



House of Commons
CANADA

Legislative Committee on Bill C-30

CC30 • NUMBER 001 • 1st SESSION • 39th PARLIAMENT

EVIDENCE

Thursday, December 14, 2006

—
Chair

Mr. Laurie Hawn

Also available on the Parliament of Canada Web Site at the following address:

<http://www.parl.gc.ca>

Legislative Committee on Bill C-30

Thursday, December 14, 2006

• (1005)

[English]

The Chair (Mr. Laurie Hawn (Edmonton Centre, CPC)): Good morning, ladies and gentlemen. *Bienvenue*. My name is Laurie Hawn. I think everybody knows me, and I think everybody at the table knows everybody else. Welcome to the first meeting of the Legislative Committee on Bill C-30.

I'll just read you the letter I received from the Speaker. It says: Dear Mr. Hawn:

Pursuant to Standing Order 113, I am pleased to confirm your appointment as Chair of the Legislative Committee on Bill C-30, *An Act to Amend the Canadian Environmental Protection Act, 1999, the Energy Efficiency Act and the Motor Vehicle Consumption Standards Act (Canada's Clean Air Act)*.

Yours truly,

Peter Milliken, M.P.

So that's what we're here for, and I thank you all for coming today. I know most of the rest of our colleagues have departed, but it's important that we get on with this important business and that we have an organizational meeting—which this one is—to set the standard routine motions and to chart our way for what's going to go on in the new year.

I will be ably assisted by our legislative clerk, Joann Garbig, and our committee clerk, Chad Mariage. We'll also have an array of experts and assistants on the legislative side or whatever other legal side, whatever we need, as we proceed forward.

As for why we're here, if you allow me a couple of minutes, we in this room, the 13 of us, directly represent about 1.5 million Canadians. On behalf of them and on behalf of the other 30.5 million Canadians, we're here, in my view, to stay focused on an aim to present to the House, at the end of this and in a timely manner, an act that will effectively and realistically promote the future of Canadians' and our environment. It's going to be an emotional issue.

There are going to be strong views on all sides of the issue. My job obviously is not to participate in the sharing of those views, but to try to keep the views focused and to try to keep the process moving ahead. I would urge everybody—and I know we will—to remain respectful of differing opinions; to give everybody a good hearing to debate aggressively and sincerely; and at the end of the day, to come to an agreement that will move the yardsticks forward for all Canadians. It may not be a perfect solution for anybody on any particular side, but if we can move the yardsticks ahead in a realistic and positive manner for everybody, then I think we'll have done our job.

A couple of pieces of information are going to be available to you, for anybody who needs a refresher. One is on amending bills at committee and report stages. The other is on the conduct of legislative committees. There are some differences between legislative committees and standing committees. You can refresh yourselves on those at your leisure.

The first order of business would be the routine motions. We'll just start on them by going from top to bottom.

The first routine motion would be on a subcommittee on agenda and procedure. I'm looking for somebody to move that motion.

Mr. Cullen, if you can move it, we can then move to discussion.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): I so move, Mr. Chair.

The Chair: Mr. Cullen moves that the subcommittee on agenda and procedure be composed of the chair and one member from each party. Is there any discussion?

Mr. Jean.

• (1010)

Mr. Brian Jean (Fort McMurray—Athabasca, CPC): Thank you, Mr. Chair.

I am concerned. This is a very important legislative act. It's very important to Canadians. We all represent 100,000-odd people here. Quite frankly, we should have meetings in public. They should be accountable and transparent so that Canadians can see what's going on and what this committee is doing to move this legislation forward, because it deals with the health and the safety of our children and grandchildren for the next 100,000 years or so. I really think it's important that Canadians know what's going on

What we could do as a committee is have one of our first meetings at the end of January and very possibly, at that stage, have an agenda-setting meeting, so that we have tight timelines and get a report out. We'll have a list of witnesses, and everybody will come prepared. Everyone wants to work on this. All of us at the table have our own interest in the environment and an interest in this legislation, and I would like to see that be public to Canadians so that they can see what's going on and can see that we are concerned with the environment. As such, I would like to see the committee itself set the agenda.

The Chair: Okay.

Ms. Redman.

Hon. Karen Redman (Kitchener Centre, Lib.): Thank you, Mr. Chair.

I, too, feel strongly that it should be the entire committee; however, what I hear from my honourable colleague Mr. Jean is that the decision between having a steering committee or doing steering and planning as a whole committee will dictate whether it would be in camera or public. It would be my assumption that it could be either, although past practice would tell us that often there is an in camera meeting.

I would like to see it be a committee of the entire legislative committee that decides on the steering committee. Again, I wouldn't presume that by deciding whether or not we're having a steering committee, we're deciding on whether or not due process is followed, or that we need to have some kind of timeline. When I was listening to Mr. Jean, I got the impression that not opting for this form of steering committee—and I would not support this motion, because I think it's better to have the entire committee set the agenda—does not in any way presume that it will be in camera or public, or that indeed it will define what timelines this legislative committee is going to adhere to. That's something this committee will have to decide.

The Chair: Yes, that's understood.

Mr. Cullen.

Mr. Nathan Cullen: Thank you, Chair.

I was encouraged to put this motion forward because some members have just come from the environment committee this term, and we opted to go for a committee at large to decide on the calendar. It's not, to this point, been a profitable experience. There's been a lot of antagonism. There's been a lot of conflict over things like scheduling and the rest.

If the sense I'm getting from the other committee members is that there's strong will to have much more profitable discussions and get to the meat of this bill more quickly and not squibble and squabble over the details of motions and drag our feet, then I'm willing to have us, as an entire committee, work together for this. I do raise my concern that the rhetoric leading up to this day has been strong from many parties. If people are willing to put that away and see something more encouraging come forward, then of course we'll sit with the committee—and I think we should do it publicly—and get on with it. I don't think Canadians sent us here to spend a lot of time worrying over details.

The Chair: Thank you.

Monsieur Bigras.

[*Translation*]

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Thank you, Mr. Chairman.

My arguments on this motion will also underscore and clarify the Bloc's commitment, here on this committee. As we are a legislative committee, I believe that it is our duty to delve into the substance of the matter. C-30 deals with important issues that we must discuss and debate. It is my hope that this committee will focus on the real issues, and allow another entity, such as a steering committee, to deal with planning and organization. This legislative committee has too

much work to do on Bill C-30, to be able to tend to matters that can very well be looked after by a steering committee.

It is entirely up to the committee to decide whether or not it wishes its discussions on planning, organization and details held in public, within a committee of the whole. Nonetheless, I believe that we can be much more effective if we refer these technical discussions to a steering committee.

• (1015)

[*English*]

The Chair: *Oui, je comprends cela.*

Before I go to Mr. Warawa, I'll just point out that if we went one way with the committee as a whole, we would always have the option of establishing a subcommittee at a later time if it was deemed that the process we'd adopted wasn't working.

Mr. Warawa.

Mr. Mark Warawa (Langley, CPC): Thank you, Mr. Chair. That's the point I was going to make.

I appreciate the comments of Mr. Bigras and Mr. Cullen about why they would like to see the steering committee. I would agree that in the previous committees we've sat on, there were some problems. I think this morning if we set out a framework, a structure that is fair and that provides for a good dialogue, and if we do our job really well this morning, we'll eliminate a lot of the problems that we saw at the environment committee. But if a problem exists down the road, then we could again reconsider a steering committee.

Hopefully we can, as Mr. Jean pointed out, not seek discussion in camera. I think it's very important that initially we do everything out in the open and hopefully, if at all possible, keep the whole process in the public domain.

The Chair: Mr. Dewar.

Mr. Paul Dewar (Ottawa Centre, NDP): Thank you, chair.

Just as an observation from someone who's sat on Bill C-2—and this is perhaps unsolicited input—what happened with Bill C-2 is that there was a steering committee, and we know the breadth and the scope and the intensity of Bill C-2. There was a fairly grand scale of input from everyone, certainly numerous people in terms of witnesses, etc.

One of the things it benefited from was a steering committee, simply put, to put the administrative framework in place, as opposed to what some might see as hearing from Canadians in camera. It was simply to address the administrative concerns. Not that this is the same scope as Bill C-2, but certainly in terms of importance, in terms of the legislation, it is similar, as are the concerns that people have of getting things done and getting results. So just as a model, Bill C-2 benefited from that experience.

The Chair: Mr. Jean.

Mr. Brian Jean: Thank you again, Mr. Chair.

One of my main focuses is that one thing I have learned in my short time here, two years, is that everybody does really want what's best for Canadians. But I think not to have the entire input from, for instance, the oil sands or from Newfoundland or from Quebec or from British Columbia in the steering committee leaves a chance that we're going to miss some Canadians in some part of this country who could provide an input. Because that's what I do; I represent the people in northern Alberta, just as you represent the people in northern British Columbia and Ontario.

From my perspective, I think if we kept short, sharp focus on the agenda in this committee we would make sure we don't miss anything that is necessary to cover particular parts. I have learned a tremendous amount about different areas and territories of this country just from talking to everyone in this room and other MPs. I think if we don't do that in the steering committee, if we don't allow that input, we will be missing out on valuable information that could actually help us.

That is my point. It's such an important piece of legislation.

The Chair: Ms. Redman.

Hon. Karen Redman: I'm probably saying something that everybody's already well aware of, but I would just point out that any decision of a steering committee, were we to have one, would have to come back to the full committee anyway. So in essence, by not having a steering committee, you can look at it and say it may streamline things, because everybody will have been at the table that first go-through.

The Chair: Are we ready for the question? The motion reads: "That the subcommittee on agenda and procedure be composed of the chair and one member of each party."

(Motion negatived)

• (1020)

The Chair: The second routine motion relates to the services of analysts from the Library of Parliament, and the motion reads: "That the committee retain, as needed and at the discretion of the chair, the services of one or more analysts from the Library of Parliament to assist it in its work."

Do we have a mover to that motion?

Mr. Nathan Cullen: I so move.

(Motion agreed to)

The Chair: I'd like to call forward Mr. Tim Williams, who will fulfill that role in able fashion, I'm sure.

Mr. Warawa.

Mr. Mark Warawa: Just for clarification, the motion that was just carried was for the services of analysts from the Library of Parliament? Is that what we just passed?

Okay, so the next will be dealing with quorum, is that correct? Thank you.

The Chair: Okay, the next routine motion relates to reduced quorum, and the motion as it's presented says: "That the chair be authorized to hold meetings to receive evidence and to have that evidence printed when a quorum is not present, provided that at least

three members are present, including one member of the opposition."

Do we have a mover of that motion? No?

Mr. Warawa.

Mr. Mark Warawa: Thank you.

I appreciate your preparing the agenda for us, through the clerk. I've looked in the procedure of Marleau and Montpetit just to see what the norm is, and on page 848—

The Chair: I'm advised that we do need somebody to propose the motion before we debate it, so whether we—

Mr. Mark Warawa: Well, I'm going to move a motion that is different from this one. Would that be okay?

Or if somebody wants to move it, I'll—

The Chair: There doesn't seem to be anybody anxious to move the motion, but we need to do that to get it going.

Mr. Cullen.

Mr. Nathan Cullen: Okay. I think, Mr. Warawa, you'd like to make some changes to it, so let's move the motion so we can have the discussion.

The Chair: Monsieur Bigras.

Mr. Mark Warawa: On page 848 it says, "That the Chair be authorized to hold meetings..." This is referring to the reduced quorum, and I think we need to both define "quorum" and "reduced quorum".

Speaking to the motion of reduced quorum, it says here: "That the Chair be authorized to hold meetings and to receive evidence when a quorum is not present"—referring to a reduced quorum—"provided that at least five members are present, including two members of the opposition."

The reason it's mentioning opposition, of course, is we don't want the government holding meetings without the opposition being present, which wouldn't be fair. That's why that's in there. In this case, in a minority Parliament, it would be appropriate to add "and one member of the government". Either we have a reduced quorum of what this is suggesting, of three members, or we would use our policy guide of five members. In that policy is two members of the opposition and two members of the government present.

That would be my amendment. I could make it a friendly amendment. If the mover would not accept it as a friendly amendment, then I would be moving it as an amendment.

The Chair: Point of order?

Hon. John Godfrey (Don Valley West, Lib.): In the interest of expediting things, maybe we should just informally hear what Mr. Bigras has to say, and if there happens to be a coincidence, then we might—

The Chair: Yes, I was going to recognize Mr. Bigras next.

Mr. Bigras.

[Translation]

Mr. Bernard Bigras: Thank you, Mr. Chair.

I believe that the proposed formula should be amended. We agree entirely with the parliamentary secretary who said that five members of this committee must be present during all meetings, but I believe we should specify that there should be three members from the opposition, with at least two of the opposition parties represented. I believe we all agree on the essence.

[English]

Mr. Mark Warawa: [*Inaudible—Editor*]...a question through you, Mr. Chair, is that accepting the friendly amendment, that it be at least three members of the opposition and two members of the government for a reduced quorum.

The Chair: Mr. Cullen, you are next.

Mr. Nathan Cullen: It seems as if all we're doing is changing one to two, and that's fine by us. It's not said, but should be stated that this is obviously just to hear witnesses; it has nothing to do with making any decisions.

The Chair: It's to receive evidence, yes. Thanks.

Mr. Mark Warawa: For clarification on the motion, Chair, through you to the mover, my understanding is that using our procedure to have these reduced quorums, there will be at least five members present, three of whom will be opposition and two of whom will be government. Is that correct? That's your five, representing two opposition parties?

●(1025)

The Chair: I believe the clerk has encapsulated the new motion, so we'll let him read that.

The Clerk of the Committee: It reads as follows: That the Chair be authorized to hold meetings to receive evidence, and have that evidence printed when a quorum is not present, provided that at least five members are present, including three members of the opposition representing two parties, and two representatives of the government.

(Motion agreed to)

Mr. Mark Warawa: Mr. Chair, as we're talking about quorum before we move on to speaking times, under the routine motions you don't have quorum listed here, but perhaps I could clarify quorum also while we're discussing that.

Quorum, I think, needs to be clear, because that was one of the issues that came up in our last committee meeting. The norm for quorum is defined on page 844: "a quorum is a majority of the members". And we could add to that again. Mr. Chair, it's assumed that because we're a minority government, we'd have at least one member of the government.

An hon. member: No, we've changed that to two

Mr. Mark Warawa: And two members of the government. That would be a quorum.

The Chair: It's my understanding that a standard quorum is 50% plus one, not counting the chair. Standing Order 118 says: "A majority of the members of a standing, special or legislative committee shall constitute a quorum; provided that, in the case of legislative committee, the chair is not included in the number of members constituting the quorum." So we're talking about seven, not including the chair.

Monsieur Bigras.

[Translation]

Mr. Bernard Bigras: Thank you, Mr. Chairman.

Perhaps we can ask the clerk to advise us, but I believe that a regular quorum is simply a majority of committee members. I do not believe that the committee can change these rules. These rules are already set out, and I don't believe the committee can change them.

The Clerk: You are right, Mr. Bigras. Rule 118 of the Standing Orders, which Mr. Hawn has just read out loud, states that quorum is 50% of the members of the committee plus one.

[English]

The Chair: Is there any further discussion?

Mr. Warawa.

Mr. Mark Warawa: Thank you for that clarification from the clerk. We've also heard from the House, and the Speaker has ruled numerous times that committees are creatures of their own...but we follow procedure absolutely.

The definition of quorum is a majority of members, which would be seven members for this committee. But I think it's obvious that we need to have members of the government sitting on this committee. Being in a minority government, I think that needs to be clarified. You cannot have a proper quorum unless you include members of the government in that.

If they don't want to have that number defined, I would move an amendment that quorum be defined by adding "including members of the government".

The Chair: Okay.

Mr. Bigras.

[Translation]

Mr. Bernard Bigras: Mr. Chairman, the clerk is quite clear. Yes, I agree with the parliamentary secretary. To some extent, the committee is free to set its own rules, but I will remind you that this committee is subject to the Standing Orders of the House, and as such, we cannot amend such a motion. The Standing Orders apply here.

[English]

The Chair: Mr. Godfrey.

Hon. John Godfrey: In practical terms, it's unlikely that a Conservative chair, even if he isn't part of the quorum, would call a meeting without notifying the government members. In the real world, that would be a very strange set of events. Of course, things happen in this place.

●(1030)

The Chair: I'm advised that the committee on its own cannot change a standing order; it has to be advised to the House.

Mr. Mark Warawa: Does this legislative committee not have the authority to require a quorum to include a member of the government being present?

The Chair: According to the standing orders, my understanding is no.

Mr. Mark Warawa: We do not have that authority.

The Chair: No.

Mr. Cullen.

Mr. Nathan Cullen: This is the point I've been trying to make, similar to Mr. Bigras'. What's different about a legislative committee, from my understanding—and I can be corrected—is that there are standing orders guiding us much more so than a standard committee of the House. So Standing Order 118 says what it says. In order to amend or change that, we have to bring something back to the House, and it gets very complicated.

I agree with Mr. Godfrey's point that the likelihood of the government not being made aware or being present at a meeting is not fathomable at this point. So I think we should just accept it as is and move on.

Mr. Mark Warawa: I thank you for that clarification, and I agree we should move on.

The Chair: There is no motion to that effect, so the definition of quorum stands. Okay, that wasn't so tough.

On speaking times, the motion reads: "That witnesses be given (10) minutes to make their opening statement; that at the discretion of the chair during the questioning of witnesses there be allocated (7) minutes to the first questioner of each party, starting with the Opposition parties; and that thereafter, (5) minutes be allocated to each subsequent questioner alternating between opposition parties and government."

This one may engender a fair bit of debate. Should we stand this one until the end? You want to go for it? Okay.

Do we have a mover for the motion? It's Mr. Cullen.

Monsieur Bigras.

[Translation]

Mr. Bernard Bigras: Thank you, Mr. Chair.

I wish to propose an amendment to the last two lines of this motion. The motion would read as follows:

That witnesses be given ten (10) minutes to make their opening statement; that at the discretion of the Chair, during the questioning of witnesses, there be allocated seven (7) minutes to the first questioner of each party, starting with the opposition parties, and that thereafter, five (5) minutes be allocated to each subsequent questioner in keeping with this exact same order.

Therefore, the second round of questioning will follow the exact same order as the first.

[English]

The Chair: We will discuss the amendment to the motion.

Mr. Jean.

Mr. Brian Jean: Mr. Bigras, the word "subsequent" in English means that everyone would have an opportunity to ask questions before anyone got a second turn. Is that the purpose of your amendment?

[Translation]

Mr. Bernard Bigras: No. It is clear that during the first round, seven minutes will be given to the first questioner of each party, beginning with the opposition parties. After that, five minutes will be given to each questioner, according to the order established during the first turn. This, by the way, was the format adopted by the

Standing Committee on the Environment. This allows for a better discussion.

[English]

The Chair: Mr. Jean.

Mr. Brian Jean: I find the opposite. I think all Canadians have an opportunity here today to be heard through their members of Parliament, and every region of this country deserves to be heard.

That means everyone should have an opportunity to question the witnesses until someone has a second turn. Then all of our 100,000 constituents will get to be heard before possibly one particular person gets three or four turns. It's not fair. Everyone should have an opportunity to question and represent their constituents properly.

•(1035)

The Chair: Mr. Warawa.

Mr. Mark Warawa: Just to bridge onto what Mr. Jean has said, what's being proposed is quite contrary to the normal practice. What's being proposed is that when we have the second round... speakers in the third round and fourth round. The NDP has one member, Mr. Cullen, and he would get four opportunities to question before all members on this side were able to question.

What we had in the last committee worked well. It wasn't a problem. The order of speaking wasn't a sore spot in the last committee. It is the norm in Parliament. The original recommendation is what we should stay with. We shouldn't provide one party with multiple opportunities to question a witness, while some members at the table have no opportunity.

The Chair: Monsieur Bigras.

[Translation]

Mr. Bernard Bigras: I understand the parliamentary secretary's arguments, but one must bear in mind the very reason we are here today. If we are sitting around this table today, it is because the government believes that the opposition can help improve Bill C-30. Our contribution is directly proportional to the opportunities given to the members of the official opposition to ask the witnesses questions. In order to acknowledge the commitment of each political party here, and to make a constructive contribution to this process, we must adopt the format that I have suggested, which will allow for the members of the opposition to fully participate.

[English]

The Chair: Ms. Redman.

Hon. Karen Redman: Thank you, Mr. Chair.

The few things I would offer in hope of resolving this is that rounds of time can be split between two members of the same party. I see Mr. Watson shaking his head, but I've never been on a committee where you couldn't, provided you were within the prescribed time limit.

The other issue is that as much as Mr. Jean is talking about regional representation, I doubt that any of us are here as free agents. I would think there are discussions within each party as to how to improve this piece of legislation. I would think your voice would be heard amongst your party group and that's probably the position you would bring forward. I think the need for regional distribution will make itself evident as we go through this, regardless of who's asking the question.

The Chair: Mr. Wilson.

Mr. Blair Wilson (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.): Thank you, Mr. Chair.

In the wording, it is "at the discretion of the chair". In other committees that I've sat on, such as citizenship and immigration, we passed similar motions like this to change the order of speaking. It went around from Conservative to Liberal to NDP to Bloc and then came around again. We found it worked very well. There is precedent for it. The chair had some discretion, so that if there were additional questions that the government side had to have, then we sometimes deviated slightly from that order at the discretion of the chair in order to enable every member in the committee to ask their question in the period of time we had.

I would support it.

The Chair: Mr. Jean.

Mr. Brian Jean: I think this is a little different, first of all, from most committees. The transport committee that we've been operating on has been very effective this last session in getting two bills through. We did it on a very similar amendment, but not what has been proposed by Mr. Bigras. In fact, the last environment committee of the session before was very ineffective because I found that the voice of northern Alberta, notwithstanding Ms. Redman, was not heard and I was not able to question witnesses.

This is not about my presenting evidence. This is about my questioning witnesses as to what I know from my particular area, just as you know things from your particular area that I have no idea of, just as Mr. Godfrey does for his area that I have no idea of, and the witnesses can provide evidence. This is a government bill that we are proposing, and we should have the ability to respond to your questions to the witnesses so that we have the opportunity....

This is a democracy, the last I checked. I'd sure like to think so. I am here to represent my constituents, and hopefully, Ms. Redman, you are as well. I think we're here to represent all Canadians.

There is a unique perspective from each area of our country, because it is so large. Everyone should have an opportunity to question witnesses before anyone has an opportunity to speak twice and question the witnesses. We're all trying to contribute to the piece of legislation that is going to benefit Canadians, and all of us should have that opportunity to question witnesses before another person has a double opportunity to represent their constituents twice. It's not fair. It's simply not a fair system and we need to have a fair system here.

Canadians are watching us and Canadians want to see this Parliament work. I think we all know that, and that's why the subcommittee is not going to work. We all need to have an

opportunity to put forward questions to the witnesses so that we can show our perspectives, and I think the government needs to respond.

• (1040)

The Chair: I think we all appreciate that this is a democracy.

Mr. Cullen.

Mr. Nathan Cullen: I think we're just about ready to put the question. I suggest most arguments have been heard.

I heard Conservative members argue the same position as the Liberals are arguing now when the benches were switched, and vice versa. Sometimes the conflict and controversy happens within the parties themselves as opposed to the system of the committee. I know there are going to be many members who want to add further comments to this, but I think that our positions are well defined now, and in the spirit of time, we should look to put the question as soon as possible.

The Chair: We're dealing with one amendment first.

Mr. Watson.

Mr. Jeff Watson (Essex, CPC): Thank you, Mr. Chair.

The motion before us is a standard motion for how we question and divide time. It's on page 848 of Marleau and Montpetit.

Let's just take an example of three rounds of questioning. That means that the opposition gets 51 minutes to question witnesses and the government gets 37 minutes. The motion as amended means that the opposition in three rounds gets 51 minutes to question and the government gets 17 minutes. I don't know about you, Mr. Chair, but opposition has 54% of the composition of this committee in terms of membership. I think something much more proportional should be in order. I think that's why the standard motion is such. It apportions the time in a way that is reasonably proportional in order to question witnesses.

What they're asking, of course, is that for a government piece of legislation we only get 17 minutes to question witnesses—on our own bill even. I hardly think that's fair. I don't support the amended motion.

The Chair: Mr. Warawa.

Mr. Mark Warawa: Thank you, Mr. Chair.

I want to clarify what's being proposed. The norm is that in the round of questioning, it would be a member of the Liberal Party, then a member of the Bloc, then a member of the NDP Party, and then a member of the government party, the Conservative Party. That's the first round. After that, in the second round, it would be a member of the Liberal Party, a member of the Conservative Party, a member of the Bloc, then a Conservative, and then the NDP, and a member of the Conservative Party.

The result in that is that at the end of those rounds, every member of the committee has had an opportunity to ask a question and nobody is getting multiple opportunities. That's the fair, traditional way the witnesses are being questioned.

In what is being proposed now, the first round is typical, but for the next and subsequent rounds, the first round is repeated, and repeated, and repeated, and repeated, so that the proportion of opportunity for questions is skewed.

The point I'm trying to make is that we would have the Bloc having twice as many opportunities to question as it has members on the committee, and the NDP would have four times the opportunity to question the witnesses as it has in representation on the committee. You end up with people not being given opportunity to question, and some people having, in Mr. Cullen's case, four times the opportunity to question. That's not fair, and it's not traditionally done.

So that's why I think there's opposition to this motion. We need to stick with the tradition of fairness.

The Chair: Mr. Jean.

Mr. Brian Jean: I think there's some misunderstanding here. I'm wondering if I could propose a subamendment to Mr. Bigras' amendment, or indeed if we can have an open discussion anyway, Mr. Bigras, about what option might be possible.

There is some confusion, and what I'm suggesting is that the members opposite consider this, at the last line: "be allocated to each subsequent questioner, alternating between the parties." "Subsequent" means that each person would have an opportunity to ask one set of questions. It would not alternate between government and opposition; it would alternate between the parties. So it would be the Liberals, then the Bloc, then the NDP, then the Conservatives; then the Liberals, then the Bloc, then the Conservatives; then the Liberals, then the Conservatives; then the Liberals, then the Conservatives; and then it would go back to whoever the chair recognized or in fact some other semblance of questions. It would give everyone an opportunity to have one set of questions to the witnesses, which would be fair and give everyone an opportunity, but it would not be double time or anything else.

I would even propose that if there were enough time at the end, Mr. Cullen, it would then start with the Bloc, the NDP, and then the Liberals, and then back to the Conservatives. So if there are 15 minutes at the end, that would be dedicated to the parties that have the fewest members here but have the most persuasion of them.

I'm wondering whether you'd consider that. This is how the transport committee has been working. It has been very effective. Everyone has been happy because they've been able to ask a question, and it has left opportunity at the end. There have been 15 to 20 minutes at the end for opposition parties to put that forward.

•(1045)

The Chair: Okay, just so we're clear, we're now debating a subamendment.

Mr. Brian Jean: Is it my subamendment?

The Chair: I believe you used the word "subamendment", Mr. Jean.

Mr. Brian Jean: I tried to make it a subamendment so we could discuss it at the same time. It would give the opportunity to everybody to do so before we—

The Chair: We're going to march up the chain here again.

Mr. Brian Jean: It wouldn't be alternating between opposition parties, but it would give everyone an opportunity.

The Chair: Mr. Cullen.

Mr. Nathan Cullen: Now we have a subamendment in front of us. I'd like to call the vote on the subamendment, and then call the vote on the amendment to follow.

The Chair: I hear you. We do need to allow the debate to collapse on those.

Is there any more debate on the subamendment?

An hon. member: Can we hear it read back to us?

The Chair: Mr. Clerk.

The Clerk: It would read: "That witnesses be given ten (10) minutes to make their opening statement; That, at the discretion of the Chair, during the questioning of witnesses, there be allocated seven (7) minutes to the first questioner of each party, starting with the Opposition parties; and that thereafter, five (5) minutes be allocated to each subsequent questioner, alternating between parties."

Mr. Brian Jean: I would be open to a friendly amendment on the balance to allocate the time.

The Chair: We've heard the subamendment. Let's vote on it.

(Subamendment negated)

The Chair: The subamendment is defeated. We're back to the amendment.

Go ahead, Mr. Warawa.

Mr. Mark Warawa: Mr. Chairman, I think we want to proceed in the spirit of fairness. The concern we have on this side is that everybody be given an opportunity to ask a question of the witnesses. What's being proposed is of concern, and I think that's been adequately expressed.

Would there be an appetite, as a friendly amendment, to add a phrase at the end "...and that questioning of witnesses would continue until every member has had an opportunity to ask their question"? It would mean that if the meeting is scheduled to end at 11 o'clock, it would not end at 11 o'clock if all members who wanted to ask a question hadn't had an opportunity.

Again, in the spirit of fairness, I would ask that of the mover of the amendment, who I believe is Mr. Cullen. Is that correct, or was it Mr. Bigras?

The Chair: It was Mr. Bigras.

Mr. Mark Warawa: Then my question is to Monsieur Bigras. Would you accept the addition of "that the meeting would not end until every member of the committee who wanted to ask a question would be given an opportunity before the meeting ended" as a friendly amendment?

[Translation]

Mr. Bernard Bigras: Mr. Chair, I believe the government has just made its first attempt to delay our work. I do not agree with this. We must set a time limit. I do not think that it would be wise to allow the committee to sit until all members have finished asking their questions. We have work agendas. We must set a time. The hour at which a meeting normally ends is indicated on the agenda we receive. If we do not determine when our deliberations will end, the members of this committee will become completely disorganized. Therefore, I cannot support this amendment, which, though it is well intended, may have significant consequences.

● (1050)

[English]

The Chair: Go ahead, Mr. Godfrey.

Hon. John Godfrey: I think Mr. Warawa was trying to say that it was every member who hadn't had a chance to ask a question. I would only point out that under all the formulas, we lose. Yes, we lose, depending on how many rounds we have. We have roughly nearly as many members as you, and if you have 15 minutes in the second round and 15 minutes in the third round, we get five minutes in the second round and five minutes in the third round. There is not a reflection of proportionality overall. Certain other parties gain.

The Chair: Go ahead, Mr. Jean.

Mr. Brian Jean: Mr. Godfrey, my proposal, if you look at it, was a proportional situation. Every member would have an equal amount of time, except that in the very first round each member of the parties would receive seven minutes, so each party would receive a two-minute advantage over everyone else. But everyone would have the same amount of questioning time.

You're absolutely correct that we would receive five and you would receive four, but we have five members here who represent five different jurisdictions. But that is the fairest allocation of time for the Liberals. Certainly under Mr. Bigras' suggestion there is not an equal opportunity for you: they would receive twice the time that you would receive; Mr. Cullen would receive four times the amount of time that you would receive.

If you can come up with a compromise that would be better for you, I promise you it would be better for us as well.

The Chair: Mr. Wilson is next.

Mr. Blair Wilson: There seems to be a discussion here about regional distribution and the idea that if the Conservatives don't get their questions, some area of Canada isn't going to be represented. We all represent our areas, but we all represent Canada. If you want to talk about some sort of equality, we should talk about gender equality: we have only one woman on the committee, and she's a Liberal. The Conservative government failed to put up a female member to represent her gender, so we've got a lot more things to talk about.

Mr. Brian Jean: We're open to any proposal you have that has fair, proportional questioning for each member.

The Chair: I will remind members to address their comments through the chair.

We are all representing Canadians. We're representing party positions, to be sure, but we're representing Canadians, not

necessarily downtown Toronto or downtown Fort McMurray. Let's try to focus on that.

Mr. Manning.

Mr. Fabian Manning (Avalon, CPC): Thank you, Mr. Chair.

If we have a two-hour schedule for our meeting, and at the end of that two hours, either a member on this side or a member from the opposite side hasn't had the opportunity to ask a question, I think it would be fair if somewhere along the line we could allocate time, even if it's beyond the regular schedule of the meeting. At least each individual member would have five minutes. Some members will end up with more than that. The bottom line is that at the end of the two hours, there may be only two people at the table—maybe one from the Liberal side and one from our own—who may not have had the opportunity to ask at least one question to any of the witnesses. To me, that seems unfair.

Trying to find a compromise without moving away from the set rules we have in place is where I'm at. I would like to see if we could find some way of compromising but not interfering with the two-hour schedule. At the end of that schedule, if for some reason or another a member of the opposition and a member of the government have not had an opportunity to pose any questions to any witness, I think there should be some way of finding a compromise.

The Chair: I think the aim here should be fairness.

I would point out that we are really talking about the subamendment that has been defeated. We're back to the amendment.

Ms. Redman.

Hon. Karen Redman: Thank you, Mr. Chair.

I would like to point out that the second line in English says, "That, at the discretion of the Chair...". I've sat on other legislative committees, and certainly if, by unanimous consent, we wanted to keep a witness 15 minutes longer so there could be more questioning, that would be possible.

I would think that our chair will deal with us in an even-handed way. I have to say that there should be a presumption of goodwill if we're all trying to make this bill better.

It has been referred to us before second reading. There is much to be discussed. I don't think you can prescribe fairness down to the smallest detail by this procedural event. I would suggest that we take the vote and move on with the full knowledge that by unanimous consent people can ask additional questions. Certainly it's at the discretion of the chair. I have faith that our chair will deal with us in an even-handed manner.

● (1055)

The Chair: I will point out that the schedule and duration of meetings is at the discretion of the committee. There is some flexibility there.

Mr. Watson.

Mr. Jeff Watson: Thank you, Mr. Chair.

Sure, goodwill is presumed, but it's also tested by actions around the table.

Quite frankly, concerning the subamendment—I come back to this—in terms of the allocation of time, the opposition gets 75% of the questioning time. With the standard motion, the routine motion, they get 57% of the time. The proportionality of the committee in terms of membership is that 54% belongs to the opposition. The standard motions were conceived precisely to reflect that kind of fairness. I can't believe the opposition parties would be sitting here, I guess, proving that they don't believe in fairness in the distribution of minutes.

Mr. Chair, if this amendment is actually passed, I think that's a strong statement by opposition members that they don't truly believe in fairness. I don't want to hear at some point in the House, or somewhere else down the line, that in fact they stand for fairness. This approves 75% of the questioning time for 54% of the membership.

I think even the NDP would understand proportional representation a little better than that, Mr. Chair.

The Chair: Mr. Dewar.

Mr. Paul Dewar: I'll pass.

The Chair: Okay. Thank you.

Monsieur Bigras.

[*Translation*]

Mr. Bernard Bigras: I'm also going to give up my turn because there is going to be a vote, but I agree entirely with what Ms. Redman said about the concept of discretion, which is referred to in this amendment and which may allow members who have not spoken to do so. However, Mr. Chair, I will remind you that the use made of the time attributed to each one of the parties is decided upon by members of each respective party, and is their responsibility.

In the past, on the Standing Committee on the Environment, to Mr. Lussier's great disappointment, he has, on occasion, been unable to ask questions because I took up all of the time. This proves that each political party is responsible for managing the time that is allocated to it.

I believe it is time to vote, since at least three members of the committee have asked for this since we started discussion on this issue.

[*English*]

The Chair: We are obliged to let the debate collapse, so we're going to have to go to Mr. Jean.

Mr. Brian Jean: I would like to know what the party opposite, the Liberal Party, thinks is fair in the circumstances. I would like to hear from them as to what they would propose would be fair in the circumstances.

Are they suggesting that fairness would be that the NDP receive four times the amount of time that they would receive, and that the Bloc would receive twice the amount of time that they would receive to ask questions? Is that what they believe?

The Chair: I'll go to Mr. Warawa, while somebody from the Liberal Party may want to think about responding to that.

Mr. Mark Warawa: Mr. Chair, my question was also for members of the Liberal Party. Mr. Wilson shared that you have

discretion and that you could possibly deviate from the policy sometimes. Ms. Redman mentioned the spirit of goodwill, the presumption of goodwill.

This is our first meeting. We are trying to build a structure, a framework, of fairness that you, Mr. Chair, will be using as a guide of the order of speakers. I don't think you want us to be bringing up to you on a regular basis that, Mr. Chair, we have a member who hasn't had an opportunity to ask a question yet, and yet Mr. Bigras or Mr. Cullen has had multiple opportunities to question, and we still have members here. That wouldn't be fair.

I think the framework that we lay here this morning is very important, so that we don't rely on your discretion, because then you could be challenged, if you're deviating from the structure we're giving you. This morning's discussion is very important.

The question that was asked by Mr. Jean and me is important. Could we please hear from the honourable members? Far beyond relying on goodwill and structure, we have to give you clear direction, Mr. Chair, for a structure that will be fair. Could we please hear from the Liberal members?

• (1100)

The Chair: Mr. Godfrey.

Hon. John Godfrey: Perhaps I misunderstood what Mr. Jean was proposing the first time around. Would you mind repeating exactly how that would work?

Mr. Brian Jean: Exactly. First, it has worked in the transport committee, and it's been very fair to all members. What would happen is that it would be subsequent.

Mr. Nathan Cullen: I have a point of order.

The Chair: Mr. Cullen.

Mr. Nathan Cullen: We already defeated the subamendment. We keep returning to it.

We've clearly heard the points from everybody. I'm going to make the suggestion that we vote on what's been suggested by Mr. Bigras, and if that doesn't pass, we return to the original standing.

I'm surprised. Chair, your instinct was absolutely correct that this was going to be contentious, and it's taken us half an hour. To return to motions that were defeated seems deleterious, at best.

The Chair: We should be talking about the amendment, which is Monsieur Bigras', okay?

The aim of this whole process should be based on fairness, and I don't say that in contradiction to either side. I'm just saying it should be based on fairness.

I will simply make an observation that in the two committees on which I sit, this is the model that's followed. That's just an observation. But my desire is that we come to what's perceived to be fair by all sides, if at all possible.

Mr. Wilson.

Mr. Blair Wilson: Thank you, Mr. Chairman.

Mr. Brian Jean: Mr. Chairman, I have a point of order.

The Chair: I'm sorry; you're correct. You were cut off by the point of order.

Mr. Jean, and then Mr. Wilson.

Mr. Brian Jean: Indeed, Mr. Chair, I would move another subamendment, if necessary. I'd be happy to move another one if he wants to discuss that. But in the interest of moving along and doing what's proper and fair, I think there is some misunderstanding, because I can't see why my proposal would be not acceptable.

What it would be, Mr. Godfrey, is at the very end: "be allocated to each subsequent questioner, alternating between the parties". It's not that it would be all Liberal or all Conservative. It would be Liberal, Bloc, NDP, Conservative, until each person had had an opportunity to ask five minutes in questions—each person. Indeed, no person would get double time until everybody had had one opportunity.

An hon. member: That's fair.

Mr. Brian Jean: Mr. Chair, because of the confusion, if I may, I would move the subamendment to the amendment, that it would be changed to, and I quote, from the last lines, "be allocated to each subsequent questioner, alternating between parties".

The Chair: That subamendment has already been defeated.

Mr. Blair Wilson: Mr. Chair, I would move the subamendment, similar to Mr. Jean has said there, but with the addition at the end saying that, "provided that a different speaker from each party has the opportunity", because what we found in previous committees is that the parliamentary secretary ended up asking four questions in a row. The key to fairness, I think, is that we each get a chance to speak. And if we could move a subamendment that allows each individual—

The Chair: It would be a new subamendment, because that one has been defeated.

Mr. Brian Jean: And indeed, Mr. Wilson, if I can say this, that's why I actually asked the chair ahead of the meeting, after seeing this, what did you mean by "subsequent"? What was his interpretation of "subsequent"? He said exactly that, that each person would receive a chance before another person received double the chance.

The Chair: Perfect. Would it be acceptable, Monsieur Bigras, because the Bloc amendment is quite different from this, if we moved to vote on the amendment that was defeated, and then moved to Mr. Wilson's proposal as an amendment?

So this is the vote on the amendment. Just to be clear, do we want a recorded vote?

Can you read the amendment again? Because it's been awhile.

• (1105)

[Translation]

The Clerk: The amended motion would read as follows:

That witnesses be given ten (10) minutes to make their opening statement; that, at the discretion of the Chair, during the questioning of witnesses, there be allocated seven (7) minutes to the first questioner of each party, starting with the opposition parties, and that thereafter, five (5) minutes be allocated to each subsequent questioner, in keeping with the exact same order.

[English]

(Amendment negatived)

The Chair: We are back on the main motion, which is amendable.

Mr. Wilson.

Mr. Blair Wilson: So I would move that. The part at the end is that thereafter five minutes be allocated to each subsequent questioner, following this exact same format, from one party to the other party, provided that each individual member has had an opportunity to question.

Mr. Brian Jean: My subamendment would read as follows: "be allocated to each subsequent questioner, alternating between the parties until each member has had an opportunity to question the witness."

The Chair: Thank you.

Mr. Cullen, on the amendment.

Mr. Nathan Cullen: It's interesting. That is almost the exact wording of the amendment we just defeated.

In terms of format then, in the second round of questioning, if I've already asked one in the first round, does that mean I don't get permission to ask one in the second round, until every single person on the committee has asked a question?

It's just to be clear here. I was actually comfortable with this original amendment. The original motion was based on what existed in the Standing Orders, which works for every committee around here, and even though I know half the time, if not more, I lose my second round of questioning because we run out of time, I was prepared to accept that. If what you're now suggesting is a deviation from everything else that other committees use and that I won't get my second round of questioning.... Just pay attention to the dynamic that people are trying to establish here for some inability of individual parties not to share their questions amongst themselves. We know some members are good at it and some members aren't. But that should not be at the behest of other parties on the committee to account for. If you can't share your time, maybe one should wonder how much time you're taking in your preamble to ask your question.

So all I'm suggesting is that if you take this route to this potential that all 13 members get to ask a question before it comes back around again, so be it.

The Chair: Mr. Jean.

Mr. Brian Jean: I'm not sure if Mr. Wilson would be open to a friendly amendment from Mr. Cullen. But certainly Mr. Cullen could move that at the end of the questioning of all the members, it start off with the NDP and then go to the Bloc, if he feels he's being pressed for time. But it would be fair to each party, and I think it's a great amendment by Mr. Wilson.

Mr. Blair Wilson: Actually, I'd be willing to accept that friendly amendment.

But it gives every party the same proportion of time as they have seats at the table, does it not, except for the first round? If, for example, for the government, only three of the five people show up for questioning witnesses, they only get the three, and then it comes back around.

The Chair: We'll go to Ms. Redman.

Hon. Karen Redman: Further to Mr. Cullen's query, though, if we were going around in the normal rotation of parties, which is really what we're speaking about—I realize we're talking about party representation as well as individual members—and the NDP turn came back up, and clearly the NDP has one representative, are we now saying that the NDP would not get its turn? Or would Mr. Cullen then get to ask a second round of questions?

Mr. Brian Jean: This formula, which has been working in the transport....

I did a spreadsheet. It came up to 105 minutes, with everyone having an opportunity to speak. Plus, the NDP and the Bloc would have one extra turn each. It's fair.

Mr. Nathan Cullen: Ms. Redman's question was direct. If I've already spoken, then I have to wait until the rounds are all done.

Mr. Brian Jean: But within 55 minutes you're going to have a second opportunity.

Mr. Nathan Cullen: I don't know the strength and length of your transportation committee meetings, but experience has shown us here that even on the more direct route, which is the original motion here, most of the time I don't even get to the second round. And most of the time I don't complain at all about it. I just allow it to go.

Ms. Redman's question was direct. Her first proposition was the correct one. If it comes back to me, and it's the NDP's slot...

Let's keep in mind that this is not based on individual members; this entire system is based on parties. That's how you do question period. That's how you do questioning at committee. I don't know if people are just waking up to this right now, but we don't ask questions in the House based on how many votes each party got or on how many members are sitting there. Pay attention. This is by party.

• (1110)

The Chair: Okay, we'll have two more.

Please, go ahead, through the chair, Mr. Bigras.

[*Translation*]

Mr. Bernard Bigras: Mr. Chair, Nathan is taking the very words out of my mouth, because that is exactly what I wanted to say. I believe that some people will regret not having voted for our motion a few minutes ago. Time is not allotted individually to each member, but to each party. Of course, the committee can include that in the time allocation formula if it so wishes, but I believe that that is very dangerous. If I have to vote, I will vote for the lesser evil, but I continue to believe that our suggestion is the best one so far.

[*English*]

The Chair: Mr. Wilson.

Mr. Blair Wilson: I just wanted to add to what Mr. Cullen said. He has the opportunity to ask a question, and then it goes around the process, just as I have an opportunity to ask a question and then I have to wait until it goes around the entire table before I'm able to present a question to a witness. We're in the exact same position.

The Chair: Mr. Manning has not spoken, so I'm going to give him an opportunity. Then if possible, I would like to call the question.

Mr. Fabian Manning: Just a moment, Mr. Chair. I think Mr. Wilson's motion is excellent for the simple reason that when you look at it from a party structure, if you go back to the House of Commons, it's almost based on the same thing. How many questions do you get in question period? It's based on the numbers in the House. If you bring it down to the table here, we're doing almost the same thing as we're doing in the House of Commons.

So I fully support Mr. Wilson's motion.

The Chair: Are we ready for the question? Should we, for perfect clarity—

I'm sorry, we have two more. Go ahead, Ms. Redman.

Hon. Karen Redman: I am not trying to be an obstructionist, and I realize that people are trying to do what's fair here.

We are not talking about party allocation. If Mr. Wilson asks the first question in the round, and he has another question for the second round, he would have to forgo that round, or I would have to ask that question because he's already had his turn. Right? If among the Liberals we decided in our second round that we wanted Mr. Godfrey to ask the second question, and he'd already asked a question, would we have to skip that turn?

The Chair: I don't think that's the intent of—

Mr. Blair Wilson: I would give the chair some flexibility in that to see what the makeup is of the party, how the questions are going, how time is being split and being shared, and how much time we have allocated to the witnesses. I'm sure that for some witnesses we'll have an hour to speak to them, and for some we'll have two hours.

The Chair: Through the chair, please.

Mr. Cullen, hopefully the last—

Mr. Nathan Cullen: Yes, let's hope.

I just remind the Conservatives that the intention Mr. Wilson just raised was argued against in terms of the discretion and flexibility of the chair.

All I would point out is that while it might be true on the transportation committee, it's interesting to me that we're going to take the example of one committee and not the other nineteen in terms of the way they function, or what was used for Bill C-2 in the only other legislative committee that we've done already. It worked well with the rounds of questioning they had.

It's a curious choice for us today. If people want to design it this way, then they've certainly made an obvious statement to us.

Mr. Blair Wilson: Can I make one last point, Chair? If, after having gone through a number of witnesses, this system proves to be flawed, do we not have the opportunity, Mr. Chair, to reopen it, discuss it, and come up with alternatives that may be more acceptable to everybody?

The Chair: Again, for clarity, could we read the amended motion?

The Clerk: Absolutely. I'll dispense with the top part. The amendment would be: "That five (5) minutes be allocated to each subsequent questioner, alternating between the parties until each member has had an opportunity to question the witnesses."

The Chair: I call the question, and we have a request for a recorded vote.

We have a point of order.

• (1115)

[*Translation*]

Mr. Bernard Bigras: I'd like to ask for a clarification. If a member is replaced, is a distinction made between a permanent member of the committee and a non- permanent member of the committee? My question is for the clerk.

The Clerk: Mr. Bigras, on a legislative committee, if a member is replaced, he or she must be replaced by a permanent substitute. The rules are not the same as they are for a standing committee. If there is a replacement, it must be by a permanent substitute, but a further substitution can then be made later to allow a member to become a permanent member of the committee once again.

[*English*]

The Chair: We will go to the vote.

(Amendment agreed to: yeas, 9; nays 2)

(Motion as amended agreed to)

The Chair: As we said at the start, this is going to be a controversial process, with lots of points and emotion on all sides. As chair, my aim will be to keep it moving along as fairly as possible. If we find that whatever we're doing doesn't work and doesn't satisfy the majority, then we always have the option of changing the process.

The next routine motion relates to witness expenses: "That, if requested, reasonable travel, accommodation and living expenses be reimbursed to witnesses not exceeding 2 representatives per organization; and that, in exceptional circumstances, payment for more representatives be made at the discretion of the Chair."

Mr. Mark Warawa: I so move.

(Motion agreed to)

Mr. Mark Warawa: I have a question, Mr. Chair. Is it at all possible that we are going to be using technology like video conferencing? Is that going to be considered for witnesses if possible?

The Chair: It's at the discretion of the committee.

Mr. Mark Warawa: Thank you.

The Chair: The next routine motion is distribution of documents: "That the clerk of the committee be authorized to distribute to the members of the committee only documents that are available in both official languages."

Do we have a mover? It is moved by Ms. Redman.

(Motion agreed to)

The Chair: The motion concerning working meals reads: "That the clerk of the committee be authorized to make the necessary arrangements to provide working meals for the committee and its subcommittees."

Do we have a mover? It is moved by Mr. Watson.

(Motion agreed to)

The Chair: The motion concerning notice of motions reads: "That 48 hours' notice be required for any substantive motion to be considered by the committee, unless the substantive motion relates directly to business then under consideration; and that the notice of motion be filed with the clerk of the committee and distributed to members in both official languages."

This is moved by Mr. Warawa.

Is there any discussion? Monsieur Bigras.

[*Translation*]

Mr. Bernard Bigras: Mr. Chair, I wish to move an amendment. The motion would read as follows: That 24 hours' notice be required for any substantive motion to be considered by the Committee [...]

This committee is important. It will be sitting regularly, and very likely holding two or three consecutive meetings. They may not occur on one single day; this committee may very well sit on Tuesday, Wednesday and Thursday. Therefore, it is possible that things will progress very quickly, and we want to have the possibility of tabling an amendment with 24 hours' notice.

• (1120)

[*English*]

The Chair: Mr. Cullen.

Mr. Nathan Cullen: I agree with the amendment. The only part I'd stipulate—I suppose this is for the clerk—is that we've been finding on some committees that someone will submit a motion at 5 p.m. for a 9 a.m. meeting, and that's assumed as 24 hours. We have to be a bit more strict with what we mean by that. The intention is to give enough time for members to see the motions.

So I agree with the 24 hours if we have some rigour and in a sense authorize the clerk to push back and say, "You're outside of the window; it's not enough time."

The Chair: Mr. Warawa.

Mr. Mark Warawa: Mr. Cullen raises the issue of why we use 48 hours.

The 24 hours is defined as being by six o'clock the day prior. So if the motion is presented to the clerk's office by six o'clock, before the office closes, then it's deemed acceptable as the 24 hours. The way that plays out, as Mr. Cullen pointed out, Mr. Chair, is that it's not 24 hours; it's overnight. The members of the committee would not realize that there is a motion to be dealt with until the next morning.

The 48 hours, the way it plays out, is that instead of just overnight, you have a day and overnight. The 48-hour notice provides accountability. It provides adequate notice of a motion that will need to be dealt with, and it's a very practical way of dealing with it.

The 24-hour notice, the way it actually works out, created a lot of problems, as Mr. Cullen is aware, at the last committee. The 48-hour notice, I think, will bring a lot of cooperation and hopefully good will.

I would support the normal 48-hour clause, considering that 48 hours is not 48 hours; it's only one day plus a night.

The Chair: Okay, I'll just ask the clerk to clarify the normal practice in the House and committees.

[*Translation*]

Le greffier: The 6:00 p.m. limit that Mr. Warawa refers to is the time that is normally used by the Journals Branch. To put it rather simplistically, a 48-hour notice essentially means two sleeps, a 24-hour notice means one sleep. I don't like to put things in such colloquial terms, but that is what it means. If the committee wishes, it may decide that the deadline is 1:00 p.m., but 6:00 p.m. is the deadline used by Journals Branch of the House of Commons. If you wish, you may decide that the deadline will be 1:00 p.m.

[*English*]

The Chair: Mr. Jean.

Mr. Brian Jean: I was just going to say that 48 hours means no surprises. Unanimously, we can decide to entertain any motion at any time. I think there's no question that in this piece of legislation there should be no surprises, and 48 hours is appropriate. If we want to change that as a committee, we can change it as a committee. But that means that no individual, no party, is going to be taken by surprise.

The Chair: Mr. Wilson.

Mr. Blair Wilson: If I could offer a friendly amendment to allow it to be 24 hours but that notice has to be provided by 3 p.m. the day prior, so it doesn't come in at six o'clock at night but comes in at three o'clock. We could be meeting within multiple days—Monday, Tuesday, Wednesday, Thursday—and we need to get something moved quickly and 48 hours may delay it. I'm saying, well, if we have it by 3 p.m. of that day, and we're meeting tomorrow, I think that's more than enough time to be able to review it.

Mr. Brian Jean: But Mr. Wilson, we can do that as a committee. We can do it. We can entertain any motion anytime. This just makes sure that nobody is taken by surprise and we suddenly find at three o'clock every day or six o'clock every day, on a continuous basis, that there's a new motion set for the next day.

Mr. Blair Wilson: I just offered 3 p.m. as a friendly amendment, if it's acceptable to the person who moved it.

The Chair: Mr. Bigras.

[*Translation*]

Mr. Bernard Bigras: I find my colleague Mr. Wilson's amendment very interesting. In the past, it has occurred that some clerks have received motions at 5:30 p.m. Very often, our offices are closed at that hour, and we are not made aware of the motions. If we adopt the 24-hour notice rule, and set 3:00 p.m. as the deadline, I believe that this may be interesting.

•(1125)

[*English*]

The Chair: Is there any further discussion on the amendment?

Mr. Cullen.

Mr. Nathan Cullen: I think the three o'clock compromise is right.

To counter Mr. Jean, people have tried to bring motions before committee the day of, and it doesn't work at all. People take great offence to the process. There has to be some notice. I agree that there's going to be an unusual schedule to this, mostly likely in terms

of Bill C-30. The ability to pop something in by three o'clock and get the translation out before our office is closed gives people enough time overnight to consider it before the morning meetings.

Mr. Brian Jean: If I could get some clarification, Mr. Chair, does that mean that if the clerk gets it by 3 p.m. for a nine o'clock meeting the next day, it doesn't have to come to us until five or six o'clock? If we don't receive the notice by 3 p.m., it just has to go to the clerk, in essence?

The Chair: What would be the essence of the 3 p.m.?

Mr. Brian Jean: That's my question. What does 3 p.m. mean?

The 24 hours I can understand. If it's an actual 24 hours—and if that's a friendly amendment that it's 24 hours before—the clerk would have the process and ability to get it to all the members. But 3 p.m. doesn't mean that I'm going to see it at 3 p.m. In fact, I might be gone at 4:30 and I'm not going to see it until the next morning. That is uncomfortable. I like to do research. I like background information. I like to know what I'm going to vote on before I go there.

The Chair: The full 24 hours.

Mr. Brian Jean: The full 24 hours, *certainement*.

[*Translation*]

Mr. Bernard Bigras: I can table a formal motion in compliance with the spirit of Mr. Wilson's proposal. If the clerk receives the motion no later than 3:00 p.m., he will most likely be able to send out the motion to our offices by 5:00 p.m. Therefore, in keeping with the spirit of Mr. Wilson's proposal, I move that at the end of the motion that has just been tabled, after the words “official languages”, the words “no later than 3:00 p.m. on the preceding day” be added.

Therefore, the amended motion would read as follows: That 24 hours' notice be required for any substantive motion to be considered by the committee unless the substantive motion relates directly to business then under consideration; and that the notice of motion be filed with the clerk of the committee and distributed to members in both official languages no later than 3:00 p.m. on the preceding day.

Pardon me. The words “48 hours” would be deleted. Therefore, the motion would read as follows: “That a notice be required for any substantive motion...”. The hour 3:00 p.m. would replace the words “48 hours”.

[*English*]

The Chair: The question is the time the clerk has to distribute it, or the time the clerk receives it. I think the critical time is when it's sent from the clerk to the members. Do we agree?

•(1130)

[*Translation*]

Mr. Bernard Bigras: The motion would read as follows: That notice be required for any substantive motion to be considered by the Committee, unless the substantive motion relates directly to business then under consideration; and that the notice of motion be filed with the Clerk of the Committee and distributed to members in both official languages no later than 3:00 p.m. on the preceding day.

In addition, in order to make sure the motion is received by everybody, we could also specify that the motion will be distributed to all committee members in both official languages before 5:00 p.m. As such, we would ensure that the motion would be received in members' offices not at 5:30, as is often the case, but at 5:00 p.m.

The Chair: Mr. Paradis.

Mr. Christian Paradis (Mégantic—L'Érable, CPC): I understand the essence of my colleagues' comments.

Firstly, we must make sure that the motion is filed in both official languages so that the clerk is not forced to translate it.

The point of all this is to make sure that the motion is distributed no later than 3:00 p.m. Perhaps we should make sure that the motion is filed even earlier. From what I gather, the point of the motion is to make sure that members receive notices by 3:00 p.m., because 5:00 p.m., for all intents and purposes, is rather late.

Earlier, we also considered the possibility of having a full 24-hour notice. For example, if a motion is filed no later than 6:00 p.m., there's no problem: the clerk has more than enough time to work and send the motion to members of the committee. We would have a full day, meaning we would have the following day to consider the motion. So 24 hours would elapse between the tabling of the motion and its consideration in committee.

The point is simply to make sure that members are not taken by surprise. I would say respectfully that I find the 5:00 p.m. deadline to be fair.

[*English*]

The Chair: Mr. Cullen.

Mr. Nathan Cullen: Whether it's three or five, I'm not sure I care. I suggest we tack on any amendments to this as well, so amendments, along with motions, need to be received and sent out by a certain time. If we're going to have all this discussion around motions, why not have the same thing apply to amendments?

The Chair: There is a separate motion on that.

Mr. Wilson.

Mr. Blair Wilson: The one thing I want to emphasize is that the time we submit it is what's important. As members of Parliament, we have control over when we submit it. It's not when it gets distributed at 5 o'clock, because there could be problems with the clerk and it might not get distributed until 5:30 and not take effect. We have control over the fact that we can submit it to the clerk by 3 o'clock, and if it's 3:30, it's our fault that we didn't get it there on time.

[*Translation*]

Mr. Christian Paradis: The comments made by my colleague, Mr. Wilson, confirm what I have just said. If we control when the motion is filed, and if members of the committee do not receive it in time because of technical reasons...

In my humble opinion, I believe that it would be wise to set the deadline for filing a motion no later than 6:00 p.m., but to allow for a full 24 hours to go by from the time of filing to consideration in committee. Whether problems arise or not, nobody will be taken by surprise. There is not a huge difference in terms of hours.

[*English*]

The Chair: Mr. Watson.

Mr. Jeff Watson: Thank you, Mr. Chair.

I'm concerned about the narrow timelines, even for the sake of the ability of the clerk's office. This committee doesn't exist in isolation. The clerk's office has many other things to do, and they may not necessarily accord an amendment that comes in from this committee priority just because it came in. They have to be able to translate it and get it distributed.

That's why routine motions, in some respect, are routine. Whether it's 24 hours or 48 hours, it builds in enough flexibility for the process to be done and for it to be distributed. In putting them under the clock, what happens if they don't fulfill that because they have other things to do? It's not just for the benefit of the members; it's for the process itself, so that it goes. I think we need to have greater flexibility, not less. Setting a time for when it's distributed still allows them the flexibility for most of the day to be able to translate it and get it to people.

The Chair: Mr. Jean.

Mr. Brian Jean: I agree with Mr. Watson in part. When we get it to them is important, but it's also important for the other members to receive it in time. My concern is that, exactly as Mr. Watson and Monsieur Paradis said. As important as it is to get it to the clerk, I want to see the motion. I want to be able to work on the motion before I come to committee, and I need to have the ability of proper notice.

This is about notice. This is not about how good we are at getting the document in to the clerk, it's about how much notice we have to prepare for the next day.

I would be happy to move a friendly amendment to Mr. Bigras' motion, Mr. Chair, simply to say that by 3 p.m. it must be distributed to the members.

● (1135)

The Chair: Monsieur Bigras.

[*Translation*]

Mr. Bernard Bigras: Thank you, Mr. Chairman.

I do not understand the government's argument, because this leaves very little time to analyze the motion from the time that it is filed. I could understand if the argument came from the opposition, because we have limited resources. But I have trouble understanding why the Parliamentary Secretary to the Minister of Natural Resources, who has significantly more resources than opposition members, is saying that receiving the motion at 5:00 p.m. would not leave enough time for an analysis. I do not find this to be a valid argument, especially when it comes from the Parliamentary Secretary to the Minister of Natural Resources. He has very considerable departmental resources. If members of the opposition, with our limited resources, are able to study a motion as soon as it is received, the government should be able to allocate the necessary resources to do the same, if it truly believes in the importance of this committee. This motion would give the clerk two hours to distribute the motion, something that is eminently achievable. To the extent that the government believes in the work of this committee, it should be able to find the resources to study a motion, if the opposition is able to do the same.

[English]

The Chair: Mr. Warawa.

Mr. Mark Warawa: Thank you, Mr. Chair.

We're discussing how to receive adequate notice. The norm is 48 hours. The proposal is 24 hours, but 24 hours is not 24 hours. However, we don't realize what time the meeting is going to be starting. Many of us are going to be on the environment committee and also this legislative committee, and maybe other committees.

There are a lot of pressures on each of us. What is being asked for, again in the spirit of fairness, is adequate notice. The norm is 48 hours, which is normally two sleeps. If we can have adequate notice, what is that? I think maybe a compromise would be that the 24 hours be defined as 24 hours. That keeps it quite simple.

An hon. member: Hear, hear!

The Chair: Monsieur Paradis.

[Translation]

Mr. Christian Paradis: At the risk of repeating myself, I would say that we need to have a full 24-hour day, something that I've been arguing for for some time now. I am not trying to shirk my responsibilities. I'm telling my opposition colleague that for reasons beyond our control, a motion that has been filed with the clerk may only come to us much later. Regardless of the resources we have at our disposal, you cannot ask anyone to do the impossible. I am a lawyer by training. In the legal system, for comparable issues, issues of great importance and that are fundamental, we set aside a full 24 hours. We are going from 48 to 24 hours. I understand the meaning of the motion presented by my colleague, and understand that we must move quickly, but we have to make sure that members of the committee are not taken by surprise. That is the difference.

[English]

The Chair: Mr. Jean, then Mr. Godfrey.

Mr. Brian Jean: Actually, I'm prepared to hear the question.

The Chair: Mr. Godfrey.

Hon. John Godfrey: I can't believe this.

Why don't we just say that 24 hours be required, etc., and that therefore the notice of motion must be filed with the clerk of the committee 24 hours before the beginning of the meeting at which it's to be considered? If you like, that's 24 hours. We will then assume that the distribution period will be some lesser element of that.

Mr. Brian Jean: I agree 100%, except that you're interpreting that 24 hours and 48 hours do not mean that.

• (1140)

Hon. John Godfrey: That's why I'm putting in there that it has to be filed 24—

Mr. Brian Jean: Could I suggest “a full 24 hours”, just so it's in different terms? Thanks.

The Chair: Okay. Are we at the point of voting on the amendment? Then if that amendment is defeated, we move to the second amendment.

The amendment we are voting on now is that of Mr. Bigras.

[Translation]

The Clerk: The amended motion would read as follows: That 24 hours' notice be required for any substantive motion to be considered by the Committee, unless the substantive motion relates directly to the business then under consideration; that the notice of motion be filed with the clerk of the Committee no later than 3:00 p.m. on the preceding day, and distributed to members in both official languages by no later than 5:00 p.m.

[English]

(Amendment negated)

The Chair: Go ahead, Mr. Godfrey.

Hon. John Godfrey: The revised version would read now: “That 24 hours notice be required”. And then the wording continues: “and that the notice of motion be filed with the clerk of the committee a full 24 hours before the meeting at which it is to be considered, and distributed to members in both official languages.”

The Chair: Is there any further discussion on that motion?

I'm sorry, just for clarity, can you read that again for the clerk?

Hon. John Godfrey: You substitute “24” for “48” in the first line. It would read, “and that the notice of motion be filed with the clerk of the committee a full 24 hours before the beginning of the meeting at which it is to be considered, and distributed to members in both official languages.”

(Amendment agreed to [See *Minutes of Proceedings*])

The Chair: Now we go to the question on the main motion as amended, which is essentially what Mr. Godfrey said.

(Motion as amended agreed to [See *Minutes of Proceedings*])

The Chair: The third to last one is about in camera meetings and transcripts.

It reads: “That one copy of the transcript of each in camera meeting be kept in the committee clerk's office for consultation by members of the committee.”

It is moved by Mr. Warawa. Is there any discussion?

(Motion agreed to)

The Chair: The next one is about staff at in camera meetings. It reads: “That, unless otherwise ordered, each committee member be allowed to be accompanied by one staff member at an in camera meeting.”

The mover is Mr. Godfrey. Is there any discussion?

Go ahead, Ms. Redman.

Hon. Karen Redman: Would that include a representative from the whip's office as well?

The Chair: I believe so.

Hon. Karen Redman: I have a legislative staff person here, but I think all of our whips' offices have representatives. It wouldn't just be the Liberal whip; it would be a whip of each party.

The Chair: That is at the discretion of the committee. Do we need to—

Hon. Karen Redman: I would ask, if that's a friendly amendment, that be included. It doesn't give advantage or disadvantage to any of us.

The Chair: That is a friendly amendment.

It would read: “That, unless otherwise ordered, each committee member be allowed to be accompanied by one staff member at an in camera meeting, plus one member from each party whip's office.”

(Amendment agreed to)

The Chair: Now we're going to vote on the motion as amended. It is the same wording.

(Motion as amended agreed to)

The Chair: We have one more.

It reads: “That amendments to Bill C-30 be submitted to the clerk of the committee 48 hours prior to clause-by-clause consideration.”

Do we have a mover? It is Mr. Warawa.

I expect we have some discussion. Monsieur Bigras has an amendment.

[*Translation*]

Mr. Bernard Bigras: I wish to move an amendment. I move that after the words "clause-by-clause", the words "without precluding the possibility of tabling additional amendments during the meeting" be added.

I believe that it should be possible to table amendments to a bill while we are considering it. Of course, the majority of amendments will be proposed in a given motion. The objective is to not delay the work of the committee, but sometimes, following exchanges, it may be interesting to have the possibility of presenting amendments during the actual meeting underway.

•(1145)

[*English*]

The Chair: Is there any discussion on the amendment? No discussion.

Would you read the wording again, please?

[*Translation*]

The Clerk: The amended motion would read as follows: That amendments to Bill C-30 be submitted to the clerk of the Committee 48 hours prior to clause-by-clause consideration, without precluding the possibility of tabling supplementary amendments during the meeting underway.

[*English*]

(Amendment agreed to)

(Motion as amended agreed to)

The Chair: That's the end of the routine motions. Are there any other motions?

Ms. Redman.

Hon. Karen Redman: I think it should be other business, and not a motion, Mr. Chair.

It would seem to me that the first point of work for this committee would be to hear from witnesses, and I'm wondering if we could collectively decide on when each of the parties would get their list of witnesses to the clerk for consideration.

I recognize that the House has recessed and we have Christmas. I'm wondering if mid-January—say January 15, just to arbitrarily pull a date out of the air—for us to all have our lists in of people we would see appearing as witnesses would give the clerk enough time to look at duplications and crossovers and then maybe set forward an agenda for us.

The Chair: Mr. Jean.

Mr. Brian Jean: Mr. Cullen was actually next.

The Chair: Oh, I'm sorry. Mr. Cullen.

Mr. Nathan Cullen: Yes, I'm comfortable with that consideration. I would also suggest that we, as a committee, gather prior to the House resitting. I think some dates have gone around to various committee members. There was an initial proposal of the 16th or the 22nd or the 23rd as some potential dates to have those witness lists in front of us and to set the calendar out so that we can get at this quickly.

The Chair: To meet to discuss the witness lists and whatever else.

Mr. Nathan Cullen: The witness list and the process. I think there are a few process questions we're going to have around there as well.

The Chair: Mr. Jean.

Mr. Brian Jean: I was just going to mention I think that's a great idea. I'm not available until at least the 22nd and I think we've actually got a caucus meeting on the 23rd and 24th here in Ottawa, so any time after that would probably be okay. I would say later on in the month, and I would actually propose that the witness list be the 20th, simply because of other commitments that, unfortunately, I have.

The Chair: That's a Saturday.

Mr. Brian Jean: The 22nd is a Monday.

The Chair: Mr. Godfrey.

Hon. John Godfrey: Mr. Chair, unfortunately, on January 22, 23, and 24 we're in a caucus meeting, which is both here and in Quebec City, so that won't work for us. Is there any chance of later in the week of the 15th?

Mr. Bernard Bigras: No, we have caucus.

Hon. John Godfrey: When is your caucus? It's on the 24th, 25th, and 26th? Well, that week's shot, isn't it?

The Chair: Mr. Bigras.

[*Translation*]

Mr. Bernard Bigras: Our agenda is quite full. We can perhaps set a deadline for sending our list of possible witnesses. It is quite obvious that this will only happen when we return from our break. In any case, the holidays are approaching. We cannot presume that we will begin our work immediately on the 7th. There are difficulties.

If we set aside a solid month to draw up our list, become familiar with the bill and think about the types of witnesses we can invite, we could send our list to the clerk in the month of January and begin planning our meetings when we return from the parliamentary break.

A voice: By which date?

Mr. Bernard Bigras: January 15 or 20, I believe.

• (1150)

[*English*]

The Chair: Normally, it would be departmental officials probably in the first meeting anyway, which gives us a little bit of something to work on potentially.

Mr. Cullen.

Mr. Nathan Cullen: The main intention of this is that when the House does come back, we don't spend the first couple of weeks dithering with the agenda. If there's some agreement within the committee to take the clerk's suggestion for the first couple of witness meetings, and give us maybe an extended meeting on our first one to both hear some witnesses and decide on the future agenda, then it accomplishes what we're looking for.

I just don't think that we're going to get a date. That's what I'm hearing. Everyone has caucus meetings.

The Chair: Mr. Jean.

Mr. Brian Jean: First of all, we're forgetting that we're going to be the steering committee, and I think at our first meeting we should already know what witnesses we're going to have. We should already have submitted their names to the clerk and he can come back with some sort of idea of when they are able to testify.

The first meeting should be a short, sharp meeting focused on where we're going and how we're going to get there. That's what we had talked about before, I thought. And then certainly the clerk or the chair could have the department come for the next available meeting, which would be the first week in February, I think, or the second week in February. The first week of February would be my preference, for sure.

The first meeting would be, in essence, a steering committee meeting to make sure we're focused and we're going to get this job done for Canadians, and then the second meeting would be with the department, if indeed the chair feels that should be the first meeting. And by then certainly we'll know where the witnesses are going to be and how we're going to get there.

Does that sound reasonable?

The Chair: Okay.

Mr. Brian Jean: And we can always add witnesses later on. It's at the discretion of the chair, anyway.

An hon. member: [*Inaudible—Editor*]

Mr. Brian Jean: I thought the witnesses were at the discretion of the chair.

The Chair: It's with you.

Mr. Godfrey.

Hon. John Godfrey: Let's do this in step function, here.

The first decision we have to make is by what date we want to submit things, and I've heard the 15th, the 20th. I don't think there is much in it, so let's pick a date by which it has to be done.

And then it obviously makes sense that on the 29th we have a business session that establishes some pretty fundamental issues, such as how extensive we're going to make this, based on the number of witnesses who have been submitted, whether they're going to travel or not, how often we want to meet. There are a whole bunch of things that will have to come into play, so I think we'd better set aside a pretty good chunk of time.

It might be possible, one would hope, then, that even in that first week we could hear the officials, say, towards the Thursday or so. I don't know that we need to wait around until the following week to hear the standard officials who would come before us, anyway.

Why don't we just pick a date for the submission? I don't know—the 20th? Is the 20th okay?

The Chair: That's a Saturday, as a matter of fact.

Hon. John Godfrey: All right, let's call it the 19th.

The Chair: Mr. Cullen.

Mr. Nathan Cullen: Seeing the extent of that type of conversation, I'd make a suggestion that committee members take it as they would a motion, and bring forward ideas and have them submitted ahead of time to suggest what Mr. Godfrey has raised as fundamental questions, rather than arrive and have what today has been a very long debate over relatively small things, considering the larger questions put before us.

In the sense of transparency and openness, why don't we have suggestions put forward to the committee prior to the time so they can be distributed and thought about, and we can come here ready to make decisions as opposed to going into a four-hour session over particulars?

The Chair: Mr. Godfrey.

Hon. John Godfrey: One way of doing that, which means extra work for everybody, would mean suggesting a sequence of meetings with relevant witness names attached for each of those meetings. At least we can see how far apart we are when you see the structure of the meetings filled out with the names of potential witnesses for those meetings.

•(1155)

The Chair: What the clerk has just advised is that he can take all the suggestions and put them into a memo format that goes around to everybody, with the list of suggestions, and so on. And that gets us a step ahead when we come back on the 29th.

Monsieur Bigras.

[*Translation*]

Mr. Bernard Bigras: Thank you, Mr. Chair.

Mr. Jean provided the momentum and Mr. Godfrey followed suit.

I believe that we need to set a deadline by which our list must be sent to the clerk. It can very well be January 19, which would give the clerk time to get organized. At our first meeting, immediately upon our return, we can discuss organization and how we want to proceed.

Let us decide upon a date. I propose January 19 as the deadline to submit our list of witnesses, and during the first week upon our return, we can meet to discuss organization.

[*English*]

The Chair: Ms. Redman, do you have something to add?

Hon. Karen Redman: My only observation was going to be that often witnesses are subject to availability. While I think it may be helpful to articulate what issues we need to talk about, the mention of it being in a motion seems somewhat formalized to me. I would hope we could all just meet together, share the names, and talk about the information the clerk will have gathered as to their availability, because I would assume that's what he will be busy doing between December 19 and when we meet on January 29.

The Chair: The lists may be substantial, of course, so we can get the process started with the obvious ones, like the departmental officials and so on. It may take a little while to get each of the witnesses if we have long lists from all sides, but we can get the process started, surely.

Mr. Warawa, and then I think we're getting close.

Mr. Mark Warawa: Thank you, Mr. Chair.

I appreciate the good discussion on this. December 19 is fine with the government. We'll all have our list of witnesses. As Ms. Redman pointed out, as we each prepare a list of potential witnesses, only a percentage of those will be available.

Also it depends on the topic that the witnesses are going to want to speak on. At the CEPA review, we as a committee created the list of topics, the agenda. On the last topic before the round table, only one witness wanted to speak to it, so they're going to be picking what they would like to come and speak on.

I would also hope we would consider not having a single witness at multiple meetings, that we would hear from them one time and not multiple times. There may be an argument for them to be at more than one, but I think the norm would be that they would be picking a meeting that they could be witnessing at.

So I think we'll be fine. We'll be providing the clerk with a list of witnesses and a suggested agenda, and we can discuss them fully on January 29, at our first meeting.

The Chair: I have two more small items, but we'll go to Mr. Cullen first.

Mr. Nathan Cullen: Just on Ms. Redman's point, I'm not suggesting increased formality, just prep work, as it were, to put into this.

I'd also really encourage committee members who weren't involved in the seven- or eight-month study that we did last year on Kyoto to read the report, because we heard from just about everybody in this country who cares about climate change. Many of the witnesses have already talked to us. They've seen us again this year already on CEPA and Bill C-288. If they're willing to constrict their areas by not having 15 suggested people all from one theme, one topic.... Transportation has said they're ready. The environment groups have said they'll come, as they did on Bill C-288. I'd have to check over the notes, but I think we had six meetings for Bill C-288 in total, and part of the reason we were able to do so was that we had five witnesses a day and didn't have six people speaking to the same topic.

•(1200)

The Chair: We need to focus it.

Ms. Redman.

Hon. Karen Redman: Thank you very much.

I am more than prepared to do any kind of heavy lifting that I need to do on this committee. I'm a former Parliamentary Secretary to the Minister of the Environment, but that was awhile ago, so I'm more than happy to do that background information and get myself up to speed. But I would point out that this legislative committee is quite unique in the fact that this was referred to us before second reading, so by definition, I would say, it does have a very broad approach to this.

So I'm happy to do the background reading, but I didn't sign up for the *Reader's Digest* version of this very important issue.

The Chair: Mr. Jean.

Mr. Brian Jean: I want to build on what Mr. Cullen said, because we sat on that committee together. Although it is an excellent report, I would refer all members to the dissenting opinion from the Conservatives, which is an even better report—

Some hon. members: Oh, oh!

Mr. Brian Jean: —and the recommendations contained therein.

The Chair: Read everything you can get your hands on.

Mr. Godfrey.

Hon. John Godfrey: I assume it would be standard operating practice, but I assume it would also be useful for the clerk to distribute to everybody the original package that announced what has now become Bill C-30, particularly the notice of intent to regulate. I assume that is going to happen. I got a copy of the bill, but I don't know if I got the....

The Chair: My understanding is that we are addressing Bill C-30.

Hon. John Godfrey: But the first cut at it was accompanied by the notice of intent to regulate, so that's a very important part. There was also some rationalization behind the bill, so I would have thought you might want to let people have what you thought was going to be the thing in the first place.

The Chair: Yes, and I think relative to what Ms. Redman said, because it has been referred to committee before second reading, there is more latitude in the amendment process.

Is there any other business from the floor? No? I have a couple of points.

We need to decide when we're going to meet next.

An hon. member: January 29.

The Chair: January 29? But what about the timing of the meetings? Legislative committees take precedence over other meetings; however, we want to conflict as little as possible. A suggestion is that we may want to try going from 3:30 to 5:30. That gives us the option to extend into the evening if it becomes necessary.

That's just a suggestion. We don't have to lock into anything today.

Mr. Cullen.

Mr. Nathan Cullen: Do you know what days of the week might be available? I know it's conflicting with many other committee meetings.

The Chair: No matter which one we pick, I would—

Mr. Nathan Cullen: No, I just mean room-wise or space-wise. The only problem is—I'll be specific—to do it on Thursdays at 5:30 prevents many who have to catch flights. We'd prefer Monday and Wednesday, or Monday and Tuesday.

The Chair: I would prefer Monday and Wednesday, probably, for that reason. Let's start with that sort of intention and then see how it goes.

Mr. Jean.

Mr. Brian Jean: I would prefer a morning meeting, not only because my transport committee has just been changed to Mondays at 3:30, which is a direct conflict with this—and I understand that may be a dilemma—but because I find the morning is a better working environment, to be blunt.

The Chair: Can we leave it at this? Can everybody send to the clerk their schedules, as best you know them?

Yes?

[*Translation*]

Mr. Bernard Bigras: I would be more than happy to give you the dates on which I am available, but we must apply one principle: our respective whips must have a discussion to make sure that there are no scheduling conflicts between the Standing Committee on the Environment and Sustainable Development and the legislative committee. There have been discussions to avoid scheduling

conflicts. After that, we can always double check on how we want to proceed. We should bear this in mind when giving out the dates upon which we are available.

[*English*]

The Chair: My time is your time. I'm your humble servant.

Mr. Jean.

Mr. Brian Jean: I was just going to suggest for the first meeting, if possible, unless somebody has a conflict, a Tuesday morning. We could start it—

The Chair: That's the environment committee.

Mr. Brian Jean: Tuesdays in the afternoon? Tuesday afternoon at 3:30? I think that's open for everybody right now.

• (1205)

The Chair: Mr. Warawa first, and then Mr. Godfrey.

Mr. Mark Warawa: I was just going to mention that the timing of the environment committee is Tuesday and Thursday, I believe from eleven o'clock to one o'clock. Maybe we could discuss having our first meeting on the Monday afternoon, or was that in conflict with the transport committee?

Mr. Brian Jean: On Monday afternoon there is a transport conflict. Monday morning would be fine.

Mr. Mark Warawa: Maybe the clerk and you, Mr. Chair, can have the discretion of setting a time. We're tentatively setting January 29, but if that's not going to work, you can let us know when it will be. We can be flexible.

Mr. Brian Jean: The first meeting can certainly be Tuesday morning. It doesn't seem to be a conflict for anybody here.

Hon. John Godfrey: I think this is management by committee of the whole, and it's very ineffective. What I'm going to suggest is that we notionally think about Tuesdays and Thursdays from 9 to 11, because then the environment committee would just segue. It would be four hours of meetings for everybody, but at least there's a rationale.

Let's let folks sort that out. I don't think we should be doing this in committee of the whole.

The Chair: Okay.

The other question is about televising of meetings. From the comments, we want this to be a process open to Canadians. Probably there'll be a desire from outside this room to have it televised anyway, so we'll probably go in that direction.

Are there any other items of business?

Okay. I want to thank everybody for their mostly Christmas spirit. This is going to be a challenge. It's going to be fun, in a hard-working kind of way. I'm looking forward to it. I'm looking forward to coming out at the end with something we can all be proud of.

Thank you for your attendance and input at this meeting, and have a Merry Christmas.

Published under the authority of the Speaker of the House of Commons

Publié en conformité de l'autorité du Président de la Chambre des communes

**Also available on the Parliament of Canada Web Site at the following address:
Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante :
<http://www.parl.gc.ca>**

The Speaker of the House hereby grants permission to reproduce this document, in whole or in part, for use in schools and for other purposes such as private study, research, criticism, review or newspaper summary. Any commercial or other use or reproduction of this publication requires the express prior written authorization of the Speaker of the House of Commons.

Le Président de la Chambre des communes accorde, par la présente, l'autorisation de reproduire la totalité ou une partie de ce document à des fins éducatives et à des fins d'étude privée, de recherche, de critique, de compte rendu ou en vue d'en préparer un résumé de journal. Toute reproduction de ce document à des fins commerciales ou autres nécessite l'obtention au préalable d'une autorisation écrite du Président.