

*Government Orders*

**Mr. Schmidt:** Indeed there were discussions. Of course there are discussions and negotiations. What else would we expect? We need discussions to negotiate. What kind of comment was that? Is that the way the government runs things, with arrogance and presumption? That is not right.

**An hon. member:** Yes.

**Mr. Schmidt:** Yes, arrogance and presumption is exactly what it is up to.

I want to look at the purposes and powers of the commission in rather significant detail. The purpose of the commission is to facilitate in British Columbia the negotiation of treaties among one or more First Nations, Her Majesty in right of Canada and Her Majesty in right of British Columbia. The Westbank Indian band is already in step three of the process, yet the legislation has not yet been passed in the House.

**Mr. Mills (Broadview—Greenwood):** We are trying to be efficient.

**Mr. Schmidt:** Mr. Speaker, the hon. member suggests this efficiency. Is it efficient to do things with two people who have elected representatives to represent them and make the legislative proposals that ought to exist there? If that is the argument, what is the point of electing people? What is the point of having a Parliament? What is the point of having laws if one person can decide what happens and the person happens to be the person who runs the privy council?

Apparently the commissioners are running around the province representing Canada as a result of an order in council passed by the federal cabinet. That is how they run the country. It is not a democratic process and I object very strenuously to it.

It goes beyond that. I want to go into the details and responsibilities of the commission. What is it supposed to do? It is supposed to do at least four things that I will draw to the attention of the House. It is to assess readiness in accordance with the agreement of Her Majesty in right of Canada and in right of British Columbia and one or more First Nations to begin negotiations. The commission is to assess whether or not a particular band or tribe is ready to start negotiations. That is its responsibility and it is a major responsibility. We should all have had input into that debate before the commission members went around talking to various people.

It is to allocate funds. This is the authority that gives to the treasury the right to allocate funds. However, what has happened? It says to allocate funds that have been provided. By whom? By the finance minister to enable First Nations to participate in negotiations in accordance with the criteria agreed to by the principals. Is this not an interesting provision?

We now have these people spending money, travelling around the country, being paid and incurring expenses on behalf of the Government of Canada. They are to divide moneys among the persons who are to participate in the negotiations. In accordance

with what? In accordance with criteria agreed to by the principals, which are the summit, the legislature of British Columbia and Canada.

• (1215)

Finally, they are to encourage timely negotiations. Are we to suggest then that this commission is not to do the negotiations? We are getting into the details of the bill, which I said I would not do and I will not.

I will simply say that I object strenuously to this method of retroactivity, this business of presenting to the House legislation after the fact. We have asked this of the people who have briefed us on this. We have asked them if this is really retroactive legislation and if they have already begun the process. The answer was yes. I object strenuously. I hope every member will make every effort to make sure this never happens again in the House.

**Hon. Raymond Chan (Secretary of State (Asia-Pacific), Lib.):** Mr. Speaker, it is a pleasure today to rise to speak on behalf of legislation that will have such great economic benefits for the people of British Columbia. With this legislation we can remove an obstacle that has hampered economic growth in B.C. for too long, uncertainty over ownership of land and resources. That uncertainty has carried a very high price.

In 1990 a Price Waterhouse study asked forestry and mining interests in B.C. about the effects of the uncertainty created by unresolved land claims. The results are sobering: \$1 billion in investments were not made in those two sectors alone; 300 new jobs were not created; 1,500 permanent jobs were adversely affected; \$125 million annually in capital investment is lost because of the lack of legal certainty with regard to land and resources. Since the time of that study the price has continued to be paid, year in and year out.

That is the toll we pay for leaving things unclear, uncertain, undefined. That is the price for refusing to sit down with our aboriginal partners and discuss rational solutions to real problems. That is the price opponents to this process will have us continue to pay. Here we have a chance to do something concrete, to create jobs and real economic growth for Canadians.

In September Ms. Marlie Beets of the B.C. Council of Forest Industries was quoted as saying her members know they cannot afford to ignore treaty issues. There is solid support in the forestry industry to resolve this, even though the industry has concerns about what treaties might contain.

People in the forestry industry of B.C. understand what is involved. They know they cannot function efficiently without clear policies. They know aboriginal rights must be defined clearly so that everyone knows the rules of the game. They know their time has come to realize the potential of their province and to expand opportunities for the people. They want to get on with it. The proposition is simple: treaties will provide certainty and