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# **Subcommittee on Private Members' Business of the Standing Committee on Procedure and House Affairs**

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**EVIDENCE**

**Tuesday, October 7, 2014**

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**Chair**

**Mr. Dave MacKenzie**



## Subcommittee on Private Members' Business of the Standing Committee on Procedure and House Affairs

Tuesday, October 7, 2014

•(1315)

[English]

**The Chair (Mr. Dave MacKenzie (Oxford, CPC)):** This is the Subcommittee on Private Members' Business. We have a number of items today, all of which have been gone through, and some notes for us.

The first item is M-532.

**Mr. Alexandre Lavoie (Committee Researcher):** The motion proposes that the government adopt an approach that provides a unified continuum of health care services to Canadian soldiers and veterans.

The motion does not concern a question that is outside federal jurisdiction. It does not clearly violate the Constitution Act. It does not concern a question that is substantially the same as one already voted down by the House of Commons. It does not concern a question that is currently on the order paper or notice paper as an item of government business.

**The Chair:** Is everybody satisfied?

**Some hon. members:** Agreed.

**The Chair:** The next one is M-505.

**Mr. Alexandre Lavoie:** The motion calls on the government to take steps to prevent forced marriages and all forms of non-consensual sponsorship in the immigration system, including by prohibiting the use of proxy, telephone, and fax marriages.

The motion does not concern a question that is outside of federal jurisdiction. It does not clearly violate the Constitution Act. It does not concern a question that is substantially the same as one already voted on by the House of Commons. It does not concern a question that is currently on the order paper or notice paper as an item of government business.

**The Chair:** Is everyone satisfied with that?

**Some hon. members:** Agreed.

**The Chair:** The next one is M-537.

**Mr. Alexandre Lavoie:** The motion asks the government to apologize to the people of Hamilton for approving U.S. Steel's takeover of Stelco in 2007, make public the commitments of U.S. Steel made under the Investment Canada Act, and guarantee the pension benefits of the company's 1,500 employees and pensioners if it goes bankrupt.

The motion does not concern a question that is outside federal jurisdiction. It does not clearly violate the Constitution Act. It does not concern a question that is substantially the same as one already voted on by the House of Commons. It does not concern a question that is currently on the order paper or notice paper as an item of government business.

**Mr. Frank Valeriote (Guelph, Lib.):** Is it up to us to ask whether it requires royal recommendation, given that you're asking to guarantee pension benefits?

**Mr. Alexandre Lavoie:** It's only a motion.

**The Chair:** It's a motion.

**Mr. Frank Valeriote:** I see. All right.

**The Chair:** I think there was some suggestion that it's actually provincial jurisdiction for pensions.

**Mr. Alexandre Lavoie:** Yes. Since it's just a recommendation that the government may provide some money or something like that, it will depend on how the government would respond to that, if it responds.

**The Chair:** Thank you.

Next is Bill C-613.

**Mr. Alexandre Lavoie:** The bill amends the Parliament of Canada Act to require the Board of Internal Economy of the House of Commons to open its meetings, with certain exceptions, to the public. It also amends the Access to Information Act to give the Information Commissioner the power to make compliance orders.

The bill does not concern a question that is outside federal jurisdiction. It does not clearly violate the Constitution Act. It does not concern a question that is substantially the same as one already voted on by the House of Commons. It does not concern a question that is currently on the order paper or notice paper as an item of government business.

**The Chair:** Monsieur Toone.

[Translation]

**Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP):** Thank you, Mr. Chair.

I have a quick question.

Criterion 3 states that, "Bills and motions must not concern questions that are substantially the same [...]". In the House, we have already voted on a motion concerning BIE's transparency, right?

**Mr. Alexandre Lavoie:** Bills have to be evaluated with other bills, and motions with other motions, separately. So, based on the criteria, Parliament could have....

• (1320)

**Mr. Philip Toone:** The criteria establish that bills and motions must not concern questions that are substantially the same. You are saying that the distinction to be made here is that, if the House has already voted on a motion regarding transparency and we want to repeat that, we have to use a bill to do so. That would be justifiable.

**Mr. Alexandre Lavoie:** That's correct. The practice has been that the committee deals with motions and bills separately in its analysis.

**Mr. Philip Toone:** So this is a custom of the subcommittee.

**Mr. Alexandre Lavoie:** I am not familiar with the all the history, but I could check where this practice comes from.

**Mr. Philip Toone:** A vote has already been held in the House. So this is fine, but a vote has already been held.

**Mr. Alexandre Lavoie:** Exactly.

**Mr. Philip Toone:** This is a custom. This way to proceed is not related to the criteria; it has to do with the committee's customs. Correct?

**Mr. Alexandre Lavoie:** Yes, that's right.

**Mr. Philip Toone:** So the chair rules on matters related to customs.

**Mr. Alexandre Lavoie:** I could look at the history in order to find out where this criterion comes from, as I'm not sure.

**Mr. Philip Toone:** If the chair is satisfied that this is a custom, I'm fine with it.

[*English*]

**Mr. Frank Valeriote:** I think as well there's probably some sufficient difference between the actual wording—and I know where you're coming from—of the motion of which you speak and the wording and the requirements of this. There's a point where it diverges from exactly what the motion was, and I think this diverges sufficiently from the motion that it makes it different in its requirements.

**Mr. Alexandre Lavoie:** I don't have to make the analysis on both for that. I followed the practice not to consider bills against motions, but I could do that if you want.

**The Chair:** Do you want to stand it down and let the analyst...?

**A voice:** No.

**Mr. Philip Toone:** That sounds good.

**The Chair:** Well, are we okay to let it go forward?

**A voice:** Yes.

**The Chair:** Okay.

Next is Bill C-603.

**Mr. Alexandre Lavoie:** The bill amends the Motor Vehicle Safety Act to prohibit the manufacture or importing of heavy vehicles not equipped with side guards.

The bill does not concern a question that is outside federal jurisdiction. It does not clearly violate the Constitution Act. It does

not concern a question that is substantially the same as one already voted on by the House of Commons. It does not concern a question that is currently on the order paper or notice paper as an item of government business.

**The Chair:** Okay.

Next is M-534.

**Mr. Alexandre Lavoie:** It proposes that the government work with the provinces, the territories, and first nations, Inuit, and Métis communities to eradicate child poverty in Canada by developing a national poverty reduction plan.

The motion does not concern a question that is outside federal jurisdiction. It does not clearly violate the Constitution Act. It does not concern a question that is substantially the same as one already voted on by the House of Commons in a different session. It does not concern a question that is currently on the order paper or notice paper as an item of government business.

**The Chair:** Is everyone satisfied? It's M-534.

**Mr. Frank Valeriote:** We just dealt with that.

**The Chair:** Yes, we're dealing with it. Are you comfortable with it?

**Mr. Frank Valeriote:** Yes.

**The Chair:** Next is Bill C-622.

**Mr. Alexandre Lavoie:** The bill amends the National Defence Act to provide for an independent review of the operations of the Communications Security Establishment and enacts an act to establish the intelligence and security committee of Parliament act.

The bill does not concern a question that is outside federal jurisdiction. It does not clearly violate the Constitution Act. It does not concern a question that is substantially the same as one already voted on by the House of Commons. It does not concern a question that is currently on the order paper or notice paper as an item of government business.

**The Chair:** Is Bill C-622 okay?

**Some hon. members:** Agreed.

**The Chair:** Okay. Next is M-535.

**Mr. Alexandre Lavoie:** The motion amends the Standing Orders of the House of Commons to: (a) govern the appointment of House leaders, deputy House leaders, whips, deputy whips and caucus chairs; (b) govern the number of questions opposition MPs have the right to ask during question period; and (c) govern the appointment of MPs to the various standing and joint committees.

The motion does not concern a question that is outside federal jurisdiction. It does not clearly violate the Constitution Act. It does not concern a question that is substantially the same as one already voted on by the House of Commons. It does not concern a question that is currently on the order paper or notice paper as an item of government business.

• (1325)

**Mr. Brad Butt (Mississauga—Streetsville, CPC):** Can you amend the Standing Orders of the House of Commons through only a motion?

**The Chair:** It's not a bill.

**Mr. Brad Butt:** So you can? Okay, that's all. I didn't know if you could or not.

**The Chair:** I'm surprised the analyst didn't read out the motion.

**Mr. Brad Butt:** The full motion? It's a very long one.

**The Chair:** Next is Bill C-597.

**Mr. Alexandre Lavoie:** The bill amends the Holidays Act to make Remembrance Day a legal holiday.

The bill does not concern a question that is outside federal jurisdiction. It does not clearly violate the Constitution Act. It does not concern a question that is substantially the same as one already voted on by the House of Commons. It does not concern a question that is currently on the order paper or notice paper as an item of government business.

**The Chair:** Okay. Thank you.

Next is Bill C-627.

**Mr. Alexandre Lavoie:** The bill amends the Railway Safety Act to provide the authority to issue orders if a railway operation poses a threat to the safety of persons or property.

The bill does not concern a question that is outside federal jurisdiction. It does not clearly violate the Constitution Act. It does not concern a question that is substantially the same as one already voted on by the House of Commons. It does not concern a question that is currently on the order paper or notice paper as an item of government business.

**The Chair:** Is everybody happy?

**Some hon. members:** Agreed.

**The Chair:** Next is Bill C-608.

**Mr. Alexandre Lavoie:** The bill designates the 5th day of May as the national day of the midwife.

The bill does not concern a question that is outside federal jurisdiction. It does not clearly violate the Constitution Act. It does not concern a question that is substantially the same as one already voted on by the House of Commons. It does not concern a question that is currently on the order paper as an item of government business.

**The Chair:** We're going to need more days in the year.

Next is Bill C-524.

**Mr. Alexandre Lavoie:** The bill amends the Canada Elections Act to require candidates and registered parties who transmit election advertising to the public, whether during an election period or not, to specify in the advertising that they authorized its content. It also requires third parties who transmit such advertising to specify that they are responsible for its content.

The bill does not concern a question that is outside federal jurisdiction. It does not clearly violate the Constitution Act. It does not concern a question that is substantially the same as one already voted on by the House of Commons in the current session. It does not concern a question that is currently on the order paper or notice paper as an item of government business.

**The Chair:** Okay. Thank you.

Next is M-533.

**Mr. Alexandre Lavoie:** The motion proposes that the government, in exercising its jurisdiction, submit natural resources development projects to a broader public consultation.

The motion does not concern a question that is outside federal jurisdiction. It does not clearly violate the Constitution Act. It does not concern a question that is substantially the same as one already voted on by the House of Commons. It does not concern a question that is currently on the order paper or notice paper as an item of government business.

**The Chair:** Okay. Are you satisfied?

**Some hon. members:** Agreed.

**The Chair:** Next is Bill C-626.

**Mr. Alexandre Lavoie:** The bill amends the Statistics Act to establish a process to appoint and prescribe additional duties for and increase the independence of the chief statistician of Canada. It also provides for a long-form questionnaire to be used for taking the census of a population.

The bill does not concern a question that is outside federal jurisdiction. It does not clearly violate the Constitution Act. It does not concern a question that is substantially the same as one already voted on by the House of Commons. It doesn't concern a question that is currently on the order paper or notice paper as an item of government business.

**The Chair:** Are you satisfied?

**Some hon. members:** Agreed.

**The Chair:** Next is Bill C-628.

**Mr. Alexandre Lavoie:** The bill amends the Canada Shipping Act, 2001, to prohibit the transportation of oil in oil tankers in the Dixon Entrance, Hecate Strait and Queen Charlotte Sound. It also amends the National Energy Board Act to require the National Energy Board to take into account certain factors before making a recommendation to the minister in respect of the issuance of a pipeline certificate.

The bill does not concern a question that is outside federal jurisdiction. It does not clearly violate the Constitution Act. It does not concern a question that is substantially the same as one already voted on by the House of Commons. It does not concern a question that is currently on the order paper or notice paper as an item of government business.

• (1330)

**The Chair:** Are you satisfied?

**Some hon. members:** Agreed.

**The Chair:** Next is Senate Bill S-221.

**Mr. Alexandre Lavoie:** The bill amends the Criminal Code to require a court to consider the fact that the victim of an assault was a public transit operator as an aggravating circumstance for the purposes of sentencing. There are currently three similar bills, C-402, C-531, and C-533, that have been reinstated in the House from the previous session, but none have been voted on yet. They're not even on the order of precedence.

**Mr. Philip Toone:** What is the criteria with one from the Senate?  
[*Translation*]

**Mr. Alexandre Lavoie:** No other bills have addressed the same topic.

**Mr. Philip Toone:** Plain and simple.

**Mr. Alexandre Lavoie:** That's actually the only criterion.

[*English*]

**The Chair:** I need a motion that the subcommittee present a report listing those items that it has determined should not be designated non-votable and recommending that they be considered by the House.

**An hon. member:** I so move.

**The Chair:** Thank you.

This meeting is adjourned.

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