

## HOUSE OF COMMONS

Friday, January 26, 1990

The House met at 10 a.m.

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*Prayers*

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### PRIVILEGE

#### TAKING OF VOTES

**Mr. Deputy Speaker:** The Chair has received a notice of question of privilege from the hon. member for Windsor—St. Clair.

**Mr. Howard McCurdy (Windsor—St. Clair):** Mr. Speaker, yesterday I employed near orbital oratory condemning those who accused me of deliberately and in contempt of this House voting twice on a motion.

I have since viewed the pertinent videotapes of that vote. Clearly during that vote there was a great deal of perhaps inappropriate levity and jocularity within our caucus surrounding my intentions, although I for quite serious reasons intended to vote nay and so indicated to my colleagues and mockingly feigned rising to vote in the affirmative.

It is clear from the tape that while not aware that I did so I rose in my seat to a sufficient degree to give a reasonable person the impression that I had in fact voted aye. While that was not my deliberate intent it did lead to confusion which required subsequent clarification and resulted in sharp words being exchanged in this House.

For that I apologize, as I apologize to the House through you, Mr. Speaker, for any misunderstanding that my actions however unintended might have caused.

## GOVERNMENT ORDERS

[*English*]

### RAILWAY ACT

#### MEASURE TO AMEND

**Right Hon. Joe Clark (for the Minister of Transport)** moved that Bill C-5, an act to amend the Railway Act, be read the second time and referred to a legislative committee.

**Mr. Ross Belsher (Parliamentary Secretary to Minister of Transport):** Mr. Speaker, I rise to speak on behalf of Bill C-5 before us today.

• (1010)

It is unfortunate that it is necessary for us to do so today because of the very fact that this House passed back in 1987 the National Transportation Act. When I look across the way I see members with whom I spent long, hard, arduous hours working together on the National Transportation Act. I think the number of that bill was C-18.

Nonetheless, Sections 158 and 174 of the National Transportation Act brought to light the fact that where short-line railways come into existence they will no longer be under the authority of the National Transportation Act but under provincial authority.

This bill is necessary because there was once such a transportation company, namely, the Central Western Railway out in Alberta which came into being in 1986. It had been overlooked that it was falling outside the jurisdiction of this act.

What we have before us here this morning, early in 1990, is a short bill of one essential clause which makes it abundantly clear that the Central Western Railway should be brought into line with the present government policy, as reflected in Sections 158 and 174 of the National Transportation Act.

This back dates that particular section in the National Transportation Act to July 1, 1986.