

as he or she probably will, the Senate only has a 30-day suspensive veto. No longer will it be able to defeat the legislation and cause a joint sitting of the two houses.

I have had some experience dealing with appropriations, Main Estimates, and Supplementary Estimates, and I can tell honourable senators that there are a number of bills that go through Parliament that have appropriations attached to them.

The free trade bill would be a case in point. Those bills under this legislation would become supply bills, and the Senate would lose all power to deal with them other than to suspend them for 30 days.

There is also another aspect that is somewhat arcane but nonetheless worthy of examination. Quite often in the Main Estimates and the Supplementary Estimates, there are what we call one-dollar items. The government legislates by putting into the Estimates an amount of \$1, and then amends existing legislation.

If one thinks about it, if they bring in the Main and Supplementary Estimates with \$1 items, those are supply bills; again they can legislate through that method and the Senate cannot do more than suspend the bills for 30 days.

So there is a real hole here. The Senate would not be able to deal with the legislation on the basis of causing a joint sitting; all it could do is suspend it for 30 days. As I have said, in the hands of an aggressive government, there is no way that I can see that this could reasonably be stopped, unless there was a much stronger Commons speaker than we have had in the past.

Hon. Lowell Murray (Leader of the Government): With regard to the earlier point of the honourable senator, does he not agree that the Charlottetown agreement tries to limit the definition of supply bills so that the definition could not cover as wide a variety of legislation as Senator Everett and Senator Stewart suggest?

I draw my friend's attention to page 6, paragraph 13 of the Consensus Report.

Senator Everett: That is a very liberal interpretation of the proposal. It refers to revenue and expenditure bills—supply bills. Then it goes on:

In order to preserve Canada's parliamentary traditions, the Senate should not be able to block the routine flow of legislation relating to taxation, borrowing and appropriation.

Revenue and expenditure bills ("supply bills") should be defined as only those matters involving borrowing, the raising of revenue and appropriation, as well as matters subordinate to these issues.

My legal interpretation of that, not having practised law for some considerable length of time, would be that, even under the *ejusdem generis* rule, this language would be interpreted by most courts as giving a pretty broad ambit to the government of the day to decide that a bill, while albeit not being a

major appropriation bill arising out of the Main or Supplementary Estimates, could be a supply bill because there was an appropriation attached to it.

Moreover, the proposal states quite clearly that the initiator of the bill will decide what kind of bill it is. I think anybody interpreting that clause at the bottom of page 6 would say that there is a broad ambit in the hands of the initiator of the bill to make that determination, and if the Commons Speaker agrees that is the end of it.

The honourable Senator Murray may be right, and at some future date I may apologize to him for being a less talented interpreter of the clause than he is. Indeed it may be, in terms of usage and custom, that the kind of thing that I am talking about does not occur. But the fact of the matter is that the potential is here for that sort of thing to occur. Through the designation of these bills as supply bills, or through the use of \$1 items, the power of the Senate would be very greatly reduced. There are two other categories.

The Hon. the Acting Speaker: Honourable senators, the rules require that I point out that 15 minutes have elapsed. Is there leave for the honourable senator to continue?

Hon. Senators: Agreed.

Senator Molgat: Honourable senators, during this debate we have had a number of requests from honourable senators for an extension of time, and I think we should accept that generally in this debate. Certainly from our standpoint, we have no objections.

The Hon. the Acting Speaker: May I interpret that to mean that there is consent that, during this debate, the Speaker will have no onus under the rules to point out that 15 minutes have elapsed?

Senator Lynch-Staunton: I think it would be wiser if we did not allow unlimited debate. This is an important issue, and I think time limitation has worked pretty well so far. It is good that the Speaker alerts us when the 15 minutes have expired. To date, the Senate has been understanding and senators have been allowed to finish. I would urge the His Honour give a reminder, if need be, in each case.

The Hon. the Acting Speaker: I just wish to understand the Senate's position: Is it that the Speaker shall continue to point out when the 15 minutes have elapsed, and ask for leave for the senator then speaking to continue?

Hon. Senators: Agreed.

Senator Everett: I thank honourable senators. I will try to be as brief as possible. However, when a question is asked in the middle of a speech, I think the clock ought to stop running. I thank honourable members for their courtesy.

There are two other categories of legislation, as honourable senators are aware. One deals with fundamental tax policy changes directly related to natural resources. In that case, the majority of the Senate will decide whether the tax legislation will pass or not. That decision cannot be overridden by the