

Water Resources Programs

I suggest that motion No. 2 is within the four corners of the bill, that it does not go beyond the terms of reference, that it does not go beyond the Governor General's recommendation, and that it is not beyond the concept contained in the preamble to the bill. I will also call as my witness none other than Your Honour, because you did say that motion No. 14 was in order, if my notes are correct, and that motion does provide for the prescribing of specific water quality standards. If it is in order to include in the bill the authority to prescribe specific water quality standards, as is set out in motion No. (14), surely it is not only in order but it is called for in the interpretation section there be a subclause or a subparagraph telling us what water quality standards are.

As I said, I think a case could be made for motions No. 1 and No. 3, and I think my friends to the right can make a case for motions No. 4 and No. 5 which will have my support. I do feel, however, that motion No. 2 in the name of the hon. member for Vancouver-Kingsway (Mrs. MacInnis) is procedurally in order, and I press it not just on the ground that some of us think the bill should be so enlarged, but on the ground that the bill is one that in its basic concept is supposed to deal with the quality of water and that, therefore, the bill is incomplete unless there are in the interpretation section words or sentences that define water quality standards.

I hope therefore that the tentative statement you have made about motions Nos. 1, 2, 3, 4 and 5 is only tentative and subject to your reconsideration. You did say that you questioned motion No. 16, but there is time to deal with that later. I doubt that we will finish this bill this afternoon, so perhaps we can leave the argument on motion No. 16 until later. I also agree with your suggestion that motion No. 25 should stand rather than with the suggestion of the President of the Privy Council (Mr. Macdonald) that it should be questioned. Perhaps that is the wrong word. I do not mind anything being questioned so long as the answer to the question is the right one. But I do plead for another look at motions Nos. 1, 2, 3, 4 and 5 and I urge as strongly as I can that motion No. 2 be allowed.

When I sit down, perhaps Your Honour might tell us whether you are reaching a final decision on these motions or whether you want some of them to stand while the House goes on to deal with those about which you

[Mr. Knowles (Winnipeg North Centre).]

have no question. As I said, we think your grouping of the motions and your plan for voting is excellent. We are glad you have accepted about 19 out of 25. It is a pretty good batting average both for you and for us, but I do feel that some of the motions you have questioned, particularly motion No. 2, should not be ruled out of order but should be put to the House.

Mr. G. H. Aiken (Parry Sound-Muskoka): I am rising at the moment to clear up two or three points of confusion that have arisen. The first one is that the hon. member for Halifax-East Hants (Mr. McCleave) raised a question concerning the use of the words "water quality", and I thought that that would be the matter to which the hon. member for Winnipeg North Centre (Mr. Knowles) would have directed his attention. But that is a matter that is before Your Honour at the moment.

The second point of confusion arises from the fact that the order of the motions on today's Order Paper is somewhat different from yesterday's and I have been using yesterday's Order Paper instead of today's. However, I assume that it is today's Order Paper that we are following, so I will have to have another look at one of my motions which I thought Your Honour was going to accept but which I believe is now in some doubt.

In any case, speaking first to the point raised by the hon. member for Halifax-East Hants, I think he raised a fundamental point which involves, a legal opinion that has been given, and which we have not seen yet, according to a reply given by the Minister of Justice (Mr. Turner) to my question today. According to reports, the grounds on which the attorney general of Ontario believes Bill C-144 to be unconstitutional are that it invades provincial jurisdiction over water management and that, therefore, two or three aspects of the bill may be beyond the legislative jurisdiction of the federal Parliament. I believe that the use of the words "water quality" would at least move us one step farther towards defining more accurately what the Parliament of Canada is attempting to deal with rather than if we just left the words "water resources". Where we differ, and where the constitutional experts who were before the standing committee appear to differ, is how far the federal government should go into the field of water management which is normally under provincial jurisdiction. Therefore I believe that the point raised by my hon. friend has quite important reper-