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‘A pox on both your Houses’: Grits, Tories battle to manipulate dwindling hours left for lawmaking

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Procedural gamesmanship has taken over in the House, as the Liberals seek to push through a few priority bills before the summer break, and the Conservatives try to stop them. It seems likely that at least eight substantive government bills will remain in the House when MPs leave for the summer after June 23, and will die if Prime Minister Justin Trudeau (Papineau, Que.) triggers an election before MPs return in September.

Those include government bills that would reform the criminal justice system, consumer privacy legislation, and gun control laws, and entrench the multigroup Senate into law. Several other bills officially remain on the Order Paper, but have been folded into other government legislation.

MPs will vote Monday afternoon on a motion to extend the sitting hours of the House of Commons for the remaining days before the summer adjournment. The government has proposed making MPs sit until midnight on Mondays and Wednesdays, and until 4:30 on Fridays.

House committees would have to collectively sacrifice a total of four meetings per week if the motion passes, since the semi-virtual House proceedings rely on the same IT support team that broadcasts committee meetings.

Government House Leader Pablo Rodriguez, left, and Opposition House Leader Gérard Deltell are in charge of coordinating how the Liberal and Conservative caucuses use their time in the House of Commons. The Hill Times photographs by Andrew Meade

Conservative MPs delayed the vote on extended hours last week by using procedural tactics to run out the clock for several hours on June 10.

Conservative MP Michael Barrett (Leeds-Grenville-Thousand Islands and Rideau Lakes, Ont.) moved a motion to adjourn the House for the day shortly after proceedings began, triggering a voting process that took more than a half hour. Shortly after his motion was defeated, Conservative MP Garnett Genuis (Sherwood Park-Fort Saskatchewan, Alta.) triggered a debate on a report about international aid from the House Foreign Affairs Committee, which lasted for more than an hour. When that debate ended, Mr. Barrett filibustered in the Chamber for more than an hour, speaking more than 8,000 words, and quoting text from, among other things, a House committee meeting from 1891, a resolution from the U.K. House of Commons, and a New Zealand parliamentary procedure manual. Altogether, the delay tactics killed enough time to bump the vote on extended hours from June 10 to June 14.

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Government House Leader Pablo Rodriguez (Honoré-Mercier, Que.) promised last week to “use all and every parliamentary tool at my disposal” to pass the government’s priority bills before the summer adjournment. He has invoked time allocation to cut off a House Heritage Committee study on one controversial bill to change the Broadcasting Act, Bill C-10, and his government has sought support to cut off debate on another bill on greenhouse gas emission reduction targets, Bill C-12. Both Liberal and Conservative MPs have filibustered to derail House committee proceedings, especially over the last several months.

“A pox on both your houses,” said NDP MP Alistair MacGregor (Cowichan-Malahat-Langford, B.C.) during debate on the afternoon of June 10, half seriously invoking an insult from William Shakespeare’s Romeo and Juliet as he condemned the procedural manoeuvring by the Liberals and Conservatives.

The Bloc Québécois supported the government’s use of time allocation last week to cut short the House Heritage Committee’s study of Bill C-10, which would bring online content providers including Netflix and Youtube under the Broadcasting Act. That bill has been harshly criticized by experts including University of Ottawa professor Michael Geist, who has argued that it would classify content uploaded to Youtube as material subject to government regulation. The government has denied that is the case.

Liberal, Bloc, and NDP MPs on the committee overruled the committee chair, Liberal MP Scott Simms (Coast of Bays-Central-Notre Dame, N.L.), during a meeting last week, and pushed

ahead to vote and pass amendments to the bill that had not been debated or read into the public record.

The Liberals are also seeking support for a time allocation motion to speed up the passage of Bill C-12. That legislation would require the federal government to publicly release greenhouse gas emission reduction targets every five years until 2050, with the goal of reaching a net-zero emissions economy. The government would have to release reports on Canada’s progress towards reaching those targets, and plans for making the needed reductions.

‘UC motion’ last hope for bills at back of queue In a June 10 press conference held about an hour before the Conservatives began obstructing debate in the House, Mr. Rodriguez accused the opposition Tories of “standing in the way of progress.” He listed Bills C-10 and C-12 as priorities for passage before the summer, as well as Bill C-6, which would ban the advertising of conversion therapy services in Canada. The government’s budget implementation bill is also clearly a priority piece of legislation, as is usually the case, and was brought forward for debate twice last week.

Just eight sitting days remain before MPs leave for the summer. Two of them, June 15 and 17, are supply days that will be devoted to opposition motions and the scrutiny of government spending requests.

Mr. Rodriguez told MPs last week that he would put forward both Bill C-6 on conversion therapy and C-12 on emissions targets for debate on June 14, and bring forward the budget bill for debate on June 16.

It’s possible, but far from certain, that

one or more pieces of government legislation could be passed at the last minute if all parties agree. House leaders sometimes negotiate unanimous consent motions—sometimes referred to as “UC motions”—on the final day before a summer adjournment, with all parties agreeing to skip certain bills through all remaining stages of debate instantly.

Conservative House Leader Gérard Delteil (Louis-Saint-Laurent, Que.) told The Hill Times earlier this month that his party supported the passage of Bill C-19, which would give Elections Canada more flexibility to adjust election protocols for public health restrictions during the pandemic, and Bill C-23, which would give the criminal justice system more flexibility to hold COVID-19-safe proceedings.

C-19 is currently being studied by the House Affairs Committee, and C-23 is at second reading in the House.

House may have to be recalled There is widespread speculation that Mr. Trudeau will trigger an election this fall. The Liberal Party has invoked an “electoral urgency” clause in its own rulebook to allow it to speed up its candidate nomination process, and MPs have agreed to hold a special debate in the House on June 15 in which MPs who are not running for re-election can make farewell remarks.

Any bills passed in the House must also be passed by the Senate before they can become law. Senators are scheduled to rise for the summer the same week as MPs, but unlike their counterparts in the House, Senators often extend their sitting days later into the summer to pass government legislation.

If Senators amend a government bill,

however, MPs have to vote to accept, reject, or change the Senate amendments, and get approval from the Senate for their decisions.

The government can ask the House Speaker to recall MPs after they have left for the summer if it wants the House to deal with Senate amendments.

Climate change bill emerges from committee The Liberals and Conservatives have both used procedural tactics to run out the clock during committee meetings as well: the Liberals when committees have investigated matters embarrassing to the government—such as when the Health Committee wanted to look into the government’s refusal to release documents related to the COVID-19 pandemic—and the Conservatives during some studies of government bills, including the greenhouse gas emissions bill.

“It would be clear to most observers that the Conservatives were very intentionally drawing out the discussion on every single amendment, so as to limit our progress,” NDP MP Taylor Bachrach (Skeena-Bulkley Valley, B.C.) said of a meeting of the committee on June 7. “That’s troubling, because the leader of the Conservative Party has said that he’s serious about taking action on climate change,” said Mr. Bachrach.

The Conservative vice-chair of the committee, MP Dan Albas (Central Okanagan-Similkameen-Nicola, B.C.) did not respond to interview requests last week, nor did Liberal MP Chris Bittle (St. Catharines, Ont.) a member of the committee and the government’s parliamentary secretary to the environment minister.

The House Environment Committee

completed its study of Bill C-12 last week, advancing it to report stage in the House, during which amendments made by the committee will come up for debate. After that the bill must still pass the final stage of debate, third reading.

The Liberals and NDP have agreed to work together to pass the emissions reduction targets bill before the summer. The government agreed to accept NDP amendments to the bill, and Liberal MPs made many of their own, which together will require the government to begin setting targets earlier—the first in 2026, instead of 2030—and further in advance; include more details in its progress reports; and ensure each emissions target is a progression from the previous one, among other things.

Senators have already begun pre-studies of the emissions reduction bill, as well as the budget implementation bill.

A representative from the lobby group for Canada’s oil and gas producers, Shannon Joseph, asked Senators to consider amending the emissions reduction bill so it requires the government to meet economic targets as well as emissions targets.

Independent Senator Paul Massicotte (De Lanaudière, Que.) is the chair of the Senate Environment Committee, which is studying the bill.

“I think there are some significant issues that we need to deal with” in the bill, he said.

He said Senators on the committee were aware that it was a government priority, and the committee would deal with it “urgently” once it received the final, amended version passed through the House.

“Some people have opinions about the severity of the timing. But you’ve got to let it flow, you’ve got to provide the best information that we can, and then individual Senators can decide what is Canada’s interest,” he said.

peter@hilltimes.com The Hill Times ‘A pox on both your Houses’: Grits, Tories battle to manipulate dwindling hours left for lawmaking Silly season is in full swing, as the Liberals try to pass bills on GHG reduction targets and conversion therapy before the summer.