

Western Grain Transportation Act

citation relating to motions and questions does not apply necessarily to bills.

The Hon. Member also referred to comments made by two former Speakers when ruling on similar bills. He quoted a comment by Mr. Speaker Lamoureux in the course of a ruling he gave on January 26, 1971, concerning a bill respecting the organization of the Government of Canada:

There must be a point where we go beyond what is acceptable from a strictly parliamentary standpoint.

He did not, however, quote what Speaker Lamoureux went on to say later on in the ruling:

• (1530)

Having said this, I would have to rule—if I must rule—that the Government has followed the practice that has been accepted in the past, rightly or wrongly, but that we may have reached the point where we are going too far and that omnibus bills seek to take in too much. All Hon. Members should be alerted to this difficulty of which the Chair is fully conscious.

Therefore, contrary to the impression left by the Hon. Member for Hamilton Mountain, Speaker Lamoureux ruled the bill in order.

The Hon. Member also referred to the concern expressed by Mr. Speaker Jerome in a ruling of May 11, 1977, concerning a Bill to amend the Criminal Code. While expressing sympathy with the point of order which had been raised, the Speaker nevertheless ruled:

However, I certainly am bound by the clear language of our precedent rulings and previous practices to reject the point of order—

Thus, although some occupants of the Chair have expressed concern about the practice of incorporating several distinct principles in a single bill, they have consistently found that such bills are procedurally in order and properly before the House. In addition to the rulings cited above, there were others rendered on January 23, 1969, on May 6, 1971, and on March 2, 1982, which are also relevant and consistent with the precedents already referred to. Bill C-155 is therefore properly before the House and the Chair cannot intervene at this time as the Hon. Member has suggested.

It is now incumbent upon the Chair to put the previous question to a vote.

Mr. Deans: Madam Speaker, I rise on a point of order. I would ask whether it was in order for the Chair even to receive the motion, given that the Chair already had a question with which to deal relating directly to a matter, the outcome of which the Hon. Member making the motion was attempting to influence. I would suggest at this point that the motion was put before the Chair inappropriately and that the Chair does not have the motion in the proper form.

If it is the Government's desire to invoke closure in this way, the Government will have to wait its turn, until it legitimately has the floor to move such a motion. The motion could not be accepted by the Chair since the Chair at that point was deliberating on a ruling and had not yet given its decision.

Madam Speaker: The motion has been properly proposed by the Hon. Member for Rosemont (Mr. Lachance); it is in order.

Before the House is a certain discussion which the previous question will allow us to deal with in a certain way. The previous question is a legitimate motion. It was properly before the House and it is now the duty of the Speaker to propose the motion to the House.

[*Translation*]

Mr. Claude-André Lachance (Rosemont) moved:

That the question now be put.

[*English*]

Mr. Lewis: Madam Speaker, I rise on a point of order. This is a debatable motion under the Standing Orders. I would point out to the Chair that our research shows that the last time this was used by the Government was in 1955. It is closure by any other name; it smacks of closure. It is a cheap way of bringing in closure.

I suggest that under Standing Order 36(1) the motion is debatable. I refer the Chair to Citation 417 on page 151 of Beauchesne's Fifth Edition, at which point Beauchesne differentiates between amendments and superseding motions. Citation 417(2)(b)(i) refers to the previous question. It is very clear that the motion is debatable. The question under our rules now becomes for how long it is debatable.

Mr. Pinard: Unlimited.

Mr. Lewis: Unlimited is fine; we will get to unlimited in a minute. The point is that under Standing Order 35(1) specific rules are laid out for the debate of motions. If this is truly a superseding motion, not an amendment, then I submit the length of speeches in debating the motion should be 20 minutes plus a ten-minute question period.

In putting this point of order to the Chair, I suggest that the Chair is breaking new ground in making this ruling. If ever there was a case for giving Hon. Members an opportunity to debate a motion—and this is a motion—surely it is this one. Closure cuts off debate and it cuts off amendment. Surely at this point the Chair should come down on the side of Hon. Members of the House of Commons and give them the freedom to express themselves in 20-minute speeches and ten-minute question periods rather than the ten-minute shots which the Hon. Member for Rosemont (Mr. Lachance) and the Government would like as they cut off debate on this very important subject.

I urge the Chair to find that under Standing Order 35(1) this is truly a motion, not an amendment, and therefore the rules for the debate of motions should apply, that is, speeches should be 20 minutes long followed by ten-minute question periods.

Mr. Pinard: Madam Speaker, concerning the fact that the motion is debatable, no one is arguing with the Hon. Member. We asked for the question to be put because no one was rising to be recognized. We accept that the motion is fully debatable; that is clear under the Standing Orders.