

Water Resources

Bill for the Appropriation of any Part of the Public Revenue, or of any Tax or Impost, to any Purpose that has not been first recommended to that House by Message of the Governor General in the Session in which such Vote, Resolution, Address, or Bill is proposed.

Standing Order 62, I believe it is, brings forward the same language. It is on the basis of this section in the British North America Act, and our own rule, that great care is always taken with the resolution to see to it that the Governor General's recommendation does cover all the points in a proposed bill that involve the appropriation of money or the imposition of a tax, fee or what have you. As I say, that is clear. Your Honour has to rely frequently on that provision when you rule out of order amendments or bills proposed by private members.

I believe it is also clear that the Governor General's recommendation attached to Bill C-144 does not include the aspect of the bill to which the hon. member for Peace River has drawn attention. Let me read that recommendation:

His Excellency the Governor General has recommended to the House of Commons the present measure to provide for the management of the water resources of Canada, including research and the planning and implementation of programs relating to the conservation, development and utilization of water resources; to provide also that all expenditures for the purposes of the Act, including any expenses or allowances of any advisory committee, shall be paid out of moneys appropriated by Parliament therefor.

Now, that is very clear. It indicates that the Governor General has approved of a proposition under which all the moneys to be used for the purposes of this Act shall be paid for out of moneys appropriated therefor by Parliament. But the bill provides that in addition to that there is another way in which money can be raised. It can be raised by agencies set up under this bill which have the right to collect a sin licence fee in advance. We must not get too much into the substance of this bill; we can deal with that later. But an interesting question is raised when we say, in effect, that it shall be unlawful to pollute the waters of Canada but if you pay a licence fee in advance you may do so. That is a matter of substance. We can go into that later.

● (3:20 p.m.)

My professorial friend behind me says it is a matter of syntax. Syntax, or sin tax. I shall be interested in seeing how *Hansard* spells it.

Mr. Baldwin: Too much of it will be "sewer side".

Mr. Macdonald (Rosdale): There is an "effluence" of bad jokes over there.

Mr. Knowles (Winnipeg North Centre): I am enjoying it too, and I suspect that no one in the place enjoys these puns more than Your Honour. Some of us who have been with you on social occasions know your predilection for them.

However, to get back to the argument, which after all is more important than the puns, my friend the minister says the argument is not good. It seems to me that it is simple and clear. The constitution and our rules say that the Governor General's recommendation must cover all appropriations provided in the bill, all moneys to be raised under the bill. But the Governor General's recommendation provides that the only way that the money is to be obtained is through appropriating it by parliament. Then, the bill comes along and provides that a fee or a tax can be imposed on people for the right to evade certain clauses of the bill. The clauses that bring this point out into the open are clause 8, which refers to the possibility of the people who are managing our water having the right to require payment of effluent discharge fees provided under this bill; clause 14 which makes certain provisions for the same type of thing, namely fees for putting effluents into our waters; and clause 16 (2) (d) which provides for effluent discharge fees.

It seems to me that these provisions are beyond what has been spelled out in the Governor General's recommendation, and that in that sense the bill is defective. Like the hon. member for Peace River, I do not think that this fact should deter the House from going on with the debate today, but at some point the government should wait upon His Excellency the Governor General to see if he will not approve of this other aspect of the bill or perhaps an amending bill will have to be introduced. Alternatively, perhaps the government will decide that a sin tax is not really a good thing to put into our laws.

Hon. Donald S. Macdonald (President of the Privy Council): It has been agreed among representatives of the parties that the debate on this bill will go beyond one sitting day. Therefore I agree that, as hon. members have suggested, we should proceed with the debate. I will have the opportunity of consulting counsel on this question and deciding whether or not it would be appropriate for the government to bring in an amended recommendation.