

*Inquiries of the Ministry*

decide whether the proposition is a much better proposition? The provinces might consider that it is. Is it the federal government's decision?

**Mr. Speaker:** I wonder whether the supplementary is not argumentative, but the Prime Minister may wish to reply.

**Mr. Trudeau:** Well, Mr. Speaker, reasonable men looking at this will have to take a position. I would very much welcome reasonable men on the opposition side coming forward with constructive alternatives. Do they think we should give more to the provinces, or less? I would certainly be influenced by any reasonable argument put forth by the hon. member opposite and by any of the provincial representatives. As I say, there is no magic in this formula. We thought it was the most equitable one we could find, 50-50 sharing, but if someone else has a better proposition we would certainly look at it.

**Some hon. Members:** Hear, hear.

**Mr. Hees:** As a further supplementary question, is it the intention of the government to bring this matter forward for debate in the house soon, so the opposition can put up propositions they might think would be an advance?

**Mr. Trudeau:** Mr. Speaker, certainly on supply we would be very anxious to have ideas put forth from the opposition that can improve on this idea. They are generally not hesitant to give interviews on television and to the press. We read the results, and any good ideas would be welcomed by us.

**Some hon. Members:** Hear, hear.

**Mr. Speaker:** Does the hon. member for York South wish to ask a supplementary?

**Mr. David Lewis (York South):** Yes, Mr. Speaker. In view of the fact that the Supreme Court of Canada decision with respect to the case which was referred to it was based on certain historical facts and the legal interpretation of those facts, does the Prime Minister know whether other provinces are prepared to accept the conclusion that those rights belong to the federal authority? If not, is the government considering some way of resolving that problem?

**Mr. Trudeau:** Mr. Speaker, of course we do not know whether all provinces would consider themselves bound by this Supreme Court opinion. We have heard that some provinces

[Mr. Hees.]

do not consider themselves bound by it. It is because of this that the government has been faced with the situation, of which all of us are aware, that there could be endless litigation.

**Some hon. Members:** Hear, hear.

**Mr. Trudeau:** The reference in the British Columbia case could begin again with every province, and indeed I suppose there would be nothing to prevent endless litigation by private companies that would try to get permits from one province or another. It is to avoid all this litigation that we have racked our brains to come up with some kind of equitable arrangement, and we think a 50-50 sharing is a pretty good place to start.

**Mr. Lewis:** I am not suggesting that the arrangement proposed by the government is inequitable, but I would like to ask the Prime Minister this question. In view of the fact that it is certain that not all provinces accept the Supreme Court of Canada opinion, would it not have been wiser to place the government's proposition before a federal-provincial conference, such as the one that is convening in a couple of weeks? Would not the Prime Minister consider doing that even now, so that instead of the provinces being faced with a decision of the federal government there would be some consultation between the two levels of government, which is surely the best way to run a federal situation?

**Mr. Trudeau:** I have no objection to that at all if the provinces decided that is the place they want to debate it. I would just suggest that this would mean one more federal-provincial conference, because the agenda for the December one is already very full. Of course if the provinces want to set aside the agenda that has been suggested and deal with this first we certainly will not be stubborn about it. But one way or the other I felt it was important that the federal government state the proposition, or state the terms of a settlement out of court. This is all we did. If the provinces do not wish to accept that, there can be all kinds of arrangements; there can be federal-provincial conferences, references to courts and all kinds of conceivable arrangements. Once again the essence of the problem was time and to avoid endless litigation.

**Mr. Lewis:** Mr. Speaker, the right hon. Prime Minister stated earlier that he wanted to avoid litigation. I hope he is not suggesting references to the court as a livable alternative. I would ask him whether the federal