

The New Brunswick Companion Resolution

A. The Process

The objective of the New Brunswick Companion Resolution is to encourage ratification of the Meech Lake Accord by all provinces on or before June 23 by offering assurance that other priorities will be advanced. Premier McKenna noted that in putting together his Companion Resolution he had been careful to *add to* and not to *subtract from* the Meech Lake Accord. He also noted that unlike the Accord his Resolution was not "a seamless web" that had to be adopted or rejected as a package. He pointed to the need for flexibility to accommodate other concerns around which there is a wide degree of consensus.

Questioned as to what would constitute substantive support for his Resolution he said: "We in New Brunswick will be the judge of what represents that commitment. We believe, even at some cost to our credibility if necessary, we absolutely must keep our flexibility."

Before considering the substance of the McKenna Companion Resolution your Committee had to determine if the June 23 deadline was, in fact, a real one. We heard a number of learned witnesses on this point. Your Committee acknowledges that there is a legal debate over the significance of this date.

Some argued that given political will the June 23 deadline could be extended. The First Ministers could agree to introduce resolutions in their respective legislatures to allow for more time to consider the Accord. While possible in theory, the question is whether all governments and legislatures would agree to act quickly and unanimously on such a Resolution.

Having carefully considered the various options, your Committee has drawn the following conclusions:

1. **Your Committee is of the opinion that June 23, 1990 is a political reality.**
2. **Your Committee recognizes that if the elements of the Companion Resolution we have proposed are to provide an opportunity to break the Meech Lake impasse, the question of "certainty" will have to be addressed and unequivocally resolved.**
3. **It is our view that timing and process leading to additional amendments to the Constitution of Canada can only be negotiated by First Ministers. We believe our recommendations may form the basis for agreement if First**