

# HOUSE OF COMMONS

Monday, June 20, 1983

The House met at 11 a.m.

● (1105)

## GOVERNMENT ORDERS

[English]

### WESTERN GRAIN TRANSPORTATION ACT

#### MEASURE TO ESTABLISH

The House resumed from Thursday, June 16, 1983, consideration of the motion of Mr. Pepin that Bill C-155, an Act to facilitate the transportation, shipping and handling of western grain and to amend certain Acts in consequence thereof, be read the second time and referred to the Standing Committee on Transport.

**Mr. Deputy Speaker:** The Parliamentary Secretary to the President of the Privy Council (Mr. Smith) was arguing a point of order when the debate was interrupted.

**Mr. Smith:** Mr. Speaker, as you pointed out, when we adjourned debate on this Bill last Thursday I was replying to a point of order made at some length by the Hon. Member for Hamilton Mountain (Mr. Deans) in which he suggested that because the Bill contained several principles it should be split, presumably by the House. The Hon. Member referred to a citation in Erskine May at page 380 under the heading "Complicated Questions" where it is stated:

—the House may order such question to be divided—

Further on down the page it states:

In 1888, however, the Speaker ruled that two propositions which were then before the House in one motion could be taken separately—

I pointed out to you, Mr. Speaker, that that quotation is in there, of course, but the verbs which are used are very important. It does not say that they "must" be split. It does not say that they "shall" be split. It simply says that they "may" be split. Frequently Bills come before the House which contain numerous principles, and if it is to be held that there must be a separate Bill for each principle, I would suggest, with the greatest of respect, Mr. Speaker, that the business of this House would literally grind to a stand still.

What will happen is that amendments will be put throughout the course of debate, perhaps after we have heard witnesses in committee and that sort of thing, and then we will arrive at a package. That package may contain some measures which the Hon. Member does like. It may contain some measures which the Hon. Member does not like. However, he has to make tough decisions. That is what politics is all about. You cannot have a separate Bill on every single principle.

Inherent in the Hon. Member's argument is really a rejection of the validity of omnibus Bills in certain situations. Omnibus Bills, of course, are a legitimate legislative device where the legislative body is dealing with a matter which relates to one over-all policy. That is certainly the case when we are talking about the whole question of railway upgrading and the rate structure. If my hon. friend were only concerned about the Dominion Coal Lands, I am sure we could solve that problem, but the response of the New Democratic Party to this issue is a typical NDP response. It, of course, wants the railway to spend more money on improvements, but it refuses to come to grips with the question of where the money will come from to do that. I feel it is legitimate and appropriate that one Bill deal with one issue which is destined to be interrelated. How can one talk about improving railways without dealing with the question of how the costs are going to be paid?

There was reference to the statement by Mr. Speaker Lamoureux made on January 26, 1971, when he said:

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

He was referring in that statement to the comprehensiveness of omnibus Bills. There was also a reference to the statement made by Mr. Speaker Jerome on May 11, 1977, in which he expressed some very deep concern about whether our practices in respect of Bills do in fact provide a remedy for the very legitimate complaint that a Bill of this kind gives the Government, under our practices, the right to demand one decision on a number of quite different although related subjects. Well, the current Speaker dealt with that question in a very final way. She ruled that the Bill, based on all of the precedents before her, was in order and that the proposition that it should be divided could not be accepted. She did that quite decisively.

● (1110)

In respect to the energy legislation, in which the appropriateness of the scope of an omnibus Bill was decided, the parameters that Bill encompassed were much more comprehensive than those of this particular Bill. Of course that Bill was split, but it was split voluntarily, not because it had to be, but it was split voluntarily after negotiations, for procedural reasons.

**Mr. Lewis:** After some reflection.

**Mr. Smith:** In those negotiations the Parties agreed to cooperate.