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

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**EVIDENCE**

**Thursday, February 2, 2017**

—  
**Chair**

**The Honourable Ginette Petitpas Taylor**



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

Thursday, February 2, 2017

• (1320)

[English]

**The Clerk of the Committee (Mr. Marc-Olivier Girard):** Good afternoon, dear committee members. As you can see, the chair of this committee is not present, and as this committee doesn't have any vice-chair, I'm bound by the rules to proceed with the election of an acting chair for this meeting.

Do I have a motion from the floor about any potential candidates?

Go ahead, Mr. Chan.

**Mr. Arnold Chan (Scarborough—Agincourt, Lib.):** I move that Mr. David de Burgh Graham serve as interim chair for the purposes of this meeting.

**Mr. David de Burgh Graham (Laurentides—Labelle, Lib.):** Hello.

**The Clerk:** All of you have heard the terms of the motion. Is the committee in agreement with it?

(Motion agreed to)

**The Clerk:** I invite Mr. Graham to take the chair.

**The Acting Chair (Mr. David de Burgh Graham):** Thank you. It's my first time ever chairing a meeting.

We are here to discuss the private members' bills tabled. The analyst would like to go through the list and discuss them.

**Mr. Alexandre Lavoie (Committee Researcher):** I don't know if I have to go through all of the list, but there is one item that I want to bring to your attention.

It's item 13, Bill C-324. This bill is similar to another bill that was tabled by the government, Bill C-37.

The objective of Bill C-324 is to prohibit the possession, production, sale, or importation of anything if it is known that it will be used in the production or trafficking of certain substances included in schedule I of the Controlled Drugs and Substances Act.

Currently, the provision it would amend only applies to one item. With Bill C-324, clause 7.1 would apply also to other items, among them fentanyl and other drugs.

Government Bill C-37 would do something very similar, except that it would extend the application of section 7.1 of the act to all of the substances that are listed in the schedule of the act.

Those are the similarities between the two. Basically, Bill C-37 would achieve what Bill C-324 seeks to achieve.

**The Acting Chair (Mr. David de Burgh Graham):** Thank you.

Does anybody have any comments on how you would like to proceed?

Go ahead, Blake.

**Mr. Blake Richards (Banff—Airdrie, CPC):** My only comment would be that, if only we could get the government to take on more Conservative ideas, we would be in better shape.

Clearly, they are the same subject matter, so it would be for us to rule that one would not be a votable item.

Then Mr. Saroya, I would assume, would need to have another idea to fill the spot he has been given. Is he given some time to do that?

**Mr. Alexandre Lavoie:** I can let the clerk discuss the rules, but yes, I think he would be able to propose another item.

**The Clerk:** Yes. You're absolutely right.

First, the Standing Committee on Procedure and House Affairs would have five sitting days to deal with the decision of this committee, either to be in agreement or disagreement. Then it would table a report. After that, there would be a period of five sitting days given to Mr. Saroya to let the Clerk of the House know what he wants to do next. One of his options is, indeed, to substitute for Bill C-324 another item of his choice.

In the event he doesn't have any other item of PMB business on the Order Paper, he's going to be given 20 calendar days to put another PMB of his choice on the Order Paper.

• (1325)

**Mr. Blake Richards:** Okay. First of all, if he has other items that are currently sitting there, he has that ability, but if not, he's given 20 sitting days or—

**The Clerk:** Those are calendar days.

**Mr. Blake Richards:** —calendar days. Would he then be notified of this decision?

**The Clerk:** Absolutely.

**Mr. Blake Richards:** Good.

**The Acting Chair (Mr. David de Burgh Graham):** He doesn't lose his slot.

**Mr. Blake Richards:** I just wanted to make sure we are fair to the member.

**The Acting Chair (Mr. David de Burgh Graham):** Could I also ask the analyst and the clerk if—

Go ahead, Irene.

**Ms. Irene Mathysen (London—Fanshawe, NDP):** My question is if Bill C-324 is significantly dissimilar to Bill C-37, because I know that even in the case of similar bills, if there are differences, then the bill can go ahead.

I would like to hear your take on it.

**Mr. Alexandre Lavoie:** If they are similar?

**Ms. Irene Mathysen:** *Oui.*

**Mr. Alexandre Lavoie:** In fact, the rule is to determine whether or not those two bills seek to achieve the same things in the same way. I know that Bill C-37 is a bit broader. It includes more substance, but it tries to achieve the same thing in the same way. It's just the scope of it. The scope of C-37 could also be dealt with in committee or by the House afterwards. There could be amendments to the bill to change its scope if members would like to change it.

**Mr. Blake Richards:** It's the exact same section.

**Mr. Alexandre Lavoie:** Right, it's the exact same section. It's really just the scope of it. The government would include all of the scheduled substances, whereas Bill C-324 would only add a few substances to the prohibition.

**Ms. Irene Mathysen:** How does Mr. Saroya feel about it being deemed non-votable? Is he upset about it, opposed to it, or happy about it?

**Mr. Alexandre Lavoie:** Personally, I don't know. I didn't talk with Mr. Saroya.

**Ms. Irene Mathysen:** No one knows?

**Mr. Blake Richards:** I don't think he's been officially notified or anything, but I did ask him about his bill. I think he's aware that the government bill deals with the same subject matter, so I don't think he'll be surprised by the decision—if this is the decision we make. Obviously, he'll have to be prepared to come up with something new.

**The Acting Chair (Mr. David de Burgh Graham):** Arnold.

**Mr. Arnold Chan:** I would simply take the position, based on the advice of the analyst, that from the government's position, we would view it as non-votable; it's constitutional, but non-votable.

**The Acting Chair (Mr. David de Burgh Graham):** Is it the pleasure of the committee to declare number 11 non-votable?

(Motion agreed to)

**The Acting Chair (Mr. David de Burgh Graham):** Can I ask the clerk to make sure that number 6 has been withdrawn.

**Mr. Alexandre Lavoie:** Is it withdrawn?

**The Clerk:** Absolutely. It was withdrawn by the House Tuesday morning.

**The Acting Chair (Mr. David de Burgh Graham):** Is it the pleasure of the committee to accept all of the remaining items as votable?

(Motion agreed to)

**The Acting Chair (Mr. David de Burgh Graham):** Is there any further business?

**The Clerk:** Yes, to get this motion adopted by someone.

**The Acting Chair (Mr. David de Burgh Graham):** Somebody has to move it?

**The Clerk:** Yes.

**The Acting Chair (Mr. David de Burgh Graham):** I reads, that the Chair report the subcommittee's findings to the Standing Committee on Procedure and House Affairs as soon as possible.

**Mr. Arnold Chan:** I so move.

(Motion agreed to)

**The Clerk:** And this one.

**The Acting Chair (Mr. David de Burgh Graham):** That the subcommittee present a report listing those items which it has determined should not be designated non-votable and recommending that they be considered by the House.

**Mr. Arnold Chan:** I so move.

(Motion agreed to)

**The Acting Chair (Mr. David de Burgh Graham):** That's it. Thank you, everybody.

The meeting is adjourned.

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