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# Standing Committee on Procedure and House Affairs

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**Tuesday, October 17, 2006**

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**Chair**

**Mr. Gary Goodyear**

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## Standing Committee on Procedure and House Affairs

Tuesday, October 17, 2006

• (1145)

[English]

**The Chair (Mr. Gary Goodyear (Cambridge, CPC)):** The committee will continue with its meeting.

We just remind members that we're in public to consider other matters.

Mrs. Redman.

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

When we adjourned the last meeting, we were dealing with a motion that I had put before the committee. I can read it again, if anybody's memory fails them. Basically the motion is:

That this Committee recommends that the Standing Orders in effect on October 5, 2006, including the provisional Standing Orders, be made permanent, and,

That the adoption of this motion be reported to the House forthwith

**The Chair:** This motion is being put back on the floor. It's not being carried from the last meeting, so that motion is on the floor and we're open for debate.

Is there any debate? We're just taking names, so make sure I see your hands.

Mr. Hill, please.

**Hon. Jay Hill (Prince George—Peace River, CPC):** Mr. Chair, I'm going to try to keep this as civil as possible. I made a rather long intervention on Thursday, October 5, when Madam Redman first made this motion at this committee.

I find it more than a little bit ironic that Madam Redman makes the same motion nine or ten days later—I didn't look at the calendar—and yet didn't speak to her motion. She didn't address any of the concerns I raised.

I don't know whether Madam Redman felt I was just doing some political grandstanding or was just speaking to hear myself speak, but as I pointed out at some length during that meeting, my experience after thirteen years in this place is that in order for Parliament to function at all well, there has to be mutual respect and trust, especially between the whips of the four parties—I hold one of those positions currently—and of course between our colleagues, the House leaders of the four parties.

At that time, Mr. Chairman, I went into considerable detail as to why I felt that relationship is damaged by this particular motion that Madam Redman has just read again, with no explanation, with no consideration for the comments I'd made and the questions I'd put to

her at that meeting, questions to which she didn't respond during that meeting—and she has yet to respond in any way to a couple of very clear questions I posed at that time.

The first question asked how it was that we had reached an agreement at the House leaders' and whips' meeting of September 19 whereby we would deal with these provisional Standing Orders by extending the deadline to November 21, getting our senior parliamentary staff together to go through them, and seeing which ones we could come to consensus on and which ones might be a bit more contentious. The ones that we would agree on would be made permanent as quickly as possible, presumably within a day—the same as we put this motion forward, following our agreement at the House leaders' meeting.

What I said at the time is just reinforced by this motion's being brought forward again, with no explanation and no consideration for the arguments that several of my colleagues and I made at that Thursday meeting. I find it puzzling and disturbing that we are here again with this same motion, and no consideration is being given to the questions I posed.

One question was whether Madam Redman—I know she was present that day, I don't have that bad a memory—would tell me now that she was not in agreement with the strategy that was agreed to at that meeting, which was confirmed the very next day when the government House leader put forward the motion in the House of Commons that did in fact extend the provisional Standing Orders to November 21.

Mr. Chairman, as I said, I've been here thirteen years. I was first appointed whip of the old Reform Party of Canada in January 2000. It's coming up on seven years now that I have been a whip, four different times with different parties that I've been pleased to represent in Parliament. I've been the opposition House leader, so I've spent a fair part of the last seven years both at the procedure and House affairs committee and attending the weekly House leaders' and whips' meetings, at which—as I said last time and I repeat it today—there has to be a relationship built upon mutual trust and respect.

We don't write things down. Those meetings are not public meetings. They are in camera, always. We get a lot of work done, I would argue, both from a government and an opposition perspective. We get a lot of work done at those meetings to try to keep Parliament functioning in the best interests of Canadians as much as possible.

We remove the partisanship out of the debate that takes place behind those closed doors every week when we hold the whips' and the House leaders' meeting.

We would never...and I referred to the Honourable Don Boudria during my intervention on the 5th, Mr. Chairman, as an example, despite the fact that he was Liberal and I was always in opposition to him. I will say this, that when I had the privilege of working with Mr. Boudria in his role as government House leader, he prided himself on the fact that his word was his bond. Whenever he made a decision, even if he ran up against some opposition from his own party, from his own ministers—we have a former minister here, and I'm sure he would probably agree—Mr. Boudria valued his word so highly that sometimes he would get into difficulties with his own party, and sometimes I believe even with his own Prime Minister. He believe that for Parliament to function, you have to have that fundamental level of trust between the House leaders and, obviously as well, between the four whips of the recognized parties.

As I point out, Minister Nicholson would never have brought forward the motion the very next day to extend these provisional Standing Orders to November 21. I challenge anyone who has been here, even a year or two, let alone the thirteen years I've been here, to suggest that the minister would have brought forward this motion if there hadn't been an agreement or if there had been any confusion about the strategy of introducing the motion the very next day to extend them, so we would ensure that these provisional Standing Orders would continue until November 21 and in the intervening time that we would have time to deal with them.

The second issue, Mr. Chairman, that I posed as a question to my colleague, Madam Redman, at that time.... Again, I didn't take notes; I didn't have a tape recorder running. As I said, the meetings are such that they have to be based on mutual trust and respect, so I took Madam Redman at her word. I'm asking again, as I did on the 5th... my recollection of the conversation was that we had a detailed discussion at the House leaders' meeting about how to deal with these provisional Standing Orders that were going to expire if we didn't do something about them. We had a pretty good discussion, I thought.

I posed the question, and my recollection was that Madam Redman herself said it shouldn't be dealt with here. That's what she said, and I'm sure I'm not mistaken about this. She said that in her experience—and I would agree with the statement she made at that time—that oftentimes things get pretty partisan in public committee meetings. We've all seen it. I've sat on numerous standing committees over the thirteen years I've been privileged to be a member of Parliament, not just on the Standing Committee on Procedure and House Affairs, but on others. I know that at certain times all of us are guilty of putting partisanship ahead of the interests of the committee, and perhaps even of the interests of Parliament itself. It happens, and I believe that all parties and all members are guilty from time to time.

She recognized this, Mr. Chairman. At that meeting, she suggested, and it was agreed by others present. In fact, I don't recall any opposition to her assertion that the place to deal with this was at the House leader and whip level, as opposed to in this committee. It was for that reason; she felt we could leave most of the partisanship at the door and work this through. It would have unanimity on all of the changes on the provisional Standing Orders, which changed some of the Standing Orders. Whether we would have unanimity on all of them or some of them, we would work

through that with our senior staff. That was her suggestion at that time.

● (1150)

Subsequent discussion resulted in this strategy of bringing forward a motion as soon as possible. The House leader, the Hon. Rob Nicholson, left that meeting with the intention of getting his staff to draft the necessary motion, making sure that all three of the opposition parties agreed to the extension to November 21. Then he introduced it at the first opportunity, which was the very next day, and it passed unanimously.

I don't understand, Mr. Chair. I'm really puzzled by this. This is now the second time I've posed these questions to Madam Redman. Both times she has been in the room and hasn't responded. The relationship between Madam Redman as whip of the official opposition and me as chief government whip is, I believe, a very mutually respectful relationship.

As I said at the last meeting, there is almost a bit of irony, perhaps, that in the past I held her position with the official opposition and she held mine. Now we're on opposite sides of the table, but basically we hold the same positions. We have quite a long working relationship, I would argue, of working productively and respectfully with one another.

I pose these questions in all honesty. I'm puzzled by this. In the thirteen years I have been here, as I say, and in the seven years that I have been privileged on and off to be a caucus officer, I have never had this experience.

In light of that and in the interests of my commitment to what I believe was a pretty sound agreement that was agreed to unanimously by all present at the House leaders' meeting, I would move an amendment to Madam Redman's motion, Mr. Chairman. I move that the motion be amended by deleting all the words after the word "That" and substituting the following therefor:

the committee recommends that the provisional Standing Orders, adopted by the House on February 18, 2005, remain in effect as per the Special Order adopted unanimously by the House on Wednesday, September 20, 2006 to allow the process as agreed to by the House Leaders to take place before any further action is taken.

● (1155)

**The Chair:** Do you have a copy of that motion, Mr. Hill?

**Hon. Jay Hill:** The one I read out? Yes.

**The Chair:** Thank you, Mr. Hill.

Are there discussions on the amendment? We're going to have discussions on the amendment.

Ms. Redman.

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

I believe these comments are germane to the amendment, as they are to the main motion, and I am happy to respond to some of the issues that Mr. Hill raised.

I would also point out that I'm glad to hear back from him. I did phone him last week during the break to take this matter up and did not hear back from him.

I would concur that on February 8, 2005, during the 38th Parliament, when we were the government and the Conservatives were the official opposition, the House did adopt by unanimous consent a long list of amendments to the Standing Orders. These amendments, which were requested by the Conservative opposition as well as by the other opposition parties, were adopted on a provisional basis and were to expire sixty days after the 39th Parliament, which is the one we are in now. In fact, the motion to adopt these provisional Standing Orders in the last Parliament was put to the House by the governing Liberals.

On September 20, 2006, the House adopted a motion, again by unanimous consent, to have the provisional Standing Orders remain in effect until November 21, 2006. Practically speaking, if nothing happens before that date, we would revert back to the original Standing Orders that in essence would get rid of all the provisional Standing Orders, which are in effect until that date.

It's interesting that the provisional Standing Orders, which we're now discussing, were incorporated at the request of the Conservatives when they were in opposition. I would concur with Jay, insofar as those discussions did take place. Because they were in camera, I wouldn't do chapter and verse of what happened. The agreement was that they be extended to November 21. I would point out that from the opposition's point of view, there have been no discussions, nothing initiated that would create an atmosphere where we could discuss them. Mr. Hill was not in the room when I introduced this motion at the last meeting, but after thorough discussion—and this is one of the things I wanted to discuss with him when I called last week—we feel that these Standing Orders need to be dealt with in their entirety, which is why we felt that the motion we put forward was the best motion. We have not heard any rationale or any identification on behalf of the government as to which Standing Orders they would want amended or changed. From our view, now that we sit in the seats that were once occupied by the former official opposition, we think these Standing Orders work quite well.

For that reason, we would not support the amendment.

• (1200)

**The Chair:** Colleagues, we have copies of the amendment. Unfortunately, they are not in both official languages. May I have the consent of the committee to distribute the amendment to all members of the committee?

**Some hon. members:** Agreed.

**The Chair:** We'll distribute the amendment.

For further discussion on the amendment, we'll go to Mr. Lukiwski, please.

**Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC):** Thank you, Chair.

I will speak to the amendment, but I also want to speak to the larger issue—and quite frankly, that's what concerns me. I'm going to underscore a lot of the comments, Chair, that my colleague, Mr. Hill, has already made, because I feel quite strongly about this. Although I am not a thirteen-year veteran of this place, as is Mr. Hill, I have been here a couple of years and have learned a few things in that time. I also brought with me a set of core values that I felt would be most important when dealing with my colleagues in the Parliament

of Canada, because we're obviously charged with a great responsibility to represent those constituents who elected us.

As I mentioned at the last meeting, I have always tried to conduct myself in a manner in which my word was my bond. This was a principle—

**The Chair:** I'm terribly sorry, Mr. Lukiwski.

I only have two ears and I can only hear two people at a time. If I could get some quiet in the background, it would be very helpful to me. I want to listen to this.

I apologize, Mr. Lukiwski. Please continue.

**Mr. Tom Lukiwski:** Thank you, Mr. Chair.

The principles of basic honesty and integrity and of keeping one's word were drilled into me pretty early in life by my father. I recall vividly a pretty good paddling I received from my dad when I was probably no more than six or seven years old. What had happened was that I had broken my word; I had given my word to my brother with respect to who was going to go home after school and feed the dogs, take care of the pets, and things like that.

We had a bit of a system, as most households did. Both my parents were working at that time, and somebody had to be home at appointed hours to take care of basic household chores like feeding the pets and so on. We had a schedule established that we had all agreed to as a family. On one particular day it was my brother's turn to be home, but he couldn't because he had music practice. My brother is now a professional musician, by the way, so his early training actually paid off.

He approached me to see if I could take his place, and I agreed. My father was aware of this agreement. The appointed day came; I was supposed to go home, but there was a pickup football game after school, which I felt was far more important than keeping my word, and so I didn't go home on time and I paid the price. That was the first time I learned there would be consequences, perhaps sometimes painful, if one didn't honour one's word.

Of course, there's much more to it than just that. My dad, bless his heart, has been gone for a number of years, but after I had got over my petulance and my hurt that I was actually being punished for doing this, he took the time to explain to me. He took the time to explain to me why it meant something, why it would be important for every man—and woman, for that matter, but he phrased things in more of a gender-specific tone to me in those times—to keep his word and be honest. It was a sign of character, it was a sign of integrity, and more than anything else it was a sign that one could be trusted.

I've tried to adhere to that standard that my father set all of my life, particularly when I came into this place. I felt it would be absolutely paramount to observe those basic principles because I had been given the responsibility from my constituents to represent them in an above board and honest manner and with integrity. In 2004, in the first campaign I ran in, I had given many commitments to my constituents that if elected I would follow a certain code of conduct, in addition to attempting to honour all the commitments I made during the campaign.

I think I've been absolutely consistent in that fashion. I do not believe there's any commitment I've given either to one of my constituents or to any one of my colleagues in this place, both on the same side of the House and the opposite side of the House, that has caused me to look back and think that I broke my word. I don't think I've ever done that.

I want to give a couple of specific examples, because it speaks to the heart of this issue. I remember the very first time I encountered this type of situation. It was probably within six months of being elected here in the 2004 election. I was sitting on the ethics committee at that time, interestingly enough. I received a phone call from a colleague from the NDP. It was from the member for Winnipeg Centre, Mr. Martin, who was also a member of that committee. It was a minor issue, but he explained to me that he had an issue that he wanted my support on in that committee.

It seemed reasonable at the time. It was a phone conversation. He explained himself well. It was a cogent argument, if you want to call it that, and I gave him my commitment that I would support him in this fashion.

I found out later that this was not the official position that our party was going to be taking, yet I supported Mr. Martin's motion when it came to the floor in any event, against the wishes of my party. Why? I had given my word. I had given my word and I felt it was far more important to honour it than to take the position of my party.

● (1205)

I paid a bit of a price for that internally. Luckily it wasn't a major issue, but it was still in opposition to the directive given to me by our party. I did it because of the mere fact that I had given my word to a colleague.

I think we've all been in that situation. I mentioned in the last meeting that we're always cutting deals in committees. We're always looking for support from other members. Whether it's a legislative committee or a standing committee, there are times, given the makeup of this committee, when either opposition members or government members need to gain support. I've always found it to be a sign of the integrity of the vast majority of members—in fact, I haven't found one member who has broken his or her word yet—that when I've made an approach or someone has made an approach to me for support on a motion, if the answer is yes or no, that's the way it's going to be.

I think it's absolutely critical, as Mr. Hill said, to the functioning of this House. So the issue to me is not so much whether the adoption of these provisional Standing Orders into permanency is the point to be discussed. It's far beyond that. It's the fact that we had an agreement at the House leaders' meeting, which I attended as well. It was substantiated, it was supported, and it was agreed to unanimously on the following day in the House.

Now we're finding that Ms. Redman has determined that we need to deal with this expeditiously. Staff members were assigned the task of getting together and determining which of these provisional orders could be agreed upon by all parties to become permanent and which of them needed more time and discussion. Because that meeting of staff members has not yet taken place, Ms. Redman—if I

interpret her remarks correctly—is saying that time is of the essence here, that November 21 is approaching rapidly, so let's just get this thing done now; let's approve them as a blanket set of orders and not examine them one by one. Well, that wasn't the agreement.

If Ms. Redman had approached me or Mr. Hill, or if, before introducing the motion, she had brought it forward at committee, giving the reasons for introducing the motion and asking for some discussion and support, it would have been a different story. All we heard, out of the blue at a meeting on October 5, was a motion that contravened an agreement we had in place with no consultation beforehand. It was literally laid upon our table without any discussion beforehand. That's just not the way we do business around here; at least, it's not the way I thought we did business around here.

There are always unanimous consent motions being delivered in the House. We know that. They could be on minor issues or on fairly major issues, but consistently those motions are dealt with by being walked around. We get agreement ahead of time, and then comes the standard “Mr. Speaker, I think you'll find there's unanimous consent for the following motion.” Then we introduce the motion. We do not do that unless we have discussions beforehand and an agreement beforehand.

In fact, today there was an example. Mr. Hill tried to rectify a situation that occurred in last night's vote by standing up and asking for unanimous consent in the House to recognize the fact that the NDP wished to have their vote recorded as being in support of a Liberal amendment to Bill C-24. Mr. Guimond, when asked for unanimous consent, declined. The rationale is that he was not consulted beforehand. Whether I agree or disagree with Mr. Guimond, that's the way we've always done business here. You consult with the opposition parties beforehand; if there is an agreement, you get unanimous consent and the agreement is honoured.

There was no pre-consultation on Ms. Redman's motion. I believe the only way members of this committee view this, and certainly the way I view it, is that they're going back on their word. That's very serious business to me.

● (1210)

I can assure Ms. Redman and all members opposite that there have been times when I have received, as we tend to from time to time, confidential notes or private notes from across the floor on issues. Sometimes they're just personal notes, sometimes they're notes asking for our support on something, or whatever. If I were to say yes, even though I could publicly go forward and change my opinion—and no one would know, because the note was in confidence—I would refuse to do that. I would absolutely refuse to do that.

There is a standard of conduct in this place that we need to observe and need to adhere to. Quite frankly, I would argue that the standard of conduct that we have amongst ourselves should be a lot higher than perhaps any among members of the general public.

Without trying to be overly dramatic, I find it absolutely distressing and troubling that this took place. It is not about whether all the provisional Standing Orders should be made permanent. In my view, that is not the issue here, Mr. Chair. The issue is that we had an agreement, and that agreement has been broken.

I again stress that had Ms. Redman, any member of this committee, or any member of the opposition come to me privately ahead of time and said they were going to introduce a motion asking for the permanent adoption of the Standing Orders because of these reasons, at least at that point in time I could have said that I agree or I disagree. I would at least have had the benefit of being consulted ahead of time. But to receive notice of this in the fashion we did is untenable to me. It just is not the way we should be operating in this place.

And I'm not trying to make this personal. I'm trying to keep this above that. But frankly, I feel in my heart that there are some motivating reasons for Ms. Redman to do this. I believe they emanate from the fact that we invoked Standing Order 56.1 a few weeks ago, when there was a debate on the softwood lumber bill, Bill C-24.

It appeared to us that the NDP at the time, within their procedural rights, started to introduce a number of amendments and subamendments, and kept putting on speakers to, in our opinion, at least, Mr. Chair, delay the debate. This was an important piece of legislation that we wanted to get through, yet it seemed they were using procedural tactics—again fully within their rights—to prolong the debate. So we introduced a procedural tactic of our own, which was within our rights. Because there were not 25 members in the House to stand up to oppose the motion that we had, the debate was effectively cut off within a number of hours and we got to vote on the bill.

Mr. Chair, I believe that was the genesis for the motion Ms. Redman brought forward; that in fact probably the opposition House leader, who also had some issues with some other events in this place, felt it was time for payback and this was a way to do it. I believe it was a little bit of payback. I don't believe it was done for the reason—and I'm being quite honest here—that Ms. Redman has identified, which is that she feels it would be necessary, in their opinion, to pass these provisional Standing Orders as a package and to do so now, rather than waiting for the staff to get together, discuss them individually, and deal with them on or before November 21. I believe there is another agenda at work here.

But that doesn't change the fact, Mr. Chair, that we had an agreement. An agreement, without consultation, is about to be broken if Ms. Redman has her way. In my view, Mr. Chair, that cannot and should not be tolerated by any member of this place.

By the very nature of politics, we are obviously in an adversarial situation every day that we come to work. That's to be expected. That's the way democracy works. That's the way this place works. That's the way politics works. But that doesn't change some very basic fundamentals of how we should conduct ourselves in this place.

●(1215)

I firmly believe, Mr. Chair, that we have to conduct ourselves at a standard far higher than we would expect perhaps of members who are not elected officials.

Mr. Chair, I think the original intent of the motion that was passed—to allow our staff members to consult and come back with a report so that we could deal with this issue before November 21—was taking shape. I know for a fact that our senior staff had received phone calls from NDP senior staff to make arrangements to try to get together and start the examination of the standing provisional orders. This was going to happen. It is not something we were trying to slow-walk. In fact, Ms. Redman is quite correct. When we were in opposition, we raised these provisional Standing Orders because we felt this was something we might want to live with. But an agreement is an agreement and it was moving forward.

This is inconceivable to me. And quite frankly, Mr. Chair, I still haven't gotten a good enough explanation from Ms. Redman of why they felt they needed to approach this issue in the fashion in which they have: by bringing a motion forward that basically contradicts an agreement we had, without prior consultation. That is the issue, in my view. Why was this done? She has still not answered that question. She's trying to justify exactly the adoption of the permanency “because, because, because”, but that doesn't answer the basic question. Why weren't we consulted ahead of time?

Why do you plan on breaking an agreement without at least trying to discuss the issue with members of the opposition? It is not the way we do business in this place.

For that very fundamental reason, Chair, I cannot support the motion Ms. Redman brought forward. But that is not to say it is a motion that I could not support under the circumstances.

Quite frankly, Mr. Chair, I think there was a reasonable expectation that after staff members got together to go over the provisional Standing Orders individually, there would be a reasonable chance that the staff members would go back to their respective House leaders and whips and report that they had come to an agreement, that no one had a problem with any of the orders, and that they should be adopted and made permanent. Perhaps that would have happened, but because of Ms. Redman's motion, we don't have an opportunity to function as we agreed to.

This very well could be, Mr. Chair, the start of a very slippery slope. It's not to say that things always go smoothly in this place. There will be times when we will disagree vehemently with one another. It usually happens daily, but once we get into a habit of breaking deals, breaking one's word, I don't think this place can function.

I see Ms. Redman shaking her head, but, quite frankly, there's no dispute in this. We had an agreement, and Ms. Redman is now bringing forward a motion that would effectively break the all-party agreement we had. That's just not the way to work here.

Obviously, beyond any reasonable expectations here, I was hoping that today Ms. Redman would come and say that perhaps she had acted a little prematurely and that she would withdraw the motion until such a time when she had a chance to consult with her colleagues to see if we might come to some agreement, and then she could re-enter the motion at a future time if there was agreement. But, no, she just said she wants to repeat her motion, which effectively is breaking her word and the word of her party, and that's something I absolutely can't accept.

Mr. Chair, if members of the opposition are getting some sense that I'm going to speak this out so that we don't deal with this motion today, they're right. I'm not the biggest believer in filibusters, but I feel very strongly about this and I will refuse to cede my time until this meeting runs out. I'll give you that right up front, and I will keep my word on that because it is just too important an issue for me.

• (1220)

If you guys want to sit back, cross your legs, and prepare to sit for the next hour and a half, that's fine.

Thank you very much. I know Monsieur Guimond enjoys listening to me anyway, so this will be fine.

**Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ):** I made a filibuster of about five hours and 45 minutes straight. I have no problem listening to you for five hours and 46 minutes.

**The Chair:** The chair would ask that we leave the floor with Mr. Lukiwski.

Mr. Lukiwski, I ask you to remain focused on the issue. You still have the floor.

**Mr. Tom Lukiwski:** Thank you very much, Mr. Chair.

It's not difficult to remain focused on the issue, because I think I've identified the issue fairly well. It appears to me, Mr. Chair, that the members opposite don't hold the same standard of conduct that I've identified in the same fashion, in the same esteem in which I hold it. It appears, Mr. Chair, that members opposite feel that giving one's word is not that important, that agreements can be broken indiscriminately, for no good reason, and life will go on.

**The Chair:** Mr. Guimond has a point of order.

[*Translation*]

**Mr. Michel Guimond:** I want to apologize for interrupting my colleague, but I would like to question the relevancy of the amendment. I hope the new clerk has read the amendment carefully. I don't know if she needs advice from our Library of Parliament specialist and the man whose role I still don't know. I question the relevancy of the amendment.

I would like to make a short comment for Mr. Hill. I find it very unfortunate that he didn't deign to provide us with a French version of his amendment. It's the least he could have done.

• (1225)

[*English*]

**The Chair:** I'm sorry, Monsieur Guimond, but we're not offering you the floor on another issue.

**Mr. Michel Guimond:** I made my point.

**The Chair:** Thank you very much, Monsieur Guimond.

[*Translation*]

**Mr. Michel Guimond:** I'm not through with my point of order, Mr. Chair. I ask the clerk. Is the amendment the direct negative of the main motion? Would it produce the same result as the defeat of the main motion? If this amendment goes through, will we still need to vote on the main motion?

In the main motion, Ms. Redman suggests that the standing orders become permanent; the amendment goes completely in the opposite direction. Ms. Redman, in her main proposal, asks that the adoption of this motion be immediately reported to the House, while the amendment says that all this will be carried over for further discussion. So, is the amendment the direct negative of the main motion? Would it produce the same result as the defeat of the main motion?

[*English*]

**The Chair:** Thank you. We're going to take one minute to discuss that. I'll have a reply for you in one minute.

Colleagues, my ruling will be that this motion is in order. If the committee approves this motion, there will be no need to put the question to the first motion by Mrs. Redman.

[*Translation*]

**Mr. Michel Guimond:** Mr. Chair, I refer you to page 453 of *Marleau and Montpetit*, where it says:

An amendment is out of order procedurally, if... it is the direct negative of the main motion and would produce the same result as the defeat of the motion.

This refers to decisions of the House made on June 6, 1923, October 16, 1970, August 11, 1988, and October 29, 1991.

Mr. Chair, do you still maintain the same ruling?

[*English*]

**The Chair:** The clerk has asked for some time to research your point, Monsieur Guimond.

We will continue debate on the first motion until the research on this amendment comes back to us. Is that acceptable?

[*Translation*]

**Mr. Michel Guimond:** No. In my opinion, it's just talking for the sake of talking. This is not a bridge club. I want to know whether it's in order. Adjourn the committee meeting until the clerk makes a decision.

I find Mr. Lukiwski's comments very interesting when he talks about his father and the values he drilled into him. However, I have other things to do. I would suggest that you suspend the meeting until the clerk has had time to do serious research. I therefore suggest that we suspend the meeting until the clerk returns. This is not a bridge club, and I don't want to talk...

• (1230)

[*English*]

**The Chair:** I appreciate that.

If it's the will of the committee—and it makes sense to me—we will suspend this committee meeting until the clerk has time to review this matter and give me her final opinion.



[Translation]

**Mr. Michel Guimond:** I understand that we should hang around until she has the decision. If she does not have it by...

How long are we supposed to stay here, Mr. Chair? Until one o'clock?

[English]

**The Chair:** In reviewing the Standing Orders last night, again, for the third time, it's my feeling that this debate does not end until we have to break for question period or a motion is put on the floor that we adjourn the meeting or suspend the motion. That can't be done unless the person has the floor at that time.

Right now, Mr. Lukiwski has the floor. Mr. Lukiwski could put the motion forward that we adjourn the meeting, but the suggestion has been made that we at least suspend the meeting until we get a ruling on Monsieur Guimond's concern. That's what I'm prepared to do right now. But when we reconvene the meeting, we will continue until we have to break for question period.

Is it acceptable to the committee that we suspend the meeting until the clerk has offered me her research opinion?

**Some hon. members:** Agreed.

**Hon. Karen Redman:** Could we specify a time?

Lucile, how long is it going to take?

**The Clerk of the Committee (Ms. Lucile McGregor):** I should have something in fifteen minutes, I would think.

**The Chair:** Let's break for twenty minutes then, just to make absolutely sure.

The meeting is suspended for twenty minutes.

•(1232) \_\_\_\_\_ (Pause) \_\_\_\_\_

•(1252)

**The Chair:** I'm going to bring the meeting back to order. I remind members that we are still in public, having adjourned for twenty minutes. That time is now up.

Ladies and gentlemen, I have had an opportunity to consult with the clerks, who have consulted with other folks. On Monsieur Guimond's recommendation, we have reviewed page 453 of *House of Commons Procedure and Practice*. May I read it to you? It says, "An amendment must be relevant to the main motion. It must not stray from the main motion but aim to further refine its meaning and intent. ... An amendment is out of order procedurally, if...", and it lists a number of events.

In particular, what caught my attention is point number four—and yours, Monsieur Guimond, and I appreciate the fact that you have pointed this out:

An amendment is out of order procedurally, if...it is the direct negative of the main motion and would produce the same result as the defeat of the motion.

Having read the original motion and the amendment, I therefore rule that the amendment is not in order, as it does result in a direct negative of the main motion.

I must remind the committee that Mr. Lukiwski still has the floor, but I will speak to my ruling at this point.

Mr. Hill, please.

**Hon. Jay Hill:** Thank you, Mr. Chair.

We, too, have had the opportunity to review Marleau and Montpetit, as did Mr. Guimond. I would refer the chair and the clerk to the—

**Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.):** On a point of order, given that the chair has ruled, I believe anything pertaining to the chair's decision can only be a challenge to that decision, with no debate. My understanding of the rules is that if the chair has ruled on an issue, there is no debate on that ruling. The only procedure that can take place is that a member of the committee, if he or she so wishes, may contest that ruling by challenging it, period. The member may put in a motion right now that he or she challenges the chair's ruling, and there's an immediate vote—

**Hon. Jay Hill:** Why didn't you raise this when Mr. Guimond challenged the earlier ruling? What are we getting to here?

**The Chair:** Order.

In fact, Monsieur Guimond asked me to make a decision as to whether or not the amendment was procedurally accurate. I have done the research on it and have consulted with the staff, and I have indeed made a ruling.

Madam Jennings is correct. My ruling is not open for debate. However, a member of the committee can challenge my ruling, can ask for an appeal. That question will be put forward to the committee. If the committee chooses to overrule me, then we will consider the amendment as if it were in fact procedurally correct. If the committee supports the chair's ruling, then we obviously proceed.

There is one option for the committee, as Madam Jennings has pointed out, and that is to appeal my ruling. That would require a motion to challenge it, and there's no debate on it. We just put a motion on the floor to challenge my ruling, and then we take a vote on it.

Mr. Hill, if you would like to do that, I'm open to accepting that motion. No? Then what I would recommend is that we continue debate on the main motion.

Mr. Lukiwski, you have the floor.

•(1255)

**Mr. Tom Lukiwski:** Thank you, Chair.

Again, just perhaps for the benefit of people who thought the amendment was critical, I can assure you it is not, in my esteemed opinion, because as I mentioned earlier, that is not the issue to which I wish to speak. The issue is the more primary issue of what one's word means in this place.

**The Chair:** Do you have a point of order, Mr. Proulx?

**Mr. Marcel Proulx (Hull—Aylmer, Lib.):** It may be more a point of information, Mr. Chair.

Once an amendment is on the table, any discussions or any member addressing would be addressing that particular amendment, would he or she not? Therefore, I am questioning the relevance or the legality of the fact that we now have the same speaker we had before the amendment was ruled out of order.

**The Chair:** That sounds like debate to me. Can you get to a point of order?

**Mr. Marcel Proulx:** From my recollection, our colleague started speaking after the amendment had been tabled. Otherwise, he wouldn't have the floor. You recognized him after the amendment was tabled. Now you're recognizing that the amendment was not receivable. Therefore, I'm just asking you for an explanation. How come he still has the floor?

**The Chair:** Let me just refer to my clerk to get that answer. I think I know the answer to it, but let's double-check.

I accept Mr. Proulx's comment, and I have discussed it with the clerk. It seems we're breaking some new ground here.

My ruling will be to accept Mr. Proulx's argument that because Mr. Lukiwski began his speech after the subamendment, which has now been ruled out of order, the floor must in fact be taken from Mr. Lukiwski and be given to the next speaker on the list.

I will remind members that debate will not close until everybody has spoken to it.

Next on the list is Mr. Proulx. If there's another point of order...Mr. Guimond had his hand up on a point of order, *mais* perhaps you're satisfied now.

Mr. Lukiwski, I saw your hand go up.

Mr. Guimond.

[*Translation*]

**Mr. Michel Guimond:** Thank you, Mr. Chair. I just wanted to indicate that Mr. Proulx was the next speaker.

[*English*]

**The Chair:** Are there any other points of order? No?

Mr. Proulx, you now have the floor, please.

**Mr. Marcel Proulx:** Thank you.

I would like to propose the adjournment of this meeting. It is one o'clock, and I would wish that we take a vote on adjourning this particular meeting.

• (1300)

**The Chair:** I'm able to accept that motion, so let's deal with that motion first.

There is a motion on the floor that the meeting be adjourned at this time.

(Motion agreed to)

**The Chair:** The meeting is adjourned.

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