

The Assembly met at 2 p.m.

Prayers

ROUTINE PROCEEDINGS

READING AND RECEIVING PETITIONS

Clerk: — According to order I hereby lay on the Table the following petition. I have examined the petition under rule 11(7) and now present it for reading and receiving.

Of certain citizens of the province of Saskatchewan, praying that the Legislative Assembly may be pleased to urge the Government of Saskatchewan not to change the school-based dental plan.

ORAL QUESTIONS

Waiting for Cancer-Related Surgery

Ms. Atkinson: — Mr. Speaker, my question is to the Premier, and it deals with the state of health care in this province. Is it the Premier's view that a wait of six weeks or more for cancer-related surgery at Saskatchewan hospitals is acceptable?

Some Hon. Members: Hear, hear!

Hon. Mr. McLeod: — Mr. Speaker, it is the view of our government that waiting lists, as I have said on several occasions in the past, in some specialties in Saskatoon are at a level that is not acceptable, and we are attempting to solve that problem as it relates to several specialties, namely, ophthalmology, orthopaedics, and to some extent, ear, nose and throat.

Ms. Atkinson: — Mr. Speaker, we have been listening to this minister for some weeks now, and the answers have not been acceptable. The Premier of this province is responsible for . . .

Mr. Speaker: — Order. Order, please. Order, please.

I must assume that the hon. member rose on a supplementary. She knows that preambles should be very short, and she also knows that she should not make statements which re debate.

Ms. Atkinson: — It's a new question, Mr. Speaker. And I refer once again to the Premier of this province, and it has to do with a 53-year-old woman in Saskatoon, by the name of Joyce Kosokowsky, who was diagnosed as having a growth on her kidney. Her doctor has said that she has a 95 per cent chance that the growth is cancerous, and he has put Mrs. Kosokowsky on the hospital waiting list at St. Paul's Hospital to have her left kidney surgically removed. The booking slip for Mrs. Kosokowsky was given to the hospital on August 31, and she has now been told, Mr. Premier, that she has a six-week wait to mid-October. Mr. Premier, that's six weeks, and I ask you, Mr. Premier: is that kind of a delay acceptable when this woman appears to have cancer? And the question is to the Premier.

Some Hon. Members: Hear, hear!

Hon. Mr. McLeod: — Mr. Speaker, the case that the member raises of the lady in Saskatoon who is booked, in fact, for St. Paul's Hospital, the member is right to this extent, in the sense that she says that there's a possibility of cancer to the person's kidney. She is right to the extent that she was booked on August 31. She is not correct to say that mid-October is the time. The time that the lady is booked for, I believe it's October 5, for her surgery.

Now, Mr. Speaker, she says the middle of October; October 5 the surgery is booked at St. Paul's Hospital, the best information that I have.

Ms. Atkinson: — New question to the Premier of Saskatchewan who is responsible for the overall health care policies of his government. In view of the fact that there are 11,000 people on the hospital waiting list in Saskatoon, and in view of the fact that 308 hospital beds were closed this summer for a two-month period, and in view of the fact that St. Paul's Hospital had to close 69 hospital beds for a two-month period — the longest period of time ever in the history of St. Paul's Hospital — and in view of the fact that two hospital operating rooms were closed at St. Paul's Hospital, do you not understand, Mr. Premier, that it's your inadequate health care policies that have led to these kinds of circumstances where cancer patients are waiting exceptionally lengthy period of time for hospital care?

Some Hon. Members: Hear, hear!

Hon. Mr. McLeod: — Mr. Speaker, a couple of facts. First of all, there are people waiting in Saskatoon, there are some people waiting in Saskatoon, people who need urgent surgery in Saskatoon. As I have said before, and as would be the case if that doctor in Saskatoon believed that was urgent he could have that person — the person being referred to here today — in the hospital within hours, days. That's the case. That's the case, Mr. Speaker, if the urologist believed it was urgent. I'm not diminishing the fact that it's of great concern to the person, or to the person's family and others. I don't diminish that in any way, shape, or form. We know the concern and the consternation that will surround a case of this kind of diagnosis. There's no question about that.

But, Mr. Speaker, some of the facts — the member raises all of these other things and, frankly, exaggerates the issue to some extent.

Mr. Speaker, in Saskatoon, for example, the number of surgeries performed in Saskatoon has risen by 41 per cent a year — on a yearly basis — more surgeries performed on an annual basis every year. Mr. Speaker, those are impressive numbers in terms of the number of surgeries. The fact is . . . there is more and more pressure, but the fact is that 41 per cent more surgeries in a given year than there were back in the days when they were in power.

Mr. Speaker, we have been addressing this issue. It's a long-standing issue in Saskatoon. We are addressing the waiting list problem in Saskatoon. We're addressing that problem; we will continue to do so, but the answer is

simply not pouring more money at a system that is already under a very, very — under a very great deal of pressure.

Ms. Atkinson: — We have had nothing but talk, talk, talk out of this minister, and I will once again put my question to the Premier. We don't care if it's five weeks or six weeks, Mr. Premier; whether it's October 5th or October 15th, this woman has cancer — so her doctor believes. And my question to you is: is five weeks acceptable when you have the potential of cancer and require surgery? Is that your policy, Mr. Premier?

Some Hon. Members: Hear, hear!

Hon. Mr. McLeod: — The policy, Mr. Speaker, is as I have stated it on many occasions before — as I have stated on many occasions before. When the cases of cancer surgery, where it is deemed by the specialist — and it must be deemed by the specialist — to be of an urgent nature, can have admittance to the hospital in a very quick order. There's no question about that. That's the case at all three hospital in Saskatoon, as it is here in Regina.

Mr. Speaker, as I talked about the pressures on the system — and just so that everybody knows the kinds of pressure that have been there — let's just talk about the examples of the growth rates. Let's just talk about the growth rates in terms of the number of procedures in the various areas that have happened — growth rates between 1979-80 and '85-86. Now we're talking about a four- or five- or six-year period here. Hip replacements, 105 per cent increase, Mr. Speaker; cataracts, 67 per cent increase, in terms of the number of procedures performed; not those that have been requested; not those that have been booked; those that have been in fact performed in these hospitals.

Mr. Speaker, those are the kinds of pressures that are on the system. And once again, I reiterate, for cancer patients that are deemed urgent by the urologist, the specialists in the field, can be admitted to the hospital much more quickly if deemed necessary.

Hon. Mr. Blakeney: — Supplementary, Mr. Speaker. Mr. Minister, I hope you will concede this is not something involving opthamology, not something involving orthopaediatrics, but is cancer surgery and has to do with urology or cancer surgery. You have conceded that there is at least a five-week wait.

Are you saying, Mr. Minister, that that doctor has said that the operation was not urgent, or are you going to repeat that if he says it's urgent he can get his patient in, in a matter of hours?

Some Hon. Members: Hear, hear!

Hon. Mr. McLeod: — What I'm saying, Mr. Minister, is as I have said, that it does do with cancer, and I will reiterate once again, those kinds and the consternation that surrounds this kind of diagnosis. There is no question. We recognize that, as do the members.

The person in question today has surgery booked for October 5. What I'm saying, Mr. Speaker, is that if that

surgeon, and if it fits along the lines of the urgent surgery and other urgent surgery that's in line at St. Paul's Hospital, that surgeon could have that person in more quickly, if it was more urgent than some others that are in line ahead of him.

Environmental Impact Statement re Rafferty-Alameda Project

Mr. Lyons: — Thank you very much, Mr. Speaker. IN the absence of the Minister of the Environment, I refer my question to the Premier, and it concerns the \$136 million political boondoggle which is being built in the Premier's own constituency, known as the Rafferty-Alameda dam project.

Mr. Premier and Mr. Speaker, I have here a review document put forward by the Saskatchewan Department of the Environment in regards to its assessment of the environmental impact statement submitted around the Rafferty-Alameda project. And I want to point out to the Premier, Mr. Speaker, that this document says that the deficiencies in the environmental impact statement — forgetting the fact that they don't even know where Alameda dam is going to be built — say this: that there's insufficient attention to preparing an integrated water management plan which will take reservoir operating plans, ecosystem management and human water supply demands and flood control requirements into consideration, further tied to an overall mitigated plan, with the exception of flood control for Minot, North Dakota.

Given the deficiencies that your own Department of the Environment puts forward, Mr. Premier, will you put a halt now to the Rafferty-Alameda project until these deficiencies are overcome?

Some Hon. Members: Hear, hear!

Hon. Mr. Devine: — Well, Mr. Speaker, I will briefly respond by saying that Environment Canada has looked at that particular letter some time ago and the concerns raised there, and they have been addressed to the satisfaction of Environment Canada as well as the Department of Environment here in Saskatchewan.

So he's reading from an old letter, and he can probably bring up old letters that are 50 years old about concerns about a water projects. I will say, Mr. Speaker, there have been addressed, the very issues that he raises have been addressed.

In fact the management plan for water, you will find one of the best in North America. And I'm sure the children and the grandchildren from the members opposite will be very happy and proud of the fact that there is a major water project in this province years and years to come.

Some Hon. Members: Hear, hear!

Mr. Lyons: — Supplementary question, Mr. Speaker, supplementary question. The document, Mr. Premier, I'm referring to is not from Environment Canada; it's from the Saskatchewan Department of Environment. It was issued at the end of August of 1987. And if you're trying to

say, sir, that the end of 1987 . . .

Mr. Speaker: — Order. Order, please. Order. The hon. member is having a preamble that is too long, and his remarks are bordering on debate for a supplement.

Mr. Lyons: — Thank you. Mr. Speaker, my question is a new question. It will be to the Premier, and it concerns a letter that we have here from the stock growers association concerning the Rafferty-Alameda project. The Saskatchewan Stock Growers Association, Mr. Premier, would like to request, and I quote:

. . . an extension of 60 days in the public review hearings on the Rafferty dam to allow affected producers sufficient time to thoroughly review the 1,800-page environment impact study that was distributed August 10, 1987.

Mr. Premier, in the light that stock growers, many of whom operate in the affected area, are requesting a 60-day extension, will you or will you ask your Minister of the Environment to please ask the board of inquiry, the public board of inquiry, to reopen hearings in November so that affected stock producers can, in fact, participate in the public hearings?

Some Hon. Members: Hear, hear!

Hon. Mr. Devine: — Mr. Speaker, we have public hearings going on, and if the hon. member has not attended them, I'm sure that somebody has informed him that hearings have been going on all over south-east Saskatchewan, and people in business, in livestock, people concerned with the environment, schools, chambers of commerce, health officials, and everybody else, Mr. Speaker, have been able to attend the hearings. And the general observations is that wide support by the agriculture sector, wide support by cattlemen, wide support by people who want to see tourism and economic development, and water projects, and the power projects. So I would say that that's why we had the hearings, and that's why the process is there.

And Environment Canada has addressed the issues that have been raised earlier, and the Saskatchewan Department of the Environment have addressed those issues, and the water management plan is an excellent plan, Mr. Speaker. You will find, Mr. Speaker, that history will show what you know and don't know about the stock growers would fill a large room, my boy.

Mr. Speaker, I will just point out to the hon. member, there's a few people in the NDP opposition, Mr. Speaker, who happen not to like to build. I'd say if you go back and look at your roots of Tommy Douglas and others who were builders, Mr. Speaker, you'd build Diefenbaker Lake and Gardiner dam and projects like these because of the kinds of things people in this province want to see done.

Some Hon. Members: Hear, hear!

Mr. Lyons: — New question, Mr. Speaker. It's evident what the Premier doesn't know about Rafferty-Alameda would fill a large empty dam filled with mud-flats.

Mr. Premier, are you aware, in regards to the public hearings, that these are the shortest public hearings ever, ever held in the province of Saskatchewan in regards to an environmental impact statement — the shortest in the history of the province. And do you deny that the only reason why you and your henchmen are trying to push the project through is so that you can get that \$136 million, that political boondoggle, in your own constituency, behind the backs of the people of Saskatchewan.

Some Hon. Members: Hear, hear!

Hon. Mr. Devine: — Mr. Speaker, the public obviously has difficulty figuring out where the NDP is coming from on these kinds of projects because under the CCF (Co-operative Commonwealth Federation) of Tommy Douglas, there was encouragement to build those kinds of management, water and power projects.

We find today the new leader is saying that he's going to review everything under the Blakeney administration because he's not sure that nay of it is quite accurate.

An Hon. Member: — Wants to forget it all.

Hon. Mr. Devine: — They want to forget about it. And now, Mr. Speaker, they're standing up here saying: well, I'm not so sure that they want to have a water project or in fact whether they're against public or . . . privatization, or public participation. The whole policies of the NDP are under review, Mr. Speaker, and it's very typical — it's very typical.

You look at the CCF was going to help farmers; the CCF was going to build. The NDP didn't want to do it; you want to nationalize companies and potash industries. The new leader's going to change his mind because finally they've even noticed — and I think the member from Rosemont would like to hear this — that the Soviet Union and China are going to privatization and public participation.

Some Hon. Members: Hear, hear!

Mr. Speaker: — Order, please. Order, please.

Proposed Sale of SGI

Mr. Trew: — Thank you, Mr. Speaker. My question was to be to the phantom minister responsible for SGI (Saskatchewan Government Insurance) but in her continuing problematic absence I will direct the . . .

Mr. Speaker: — Order, please. Order, please. I'll allow the hon. member to . . . Order, please. Order! Order. The hon. member is trying to ask a question but, for whatever reasons, both sides of the House are preventing him from doing that.

Mr. Trew: — Thank you, Mr. Speaker. Welcome back, Madam phantom Minister. My question is, of course, to you, and it deals with the Premier's and your government's plan to sell of Saskatchewan Government Insurance.

In a Canadian Press interview just yesterday, Madam Minister, you said that the decision on the sale of SGI will be made by the provincial cabinet before the end of the year, and you added, I quote:

It's no secret that the board of directors of SGI has been looking at all options.

Madam Minister, the SGI board of directors has been looking at all the options in secret, with no input from SGI's workers, SGI's agents, or SGI's customers. Will you and the Premier now give the people of Saskatchewan a clear commitment that before you decide to sell off this important public utility, you will submit your proposals to public hearings around the province?

Some Hon. Members: Hear, hear!

Hon. Mrs. Duncan: — Mr. Speaker, I thank the member for his question. What I said yesterday, Mr. Speaker, was I would hope that the board of SGI would have a package finalized that could go to cabinet.

With regards to public meetings around the province, I think the Deputy Premier answered that very succinctly the other day when he indicated to the member that we would have as many public hearings as the opposition did when they had nationalized the potash. In fact, Mr. Speaker, the aspiring leader of the NDP, or to-be-leader of the NDP, recently on a talk show in Regina indicated his support for public participation — participation.

Mr. Trew: — Madam Minister, what are you afraid of? Bring it to the House then. Let's have a debate . . .

Mr. Speaker: — Order. Order. Order, please. Order, please. Order, please. Order, please. Order, please. Order.

If the member has a question, he can put it now.

Mr. Trew: — I have a question, Mr. Speaker, thank you. Madam Minister, if the sell-off of this important public utility is such a good move, why are you afraid to let the public see the details before you sell their insurance company? What exactly are you afraid of?

Some Hon. Members: Hear, hear!

Hon. Mrs. Duncan: — I can assure the member from Regina North that I and this government are not afraid to look at any option available to government to diversify the economy, to strengthen the economy, to protect people. And we will look at all options — options, Mr. Speaker, without fear.

Some Hon. Members: Hear, hear!

Mr. Trew: — Supplementary. Can the minister tell Saskatchewan . . .

Mr. Speaker: — Order, please. Order, please. Order, please. Order, please. Would the member please indicate if he's asking a new question or a supplementary?

Mr. Trew: — I'm sorry, Mr. Speaker, I clearly stated supplementary, but I'm sure in the noise of the House you missed that — clearly.

Can the minister tell Saskatchewan's taxpayers, who now own 100 per cent of SGI, how giving up control of SGI to non-Saskatchewan residents is in their best interests? How will that protect Saskatchewan jobs, and how will it keep Saskatchewan insurance rates down?

Some Hon. Members: Hear, hear!

Hon. Mrs. Duncan: — Mr. Speaker, as I indicated to the member previously, we are discussing the options available to SGI to expand the company to make this company stronger. His specific question, Mr. Speaker, is purely hypothetical because no decision has been made by this government.

Mr. Trew: — New question, Mr. Speaker. Madam Minister, you have talked of public participation, and we've seen your definition of public participation with Saskoil. Do you deny that 75 per cent of the Saskoil shares sold in 1986 are already owned by non-Saskatchewan residents? And do you deny that within weeks of the sale of Saskoil shares 25 per cent of Saskoil employees were fired? And do you further deny that today this oil company, Saskoil, is expanding in Alberta rather than in Saskatchewan?

In other words, Madam Minister, your version of public participation will see ownership of SGI move outside of Saskatchewan, Saskatchewan jobs lost, Saskatchewan insurance rates sky-rocket, and all expansion take place outside the province. Is that what you're telling us?

Some Hon. Members: Hear, hear!

Hon. Mrs. Duncan: — Mr. Speaker, it always surprises me, particularly in this session, to sit on this side of the House and watch those members over there — the negativism, the "anti" everything. They're critics of everything. They distort everything.

SGI is a strong provincial insurance company. In fact, Mr. Speaker, even though SGI only insures within the boundaries of our province, SGI's listed in the top 25 insurance companies in Canada, Mr. Speaker. And if we can't, as a government, look at ways of expanding that to see that there's more employment, that the company is strengthened here with the head office here, I might add, Mr. Speaker — you know, they're just like ostriches with their head in the sand. They are scared to look at anything new. They want to go back to the days of 40 years ago, like hang on to those days, you know.

This government, as I said, Mr. Speaker, is looking at public participation, and we have made no bones about that, and we will continue to look at public participation. And it's not a scary thing, Mr. Speaker. It diversifies the economy, it strengthens the economy, it creates jobs, and it protects people.

Some Hon. Members: Hear, hear!

Budget Cuts to Urban Municipalities

Mr. Van Mulligen: — Thank you, Mr. Speaker. My question is to the Minister of Urban Affairs, and it deals with yet another example of his profound propensity for hyperbolic excess. And I'd use simpler language, Mr. Speaker, but some words are not permitted here.

The most recent issue, the must recent issue of his department's newsletter, called *Municipal Scene*, suggests that the board of directors of the Saskatchewan Urban Municipalities Association supported the government's budget cuts to cities, towns, and villages, including the elimination of the \$16 million provincial capital fund.

As your newsletter puts it:

In consultation with the executive board of SUMA, a number of decisions were made regarding municipal programs.

Is it really the minister's position that the SUMA executive approves of the budget cuts your government has introduced for urban municipalities?

Some Hon. Members: Hear, hear!

Hon. Mr. Klein: — Mr. Speaker, I don't have the foggiest idea what he said at the outset. I don't know if that was a compliment or a . . . I grew up on the east side of this city and lived here for a long, long time and obviously if the member from Regina Victoria has that kind of dialogue with his constituents, I doubt that they understand what he is talking about.

But in any event, Mr. Speaker, I should tell the member that he seems to disagree with an awful lot of publications that this government puts out, and really, I suppose, that that's his prerogative if he chooses to do so. I know that as we examine, for instance, that survey that he so graciously undertook, that he claims to be some kind of a legal document, we have had now the opportunity to deal with that in quite an extensive look. And I can tell you that as we get into estimates, I hope that he refers to that survey because clear — and I'll deal with regard to his survey — none of that survey really makes too much sense.

So if he has a problem — getting back to his direct question — if he has a problem with a paper that the Department of Urban Affairs publishes, I suppose all I can say, that that's not news.

Mr. Van Mulligen: — A new question, Mr. Speaker. The minister provides an excellent example of what I was talking about. To short it up, B.S., I think, are the appropriate initials.

My question is: following your budget cut announcements last April, the SUMA (Saskatchewan Urban Municipalities Association) board of directors issued a public statement. For example, this is part of what SUMA had to say about the elimination of the \$16 million capital fund:

The board urges the government to reconsider its position with respect to capital funding. The board

believes it is unreasonable for the government to reduce spending in this area to the degree proposed. The economic impact of this position is potentially disastrous and totally unacceptable, in the board's view. The board considers it irresponsible for the government to completely eliminate the fund.

Some Hon. Members: Hear, hear!

Mr. Van Mulligen: — I realize that complaints are few and far between these days for government members, but . . .

Mr. Speaker: — Order, please. Order, please. Order, please. Order, please! The hon. member stood on his feet for I don't know how many seconds after I had risen. He was engaging in a long preamble to his question, and I'd just like to say that today in question period we saw situations where, I'm sure hon. members will agree, preambles in some cases — not all cases — were too long. Answers to some questions, but not all cases, were too long, and sometimes not quite on the topic. And I hope that we'll come back tomorrow in a little different frame of mind.

I didn't hear your question; I don't know if the minister did, but if you have a question, please put it without any further preamble.

Mr. Van Mulligen: — My question is this, Mr. Minister. Compliments are few and far between these days for the government. I wonder, do you take those kinds of statements as expressions of support for your government's actions in so far as urban municipalities are concerned?

Some Hon. Members: Hear, hear!

Hon. Mr. Klein: — You're right, Mr. Speaker. It's difficult to hear with the noise that comes from the opposition benches most of the time during question period. I can tell you that perhaps the biggest question that I received from SUMA (Saskatchewan Urban Municipalities Association) is: why did the prior administration ever take away capital funding in the good times?

Mr. Speaker: — Order, please. Order, please. I'm sure hon. members know that question period is over, and I'm sure that they also know that when the Speaker has risen the noise should not continue in the House. I therefore ask members on both sides of the House to please refrain from the same.

The member for Regina Rosemont, I would ask him to please co-operate with my request.

TABLING OF DOCUMENTS

Mr. Kowalsky: — Before order of the day, Mr. Speaker, I rise to table a document protesting to the Premier regarding the RCMP cut-backs that affect residents of Anglin Lake. I have 110 signatures here that have been sent to me. I have been asked to present this to the House. It's a result of them having increased . . .

Mr. Speaker: — Order. Order, please. Order, please.

Hon. Mr. Hodgins: — Thank you, Mr. Speaker. With leave of the Assembly, and from what I understand has been a prior agreement through the normal channels of all parties, I would move that we go directly to government orders, specifically adjourned debates.

Leave granted.

ORDERS OF THE DAY

GOVERNMENT ORDERS

ADJOURNED DEBATES

MOTIONS

Constitution Amendment, 1987

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Devine.

Mr. Hagel: — Thank you very much, Mr. Speaker. It is with some mixed emotion that I enter into debate in the dealing of what has been referred to as the Meech Lake accord, or the approval of the Meech Lake accord by the Legislative Assembly of Saskatchewan.

I think all of us in our political lives, Mr. Speaker, welcome an opportunity to impact in some small way upon the statement of the values of our nation, the rights of our nation, and most importantly, the people within, Mr. Speaker.

And as I stand today to address a few brief comments, Mr. Speaker, and at the conclusion of my comments I will be moving an amendment from this side of the House, an amendment which will, in effect, allow for changes to be made to the Senate of Canada using the same amending formula that currently exists. But before getting to that, Mr. Speaker, there are some observations that I would like to make.

It is a proud time for many Canadians about to accept one of the implications of the accord that is before this Assembly and before the House of Commons, that is being considered, although in no province of the nation as hurriedly as it is here in Saskatchewan. It is a proud statement of fact that one of the things that the accord makes possible is that it will bring into our nation, as a full participant, the province of Quebec. And I think after the conclusion of the considerations of the constitution that wrapped up in 1982, it was a sad mark for many Canadians that our brothers and sisters in the province of Quebec were not signators to that agreement.

And it is clearly a noble objective. It is clearly a desirable characteristic of the Canadian constitution that we welcome our fellow Canadians in the province of Quebec to join with us in a description of our rights, our expectations, our protections that we can accept as unarguable as citizens of this beautiful country.

And it is for that reason, Mr. Speaker, that I say I stand with some mixed emotions, because I share the joy that many Canadians and, I believe, all legislators of this country

have in welcoming Quebec as part of the Canadian constitutional agreement.

But I believe also that I share many of the reservations that many of the legislators, and more importantly many Canadians, feel about the specifics of the accord that we're asked to approve in this Assembly — with some shortcomings — an accord or an agreement that was reached, I think many would agree, under questionable kinds of circumstances. I think many of us shook our heads and wondered: what was the rush?

When we learned some two or three months ago that the Prime Minister of Canada brought together the premiers of the 10 provinces of this nation and sat together in a room until the dark hours of the night and the wee hours of the morning to hammer out an agreement, an agreement to amend the constitution of Canada, and the accord in many ways reflects the credibility of the process that was used to arrive at the conclusion and to arrive at the words that are before this Assembly today.

We all know that the Prime Minister of Canada is an eastern labour lawyer who had a good reputation, a sound reputation, Mr. Speaker, at being one to facilitate labour agreements; and that's a reputation he's earned through his performance.

But there are many of us who doubt that that same process that's used to arrive at a labour agreement where management and labour who are at an impasse come together and commit themselves to living together in a room until they have resolved their differences in a way that they both find acceptable and live with for the duration of the contract — maybe a year, maybe two, clearly very rarely ever more than three — many of us doubt that that is really the kind of process that we want the first ministers of our nation to use to lay down the specific words to outline and to define the protections and the rights that Canadian citizens can expect by virtue of their citizenship.

And I wonder, Mr. Speaker, what the rush is. It was with disappointment that I noted in this House last week an amendment that was moved by the Leader of the Opposition, calling for public hearings, that that amendment was defeated, supported unanimously on this side of the House and rejected unanimously on the government side of the House, and therefore defeated. Because it seems to me, Mr. Speaker, that if there is anyone who is most important in considering the Canadian constitution, it should be the people.

A constitution should attempt, in my mind, Mr. Speaker, to define as much as words can do that, in a legalistic kind of framework, to define the heart and the soul, and in some ways the ambitions of Canadian people. And I am one who believes, Mr. Speaker, that that's a process that is most valuable, is most credible, is most accurate, when it's done with time.

The Canadian tradition has been one many around the world, Mr. Speaker, will criticize Canadians for being a humble people. And I guess in a sense we have to accept that criticism. I don't know that it's a criticism. I think it's a personal characteristic of Canadian people that we are

not bound to be inflammatory in our language often, nor in our expectations. In a sense I think it reflects the fact that we Canadians are a sensitive people who consider it important to give just accord to the opinions of our neighbours and to the opinions of those who disagree with us, as well.

And so in a sense we Canadians are a hesitant people because we believe in the importance of compromise. We believe in the principles of co-operation. And that, in a sense, has become a characteristic of our nation, of our institutions, and of our people.

And as we look at the accord that's before us in this Assembly, Mr. Speaker, there are some things that I find problematic, that I want to bring to the attention of the Assembly, that haven't been referred to by other hon. members of this House. And it is my hope that as we come in this Assembly with the opportunity, that, quite possible for every one of us here, is a once in a lifetime opportunity; to be able to speak in the Assembly as an elected representative of the people to the constitution, even though we're not federal members of parliament, to the constitution which governs not just Saskatchewan people but all the people of Canada.

And there are two factors, Mr. Speaker, that I want to focus on in my remarks today. One has to do with the promise for the security of social programs for Saskatchewan and Canadian people, and the other has to do with the role and the ability of Canadian people to change that role of the Canadian Senate.

Mr. Speaker, we Canadians stand proud of the fact that we have a medicare system in this country that, perhaps arguably, but I submit, Mr. Speaker, is the best in the world. I'm proud to say, Mr. Speaker, the fact that you and I can share as a matter of our Saskatchewan heritage, is that in many ways medicare is the gift of Saskatchewan people to Canada. We celebrated the 25th anniversary of the introduction of medicare in the first province in this nation back on July 1. And across the nation today Canadians, when speaking frequently with our American friends, our American brothers and sisters, will point to our medicare program with pride and will say: that's one of the things that we are proud to say is truly Canadian. And it is.

There is a security for our health care in Canada that exists here that is absent in many nations of the world, in fact, is absent in the nation immediately south of us. It is a program, Mr. Speaker, that was introduced — although clearly health care services under our Canadian constitution are delivered by the provinces, it is a program, a medicare program in Canada — but because of the national will has been implemented in every province across this nation, providing approximately equal kind of health care protection and coverage for all of our citizens.

We have as well, Mr. Speaker, a Canada assistance plan agreement that was signed in this country in 1966. It was an agreement which provided for all of the provinces — which by the Canadian constitution they're responsible for social services — to provide protection, a basic kind of protection to the citizens of each province; an agreement

that was drafted and agreed to by the federal government and all the provinces, which ensured that there would always be federal revenues available. In fact, Mr. Speaker, half of the money spent on social services in the province of Saskatchewan, as in every other province in this nation, is provided from the federal treasury. As a result of this agreement . . .

Mr. Speaker: — Excuse me, why is the member on his feet?

Hon. Mr. Klein: — Mr. Speaker, with leave, we have a couple of special guests in the Speaker's gallery, and I'm sorry to interrupt your speech, but I think if I was allowed to introduce them . . . You would allow that, please.

Leave granted.

INTRODUCTION OF GUESTS

Hon. Mr. Klein: — Mr. Speaker, in your gallery I'd like to introduce a couple of distinguished visitors to us that are well know to all of us in this House probably, but Cliff Wright, the mayor of Saskatoon, — the largest city in the province, I might add — and Henry Dayday, the alderman from Saskatoon is with him. And I would ask everybody to welcome them to the Assembly.

Hon. Members: Hear, hear!

(1445)

Mr. Hagel: — Thank you, Mr. Speaker, I would join as well in welcoming His Worship from Saskatoon, and the alderman, and I hope that you will enjoy your time that you are here to take in the proceedings of the legislature. I recognize of course that you are both gentlemen who appreciate the importance of the democratic traditions, and perhaps, in some special kind of way, the importance of the debate that's before the legislature today.

MOTIONS

Constitution Amendment, 1987 (continued)

Mr. Hagel: — Mr. Speaker, if I may go back to the comments I was making about the Canada assistance plan agreement which provides for all provinces in this country 50 per cent of the funding to put in place social services for their people; to provide opportunities for protection, security, arguably in some jurisdictions, I guess, the retention of dignity; and in some ways, to use those funds as well to improve the quality of life of their people.

The Canada assistance plan agreement of 1966, Mr. Speaker, came about because there was a will — a national will with the federal government, in co-operation with the provinces, to provide a level of security that's approximately equal across the nation, even though clearly social services are provincial jurisdiction under the Canadian constitution.

And I think that as well, Mr. Speaker, is a characteristic that Canadians would refer to as something about which we feel proud; that Canadians more so than, I believe, our

neighbour to the south and many other nations throughout the world, appreciate that we have the ability and we welcome the opportunity to pool our resources and provide some social securities for our friends and our neighbours, for our brothers and sisters.

Those two characteristics, Mr. Speaker, of a national agreement to provide provincially . . . services under provincial jurisdictions, I fear, with the agreement that we have before this House, may be . . . they may be the kinds of possibilities that will never happen again.

Because one of the things that I note as I look at the accord before us, Mr. Speaker, is that it requires unanimous agreement — unanimous agreement of all provinces before changes can be made to national programs for services of provincial jurisdiction. And I want to refer specifically, Mr. Speaker, to the seventh item of the accord before this Assembly, and with your permission to just simply read verbatim the paragraph that I'm referring to, Mr. Speaker. It says:

The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Now that's the kind of lawyer talk that frankly gets me lost at times, Mr. Speaker, but this is the important part:

The Government of Canada shall provide reasonable compensation to the government of the province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

And what does that say in layman's language, Mr. Speaker? Well, what it says to me is this: it says that when the people of this nation want to provide some national level of service that comes under provincial jurisdiction, that if there is a province that agrees with the federal government's objectives — and I'm not sure in terms of the courts and the legal system what that means — what that means when a province has, and I quote, "programs or initiatives that are compatible with the national objectives."

Those are legal terms that I understand don't have a precedent and therefore are difficult to interpret and to read with assurance for all Canadian people. What it says is that if there is a national intention to provide some kinds of services to all Canadian people, normally delivered by provinces, not normally, delivered by provinces, but there are some provinces that don't want to participate in the way that the federal government or the nation perceives to be appropriate, that if — and we start to get into loosely defined terms here, Mr. Speaker — if their objectives are compatible — as I say, those are not clearly defined — that there will be some kind of reasonable compensation. And again that also is not clearly defined, Mr. Speaker, by precedent, that I'm aware.

And what that says to me, Mr. Speaker, is that we're

putting in jeopardy — if we agree to this accord, at the same time that we welcome Quebec as a full participant in the constitution of Canada — that we may at the same time be putting in jeopardy the ability of our nation to provide those kinds of social securities, those social programs to Canadian people, programs delivered by provinces.

And let me raise just two that I think are . . . that they're on the beach, Mr. Speaker, of the national agenda. And that may very well mark the kinds of things that we as Canadians would like to make changes in the delivery of programs under provincial jurisdiction through federal funding. And the two items to which I refer, Mr. Speaker, are day care and some form of an adequate basic income.

Many of us in this House and across the nation are expecting that the federal government some time in the not too distant future, within months I would expect, Mr. Speaker, will be . . .

Mr. Speaker, social programs change in our nation as a result in changes in values of Canadian people, changes in economic structures of Canadian people.

And both of these initiatives that I think were on the . . . just the early parts of the horizon and looking at seriously in a national sort of way — a day care program which provides some consistency across the nation, provides opportunities for Canadian parents in every province to participate in their communities as they choose, and at the same time give some assurances for quality of the raising of children in our nation, some kind of a national day care program.

And also, Mr. Speaker, an adequate basic income. We, in this House and other Houses across the nation, are given to debate the value, the complexity, the responsiveness of providing income security to our people. And we do it in a myriad of kinds of ways right now.

Many people, I think appropriately so, Mr. Speaker, are saying: perhaps there's a better way. Perhaps there's a way to provide an adequate basic income for citizens to provide income protection in ways that are less administratively complex, that involve less red tape, that involve putting more resources into the benefits for people, and less resources into the operations of the institutions and the bureaucracies.

There are people who, I think, in our nation would be perceived as visionary, Mr. Speaker, who would see that there is in the foreseeable future an opportunity for Canadian people to realize some form of adequate basic income assurances.

And yes, it would involve virtually, by definition, significant changes in our tax legislation, Mr. Speaker, and reallocation of funds. But clearly that it seems to me, Mr. Speaker, as I sit in this Assembly, concerned about Saskatchewan people, that that is not likely to be the kind of solution to providing income security for Saskatchewan people that we can do in isolation; that our only hopes of doing that effectively would be to join hands with other provinces, and with the federal government of Canada, and collectively, all Canadians

working together, to bring a new kind of structure to provide basic income security for people across the nation.

And I wonder, Mr. Speaker, I wonder when I look at this particular section of the accord, whether by approving it in the rush to welcome Quebec as a full participant in our Canadian constitution, whether we might at the same time be putting up barriers and road-blocks to prevent us, legislators in this House and others across the nation and for years to come, are we putting up road-blocks that will prevent us from implementing these kinds of programs — programs sensitive to the needs of Canadian people?

And so I raise that as a caution, Mr. Speaker, and as part of the explanation as to why I say that, when I stand, it is with some mixed emotion because I have some concerns that I don't see clearly guaranteed in the accord that's before us.

And if I may move finally, Mr. Speaker, to some concerns about the Senate, and the amendment that I wish to propose — I won't read the amendment now, I'll read it at the end of my remarks, Mr. Speaker. It's, I guess, less than clear without the explanation.

But the intention is this, Mr. Speaker. The accord that is before us requires that the Senate, in order to be changed in any way, would have to meet with the approval of the federal government and all 10 province. In effect, Mr. Speaker, any one of those 11 would have a veto in changing the Senate.

Now, Mr. Speaker, there will be a variety of opinions about the Senate across the nation. But I don't know, Mr. Speaker, that there are many who hold the opinion at all that the Senate is just hunky-dory the way it is. There seems to be universal opinion, Mr. Speaker, about the fact that the Senate is due for some kind of change. And there will be debate. There will be those who say that the Senate has to change, Mr. Speaker, has to change the way it operates. It has to change the way that senators are appointed to that House.

And there will be those, Mr. Speaker, and I believe many who will be of the opinion that as a matter of fact, as a matter of fact the Senate is a needless institution in the Canadian political agenda. There will be those, Mr. Speaker, who will be of the opinion that the Senate really is nothing more than a House of patronage for patronage appointments, populated virtually entirely by Conservatives and Liberals as a place to go for a reward — maybe it's a little bit of heaven on earth — a reward for having carried out the political deeds that met with the approval of the federal government of the day, Mr. Speaker. And there will be many Canadian people who will say that it is a luxury we cannot afford; it is a political institution that has no role in the Canadian democracy.

But I know this, Mr. Speaker, that if this accord is passed in its present form, we are virtually, we are virtually locking in the continued existence of the Senate indefinitely. And not only that, Mr. Speaker, we are virtually locking in the continued existence of the Senate in its present form.

And I suggest, Mr. Speaker, that they would be few, the Canadians who would say that the Senate we have in its present form is the kind of institution that has an important role to play for Canadian people and should continue just the way it is. Very few Canadians, very few Canadians. A number of senators perhaps would think that it's a good idea, but very few Canadians would see it in that light, Mr. Speaker.

And so it is for that reason, Mr. Speaker, that I wish to propose an amendment to the debate before this House today. And I will read the amendment, Mr. Speaker. It is seconded by the member from Saskatoon Fairview. And the amendment is this, Mr. Speaker:

That section 9 of the schedule be amended:

(a) by striking out paragraph 41(b) of the Act, as being enacted by section 9 of the schedule, and renumbering paragraphs 41(c) to 41(j) of the Act as paragraphs 41(b) to 41(i) respectively; and

(b) by adding the following section after section 41; "42. An amendment to the constitution of Canada in relation to the power of the Senate and the method selecting senators may be made only in accordance with subsection 38(1)."

And, Mr. Speaker, I move that, seconded by the member from Saskatoon Fairview.

As you can see it largely is numbers and words and sounds very legalistic. But the implication is this, Mr. Speaker, that it will allow, with this amendment, it would allow for the continuation of the Senate to be change — using the present formula for the Canadian constitution — changed with the approval of two-thirds of the seven provinces representing at least 50 per cent of the population.

So two-thirds of the provinces representing 50 per cent of the population would be sufficient to approve changes to the structure, and perhaps even the existence of the Senate, as opposed to the proposal before us which, if adopted, means that the Senate could not be changed without the unanimous approval of all the parliaments and legislatures of this beautiful country of Canada, Mr. Speaker.

(1500)

And so it's, in conclusion, Mr. Speaker, that I hope you will understand, and that the people will understand, why I say that I stand in this Assembly with mixed feelings — on the one hand looking forward to welcoming Quebec into full participation in the Canadian constitution, but on the other hand with some concerns and reservations. And I hope that all members will consider endorsing the amendment to help to remedy one of those shortcomings, Mr. Speaker.

Some Hon. Members: Hear, hear!

Hon. Mr. Berntson: — Mr. Speaker, I wonder if the . . . I

wonder if Mr. Speaker would rule as to the eligibility of the seconder of this particular amendment. The hon. members has spoken to the main motion, and in fact at the end of his remarks moved what became known as the Mitchell amendment, and that amendment has since been voted off. And I would question whether or not that particular member is eligible to second this amendment, Mr. Speaker.

Mr. Speaker: — Thank you. I'll give it my consideration for a few moments.

The point of order raised by the Deputy Premier is a point of order which is well taken. Beauchesne's . . . we'll say Beauchesne's citation 304(9) states:

The mover and seconder of the amendment having spoken to the main question cannot speak again to it.

Now the hon. member from Saskatoon Fairview may, later, speak to the amendment. However he may not second the amendment. Therefore you need a new seconder.

Mr. Hagel: — Well, Mr. Speaker, while you were deliberating, there was a mad scramble on this side of the House because everybody wanted to second it. But the member from Prince Albert won out, Mr. Speaker. And so the member from Prince Albert will be happy to second that amendment, Mr. Speaker.

Mr. Mitchell: — Thank you, Mr. Speaker. And I would like to assure you that I will limit my remarks to the particular amendment, and I certainly do not feel that I'm giving the kiss of death to it merely by supporting it.

The question of the Senate is a controversial subject in our country. It's been controversial in the last month at the level of the federal government. It has been controversial for many, many years. A number of questions have been asked about the Senate and re-asked over the years, and significant bodies of opinion have formed with respect to these questions.

For example, there is a strong sentiment that the powers of the Senate ought to be changed. I cite as an example of a person who holds such sentiments, the Prime Minister of this country, who has been heard in the media in relatively recent days talking about the question in relation to the drug patent legislation.

There is a strong sentiment in this country that the Senate should be abolished. The majority of people in my party have held that view for many, many years, and a significant body of opinion outside my party is to the same effect, that the Senate is anachronistic, that it does not serve any purpose in modern-day Canada, and that it ought to go. There is another body of opinion which would not go to that length, but who argue that the Senate should be elected rather than appointed. There is another body which advances a somewhat similar theory, and that is the Senate should be at least more representative of Canada than is now the case.

As my colleague from Moose Jaw North pointed out, Mr. Speaker, there is not a significant body of opinion in this country which says that the Senate should remain exactly as it is. I don't know of any large lobby group that's pushing that idea. Rather, it seems to me that the people who are thinking about the problem of the Senate and its existence in the future, tend to fall into one of the camps that I've described earlier.

And yet at this moment in our history, the schedule to the Meech Lake accord would put those questions into a strait-jacket. By strait-jacket I mean it makes it much more difficult to make changes to the institution of the Senate than is now the case. And I don't have to elaborate on the argument beyond saying that obviously it's a great deal more difficult to get unanimity on a question than it is to get seven of the provinces representing 50 per cent of the population. And I submit that on a question like this we ought to retain as much flexibility as we can, and that this is not the time to be making it more difficult to amend the arrangements involving the Senate.

Now the Meech Lake accord speaks to three matters. It speaks to the powers of the Senate; it speaks to the method of electing senators, and those two matters are addressed in clause (b) of section 41; and also speaks to the number of members from each province that will be represented in the Senate and the residence qualifications of those senators. So in effect we're talking about all of the important matters surrounding the institution of the Senate and the Meech Lake accord is transferring those into a category where it requires unanimity to make any changes.

Now I must say that this is surprising. It is surprising to find this in the Meech Lake accord because I am not aware of who it is that's pushing this idea other than perhaps the senators themselves. I do not see that it's a priority of this government that the Senate be institutionalized in its present form. I do not understand it to be the policy of this government that it should require unanimity to change the constitutional provisions respecting the Senate. Now I don't think it's . . . neither do I think it's the policy of the province of Alberta who has been pushing for a Triple E Senate. And a Triple E Senate, Mr. Speaker, would require very significant amendments to the constitution.

Now it's hard for me to imagine that Alberta is pushing the idea of unanimity with respect to the very questions that it wants to see amended, and where amendments would be more easily passed if they were agreed to by seven out of the 10 provinces representing 50 per cent of the population.

So I want to pose a question to the government members to indicate to us which jurisdiction it is that is pushing this idea, and why is it in the Meech Lake accord, and why that part of the accord should be carved in stone; as I said in an earlier part of the debate, why this should be fiercely protected and not subject to amendment and not subject to a flexible approach which would result in it being changed?

I can't imagine that it's the federal government pushing that line, having regard to what the Prime Minister's been saying about that very Senate. I mean, is it seriously

contended that he, of all people, would want the Senate institutionalized in its present form and protected by the requirement for unanimity? I think not.

And so, if I look across the country, and not seeing any enthusiastic determined proponents of the idea, then I put it to the government today in this Assembly that this is part of the Meech Lake accord which probably is not something that has to be fought for, but which is something that could be amended without wrecking the consensus that was arrived at through the night when the accord was reached. So I would urge the members of the Assembly to support the amendment.

Another feature of the amendment that I want to mention specifically is the question of how vacancies are to be filled. Now that is covered by a new section 25 of the Constitution Act and, as members will know, that requires that the names of persons who may be summoned to the Senate will be put up. The names will be put up by the provinces.

Now I'm certain that that proposal enjoys the support of members opposite. I mean, in a government which is so entranced by the notion of patronage, such big practitioners of the idea of patronage, here's another play-pen for them to play in. They actually get to name the people who will be the senators from the province of Saskatchewan. Now that also is protected by . . . That really nefarious prospect is protected by the unanimity requirement as well. And we in Canada will be saddled with that requirement as long as one single jurisdiction in Canada wants that to be the way things are done in this province.

Now I think that's shortsighted; I think it's cynical, foolish. And I don't think that in our heart of hearts we really want that part of the institutions of our country to work in that way.

The constitution of Canada has already been difficult to amend. The precise amending formula was only agreed to in 1980 and 1981. It has not had the benefit of much experience, Mr. Speaker. As a matter of fact, with the exception of the accord, it hasn't had the benefit of any experience, but I suggest that it's a sufficient safeguard for the purposes of our constitution.

It is sufficient to require that any amendment be supported by the federal government by seven out of 10 provinces and that those provinces represent more than 50 per cent of the population. That's a sufficient safeguard, certainly, for the arrangements surrounding the institution of the Senate. And it is a piece of nonsense to suggest that there's something about that institution which requires that unanimity be present for any changes.

(1515)

And to repeat myself, I would beseech members of the Assembly to vote for the amendment, send a signal to their counterparts in Ottawa that this part of the accord should certainly be subject to a flexible approach and to amendment even at this stage. I think it clear, if members accept my analysis, that a change in this area would not

result in a scuttling of the accord.

I can well appreciate that there are matters in the accord which are essential so far as the province of Quebec is concerned, but I respectfully submit that the preservation of the Senate in its present form is not one of them. And that flexibility could be shown in this area.

I'll be supporting the amendment, Mr. Speaker.

Some Hon. Members: Hear, hear!

(1517)

Amendment negated on the following recorded division.

Yeas — 22

Blakeney	Prebble
Brockelbank	Koskie
Romanow	Tchorzewski
Thompson	Rolfes
Mitchell	Simard
Solomon	Kowalsky
Atkinson	Anguish
Goulet	Hagel
Lyons	Calvert
Trew	Smart
Van Mulligen	Koenker

Nays — 29

Devine	Muller
Duncan	McLeod
Andrew	Berntson
Lane	Taylor
Smith	Maxwell
Schmidt	Hodgins
Gerich	Hepworth
Hardy	Klein
Meiklejohn	Martin
Toth	Johnson
McLaren	Hopfner
Swenson	Martens
Baker	Gleim
Gardner	Kopelchuk
Britton	

Mr. Hopfner: — Thank you, Mr. Speaker. I'm pleased to be able to participate in this debate to support the motion introduced by our Premier which would indicate the province of Saskatchewan supports changes to Canada's constitution.

Some people would suggest that any discussion of Canada's constitution is boring and not very relevant. Those people are definitely wrong. The constitution is a very important document that spells out what Canada is all about. The constitution of Canada is a truly remarkable document that holds our country together.

The proposed amendment to the constitution will bring the province of Quebec into the constitution, and at the

same time, the amendment to Canada's constitution will enhance the power of our provincial governments. Each province in Canada will receive a veto on the future constitutional amendments, and that will make each province an equal partner in the confederation. This proposed amendment to the constitution is constructive and worthy of the support of this legislature.

Mr. Deputy Speaker, the resolution before the legislature came as a result of the Meech Lake agreement. In June of this year the premiers of 10 provinces met with Prime Minister Mulroney at Meech Lake to work out an amendment to Canada's constitution that would bring Quebec into that document.

More important, Mr. Deputy Speaker, there was a meeting to firmly united the Canadian nation. Premier Bill Vander Zalm of British Columbia said after the Meech Lake agreement:

Today, as Canadian around this table, there are no losers. Instead, Canada is a winner.

Premier Robert Bourassa of Quebec said:

Quebec is proud today.

And our Premier of Saskatchewan went on record as saying:

The Meech Lake agreement is an indication of the maturity of our nation that our nation has attained.

Mr. Speaker, Deputy Speaker, all Canadians recognize the importance of the constitutional accord that was agreed to at Meech Lake. Just what was accomplished at the Meech Lake conference? What does this proposed amendment to the constitution mean for western Canada?

Mr. Deputy Speaker, as one who has long advocated reform of Canada's Senate, I am pleased that as a result of the Meech Lake meeting, the Senate reform is on the national agenda. This is the first time in the history of Canada that the question of reforming the Senate has commanded the attention of every government in Canada. Senate reform will become a reality in the not too distant future because people like Alberta's Premier Don Getty and our Premier of Saskatchewan had the courage and the leadership to get it on the national agenda.

Mr. Deputy Speaker, equally important is the fact that for the first time in history every province in Canada will have a veto at the constitutional table. That came about because of the leadership and the commitment of our Premier. The Premier of Saskatchewan will hold a place in history, Mr. Deputy Speaker, for the role he played in making all the provinces equal.

Many people in western Canada will never forget the treatment they received from Pierre Trudeau. It was Trudeau who inflicted the national energy policy on the West. It was Pierre Trudeau who told western farmers to sell their own grain. It was Trudeau who treated the West like we were not part of Canada. So when Pierre Trudeau

attacks the Meech Lake agreement which makes western Canada an equal part of Canada, I say, three cheers for Meech Lake agreement.

Mr. Deputy Speaker, Saskatchewan and western Canada have become a strong and equal partners in Canada because of the leadership of our Premier at Meech Lake. Indeed, our Premier said that the West gained power as a result of signing of the constitutional accord. This type of positive reform will go a long way in making western Canadians feel more at home in confederation. Meech Lake was indeed a victory for western Canada.

(1530)

The constitutional accord marks a new era in the history of Canada. Quebec is now a willing partner in Canada. Gone are the days of threats of separatism. Western Canada can take its place in Canada as equal partners to every other part of Canada.

The amendments to the constitution of Canada spells out a new direction for this nation. The premiers and the Prime Minister met continuously for almost 20 hours in a marathon meeting on the constitution. Six hours after that marathon meeting, the first ministers gathered in an open session to endorse the accord in front of national television. Clearly a chapter in Canadian history was written at the Meech Lake meeting.

Today the Saskatchewan legislature is being asked to approve the constitutional amendment agreed to in Ottawa. Mr. Deputy Speaker, I believe this legislature should pass the resolution to amend the constitution of Canada. It will send a message to the rest of Canada that we in Saskatchewan want Quebec in Canada, that we want all the provinces to be equal, and that we want Canada to work.

Our Premier of Saskatchewan played a decisive leadership role at the first ministers' conference on the constitution. Allow me a few moments to congratulate and commend our Premier for his leadership in developing the new constitutional amendment, Mr. Deputy Speaker, like all other members of this Assembly, I am proud of our Premier's leadership in this important national decision.

Mr. Deputy Speaker, you may ask, why is this amendment to the constitution good for Saskatchewan? Allow me to state a few of the good reasons why the amendment is good for our province.

For the first time in Saskatchewan we'll have a say in naming senators to represent this province in the Senate of Canada. As well, we will have a say in the appointment of Supreme Court justices from this province. Saskatchewan, like all other provinces, will have a veto over amendments to the Canadian constitution. These gains are significant for our province.

I do not profess to be a constitution expert, but I do recognize the value and significance of the Meech Lake amendment to Canada's constitution. The people of Saskatchewan can now consider themselves as full and equal partners in confederation.

Mr. Deputy Speaker, we are about to become the second province in all of Canada to accept and endorse the agreement to amend the constitution of Canada. This is an important day for Saskatchewan, and indeed for our role in Canada. We must show our good faith in this country by passing the motion introduced in the legislature by our Premier.

Mr. Deputy Speaker, our Premier gave his word at the Meech Lake that Saskatchewan believes in making Canada work. Today we must honour Saskatchewan's commitment by passing the motion before the legislature. The Premier has said that this amendment to the constitution renews people's confidence in Canada. And, Mr. Deputy Speaker, I agree with the Premier.

The effect of this amendment to the constitution of Canada is to move us forward as one nation united. This amendment is good for Canada and good for the West. Yes, Mr. Speaker, we can be proud of this nation building amendments to the constitution. We are fortunate to live in a country that is so deeply committed to the principles of democracy as is proven by our constitution.

Canada is a better nation because of the Meech Lake agreement, and I ask all members of this legislature to support the Premier's motion. I thank you, Mr. Deputy Speaker.

Some Hon. Members: Hear, hear!

Mr. Van Mulligen: — Thank you, Mr. Speaker. As I rise to participate in this debate I would tell you that, like others in this House, I have mixed feelings about the motion before us. It represents on the one hand a desirable goal for Canadians in so far as it will ensure that the people of Quebec will be full partners in our confederation in the context of our constitution. I believe this represents a great step forward for Canada.

Having said that it must be recognized that the means to achieve this substantial progress is in some ways questionable. The means I refer to of course is the motion before us, or the Meech Lake accord. Some of my colleagues have spoken and others will speak on the questions that the accord raises. I do not propose to deal today with all of these questions but wish to speak more particularly to one aspect of the accord, specifically the question of the establishment of new provinces. I would advise you, Mr. Speaker, that at the conclusion of my remarks that I will be moving an amendment in this respect.

Mr. Speaker, under the current amending formula only four subject matters require unanimous provincial consent. They are, one, the office of the Queen, the Governor General, and the Lieutenant Governor; secondly, provincial representation in the House of Commons, not less than senatorial entitlement; three, subject to section 43, the use of French and English; and four, the composition of the Supreme Court.

Six other matters are delineated as requiring the consent of two-thirds of the provinces with 50 per cent of the population. These are, one, proportionate provincial

representation in the House of Commons; secondly, the powers of the Senate and the method of selecting senators; three, the number of senators per province; four, the Supreme Court; five, the extension of existing provinces into territories; and six, the establishment of new provinces. Under the Meech Lake accord all of these matters will in the future require unanimous provincial consent.

Unanimous provincial consent, Mr. Speaker, is based on the compact theory of confederation. This theory holds that inasmuch as the original provinces entered into a compact, or treaty to create Canada in 1867, it follows that any and all changes to confederation must require consultation with and support of all of the provinces. According to R. MacGregor Dawson, a political scientist and author of a standard reference text for political science, author of *The Government of Canada*, this theory is constructed on sheer invention with neither legal nor historical foundations, and with few precedents to support it.

Prior to 1907 there is no instance of the provinces even being consulted about constitutional amendments, even though two of the amendments affected provincial rights of representation.

Since the Statute of Westminster passed in 1931, constitutional convention has required provincial consent to amendments affecting provincial powers. In 1981 the Supreme Court upheld this convention with the qualification that this convention did not extend to unanimous provincial approval. This conclusion on convention was in agreement with submissions of the Government of Saskatchewan at the time.

The establishment of such an inflexible, and in practical terms, unworkable procedure for amending these matters, does no service to the Canadian nation; rather, it establishes unfair, inequitable, and unnecessary barriers to future constitutional changes. This is particularly evident with reference to the creation of new provinces. On this point in particular, history is clear. The creation of new provinces has never required unanimous provincial consent.

As in the rest of the Commonwealth, the standard in Canada has been for aspiring provinces to negotiate its entry into the nation directly with the federal government. This was in fact the case with all but the original four provinces.

After Manitoba was established in 1870, doubts had arisen concerning the power of parliament to create a new province. As a result, imperial legislation was passed the following year ensuring that right.

It was this legislation of 1871 which provided the parliamentary authority for the autonomy bills of 1905 creating the provinces of Alberta and Saskatchewan. This legislation, a statute of the Canadian parliament, was arranged entirely by federal and territorial delegations. Similarly, in the case of Newfoundland's entry into the nation, the necessary provisions were effected by unilateral procedure without any form of consultation with the provinces.

Clearly, Mr. Speaker, the body and soul of the Canadian nation would be altered substantially had previous constitutional development been dictated by the inflexible amending provisions of the Meech Lake accord.

More often than not, the creation of new provinces has met with considerable opposition, an opposition ordinarily focused on regional interests, articulated at the provincial level. It is reasonable to suggest, therefore, that had unanimous provincial consent been the order of the day, Canada would look substantially different today — likely with four provinces surrounded by massive territories and a British colony or two.

It is highly unlikely, Mr. Speaker, as an example, that Saskatchewan, Alberta, and Newfoundland would have been admitted into the dominion had the Meech Lake provisions been in place. And I say this because for at least a decade prior to the autonomy bills, Manitoba had been persistent in its desire for an extension of its western boundaries, attempting numerous times to influence the course of events in this direction. In 1901, Indian Head was the site of a relatively massive public meeting which was convened to assess the costs and benefits of Manitoba's annexations . . . annexation proposals.

I have with me, Mr. Speaker, a copy of the Regina Leader, dated December 26, 1901, and the headline reads:

Haultain and Roblin

All Night Debate at Indian Head on Annexation to Manitoba

Large and Important Meeting

A Vehement Wooer and Determined Resistance — A Tempting Offer Boldly Repulsed — Haultain's Masterly Reply and Roblin's Bad Break — Presentation of the North-West Policy — Railways, Taxation, Land and Other Questions Thoroughly Discussed.

This was a major meeting, Mr. Speaker, for the people of the territory which would soon become the province of Saskatchewan. In 1905, Manitoba, continuing its efforts, sent several cabinet ministers to Ottawa while autonomy negotiations were under way. But the national political will was determined, and according to the political scientists, Evelyn Eager, Manitoba could not overcome the political handicap of being a provincial Conservative government seeking an extension of its boundaries from a federal Liberal administration.

At the same time, the terms of Saskatchewan admission into federation occasioned weeks of opposition and protest in both Ontario and Quebec, on the very deep-rooted, sensitive issue of separate education and provincial rights. While other issues were also involved, the next several years saw a growing disenchantment with Laurier and the Liberals. In 1905, the Liberal government of George Ross in Ontario was turfed out by James Whitney and the Tories. In Quebec, as well, opposition to the eventual amendment restricting religious guarantees certainly contributed to the

withdrawal of support for the provincial and federal Liberal Party.

Under these circumstances, Mr. Speaker, it is not unreasonable to suggest that at least one province would have used the power of veto to stop the proceedings had such a powerful tool been available. And we must ask ourselves, would Saskatchewan have become a province in 1905 if all of the other provinces at that time would have had the right to veto such a step? Would the terms of entry have been changed? Would we have the boundaries we have now? Would we have provisions, as an example, for the funding of separate schools, as we have now?

In the case of Newfoundland, it is clear that had Quebec enjoyed the veto power now proposed, both the timing and terms of entry would have been substantially different. Given Quebec's position on the ownership of Labrador it is not only reasonable, but very likely that the settlement negotiated by the delegates from the governments of Newfoundland and Canada, would have been opposed by the province of Quebec.

(1545)

Mr. Frederick Dorion who was member of parliament from Charlebois-Saguinay, spoke directly to this subject when he stated in the House of Commons, and I refer to the House of Commons debates of February 6, 1948, unequivocally, that Quebec could never accept the terms of entry predicated on Newfoundland's ownership of the vast resource-rich territory of Labrador.

And I would just quote here, Mr. Speaker, from Mr. Dorion's remarks, and he says:

I contend that this offer by the Canadian government to the Government of Newfoundland is not worth the paper on which it is written, and I am sure that the province of Quebec will never assent to such an agreement.

More recently, the Canada Act made provisions for territorial consultation and discussion concerning aboriginal issues and constitutional adjustment. In contrast with Mr. Mulroney's determination to involve Quebec in the constitutional mainstream of the nation, he has refused Northerners even a voice in the process, which will clearly have a long-term direct impact on their lives.

The representatives of the territorial government were not invited to the meeting at Meech Lake, nor were they permitted to attend the all-night session which provided for ratification of the accord.

The Prime Minister did not ignore Northerners entirely, however, as Mr. Tony Penikett, the government leader of the Yukon territories, has indicated in a letter sent to every MLA in Canada. On the evening before the ratification meeting, he received a short letter from Mr. Mulroney promising that he would represent the interests of the North. But clearly Mr. Mulroney's perception of northern interests differed dramatically from that of territorial residents.

A further affront to the democratic tradition is the parliamentary decision not to hold constitutional hearings in the North. The establishment by this accord of such an inflexible legal construct must be viewed as an unnecessary violation of historical precedent and democratic traditions.

Mr. Speaker, provincial status has been matter of necessity for planning by territorial administrations. With the growth of population, demands for local control over certain facets of life have generally increased in both intensity and frequency. Representative governments, without a responsible executive council, have not satisfied regional interests in this nation. Without constitutional responsibilities and an independent source of financing, territorial administrations will remain as the last vestige of a colonial mentality.

The problems faced by northern people will not be resolved by the dictates of Ottawa. And I say this, Mr. Speaker, not only in an academic sense, but as one who has lived in northern Canada for a number of years. Solutions must be found in the region by the people involved. Provincial status may in future contribute to the problem solving by providing instruments for local control and self-sustaining economic development. That is not to say, Mr. Speaker, that the people and the government of the Yukon are, to use Mr. Penikett's own words, in a mad rush for the Yukon to become a province.

And I would quote Mr. Penikett further when he says:

We recognize our limited resources and, at this stage of our history, our dependence on the federal government.

Now he, Mr. Penikett, feels a strong obligation to ensure that provincehood remains a viable option for future Yukoners, and I'd like to take a look at that future. Suppose, for example, that the Yukon at some future time were to benefit from a major resource boom and an increase in population. The question I have, and others may have, and certainly those in the Yukon would have, is: would the Government of British Columbia move to prevent provincial status for the Yukon and propose annexation if it perceived this to benefit the province of British Columbia? Should we deny the people of the Yukon and Northwest Territories the opportunity to achieve provincial status? Should we deny them the opportunities that present-day provinces benefited from?

These opportunities, Mr. Speaker, that were made available to present-day provinces should not be blocked by this regressive, archaic requirement. This is fundamentally unfair. If we accept this amendment as proposed by the accord, we are erecting, I would submit, formidable barriers to constitutional adaptation for generations to come.

Having said that, Mr. Speaker, I would move, seconded by my colleague from Regina North:

That section 9 of the schedule be amended:

(a) by striking out paragraph 41(i) of the Act as

being enacted by section 9 of the schedule and renumbering paragraph 41(j) as paragraph 41(I); and

(b) by adding the following section after section 41:

42. An amendment of the constitution of Canada in relation to the establishment of new provinces may be made only in accordance with subsection 38(1).

Thank you, Mr. Speaker.

Mr. Trew: — Thank you, Mr. Deputy Speaker. I am indeed happy to second the amendment from the member from Regina Victoria, my colleague. This amendment, Mr. Deputy Speaker, is one that will strengthen the Meech Lake accord by ensuring future provincehood in the foreseeable future of the Yukon, and ultimately for the Northwest Territories.

Mr. Tony Penikett, the president of the Executive Council and government leader in the Yukon, has written to all MLAs in Canada about this very issue. And I responded to his letter, Mr. Deputy Speaker, in part, as follows:

There are a number of concerns I have with the Meech Lake accord: your major concern; lack of aboriginal rights; uncertainty about provincial opting out of future national programs such as the national day care program; and other concerns.

We are dealing with the Meech Lake accord in our legislature and are pushing for amendments addressing our mutual concerns.

I wish you the very best in your fight. Again, thank you for your July letter.

And that was written in August to Mr. Penikett.

Now following up on some of those mutual concerns that Mr. Penikett and I share, and indeed we all should as responsible legislators in Canada, Mr. Penikett wrote — and I'm only going to quote three paragraphs from his letter, Mr. Deputy Speaker, but they are important. And he writes:

The proposed package of amendments also contains a new formula requiring unanimous approvals of all the provinces for the admission of new provinces. To Yukoners, your fellow Canadians, this is unfair and inequitable.

I am writing you today to ask for your support in retaining the current constitutional requirement for the admission of new provinces, approval of the federal government, and at least two-thirds of the existing provinces, with at least 50 per cent of the population of Canada.

Even this is a much more difficult standard to meet than when Saskatchewan joined Canada. It is more difficult than is used elsewhere in the Commonwealth. The standard in Canada and the

Commonwealth has been for a new province to negotiate its entry into the nation directly with the federal government.

And I end my quote from Mr. Penikett's letter there.

Historically, Mr. Deputy Speaker, the original Canada had only four provinces, as you no doubt know — Nova Scotia, New Brunswick, Quebec, and Ontario were those four. Prior to confederation the London Resolutions of 1866 required that in the future Prince Edward Island, British Columbia, and any provinces created from the Northwest Territories be admitted to Canada on equitable terms. When Manitoba was created out of the Territories, the constitutional Act of 1871 clearly stated parliament's authority to admit new provinces.

The federal government negotiated the terms of entry to confederation for six provinces — Manitoba and British Columbia in 1871, Prince Edward Island in 1873, Albert and Saskatchewan in 1905, and Newfoundland in 1949.

The Constitution Act of 1982, Mr. Deputy Speaker, changed the admission formula to require the approval not only of the federal government but also of two-thirds of the provinces having at least 50 per cent of the population of Canada.

I reviewed that little bit of history, Mr. Deputy Speaker, because it seems to me that the majority of Canadian provinces, simply put, would not have been part of confederation had the new rules that are now being proposed gone into effect.

Imagine a map of Canada with only four original provinces surrounded by some pretty huge territories and perhaps a British colony or two. It would have been a very much different nation than what we have today. It would not be the Canada that I am proud to be a part of; indeed Saskatchewan may not have become Saskatchewan anywhere's nearly as the province that we know it today. That would have been sad.

The Yukon government is not in a hurry. They're not chomping at the bit to become a province. Yukon has recognized their limited resources, and they also recognize, Mr. Deputy Speaker, that in this stage of their history they are very dependent on the federal government for support.

But preserving the option for future Yukoners and Northwest Territories people when they are ready to join confederation is what this amendment is all about, this amendment proposed by the member for Regina Victoria, and the one that I am very proud to have seconded here today.

The leaders of the elected governments of the Yukon and the Northwest Territories, as was pointed out, were not invited to the original Meech Lake meeting, even though, Mr. Deputy Speaker, their fates were very much at stake, arguably as much or more than Quebec's or any other province's.

And their concerns were explained to the Prime Minister's office and later, a short time later, to the

Premier's. And although some of the premiers were sympathetic, it became apparent that the first ministers could not be counted on to defend northern interests.

(1600)

Yukoners then went to the courts for a declaration, not an injunction, to protect their rights. You'll recall that that is exactly what eight of the provinces did in 1981 when the federal government attempted to repatriate the constitution unilaterally — in other words, without agreement. The Supreme Court of Canada in that case acknowledged the legal power of the federal government to act, but noted — and this is important — they noted that there was a constitutional convention against doing so without substantive provincial agreement.

Similarly the Yukon, and in a separate case the Northwest Territories, is seeking a court injunction to be treated according to historic convention regarding the constitution. Further, Mr. Deputy Speaker, even though Mr. Sibbeston and Mr. Penikett went to Ottawa on June 1, they were not invited to the first ministers' meeting — that famous or infamous meeting that lasted all night — the meeting where the Meech Lake accord was ratified by the Prime Minister and the first ministers.

On the evening before the meeting, they did finally receive their first acknowledgment from the Prime Minister. It was a short letter and it said, don't worry, I'll defend you; don't worry about it, I'll look after you.

An Hon. Member: — Trust me.

Mr. Trew: — Trust me, he said to the northern representatives, the duly elected northern representatives. Trust me, he said. And what have they gotten ever since? The cold shoulder and no ear, and certainly no representation from a Prime Minister that is up to his eyeballs in problems, and simply doesn't know which way to turn, how to get out from the political fiasco that he has created and, indeed, that he has done.

The Prime Minister's failure to stand up and represent northern Saskatchewan is what prompts me today to speak out on behalf of the people of the Yukon because it's fundamentally unfair that their fate should be decided by others — first of all, at ministerial meetings at which the Yukon and the Northwest Territories are not represented; and secondly, by awarding votes on future provincehood to Canadians, all Canadians, Mr. Deputy Speaker, except the very Canadians that this amendment will protect, and I'm of course speaking of northerners; Yukoners and residents of the Northwest Territories. It's just not acceptable. Parliament — to add insult to injury, the Prime Minister in his lack of wisdom has decided not to hold constitutional hearings in the North.

Finally, Mr. Deputy Speaker, let me say that I am just as pleased as every other Canadian to see that national unity is promoted through the signing of the constitution by Quebec, and we welcome Quebec formally into the constitutional arrangement, the make-up of what we call Canada. And as I have said, I am very proud to be a Canadian, and I'm very proud that Quebecers now feel, or should feel, closer to being Canadian, as I am, and as

you are, and as everyone else in Canada is.

But despite this significant step, it is not necessary to sacrifice the North in order to save Quebec. The two issues are simply not related, not in the least. Amending the constitution and creating new provinces are simply not the same thing. They never have been, and they don't need to be now, and nor should they be. And it should not be done in the same process. Keeping the door to confederation open for the North in the future in no way threatens Quebec today or in the future.

The North's dilemma is our dilemma, both in practice and in principle. You see, in practice, either us as legislators in Saskatchewan, or our successors, will face yet another unnecessary constitutional crisis. And that will happen, of course, when Northerners apply for provincehood, as they ultimately will. It's just a question of whether we're talking two years, five years, 10 years, or some other period of time, but surely they will be applying for provincehood.

The current formula or unanimity will, indeed, prove unworkable, and a new method will, at that time, have to be found. Why should we put future Canadians, future legislators, in that terrible position of having to try and work out a compromise when it is so simple to do it right here, right now, and right today?

We're not saying: bring in the Yukon or bring in the Northwest Territories as a province. That's not what we're saying. We're saying: give them, let's preserve for them, the same right to become a province as we had, as we enjoyed in Saskatchewan and in Alberta in 1905, and as some other provinces enjoyed after that.

Why would we allow it to be imposed on others, on our fellow Canadians, Mr. Deputy Speaker? It's simply not acceptable for us to be that careless, that callous, that nonchalant with Northerners and the feelings that they have about Canada and their rights. They're looking for, simply, similar guarantees to what other Canadians have.

The very same arguments, only on a different topic, could be used for Northerners as is used for Quebec. We're just transplanting a problem from Quebec to Northerners, and there's no reason for it because the two are not connected at all. The only connection is they both are tied into the constitutional agreement, and we have a golden opportunity today to do something about it, to help the Yukoners and the Northwest Territories.

So I urge you to accept this amendment of the proposed constitutional amendment on the admission of future provinces. The amendment of the member for Regina Victoria strengthens the constitutional agreement that was started at Meech Lake. I urge all members of this Assembly to support this important amendment strengthening the Meech Lake accord and guaranteeing the potential for future provincehood of northern Canadians.

Mr. Deputy Speaker: — Order.

Amendment negatived by the following recorded division.

Yeas — 20

Blakeney	Prebble
Brockelbank	Koskie
Tchorzewski	Thompson
Rolfes	Mitchell
Simard	Solomon
Kowalsky	Anguish
Goulet	Hagel
Lyons	Calvert
Trew	Smart
Van Mulligen	Koenker

Nays — 28

Muller	Duncan
McLeod	Andrew
Berntson	Lane
Taylor	Smith
Maxwell	Schmidt
Hodgins	Gerich
Hepworth	Hardy
Klein	Meiklejohn
Martin	Toth
Johnson	McLaren
Hopfner	Swenson
Martens	Baker
Gleim	Gardner
Kopelchuk	Britton

Mr. Speaker: — Order, please. Order.

Some Hon. Members: Hear, hear!

Mr. Goulet: — Mr. Speaker, I will be moving my amendment . . . (inaudible interjections) . . . after I make some statements . . .

Mr. Speaker: — Order. Order, please. If the member had spoken to the motion, then he couldn't move an amendment, but apparently he hasn't spoken to the motion yet, so the member from Cumberland is in order.

Some Hon. Members: Hear, hear!

Mr. Goulet: — Mr. Speaker, I will be moving my amendment, then, after I finished my presentation, which will be done both in Cree and English.

I will say at the outset, Mr. Speaker, that, on a personal level, the debate on the Meech Lake accord is extremely important.

As Métis person, there is section 16 which refers to aboriginal people, and of course that pertains to my background as a Cree in Saskatchewan, and also, Mr. Speaker, my grandparents were also of the French cultural heritage. So as I speak about Meech Lake-Langevin accord, I do it not only as a member of the opposition but also as a Metis person born of the two cultural heritages that are mentioned within this accord.

So I'll begin by presenting my own knowledge and

argumentation in favour of the amendment I will be moving at the end. So with that, Mr. Speaker, I'll refer then and go back to my own language.

(The hon. members spoke for a time in Cree.)

(1630)

I guess in relation to the Meech Lake-Langevin accord, I will be presenting my argumentation in regards to the historical background to the issue. And then I will deal with specific sections, especially as related to the amendment I will be bringing forth at the end.

And I will then make some . . . you know, before I make the amendment, I'll make some concluding remarks.

I guess when you look at the Meech Lake-Langevin accord, one has to look at in conjunction with the total constitutional process of 1982 to '87. That in fact the consideration of bringing home our constitution, which is the supreme law of our land, is an extremely important and significant process for all of us Canadians.

I guess it is extremely significant for us in a sense that two important outstanding issues amongst others had not been fully addressed during the five-year process, which was only one month apart from the other. The conclusion of the aboriginal rights accord and the start of the Meech Lake accord were only one month apart.

It is important because it was recognized this year that the constitutional process had not been finished. I think that's the main point — it was unfinished business, especially as it related to aboriginal people. And as I look over all to the Meech Lake-Langevin agreement, I must state all . . .

Mr. Speaker: — Order. It being 5 o'clock this House will now stand recessed until 7 o'clock.

The Assembly recessed until 7 p.m.