

*Request for Environmental Council*

Speaker, because the primary preoccupation of the governments of those provinces is the creation of jobs for their people, and they will use any means at their disposal. Unless there is a federal presence to set down the parameters within which they must operate in creating those jobs, they are likely to create pollution havens.

It is important to draw the attention of the House to the fact that the recommendation for national standards contained in this resolution is supported by a recommendation of the Joint Committee of the Senate and House of Commons on the Constitution, the report of which was received last week. If I may, Mr. Speaker, I shall read recommendation No. 100 which is found at page 91 of the report. The committee recommended:

Control over the pollution of air and water should be a matter of concurrent jurisdiction between the provincial legislatures and the federal Parliament, and, as in section 95 of the British North America Act, the powers of the federal Parliament should be paramount.

That is a recommendation of a committee which was composed of members of all parties in this House and members of the Senate. There is little doubt in my mind that the federal government could succeed in gaining provincial consent for a constitutional amendment which would incorporate the substance of the committee's recommendation if the government were to begin immediately to seek such agreement. There is absolutely no excuse for the federal government not to begin seeking such an agreement on a priority basis, because our attempts to control pollution will never be effective as long as the question of who has jurisdiction remains both complicated and confusing. So long as doubt remains about who has jurisdiction, it will be used by politicians who wish to avoid acting as a means of avoiding action.

I wish to again quote from the report of the constitution committee, also at page 91, as follows:

Federal and provincial sources in the BNA Act for pollution control are many. For example, provincial jurisdiction may stem from "property and civil rights in the province", "municipal institutions in the province", "local works and undertakings", "generally all matters of a merely local or private nature in the province". Federal jurisdiction, on the other hand, depending on the class of subject dealt with in the legislation, might arise from "the criminal law", "navigation and shipping", "sea coast and inland fisheries", and "the regulation of trade and commerce".

As my colleague from Kootenay West (Mr. Harding) has argued, ambiguities in the constitution need not prevent action. However, the fact is that they do and they will continue to do so until they are removed. Thus, it is clearly and urgently necessary that federal and provincial governments, at the same time as they bring forward legislation to clean up our environment, seek to achieve agreement for a constitutional amendment incorporating the substance of the recommendation of the joint Senate-Commons committee to which I have referred.

• (2150)

I might say at this point, Mr. Speaker, that when members of the government present a catalogue of legislation which has been passed by this parliament, I am not impressed. I congratulate them for doing that much and I hope the legislation is improved by members on this side of the House; however, if they were really serious about dealing with the problem of pollution adequately and

[Mr. Rowland.]

ending it once and for all the major emphasis at this point would be on clearing up the ambiguities which now exist in the constitution. They would find a great deal of approval for this effort amongst provincial governments.

If I might be permitted one further comment on the committee's recommendation, I wholeheartedly endorse the recommendation that the matter of pollution be one for concurrent jurisdiction with federal paramourty. That would allow the federal and provincial governments to legislate but when there was a conflict the federal government view would prevail. This would make it clear that any federal standards, any federal law would be paramount and provide for national minimum standard but it would allow also for the possibility of a wide degree of innovation and experimentation in the legislation designed to control pollution and enhance environmental quality. Beyond that, the committee report reads at page 92:

—because the new pollution power would be concurrent, that necessarily greater federal-provincial and province-to-province planning and co-ordination would result. The superior financial and research capabilities of the federal government, especially in relation to the smaller provinces, can be brought into play through the concurrent power itself and through the federal spending power, if necessary.

The resolution before us also emphasizes the need for the federal government to make available low-cost loans to municipalities and to certain industries to ensure that there is no further delay in the building of sewage treatment plants and the undertaking of industrial clean-up. The advantages which would accrue to us from such a program, through enhancing the quality of our environment, by ending the dumping of raw or only partially treated effluent into our rivers and streams, for example, should be manifestly obvious.

Think of the jobs that would be created by such a program—in construction, in design, in manufacturing and in research. Why not extend the program to provide sewage treatment facilities and water for our rural communities in an effort to enhance environmental quality, in an effort to reduce the disparities in creature comfort between rural and urban life, in an effort to inject new life into such communities by making them a more attractive alternative for the location of commerce and industry to our already congested, overcrowded and polluted cities?

This approach, this demand for federal government involvement in creating that kind of infrastructure, these kinds of sewage treatment and water facilities in rural areas, has already been made by the Interlake Development Corporation in Manitoba. The provincial government and the federal government are being petitioned by communities in the area such as Arborg and the town of Winnipeg Beach. The provincial government is taking action. I see no reason why the federal government, if it is serious about cleaning up the environment and removing economic disparities, would not be talking about concurrent action. That action could be taken under DREE; it could be taken under any number of federal government departments. I should like to see that kind of action taken by the federal government post-haste.

Why not extend the kind of program envisaged in this resolution to our larger cities for the creation of means of recycling waste, for research and development into the