



## MINUTES OF PROCEEDINGS

OTTAWA, Wednesday, May 29, 2024  
(91)

[English]

The Standing Senate Committee on Transport and Communications met this day at 6:47 p.m., in room B45, Senate of Canada Building, the chair, the Honourable Leo Housakos, presiding.

*Members of the committee present:* The Honourable Senators Aucoin, Cardozo, Clement, Cuzner, Dasko, Housakos, Miville-Dechêne, Quinn, Simons and Wells (10).

*Other senators present:* The Honourable Senator Ross (1).

*Participating in the meeting:* Jed Chong and Khamla Heminthavong, analysts, Library of Parliament.

Pursuant to the order of reference adopted by the Senate on Wednesday, April 17, 2024, the committee continued its consideration of Bill S-273, An Act to declare the Chignecto Isthmus Dykeland System and related works to be for the general advantage of Canada.

It was agreed that the committee proceed to clause-by-clause consideration of Bill S-273.

It was agreed that the title stand postponed.

It was agreed that the preamble stand postponed.

It was agreed that clause 1, which contains the short title, stand postponed.

The chair asked whether clause 2 shall carry.

The Honourable Senator Quinn moved that Bill S-273 be amended in clause 2, on page 2, by adding the following after line 17:

***“Indigenous governing body*** means a council, government or other entity that is authorized to act on behalf of an Indigenous group, community or people that holds rights recognized and affirmed by section 35 of the *Constitution Act, 1982*. (*corps dirigeant autochtone*)

***Indigenous organization*** means an Indigenous governing body or any other entity that represents the interests of an Indigenous group and its members. (*organisation autochtone*)

**Indigenous peoples** has the meaning assigned by the definition *aboriginal peoples of Canada* in subsection 35(2) of the *Constitution Act, 1982*. (*peuples autochtones*)”.

After debate, the question being put on the motion in amendment, it was adopted.

The Honourable Senator Quinn moved that Bill S-273 be amended in clause 2, on page 2, by replacing line 18 with the following:

**“Minister** means the Minister of Infrastructure”.

After debate, the question being put on the motion in amendment, it was adopted.

The Honourable Senator Quinn moved that Bill S-273 be amended in clause 2, on page 2, by replacing lines 20 and 21 with the following:

**“person** means an individual, corporation, partnership, joint venture, Indigenous governing body or Indigenous organization. (*personne*)”.

After debate, the question being put on the motion in amendment, it was adopted.

It was agreed that clause 2, as amended, carry.

The Honourable Senator Quinn moved that Bill S-273 be amended, on page 2, by adding after line 27 the following:

**“2.1** For greater certainty, this Act is to be construed as upholding the Aboriginal and treaty rights of Indigenous peoples recognized and affirmed by section 35 of the *Constitution Act, 1982*, and not as abrogating or derogating from them.”.

After debate, the question being put on the motion in amendment that new clause 2.1 carry, it was adopted.

It was agreed that clause 3 carry.

The chair asked whether clause 4 shall carry.

After debate, the question being put on the motion, it was adopted, on division.

It was agreed that clause 5 carry, on division.

It was agreed that clause 6 carry, on division.

The chair asked whether clause 7 shall carry.

The Honourable Senator Quinn moved that Bill S-273 be amended in clause 7, on page 3,

(a) by replacing line 30 with the following:

**“7 (1)** In response to an emergency, the Governor in Council may, by order, exempt”;

(b) by replacing line 32 with the following:

“cil considers to be in the interest of preventing damage to the environment or in the interest of public health or safety, from any re-”.

After debate, the question being put on the motion in amendment, it was adopted.

It was agreed that clause 7, as amended, carry.

The chair asked whether clause 8 shall carry.

After debate, the question being put on the motion, it was negatived.

The Honourable Senator Quinn moved that Bill S-273 be amended, on page 4, by adding after line 16 the following:

**“Coordinating Amendment**

**9 If Bill S-13, introduced in the 1st session of the 44th Parliament and entitled *An Act to amend the Interpretation Act and to make related amendments to other Acts*, receives royal assent, then on the first day on which both this Act and section 1 of that Act are in force, section 2.1 of this Act is repealed.”.**

After debate, the question being put on the motion in amendment that new clause 9 carry, it was adopted.

It was agreed that clause 1, which contains the short title, carry.

It was agreed that the preamble carry.

It was agreed that the title carry.

It was agreed that the bill carry, as amended, on division.

It was agreed that the Law Clerk and Parliamentary Counsel be authorized to make necessary technical, grammatical, or other required non-substantive changes as a result of the amendments adopted by the committee, in both official languages, including updating cross-references and renumbering of provisions.

At 7:59 p.m., the committee suspended.

At 8 p.m., pursuant to rule 12-16(1)(d), the committee resumed in camera to discuss a draft report.

It was agreed that the committee allow the audio recording of the in camera portion of today's meeting, that one copy be kept with the clerk of the committee for consultation by committee members and/or staff, and that the audio recording be destroyed by the clerk when authorized to do so by the Subcommittee on Agenda and Procedure, but no later than at the end of this parliamentary session.

It was agreed that the chair report Bill S-273, with amendments, to the Senate, in both official languages.

At 8:02 p.m., pursuant to the order of reference adopted by the Senate on Thursday, May 9, 2024, the committee continued its examination of the subject matter of those elements contained in Divisions 27 and 37 of Part 4 of Bill C-69, An Act to implement certain provisions of the budget tabled in Parliament on April 16, 2024.

The committee considered a draft report.

It was agreed that the draft report, as amended, be adopted in both official languages and that the Subcommittee on Agenda and Procedure be empowered to approve the final version of the report, in both official languages, taking into consideration this meeting's discussions, and with any necessary editorial, grammatical and translation changes required.

It was agreed that the chair be authorized to table the report in the Senate, in both official languages.

At 8:16 p.m., the committee adjourned to the call of the chair.

*ATTEST:*

Angus Wilson

*Clerk of the Committee*