Commons. In addition, a procedure would be instituted whereby any non-money Bill amended by the Senate would be presented for assent to this House, either in an unamended form or in other forms with amendments that might be agreed to by the House.

We value the service which the Senate performs in suggesting amendments to correct errors or deal with potential problems that they may notice which we have not. We all know that proposed legislation does not always leave this House in perfect form. The second look by the Senate can often identify improvements which do not challenge government policy. If

they do challenge government policy, government policy must overcome. However, possible improvements which do not challenge government policies are well and good.

Following proclamation of this amendment the Senate would continue to perform its legislative review function and the House would still be notified by message of Senate amendments to Bills. The Government will recommend that amendments made by the Senate be reported to the House and dealt with. The preamble to the resolution specifically commits the Prime Minister to convene, before the end of 1987, a Constitutional Conference of First Ministers to consider proposals for Senate reform. In addition, the Prime Minister has given the Premiers a written commitment that, soon after proclamation of this amendment, a federal-provincial continuing committee of Ministers chaired by the Minister of Justice will be established to begin the preparatory work for the 1987 conference.

**Mr. Turner (Vancouver Quadra):** Will you table that correspondence?

**Mr. Crosbie:** It is all right here. I am coming to it. I can assure Hon. Members and all Canadians that a full public debate on the future of the Senate will accompany these federal-provincial meetings.

What is the position of the Government on reform of the Senate? At this stage we have an open mind on the shape of a future reformed Senate. Many ideas have been put forward. We will assess the past proposals, as well as others, before determining what options we prefer and the position that we will take in these inter-governmental discussions that will take place if the resolution is adopted by the House and the necessary number of provinces.

What is the process for adopting the amendment? In closing, I would like to point out that I am hoping that this will not be an overly long debate. I would think that Members of the House on all sides would wish to pass this resolution quickly because there is surely no one in the House who believes that an unelected body should be in a position to obstruct completely the elected people who represent this nation. I would be dumbfounded if even the Official Opposition were to take that position. However, perhaps it will bow to numbers—72 to 40. The superior brain power of its Senate representatives will probably carry the day. However, I am hoping for the best. I assume that we will have the co-operation of the NDP. Since it wants the Senate abolished, it will of course help curb its power.

What is the procedure? After a short debate today, the House will be asked to adopt the resolution. By the way, when the former Liberal Prime Minister, Mr. Trudeau, responded last year to the report of the Special Joint Committee on Senate Reform, he agreed with the recommendations of the committee. I would like to point this out to the Leader of the Opposition, who usually does what his predecessor wants him to do, particularly in the matter of appointments, Mr. Speaker. The former Prime Minister said that the House of Commons should continue to be the pre-eminent Chamber in Parliament. It cannot be the pre-eminent Chamber in Parliament unless