

Government Orders

The principle of a bridge replacing a ferry is not the substance of our complaint today. The Reform Party wants nothing but increased prosperity for all of the maritime provinces. However, the federal cabinet should not pass an Order in Council today to change this clause. To alter it today requires an amendment to the Constitution, that document foundational to our nation, the instrument which defines our political system and, more specifically, defines the nature of the relationship between provinces and the federal government.

I address two different audiences today. To the audience in Prince Edward Island, I understand why it needs this bridge or why it wants it. It will be good for that province and I think there is widespread public support in Canada for the bridge.

To my second audience, the Government of Canada, what it is attempting to do in this House today is both incorrect and unwise. Allow me to explain what I mean.

The Government of Canada is proceeding under section 43 of the Canadian Constitution which reads:

An amendment to the Constitution of Canada in relation to any provision that applies to one or more, but not all, provinces—may be made by proclamation issued by the Governor General.

The government assumes that it can safely proceed under this section because it also assumes that this issue relates only to the federal government and two or three provinces. Is this really the case? Could it be true that the provision of a fixed link to Prince Edward Island involves all the provinces of Canada, not only the maritime provinces? I submit that although this amendment does not apply directly to every province of Canada, it affects every province in an important and substantive way and therefore the government could be acting improperly.

If changes are necessary at this time, it should proceed in a fairer and more conventional manner by way of section 38 of the Constitution, a section which at least attempts to involve the input of all Canadians.

How are other provinces involved? This venture is a shared cost venture and these costs are not shared between just one province and the federal government. The subsidy which now operates the ferries is taken from the federal government's general revenue. Who contributes to the federal treasury, all provinces or just a few? All provinces are involved today in subsidizing Prince Edward Island's ferries and we are happy to do so.

However, the estimated cost of the bridge, \$850 million and climbing, will also be borne in some fashion by all members of the federation because the federal government will subsidize this bridge to the amount of \$43 million per year for the next 35 years. This is not an insignificant sum. This kind of significant commitment requires the approval of all Canadians.

However, there is an additional problem. The government through a constitutional amendment will continue to commit itself not just to the fixed link but to the original intention of the clause written in 1873. That intent is to place the island in continuous communication with the mainland.

What if problems are to develop? What if the bridge suffers cost overruns of more than 10 per cent? Another member indicated that it may double. Other projects around the world such as the tunnel under the English Channel or the Hibernia oil project nearby have experienced vast cost overruns. We all know the appalling record of past federal governments in this regard. We will be committed to a bridge no matter what problems occur.

What if, God forbid, this bridge should collapse? The government will be constitutionally obligated to rebuild it. The question I am asking here is a serious one. By constitutional amendment all members of the federation will be committed to providing a fixed link with the mainland forever.

• (1250)

If the bridge is rendered unusable for periods of time during the winter or encounters other major problems, the intent of the constitutional amendment will still stand. Continuous communication with the mainland will have to be maintained by the government. In other words, if the fixed link proves unworkable the government will still have to provide a ferry service.

Speaking outside of constitutional law, the government could not allow an entire province to be cut off from the mainland for very long. A ferry would have to be provided if the bridge proves to be unreliable. If it comes to a disagreement and finally to law, the people of Prince Edward Island could demand a ferry service through the courts if necessary.

The member for Lac-Saint-Jean noted the ambiguity between the French and English versions of this amendment earlier today when he mentioned that in one version it says they may and in the other it says they will. That is still unclear. It is a moot point. We will be obligated and in this case we will be obligated to this continuous communication.

In that case the cost of this constant communication with the mainland would effectively double. This is a much greater commitment than the government would now have us believe. This is a significant commitment that every province in Canada deserves to address through a resolution under the current constitutional arrangements by each legislature under the authority of section 38 of the Constitution.

Although it is clear to me that the government is acting incorrectly, perhaps unlawfully and certainly unwisely, I do not propose a legal remedy. Constitutional change should never be forced on the nation in the name of expediency. If the government insists on proceeding in this manner, there is a simple resolution which lies in the decision of the Federal Court of Canada given in March of last year. Madam Justice Reed there