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Inter-Parliamentary Group
Canadian Section



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**Report of the Canadian Parliamentary Delegation
to the Pacific NorthWest Economic Region (PNWER)
Legislative Leadership Academy**

Canada-United States Inter-Parliamentary Group

Banff, Alberta

September 28 – October 1, 2007

Report

From 28 September - 1 October 2007, 23 state and provincial legislators participated in the Pacific NorthWest Economic Region's first Legislative Leadership Academy, held in Banff, Alberta. Participants were selected on the basis of their interest in cross-border issues and with the expectation that they will be among the Pacific Northwest's future leaders. The Academy was designed to provide the legislators with a better understanding of the Canadian and American political systems and to facilitate their future work on binational issues. Mr. Rob Merrifield, M.P., Co-Chair of the Canada-United States Inter-Parliamentary Group, was invited to speak to participants about the Canadian federal political system. This report summarizes the discussions and presentations that occurred at the Academy.

ATTRACTION TO, AND RETENTION IN, PUBLIC OFFICE: ROUNDTABLE INTRODUCTIONS

- a number of legislators indicated that they had wanted to be in public service for quite some time prior to their election
- it was noted that public service provides an opportunity to repay society and to do something worthwhile
- participants stressed that one becomes a state/provincial/territorial legislator for reasons unrelated to the financial rewards, which are somewhat limited
- a number of legislators identified themselves as a “people person” and as someone who want to help others
- it was argued that the art of compromise contributes to good government, and that the best solutions involve compromise from both ends of the spectrum
- it was noted that legislators should recognize the opinions of others and shared work hard to understand other points of view
- an argument was made that the most important role of legislators is to listen: listen first, and listen to both sides of the issue

FROM THE SPEAKER'S CHAIR

Former State Representative Bruce Newcomb, former Speaker of the Idaho House of Representatives

- the Speaker of the Idaho House of Representatives is powerful, but he/she can be removed by the majority
- committee assignments are made by the Idaho Speaker of the House of Representatives, and committee chairs serve at the pleasure of the Speaker

- the most important and strongest power of the Speaker of the Idaho House of Representatives is the assignment of bills to committee plus, which cannot be challenged

Ms. Sue Hammell, Assistant Deputy Speaker, British Columbia Legislative Assembly

- in Canada, Speakers of the provincial/territorial and federal legislatures lack the power of Speakers in the United States
- the objective of the Speaker is to be non-partisan and neutral when making decisions; all parties should have confidence that this neutrality exists
- while provincial/ territorial and federal Speakers preside over the business of the legislative chamber in Canada, they have no power to: select committee chairs; assign legislators to committees; or assign bills to committee
- in Canada, the Cabinet is not separate from the legislature
- in Canada, the Cabinet is supported by the bureaucracy
- in British Columbia, where the legislature wanted to start the current session with a new, more civil tone, the Assistant Deputy Speaker is appointed from among the opposition members of the Legislative Assembly
- in the British Columbia Legislative Assembly, the Speaker is the chair of the Assembly and holds the powers given to him/her by the legislators in the Assembly; the Speaker's rulings cannot be challenged, and he/she can eject someone from the Assembly

Question and Answer Period

- the following points were made during the question and answer period:
 - unlike the federal Parliament, committees are not continuously active in the British Columbia Legislative Assembly
 - in the British Columbia Legislative Assembly, the public accounts committee is chaired by a member of the opposition, although the governing party can retain control through the number of seats it holds on the committee
 - decisions about the issues and bills that will come to the floor are made by Cabinet policy committees in the British Columbia Legislative Assembly
 - in Canada, the Speaker does not attend his/her party's caucus
 - in the British Columbia Legislative Assembly, the public has no ability to comment on legislation once it has been introduced in the Assembly; instead, decisions are made by the legislators on behalf of the public, although public input may be sought before legislation is introduced

- while there are vast differences between the Canadian and American political systems and processes, there are also vast differences among states and among provinces
- since the governing party has won the confidence of the people to govern for a period of time, in Canada it is generally the case that legislation which is supported by the Cabinet is enacted; during committee examination of proposed legislation, the opposition's role is to challenge, debate and question the governing party
- in Canada, as a bill proceeds through the legislative process, the first stage is essentially notice that the bill exists, while the second stage basically finalizes the principles of the bill; committee stage of the bill involves line-by-line consideration and possible amendments, while the third stage involves final and sober second thought
- in the Idaho House of Representatives, bills can be introduced by individual legislators, and may be referred to committee where they often die; other bills may be referred to committee, with one or more hearings possible
- in Canada, party caucuses – which are internal and secret – are a fundamental aspect of the political process; since caucus solidarity and party discipline are important for survival, arguments and debate among caucus members occur in private
- state legislatures appear to address far more bills each year than do provincial/territorial legislatures, on average
- in the British Columbia Legislative Assembly, there are a number of independent officers, including an auditor general; within the federal system, the Auditor General of Canada is both independent and powerful
- state legislatures and provincial/territorial legislatures appear to address legislation somewhat differently in respect of omnibus bills versus many smaller, separate bills
- Private Member's bills, which generally cannot be money bills, may be used to raise the profile of a particular issue

NOMINATIONS, ELECTIONS AND FUNDING: ROUNDTABLE DISCUSSIONS

- in the Canadian political system, it is important to sell party memberships and to get people out to vote at the nomination meeting
- in Alberta, there are maximum limits on the amount that any person can contribute to a candidate or riding association
- in Montana, provided someone is more than 18 years of age and pays \$35, he/she can file for office during the January-March filing period; in the event that there is more than one candidate filing for a particular party in any given district, a primary will be held in order to select one candidate per party per district
- in Alberta, during the nomination process, party members – who pay a fee of \$5 – can vote on the political candidate they wish to represent them in the general

election, provided they live in the area in which the vote is being held; at the end of the nomination process, each party has no more than one candidate in each constituency

- the Premier of Alberta has the power to decide not to sign the nomination papers for a particular candidate, notwithstanding a successful outcome during the nomination process for this candidate
- fixed election dates and election periods exist in British Columbia
- in Alaska, candidates may receive financial support from their party
- in the United States, jurisdictions differ in the source of funds for financing elections as well as in the existence of contribution limits; depending on the jurisdiction, sources of funds can include: candidate fundraisers; the political party; political action committees; and stakeholder organizations
- in some states, including Oregon, a candidate must live in the district in order to run as a candidate in the district; this situation differs from that which exists in Alberta, where the candidate is not required to reside in the constituency in order to run in that constituency in a general election
- the “machine” needed to win a nomination differs from the “machine” needed to win a general election
- in Canada, individual television advertisements are less prevalent than is the case in the United States; instead, advertisements by political parties are more prevalent
- in Alberta, constituency associations and political parties raise money for signs, other advertisements, etc.
- in North America, volunteers are prevalent during general election campaigns, although some jurisdictions permit individuals to be hired
- legislators in North America increasingly face more scrutiny and limitations in respect of gifts, sponsored trips, etc.
- in Alberta, when a candidate loses a general election or a legislator decides not to seek re-election, funds may be used for a variety of non-personal purposes, including funding scholarships, donations to the riding association, etc.

THE BILATERAL RELATIONSHIP

Dr. Christopher Sands, Senior Fellow, Hudson Institute, Adjunct Professor of Government, American University and Senior Associate, Center for Strategic and International Studies

- the relationship between and among Canadians and Americans have always shaped the relationship between Canada and the United States, rather than the other way around
- the past has been characterized by an attitude of “exemptionalism,” with the U.S. passing laws of general application and then exempting Canada
- the “new generation” in Washington, D.C. and elsewhere in the United States lacks the historic ties developed with Canada during the Second World War; consequently, they are “discovering” Canada
- Canada and the U.S. have adopted federalism as their governing model
- the centralization of power at the federal level became a model following the Second World War
- in both countries, there is the potential for tension between the federal and state/provincial/territorial levels of governments: in Canada it arises, for example, because of revenue-sharing arrangements, while in the United States it arises, for example, because of unfunded mandates imposed on states
- unlike in Canada, where the Constitution has been repatriated, the Charter of Rights and Freedoms has been passed and a variety of constitutional discussions have occurred, in the United States there has not really been a similar examination of federalism and state rights
- the terrorist attacks of 11 September 2001 resulted in a new respect for states as first responders and as owners of critical infrastructure
- unlike the situation in Canada, where no Premier has ever become Prime Minister, states may be viewed as the training ground for federal political activity
- states are the laboratories of reform; for example, infrastructure, homeland security, environmental and land use planning initiatives may be tried at the state level and – if successful – expanded to the federal level
- another measure that has been supported at the state level is the Great Lakes Water Quality Agreement, which was originally passed in the 1970s; when federal governments in Canada and the U.S. did not make needed changes to the Agreement, the Great Lakes Governors and the Premiers of Ontario and Quebec rewrote the Agreement and gave it to the federal governments for action

- some initiatives start at the federal level and, over time, levels of local involvement have increased; examples of this phenomenon include the Shared Border Action Plan and the Cross-Border Crime Forum
- the Western Hemisphere Travel Initiative is a good idea in terms of what it is trying to achieve, but its implementation is problematic, in part because of inadequate consultation with Canada about implementation; enhanced drivers licences, an initiative which resulted from lobbying efforts by state/provincial and local governments, is the beginning of the answer but time is needed to upgrade drivers licences
- the limited capacity of the Ambassador Bridge, which is privately owned, is recognized; it appears that 2013 is the earliest date for expanded capacity at the Detroit-Windsor crossing, a date that was affirmed by the leaders of the North American Free Trade Agreement (NAFTA) countries at the August 2007 Montebello Summit
- in future, the changes needed to governments in order to meet current needs and challenges, and to work effectively in a globalized world, must be identified
- four structures are needed as we make our integrated economy efficient and globally competitive:
 - infrastructure – trade occurs on a north-south axis while our countries were built with an east-west orientation; transportation infrastructure is key, and both shortages and rehabilitation of existing infrastructure must be addressed
 - interstructure – the “old” border was a border of informality which used human intelligence; the new border uses technological intelligence
 - superstructure – regulatory “disconnects” must be addressed and, with an integrated economy, ways must be found of managing together
 - substructure – the underpinning of North American integration involves education (where there is a need for mutual accreditation), labour mobility (which is needed for flexibility and agility), etc.; the correct legislative, regulatory and other environments are needed for careers that move back and forth across the shared border as employers take advantage of available human capital and employees take advantage of the location of jobs
- Rudy Giuliani and Fred Thompson are talking about federalism and about yielding some things to the states
- the Democrats are talking about re-negotiating/re-examining the NAFTA, which is not supported by a number of Americans
- protectionism is rising in the United States

- the 2008 Presidential election is the first instance since 1928 when there has not been an incumbent running for President
- the next President may have a relatively more important impact on how we move forward in the war on terror and on how we compete in the globalized world
- since the terrorist attacks of 11 September 2001, Canadians have helped Americans deal with the new world order
- during the question and answer period, the following topics were addressed:
 - arctic exploration
 - infrastructure along the shared border
 - cross-border shopping and parity in the relative value of the Canadian and U.S. currencies
 - the notion that those who make border policy do not consider trade and tourism
 - the existence of a revolving door of officials
 - the notion that Congress is better at blocking things than it is at doing things
 - “Canada fatigue,” in the sense that Canada is always complaining about something
 - the notion that Canadians are living in the world that existed on 10 September 2001
 - enhanced drivers licences and the degree of support among U.S. states and Canadian provinces for the initiative
 - the notion that everything looks different since the terrorist attacks of 11 September 2001
 - the question of what would have happened if the United States had not exempted Canada from the section 110 immigration requirements
 - the notion that things are worse with Secretary Chertoff than they were with Secretary Ridge, who was a politician
 - the question of whether the longest undefended border – which had been interpreted as a border that there was no need to defend – now needs to be defended
 - the notion that Americans can be counted on to “do the right thing” after they have done all of the wrong things
 - the question of perimeter security, recognizing that the term “perimeter” has encountered some resistance in Canada although Minister Day appears to be receptive to discussions about “perimeter” security
 - the development of new cliches for the shared border, such as “friendly frontier” and “seam along the way”

OVERVIEW OF HOW STATES/PROVINCES INTERACT WITH THEIR FEDERAL GOVERNMENTS

State Representative Jeff Morris, Washington State House of Representatives

- checks and balances – such as two legislative chambers, a Governor, a number of commissioners – have been built into the system because of an underlying mistrust of “the majority” and of centralized power
- the tension that has been deliberately built into the system often makes it hard to get things accomplished
- in Washington State, the Senate and the House of Representatives work together, and they try not to duplicate work; for example, “retreats” may occur between the chambers on bills, and trilateral communication with the Governor may occur regarding bills that will be introduced and passed, as well as the timeline for such actions
- the impact that the Governor has on the legislative process depends on the Governor; some Governors are relatively more engaged, and may “lobby” legislators directly
- when there is a partisan situation, such as that which might occur when the Governor is from one party and legislators are from the other party, collaboration and negotiation may occur; at the end of the day, everyone wants to get things done
- in Washington State, the Governor has a veto power
- in Washington State, the title of a bill cannot be amended; consequently, some legislators draft bill titles narrowly in order to avoid add-ons
- state legislators often “work” the federal legislators and issues by contacting the members of their Congressional delegation; coordination may occur, since everyone wants to serve constituents

Honourable John van Dongen, Minister of State for Intergovernmental Relations, British Columbia Legislative Assembly

- the relationship between the federal and the provincial/territorial government is a high priority, since it influences so much of what happens at the provincial/territorial level; federal and provincial/territorial legislators interact with one another, as do provincial/territorial and federal Ministers as well as the Premier and Prime Ministers
- in British Columbia, the Executive Council overlaps with the legislative branch, since the Cabinet is selected from among elected officials; interaction also occurs in the party caucus
- in dealing with the federal government and other provinces/territories, British Columbia uses a professional, business-like, consultative and collaborative approach

- British Columbia has established a number of key objectives for its relationship with the federal government, including: the environment; a national transportation system; immigration; labour mobility; and First Nations issues
- British Columbia wants to be a national leader in helping the federal government attain its national goals
- in meeting with federal legislators, British Columbia delivers the same message to members of the governing party and members of the opposition parties, an approach that is particularly important when there is a minority government; British Columbia has one agenda and the province wants to work with all parties
- much of what is done at the provincial/territorial level is completed in partnership with the federal government, since issues – such as enhanced drivers licences – often affect both jurisdictions

Question and Answer Period

- the following points were made during the question and answer period:
 - in Canada, provincial/territorial legislators talk to federal “backbench” legislators from both the governing and opposition parties; these federal legislators “support” the “front bench” and often have more time to “work” particular issues
 - it is important to align interests at all levels of government and in both countries
 - the United States’ political system is relatively seniority-based and a “hierarchy” exists, except in caucus where everyone is equal

STATE INTERACTION WITH THE U.S. FEDERAL GOVERNMENT: BREAKOUT SESSION

State Representative Jeff Morris, Washington State House of Representatives

- in terms of transfer payments, there are relatively tight restrictions on how the states can access federal funds
- the states receive medicaid transfers and transportation funds, although the West has not received the same level of per capita transfers for the interstate highway system as that received by the East
- unfunded mandates are a “huge” issue and some states are suing the federal government over the REAL ID Act requirements
- the significant increases in health care costs are not sustainable
- some prisoners are receiving better health care than the non-prison population

- federal funds allocated to a particular state can also benefit other states in the region; consider, for example, that transportation enhancements in a state benefit the entire region, since the region is better able to get goods to export markets; thus, states within a region should align their interests and needs
- it is expected that the world will break up into regional trading blocs and will compete with each other; for example, at present, the Pacific Northwest region competes with the Great Lakes region
- Seattle's gas comes from the North, while Alaska's food comes through Seattle ports
- the ballot initiative process, which is very popular in Washington State and requires a number of signatures that is not onerous, allows the legislative process to be by-passed; in some cases, the passage of ballot initiatives can cause states to re-write their budgets
- in terms of a situation where an issue was effectively "driven through" the system, consider CANPASS and PACE, which involved federal legislators and the private sector on both sides of the border working together; these initiatives, which had everything to do with commerce and very little to do with politics, were basically shut down immediately following the terrorist attacks of 11 September 2001, when everyone – those about whom much was known and those about whom very little was known – were put in the same lines at border crossings
- in terms of the division of power between the federal and state governments, it should be noted that the United States is a union, each state is culturally different and "one shoe does not fit all sizes"; as well, states joined the union at different times and under different sets of circumstances

State Senator Lesil McGuire, Alaska Senate

- in terms of transfer payments, Alaska relies on the seniority-based system in the U.S. Senate; the state is heavily resource-dependent with fairly high revenues and only one member of the U.S. House of Representatives
- Alaska has a number of important projects and a relatively small population; as a result, the state must rely on its Congressional delegation to seek project funding
- U.S. Senator Stevens has a great deal of seniority in the U.S. Senate and, consequently, Alaska has benefited from earmarks to fund bridges, roads, etc.
- the federal system lacks an objective manner in which to allocate funds; instead, the allocation is based on such factors as who is in power, who has seniority, who can convince colleagues to support earmarks, etc.

- policies and requirements in respect of accessing federal funds are often determined in Washington, D.C. and may not be communicated clearly to the states
- an urban-rural, large state-small state divide is beginning to emerge
- Alaska has considered not accepting federal medicaid funds; the formularies and rules change frequently
- the Native health system is federally operated, and some Natives use general emergency rooms rather than the Native hospital system
- federal investigatory and law enforcement agencies are targeting high-profile U.S. Senators who have done very well for their states; these agencies are using the media to help them achieve their goals
- in Alaska, 80% of the land is federally owned and less than 1% is owned privately; the federal government does not pay taxes on these lands, and there are restrictions on development
- in Alaska, the courts have ruled that ballot initiatives involving appropriations are unconstitutional; as well, these initiatives require signatures from every region in the state
- direct democracy can yield good ideas, and can be a useful tactic in “getting around” a limited number of powerful people who may be “holding things up”
- in terms of situations where issues were effectively “driven through” the system, consider:
 - the success of U.S. Senator Stevens in getting legislation passed in Congress that would have allowed drilling in the Arctic North Wildlife Refuge; he is a “master” at knowing people, their priorities and how to protect them
 - Native corporations are extremely successful in helping to bolster their economic situation, in part through advantages in the federal contracting process
 - tort reform in Alaska, where a single vote secured passage of the initiative
- in terms of the division of power between the federal and state governments, it should be noted that the resources in Alaska are held in trust and should be managed with a view to maximizing the yield for all Alaskans

Former State Representative Bruce Newcomb, former Speaker of the Idaho House of Representatives

- in terms of transfer payments, U.S. Senator Craig has been relatively successful in securing earmarks to benefit Idaho; as well, Idaho U.S. Representative Simpson and Senator Craig serve on appropriations committees
- in a small rural state with a relatively small population, federal earmarks are very important, especially for such needs as transportation
- states are in a “death spiral” as a consequence of the rising costs of health care and prisons; in ten years and assuming no change in current systems, health care and prison costs will surpass funding for education
- prison costs are a “self-inflicted injury” in the sense that the states write the criminal codes
- in terms of “have” and “have not” states, the distinction is largely a matter of the seniority of states’ U.S. Senators as well as the number and seniority of states’ representatives in the U.S. House of Representatives
- although the U.S. Senate prevents “net gainers” from being “hammered” by “net losers,” the situation is problematic when a state’s U.S. senators have relatively less seniority
- the United States should be spending on energy infrastructure
- since initiatives related to term limits have failed in the U.S. Congress, attention has turned to state legislatures and other elected positions at the state level
- in terms of a situation where an issue was effectively “driven through” the system, consider tribes with federal water rights in Idaho
- in terms of the division of power between the federal and state governments, it should be noted that state rights are reserved; however, the blending and corruption of rights over time may result in lawsuits related to jurisdiction

State Representative Max Black, Idaho House of Representatives

- in terms of transfer payments, the American and Canadian systems by which federal governments support states/provinces/territories are different; the U.S. system uses grants, appropriations and earmarks
- since seniority is very important in the U.S. Senate, it is best for states not to have two junior senators
- Idaho – which has a lot of land and a relatively small population – is highly dependent on the federal government for highway funds

- to date, Idaho has “escaped” the ballot initiative “overload” found in the states of Oregon and Washington; such initiatives can have devastating implications for planning
- in terms of a situation where an issue was effectively “driven through” the system, consider the passage, in Idaho, of a mental health plan for children; in that case, doing the groundwork, and doing it slowly, resulted in success

PROVINCIAL/TERRITORIAL INTERACTION WITH THE CANADIAN FEDERAL GOVERNMENT: BREAKOUT SESSION

***Rob Merrifield*, Member of Parliament, Co-Chair, Canada-United States Inter-Parliamentary Group**

- Canada is a constitutional monarchy similar to the structure found in the United Kingdom
- Parliament is made up of:
 - the Queen, Canada’s head of state as represented by the Governor General
 - the Senate, the relatively smaller appointed upper chamber
 - the House of Commons, the relatively larger elected lower chamber, which includes the Prime Minister and most – if not all – members of Cabinet
- federal legislators have basically four roles:
 - debate and vote in the chamber
 - participate in the legislative and special study work of standing, special and joint committees
 - participate in national, regional and other party caucus meetings
 - meet constituents’ needs
- in each chamber, legislation goes through first reading, second reading, report stage and third reading
- legislation must be adopted by a majority of members; most members vote with their party on government business
- it is a constitutional convention that a government can only carry out its duties while it has the confidence of the majority of the elected members
- the *Constitution Act, 1867* assigns exclusive – or, in some cases, joint – legislative powers to the Parliament of Canada and to provincial legislatures
- in addition to providing such services as postal services and acting for the peace, order and good government of Canada, the federal government has jurisdiction over:

- criminal law
 - federal taxation
 - navigation and shipping
 - banking
 - patents and copyright
 - national defence
 - foreign affairs
 - fisheries
 - divorce
 - trade and commerce
 - citizenship
 - Aboriginal affairs
- the provinces/territories have jurisdiction over:
- taxation for provincial/territorial purposes
 - the provincial/territorial courts and civil procedure in the courts
 - natural resources
 - education
 - hospitals
 - property laws
 - solemnization of marriage
 - the creation and regulation of municipalities, employment standards laws, licensing, provincial/territorial prisons and other matters touching on life in the province/territory
- the concept of a federal “spending power” arises from federal initiatives immediately following the Second World War and is linked to efforts to centralize the taxing power
- by providing program funds for health, education and social development programs – either unilaterally or in cooperation with the provinces/territories – the federal government altered Canada’s approach to issues that were essentially within provincial/territorial jurisdiction
- the federal government provides ongoing transfers to provinces/territories in accordance with four main transfer programs:
- Canada Social Transfer – post-secondary education, social assistance and social services, and early childhood development and child care
 - Canada Health Transfer – health care
 - Equalization – enables less prosperous provincial governments to provide residents with public services that are reasonably comparable to those in other provinces at reasonably comparable levels of taxation
 - Territorial Funding Formula – in recognition of the higher cost of providing programs and services in the north, provides territorial governments with

funding to support public services

- in Canadian intergovernmental relations, discussions can occur between and among Premiers, Ministers, deputy ministers, senior officials or public servants from various levels of government
- in December 2003, provincial/territorial Premiers decided on a non-constitutional intergovernmental focus aimed at developing collaborative approaches and making the Canadian federation work better; the Council of the Federation was formed with the objectives of:
 - strengthening interprovincial/territorial cooperation
 - exercising leadership on national issues of importance to the provinces/territories and improving federal-provincial/territorial relations
 - promoting intergovernmental relations based on respect for the Constitution and recognition of the diversity within the federation
 - working with the greatest respect for transparency and better communication with Canadians

A VIEW OF THE BILATERAL RELATIONSHIP AND OTHER ISSUES FROM THE PRIME MINISTER'S OFFICE

Ian Brodie, Chief of Staff, Prime Minister Harper

- with a federal minority government, an election could occur at any time and there is lots of sabre-rattling
- a minority government situation requires that parties cooperate in order to fulfill the legislative agenda
- some have characterized a parliamentary system with a majority in the House of Commons as a dictatorship
- at the Canadian federal level, there are close links between the legislative and Executive branches
- unlike the United States, in Canada the Prime Minister/Premier, the Cabinet and the caucus are elected at the same time and as a team
- in Canada, there are two sources of advice: the non-partisan, professional career public service; and political staff
- in the United States, the Republicans and the Democrats have a strong cadre of professional advice and expertise; these professionals have policy expertise and knowledge of government operations, and – as well – can give partisan advice
- until the last twenty years, the bilateral relationship basically occurred between the two Executive branches; there was a reluctance to engage the U.S.

Congress in a direct way, and the relationship was based on trust and similarity of vision

- now, links between U.S. and Canadian legislators are important in fostering the bilateral relationship
- the historic approach of Executive-to-Executive involvement changed for a number of reasons:
 - resurgence of legislator-to-legislator influence; consider, for example, that the groundwork laid by members of the Canada-United States Inter-Parliamentary Group was instrumental in rapid passage of Bill C-59 through Parliament
 - the importance of party caucuses in Canada, in part as a “talent pool” for leadership; consider, for example, that the U.S. President
 - unlike the Canadian Prime Minister – can choose anyone to serve as a Secretary, subject to the confirmation process
- the following points were made during the question and answer period:
 - the role of the public service is different in Canada than in the United States
 - it is possible to be political without being partisan
 - in Canada, the vast majority of expertise is in the professional public service, which is undergoing significant demographic change
 - the Prime Minister’s Office and the Privy Council Office have tried to ensure that cross-border dialogues are “dual delegations,” with both political staff and public servant involvement
 - members of the federal public service has longstanding bilateral relationships
 - the Security and Prosperity Partnership has been a political challenge, and the future of the Partnership may be determined in the coming year, which will likely be a “make or break” year; it is unclear whether the Partnership will survive the coming transition in Washington, D.C.
 - the federal Conservative view is that a deeper and closer relationship between and among the North American Free Trade Agreement (NAFTA) countries benefits all three countries; at present, Canada is the only NAFTA country where the NAFTA is fully supported, and twenty years ago Canadians decided that free trade would benefit the country
 - rapid changes in the relative value of the Canadian dollar lead to economic upheaval, with regional problems and implications for particular sectors; the global devaluation of the U.S. currency has been coming for some time
 - in the context of regional economic approaches, it should be noted that the bilateral relationship is so complex and so deep that it cannot be managed just by federal governments; on some issues, federal-state/provincial/territorial coordination and collaboration are required

- there is an ideological war occurring in the hemisphere: protectionism versus free trade
- it is true that the NAFTA is incomplete; trade disputes as well as anti-dumping and countervailing duty cases continue to arise, and there is still work to be done in respect of regulatory cooperation

STATE/PROVINCIAL/TERRITORIAL/FEDERAL ROLES IN RESPECT OF SECURITY AND BORDER POLICY: FACILITATED DISCUSSIONS

Dr. Don Alper, Director, Border Policy Research Institute, Western Washington University

- a broader conception of border security is needed; in particular, there is a need to move away from a focus on more barriers
- the notion of border security is broader than just protecting residents from outsiders; it is also about enhancing the quality of life through reduced crime, promotion of the concept of “non-gated” communities across the border, etc.
- a “smart” border is an “open” border; "open" does not mean "porous"
- increasingly, the concept of cross-border security is rooted in sub-national arenas; consider, for example, emergency preparedness, public safety, public health, transportation infrastructure, etc.

Honourable John van Dongen, Minister of State for Intergovernmental Relations, British Columbia Legislative Assembly

- while “cross border” is an area of federal jurisdiction and operations at the border are a federal responsibility, provinces and states have a “huge” interest in cross-border issues and THEY need to be partners
- technology is always changing, leading to constant obsolescence; the development of common bilateral platforms requires a greater focus on uniformity and consistency than on the recency of technology
- rules should not be written in a manner that eliminates good judgment; it should be assumed that border agents have good judgment
- in British Columbia, a special Cabinet committee on border issues is being created
- it is not necessarily the case that the “old” ways of doing things were bad

Rob Merrifield, Member of Parliament, Co-Chair, Canada-United States Inter-Parliamentary Group

- the border must be examined through the lens of the terrorist attacks of 11 September 2001, since this lens is used by the U.S. Department of Homeland Security
- Secretary Chertoff has said that security trumps economics, and the U.S. Administration has said that there will not be another terrorist attack under its watch
- if bilateral trade and traffic are harmed, both sides of the border are affected
- in Canada, the federal government continues to make security-related investments
- a passport will not stop terrorists
- enemies of the United States are enemies of Canada, and Canadian intelligence should work “hand in glove” with U.S. intelligence
- energy is critical to sustainable economic development in North America
- the PNWER “works” because Western Canada and Western U.S. states identify more with each other than to do with the central or eastern parts of Canada and the United States

Patrick Higgins, Senior Political and Economic Relations Officer, Canadian Consulate General (Seattle)

- the bureaucracy exists in order to implement the laws passed by legislators
- if one does not complain, it is assumed that there is agreement
- Canada and the United States are partners on issues because the countries rely on each other; Canada is a trustworthy, committed, safe partner to the U.S.

Question and Answer Period

- the following points were made during the question and answer period:
 - with enhanced technology comes the increased possibility of identity theft, although much is being done to improve the use of technology and the security of documents
 - regarding the enhanced drivers licence initiative, personal privacy is the biggest issue for the public; British Columbia is working closely with its Privacy Commissioner and is educating people about the limited information – identity, citizenship and status – that border agents would be able to access
 - it is possible that the U.S. Administration sees enhanced drivers licences as a possibility for moving forward with the requirements of the REAL ID Act; however, the enhanced drivers licence initiative is voluntary for states and for drivers
 - new security requirements exist; the key is to get their implementation “right”

STATES AND PROVINCES/TERRITORIES LEAD THE WAY IN RESPECT OF THE ENVIRONMENT AND CLIMATE CHANGE: FACILITATED DISCUSSIONS

Dave Coutts, Member of the Legislative Assembly of Alberta

- in Alberta, natural resources are managed on behalf of Albertans
- in Alberta, the private sector can test for resources free of charge, but access to the resource must be purchased
- Alberta’s resources are a “huge” economic generator, yielding significant jobs and tax revenues
- at present levels of usage, Alberta has oil sands reserves that will last 150 years; moreover, there are enough coal reserves for the next seven centuries
- resource processing in Alberta accounts for 42% of Canadian greenhouse gas emissions; in the view of Alberta, the marketplace should share in the costs, rather than limiting the costs to the province in its role as producer
- the Kyoto Protocol will destroy the resource industry, employment and communities in Alberta

State Senator Curt McKenzie, Idaho Senate

- in Idaho, there is a committee on environmental issues
- energy issues will be critical in the future
- Idaho energy depends on what is going on in the region
- nuclear energy is seen as a relatively clean baseload resource
- there are three regional issues to consider:
 - transmission – there is a need to ensure sufficient transmission to serve the areas that need it
 - baseload generation – coal will continue to be a significant source, and nuclear energy is being re-examined
 - alternative fuels – incentives will be important

Question and Answer Period

- the following points were made during the question and answer period:
 - because Alberta is the highest emitter of greenhouse gases in Canada, Alberta should be permitted to try to resolve the issue
 - the consumer has some responsibility to share in the costs associated with energy production
 - Alberta is glad to share in the wealth generated by the oil and gas industry; Alberta's success is Canada's success, and Canada's success is North America's success
 - increased energy production in Alberta will require infrastructure to move energy out of the province
 - to date, Alberta has "robbed" labour from everywhere else by offering "huge" salaries, thereby putting pressure on other sectors and regions
 - Alberta recognizes that it must train more people in the province, and has developed and implemented training programs for Aboriginal Canadians
 - a workforce is needed in all aspects of Alberta life
 - the biggest labour pool is the United States

FEDERAL GOVERNMENTS WORKING IN EACH OTHER'S COUNTRIES

Tom Huffaker, United States Consul General (Calgary)

- the United States has those who do "consular affairs" and those who do "policy"; these two groups connect at the border
- the border continues to be "job #1"

- it is expected that the land and sea aspects of the Western Hemisphere Travel Initiative will be implemented before President Bush leaves office
- U.S. consular offices are the eyes, ears and voice of the U.S. government abroad; they are also part of the “connective tissue” in the relationship

Kim Blanchette, Consul and Program Manager, Political and Economic Relations and Public Affairs, Canadian Consulate General (Seattle)

- those associated with the PNWER “connect” quickly, since they are kindred spirits and share a common thread
- over time, there have been changes in political service and in public service, with an increased focus on accountability, a requirement to meet the needs of diverse and changing constituencies, etc.
- as politicians’ worlds change, so too do consular services and diplomacy
- information is still power, but everyone has access to it; what is needed is the ability to analyze what is important
- consular offices have to pay attention and they have to get attention

WHAT THE PNWER CAN DO TO HELP RESOLVE CROSS-BORDER ISSUES

Dr. Don Alper, Director, Border Policy Research Institute, Western Washington University

- progress toward cross-border cooperation is quickest where it is easiest, but these areas may not be the most important
- the PNWER is recognized nationally and internationally as a successful regional organization
- the purposes of the PNWER include:
 - exploiting regional development potential stemming from cooperation; while the organization originally had an economic focus, that focus has expanded to include fostering sustainable technology clusters as well as greater social and cultural community in the region
 - reversing the negative regional impacts resulting from national policies and security mandates; an unintended consequence of the terrorist attacks of 11 September 2001 was the mobilization of business interests in respect of cross-border issues

- in the future, the PNWER may be most effective in:
 - providing a regional perspective on national issues
 - building horizontal and vertical constituencies in respect of various problems and opportunities
 - creating networks for cooperation in order to help the region survive the ups and downs of the bilateral relationship
 - serving as a vehicle to gain access to national political circles

Roger Gibbins, Chief Executive Officer, Canada West Foundation

- the Canadian political process is relatively easy to understand, since there is one legislature at the provincial/territorial level and a limited number of points of entry; the U.S. political system is relatively more complex
- many environmental issues are transborder in nature, such as acid rain and the cleanup of the Great Lakes, while others are global, such as climate change
- actions taken by U.S. states will have a larger impact on Canada in the future than used to be the case; consequently, there is a need to focus on state policies as well as federal policies in the United States
- such phrases as “continental water strategy” and “continental energy strategy” are likely to have an adverse public reaction in Canada

Jim Souby, President and Chief Executive Officer, Park City Center for Public Policy

- the PNWER and a cross-border regional focus are “the way to go”
- the federal level sets moral obligations and defends national interests, the municipal level is where the “rubber hits the road” and the state/provincial/territorial level involves the mantle of moral authority
- wherever there is friction, there is opportunity
- future diplomatic and human relations will depend on engagement between and among people; enduring solutions now and in the future will be focussed on enduring relationships
- two powers are particularly important:
 - the power to convene needed stakeholders – this power, which is the most important attribute in addressing cross-border issues, is underutilized at present

- the power of collaboration – consensus-derived decisions are durable, and collaboration is empowering
- there are eight principles to keep in mind:
 - collaboration, not polarization
 - science for facts, process for priorities
 - solutions transcend political boundaries
 - national standards, community solutions
 - engage the public
 - be responsive to the public
 - reward results, not programs
 - markets before mandates

Question and Answer Period

- the following points were made during the question and answer period:
 - a collaborative approach – even when used with issues where collaboration seems useless – would better inform whatever final solution emerges
 - a situation or problem should be defined and framed correctly, and all implications should be explored fully; culture and tradition may be barriers, but the framing of an issue and the identification of *true* needs are important
 - the person or group with the biggest stake in success should be identified and then included in the process
 - while an east-west axis is pervasive, a north-south orientation needs to be developed
 - the PNWER should develop solutions and then take them to Washington, D.C. and Ottawa, using whatever networks exist
 - collaboration is “the only way to go”
 - federal “solutions” should be leveraged for regional concerns; this approach was used, for example, with bovine spongiform encephalopathy

THE ALBERTA VIEW OF THE BILATERAL RELATIONSHIP

Speaker Ken Kowalski, Legislative Assembly of Alberta

- Canada and the United States have more things that bind than things that divide
- both countries have parliamentary roots
- Alberta is a “huge” player in Canada as well as in some parts of North America
- Alberta has a North American as well as an international perspective and focus
- Washington, D.C. and Ottawa cannot be left to deal with Pacific Northwest issues, since these cities are 2,000 miles away

Respectfully submitted,

Hon. Jerahmiel Grafstein, Senator
Co-Chair, Canada-United States
Inter-Parliamentary Group

Rob Merrifield, M.P.,
Co-Chair, Canada-United States
Inter-Parliamentary Group

Travel Costs

ASSOCIATION	Canada-United States Inter-Parliamentary Group
ACTIVITY	Pacific NorthWest Economic Region (PNWER) Legislative Leadership Academy
DESTINATION	Banff, AB
DATES	September 28 – October 1 st , 2007
DELEGATION	
SENATE	Ø
HOUSE OF COMMONS	Mr. Rob Merrifield, M.P.
STAFF	Ms. Émilie Thivierge, Executive Secretary Ms. June Dewetering Analyst
TRANSPORTATION	\$1,344.46
ACCOMMODATION	\$1787.24
HOSPITALITY	\$Ø
PER DIEMS	\$229.50
OFFICIAL GIFTS	\$Ø
MISCELLANEOUS/REGISTRATION FEES	\$Ø
TOTAL	\$3,361.20