

Medicare

contract basis is surely so clearly within the field of provincial jurisdiction that, as I said, it should not need any assistance from me to make the point clear to the hon. member.

Mr. Brewin: May I ask the hon. member a question?

Mr. Fulton: Mr. Chairman, at this point I do not wish to get into a controversy over such a simple and clear constitutional point.

Mr. Brewin: It may be simple to you.

Mr. Fulton: If my hon. friend wishes to make a diversion, write an article or make a speech disagreeing with me, let him do so.

Mr. Knowles: Would the hon. member permit a question from a non-lawyer?

Mr. Fulton: Mr. Chairman, I would hate to leave the hon. member to the tender mercy of his colleague who has shown himself to be so surprisingly unable or unwilling to grasp the essential constitutional point I am making but I will leave it to his other colleague, the hon. member for York South, who perhaps will be able to explain it to him better.

Mr. Knowles: I would like to ask the hon. member a simple question. Where in the B.N.A. Act does the word "health" appear? If he does not know, I might tell him that it does not appear there at all.

Mr. Fulton: As I said, this kind of argument will not advance us at all. The point is that it is well understood that these kinds of welfare services are, by the provisions and interpretations of the B.N.A. Act, within the field of provincial jurisdiction, and I do not intend to get into a detailed discussion of that point. One only has to refer to all the occasions on which the federal government has entered into this field where the consent of the provinces has generally been agreed to be necessary and has always been obtained in advance. The conspicuous exception is the present proposal by the Minister of National Health and Welfare in which he is attempting to dictate to the provinces.

He is holding a fiscal club over their heads and saying: "You must accept our intrusion into your field because if you do not, you won't get any money".

I come back to my submission that this is an unacceptable principle on which to base any measure, especially one requiring the co-operation of the provinces for its effective

implementation. It is on this basis that I repeat the request to the minister that he accept the amendments which we offer.

The Deputy Chairman: Is subclause (a) agreed to?

Some hon. Members: Agreed.

On subclause (b)—"*Insurable Resident*".

Mr. Lambert: Mr. Chairman, in the light of the fact that the minister indicated at the opening of the debate that clauses (c) to (k) were to be renumbered and the reference which was made to (i) in subclause (b), we cannot pass (b) in its present form if the minister proposes an amendment which will renumber (i).

Mr. MacEachen: I understood that we would discuss these subclauses and deal with any amendments that would be made in each of these subclauses until we have reached the last of the subclauses at which time the government will be able to move its amendment.

If we adopt these subclauses in advance, we will lose this opportunity, and if such were the case I would want to move my amendment now.

Mr. Knowles: Then subclause (b) should stand.

Mr. Lambert: I do not want to be obtuse, but I want to make it clear that subclause (b) should not be passed in its present form in the light of the amendment which the minister intends to make later. Perhaps, it could stand.

The Deputy Chairman: Is it agreed that subclause (b) stand?

Some hon. Members: Agreed.

On subclause (c)—"*Insured person*".

Mr. Knowles: Stand.

On subclause (d)—"*Insured services*".

Mr. Howe (Hamilton South): Mr. Chairman, in order to help rush this bill through so as to have it ready for July, 1968 I propose to make my speech rather short. Then, I will not be blamed for delaying this matter. The government failed in this medicare bill to recognize many other forms of services that are so necessary to the health of the people of this great nation.

I am referring to services which are relied on by many people for the treatment of illnesses or the continuation of good health. By