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—
Chair

Mr. Gary Goodyear

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• (1115)

[English]

The Chair (Mr. Gary Goodyear (Cambridge, CPC)): Let's bring the meeting to order, colleagues.

I apologize for starting a little late this morning. There was a meeting before this one that ran over time. But we are here now, and let's proceed.

I would like to remind members that at least the first part of this meeting will be held in public. We potentially have three items to discuss today. Of course the first item is a continuation of last Tuesday's meeting, which was a review of the estimates. If colleagues remember, we were interrupted by division bells. We will be continuing on that. However, I would like to keep a little time at the end of this meeting to deal with a draft report on private members' business, which should have been circulated before you this morning.

As well, I've been advised of and have received a motion in the name of Mr. Preston. If it's okay with Mr. Preston, I'd ask that we deal with it at the very end, if there's time. Mr. Preston, the reason for that is there is an unlimited amount of debate time on such a motion. It's to make sure we keep moving, if it's okay with you.

I see you nodding. That's good. Thank you very much.

If there's time left, we will deal with the motion, which you all have received as well.

When we deal with the draft report on private members' business, I will suspend the meeting so that we can go in camera, as we are dealing with a draft report. We will go public again when we deal with the notice of motion in the name of Mr. Preston.

Colleagues, moving on then, pursuant to Standing Order 81(4), today the committee is examining the main estimates for 2007-2008, vote 5, House of Commons, under Parliament, referred to the committee on Tuesday, February 27, 2007.

Colleagues, this is simply a continuation of last week's review. In front of you, you should have the Speaker's statement from last week, the chart, and the estimates page out of the blue book. All have been given out once again this morning to refresh your memories so that we can continue with our meeting this morning.

I would like to again introduce and welcome back the Honourable Peter Milliken, Speaker of the House, and the Clerk of the House, Audrey O'Brien.

Thank you so much again. My apologies for interrupting what was going very well last Tuesday.

Mr. Speaker, we would simply ask that you introduce your team today, and we will then continue with our questioning.

Hon. Peter Milliken (Speaker of the House of Commons): Obviously the clerk is with me, and you're familiar with her. I also have Marc Bosc, the deputy clerk. Louis Bard is in charge of all the financial stuff. You know Kevin Vickers, the Sergeant-at-Arms. Claire Kennedy is the chief financial officer, and Rob Walsh is the law clerk.

The Chair: Thank you very much. We appreciate that.

Welcome to everyone.

Colleagues, we finished our first round of questioning last week. We're beginning our second round of five minutes.

Monsieur Proulx will start the five-minute round.

[Translation]

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Thank you, Mr. Chairman.

Mr. Milliken, good morning to both you and your team.

Ms. O'Brien, last week, we started to talk about temporary or part-time employees hired by the House of Commons. You told me at the time that, wherever possible, you try to give more than 700 hours of work to employees. My own enquiries indicate that it is very rare for employees to actually reach the required number of hours to be eligible for employment insurance benefits. I am told that, coincidentally, when they approach 700 hours, something happens and their hours are reduced, so that employees practically never reach that level.

Could you continue your explanation in that regard or, if you like, repeat the comments you made last week? Do you have any good news?

Ms. Audrey O'Brien (Clerk of the House of Commons, House of Commons): Mr. Chairman, I will continue the answer I began to give to Mr. Proulx last week in answer to his question. I am afraid that I am not in a position to give you any good news. The clarifications I will provide will not elicit feelings of great joy, either in you or in part-time workers.

I would like to place all of this in the context of the seasonal jobs that we have here at the House of Commons. I believe that I stated last week that we had tried to resolve the problems with respect to part-time workers. This is an issue we have been grappling with since 2001, I believe.

In some areas, we have trouble predicting in advance how much work there will be. For example, we will need additional staff in the restaurants and cafeterias if there is a lot of demand for catering services. Also, depending on the amount of work generated by the committees, we will need more or less staff in parliamentary publications.

Having said that, we always need a pool of so-called seasonal workers. We have therefore established a group of workers that we call indeterminate accredited seasonal workers. These people work when the House is sitting, and are assigned primarily to Parliamentary Publications and Restaurant Services. For these workers, there is no problem obtaining the 700 hours you refer to; I will come back to this in a moment.

At the time, we had a pool of part-time workers. Some of them worked more than 700 hours. However, under labour legislation that governs our activities, those employees are entitled to benefits. Otherwise, we would have been abusing part-time employees. At the same time, we need seasonal workers. That is why we established the group that we call accredited seasonal workers. They receive all the benefits the union has negotiated, even though they are seasonal employees.

We have 12 such positions in Parliamentary Publications, including eight full-time equivalents, and 27 in Restaurant Services. We posted competition notices so that part-time workers could apply for these jobs, which have been filled. Those workers now have benefits such as dental insurance, pharmacare, and so on, under certain conditions, but they are seasonal workers.

The workers you are referring to are the ones who work part-time. We fairly regularly recruit part-time workers in order to be able to dip into that pool whenever we need additional manpower, which happens on occasion. So, if there are a lot of committee meetings, we can call on these workers. They must, indeed, work fewer than 700 hours a year.

Overall, seasonal staff represent 5 per cent of the House of Commons total workforce, which is about 100 people. Part-time, on-call employees represent about 11 per cent of the House of Commons staff complement, or about 200 people.

• (1120)

Mr. Marcel Proulx: If I understand correctly, Mr. Chairman, neither so-called seasonal employees, nor so-called part-time employees will ever have an opportunity to work 700 hours. Those human resources are managed in such a way as to ensure they will never reach 700 hours and, consequently, they will never have access to employment insurance benefits.

Ms. Audrey O'Brien: No. I'm sorry; I did not make myself clear. Seasonal workers can work more than 700 hours, something which occurs fairly regularly. So, that does apply to season workers.

Only workers who are on call do not work 700 hours.

Mr. Marcel Proulx: Could we be given a report, in which personal information would obviously have been blocked out, giving us an idea of the number of employees in these different categories, how many of them work 700 hours and how many hours the others actually work?

Ms. O'Brien, would it be possible to ask your staff to produce such a report and forward it to our Committee clerk?

Ms. Audrey O'Brien: Yes, I can provide that.

As I already stated, that would obviously change the working conditions of people who are on call. I should add that many of them are satisfied with the current regime. They are students or people who, for one reason or another, choose that kind of a work regime.

It is also important to point out that these individuals can always apply for seasonal or full-time employment.

We will prepare a report and send it on to you.

Mr. Marcel Proulx: Thank you.

[*English*]

The Chair: Thank you.

We went a little bit over time there, but I think we'll have time for this today. It's okay. We are malleable here.

Monsieur Guimond, you have five minutes on the clock.

[*Translation*]

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Thank you, Mr. Chairman.

I am looking at a table which illustrates year-over-year changes. Under the heading "Services to members — Language training service", you have an increase of \$442,000. I would like to know how many members of Parliament and how many employees have used that service. Is that in the same chapter?

I would also like to know in what language the training was given. Are there more anglophone members of Parliament and employees who have received training in French, or is it the opposite? That is my first question. Perhaps you could forward that information to the clerk as soon as possible.

Second, our clerk will see now that I am quite single-minded. Last year, when you appeared before the Committee and provided testimony, Mr. Speaker, I asked you whether you were going to set up a system or charter of succession planning in order to avoid... For example, if Mr. Vickers were to quit his job tomorrow, we would want to be sure that Parliament could continue to sit. I cited the example of Mr. Vickers, but I could talk about any of the important people accompanying you today who are sitting right behind you. I'm sure you understand that the idea here is to avoid the kind of quasi-melodrama we experienced when Major General Cloutier died. He had held that position for many, many years and it was clear that no succession planning had been carried out. Have you put in place a succession planning program?

Thank you, Mr. Chairman.

•(1125)

Hon. Peter Milliken: As you know, Mr. Chairman, following the death of the former Sergeant-at-Arms, the clerk replaced him while continuing to carry out her duties as Clerk of the House, which ensured some continuity.

To explain the concept of specific succession measures, the clerk is probably better able to address your question than I am.

Mr. Michel Guimond: I even described her as an octopus. Ms. O'Brien was the octopus — the woman with six arms, the House of Commons Venus de Milo.

An hon. member: But the Venus de Milo was missing an arm.

Mr. Michel Guimond: Yes, you're right: the Venus de Milo was missing an arm. I guess I didn't have the correct mythological reference!

Ms. Audrey O'Brien: Mr. Chairman, I consider that to be a compliment, coming from Mr. Guimond.

In answer to the first question, I would say that training is given primarily in French, simply because of the number of Francophones and Anglophones in the House. I am also in a position to confirm that most of the resources are devoted to training members of Parliament, as opposed to staff. I will obtain the specific numbers in that respect and forward them to the Committee clerk.

With respect to your question about succession planning, I very clearly recall your comments and our lengthy discussion. I personally experienced the tragedy of Major General Cloutier's illness and death, and I consider this to be a very high priority, particularly since, because of the demographics within the House of Commons, as an institution, as is the case all across the public sector, we will soon be facing a wave of retirements that require us to do some planning.

We avoid situations where heirs apparent await someone's departure. Behind the key positions, we want to establish a pool of people who can succeed the incumbents — in other words, two or three people who will be in a position to apply for the job and occupy the position of someone who has decided to retire.

For example, in a very specialized area such as procedure, many procedural clerks will be retiring. Because we began generally recruiting procedural clerks four years ago, we already have new employees in place who are working and have some knowledge of the House of Commons. They will be in a position to replace a committee clerk when he or she retires, rather than continuing to act as assistant committee clerk.

This year, we lost a senior clerk and filled that position by means of a competition. The individual in question will be leaving at the end of June; there will be two months of overlap to ensure appropriate knowledge transfer. That will free up an assistant senior clerk position. Two assistant senior clerks have left the House of Commons to take jobs elsewhere. We will also be filling those positions in the coming days.

With respect to informatics, we are luckier because our staff is much younger. However, we do expect to lose about 22 per cent of our management staff. There again, we have introduced programs,

department by department, to identify people with potential. We want to provide them with training, send them on courses or give them responsibility for special projects that will test them and allow us to ascertain their future potential.

So, I would say that things are on the right track.

•(1130)

[*English*]

The Chair: Thank you very much.

We also went over there, but I do believe we have the time for that this morning

Monsieur Godin, please.

[*Translation*]

Mr. Yvon Godin (Acadie—Bathurst, NDP): Thank you, Mr. Chairman.

Good morning, Mr. Speaker and Madam Clerk.

I know that at the Board of Internal Economy, you share the secrets of the powers that be, but have there been any discussions on MPs' budgets regarding the problems we are currently experiencing with respect to passports? To be perfectly honest, I consider the current situation to be unacceptable. Passport Canada is now opening a passport office in Edmundston, New Brunswick. People can go there and staff will be on site to help them determine whether the information filled out on the passport application is correct, to ensure there are no mistakes, and so on. In our ridings, we have to do that ourselves in our own offices. Right now, my office is completely snowed under with passport applications. One employee spends her entire day dealing with passports, and I am not the only one to be in that position. I was talking to Tony Martin, the member for Sault Ste. Marie. It's the same thing for him. When you talk to MPs, you discover that most of our employees are doing the work of the Government of Canada, because there are not enough passport offices in the regions. Now it's the MPs' offices that are doing that work. I think that you should be looking at whether we are going to have to do the government's work and supply us with the necessary staff in order to do that. While we carry out that work, other things are being neglected in our offices.

I have been forced to ask one of my employees to deal only with passports. When checking them, we ensure that the application has been completed correctly and that there are no documents missing. Also, if a passport does not arrive on time, people come to our offices, because they want to know when they are going to receive it. The Passport Canada office has even cut its phone lines: you can't even talk to them anymore, because they no longer answer the telephone. They have even changed their telephone number and you can't call them. It's an absolute mess. That is the way it is now, in 2007, and it will be even worse in 2008, because people will want to drive into the United States. We are not even seeing the tip of the iceberg, and we are the ones doing the work for Passport Canada. I wanted to mention that to you, Mr. Speaker, so that when you are in discussions with the others, you can give some thought to this problem that members of Parliament have been telling you about. Something should be done.

As regards staff, I would like to get some clarification. I have been talking with restaurant employees. They tell me that even though they have been working here for 15 years, when someone is laid off, they cannot move into the jobs of new cafeteria employees. Even though they have 15 years of seniority, a young person who has just been hired stays, and they have to leave. There are clearly some staff relations issues there, and this is something that should be looked at.

I don't like to see Parliament turn a blind eye to the problems that are out there. It is quite clear that we are having trouble supporting health and safety. This is an area where we still cannot really do much. People do whatever they like. We have employees, and yet we are not capable of giving them 700 hours of work. I think we may even face this problem earlier than we thought. If there were to be a snap election, that would also have an impact.

Let's take the example of the pages. If an election were to be called, they would be paid until the spring, right?

• (1135)

Ms. Audrey O'Brien: Yes, you have...

Mr. Yvon Godin: There are employees here who have families and children. If something happens all of a sudden, they have to go back home and don't have work anymore. I think we should make a little bit of room within the big machinery of Parliament or government. I'm not talking about picking up coke cans in ditches. It seems to me there should be something available for these people.

For example, we need people in translation. It seems to me that the people doing translation could be transferred to departments to translate there. It would be simple. In any case, we had to rely on volunteers to get the translation done in Vimy. There could be some people here who can do it professionally. These are things that we can do. It just isn't right, and I do not accept the rationale that it is because we don't want to pay them benefits. To be perfectly honest, that is unacceptable. We need to find some way of helping these people out. As members of Parliament, we continue to receive our salary even when we go back to our ridings during an election. Employees should also receive theirs.

Ms. Audrey O'Brien: Mr. Chairman, I just want to make two comments. First, I have to say I am in a rather delicate position because we are already at the bargaining table discussing collective agreements. There are some things that I...

Mr. Yvon Godin: It's a good time to be doing that.

Ms. Audrey O'Brien: Yes, but we are currently in negotiations. It's a little difficult to...

Mr. Yvon Godin: I can help you!

Ms. Audrey O'Brien: I would say that the discussions are going very well. There is no doubt that if people are coming to talk to you, they are most likely unhappy about something. Having said that, I believe that relations between workers and the House, as an employer, are very good and that the benefits are truly excellent. Indeed, people working here on a part-time basis would like to have the same benefits.

If a competition is held for a position in a restaurant and that position is currently filled by a part-time employee, that employee can take part in the competition. He could be given the job. You have cited the example of someone being laid off because a young person

arrives to fill a position. But there is something here that I don't quite understand. Perhaps we could discuss this privately. Sometimes people take part in a competition but do not get the job. That may be the case here, but I can tell you that any competitions that we hold are conducted properly and resolved fairly. I am very confident that this is the case.

As regards health and safety, I think we need to be careful there as well. The Canada Labour Code does not apply here, to the House of Commons, because the House is a parliamentary institution, and thus parliamentary privileges prevail. However, all House of Commons employees are subject to a health and safety policy that was adopted by the Board of Internal Economy. In some cases, where employees have a collective agreement but where their bargaining unit was not willing to adopt that health and safety policy, they retain whatever is already provided for under the collective agreement.

An employee who believes he has been adversely affected can invoke either his collective agreement, or the policy applied at the House of Commons. He really has the best of both worlds. I believe that we take health and safety issues very seriously here.

Of course, Part 3 of the Cabinet and Caucus Employees Act has not been proclaimed, and that is something the unions have been requesting for a very long time.

Mr. Yvon Godin: In that case, they don't have access to the best of both worlds.

Ms. Audrey O'Brien: Part 3 has not been proclaimed, but employees have immediate access to the policy now in effect. They are not without protection.

[*English*]

The Chair: Thank you very much.

We do have a couple of other...

Mr. Speaker, please.

[*Translation*]

Hon. Peter Milliken: I would like to comment on the passport issue. This has been raised by members of the Board of Internal Economy. We have held discussions about all of that. It certainly is a problem, but passports are a problem for all Board members. As far as I'm concerned, it is perfectly normal for there to be a lot of applications. In past years, in months when the number of passport applications is very high—I believe that's January, February and March—we received almost 500 of them a month.

This year, on January 2 and 3 alone, we received 183, and things have not let up since. Now there are line-ups next to my office. People come, their applications in hand, and want my assistants to deal with it. We have discussed this, but there is no agreement to change the Standing Orders with respect to the amount available in every MP's budget. Only the normal increase that we have agreed to for this year will apply. I believe the Board sees this as a temporary problem. We are hoping that over the course of the next two years, the problem will be resolved. In order to mitigate the problem, we have encouraged the Department of Foreign Affairs to extend the term of the passport from five to ten years. But you never know. You, too, can encourage the Minister to do that.

• (1140)

[English]

The Chair: Merci.

We're going to start our third round here with Monsieur Proulx. Did you want to go?

Mr. Marcel Proulx: Yes, sir. I have a very short question.

The Chair: I think we can stay at five minutes, but I'm going to keep it to five minutes this time; we went over.

[Translation]

Mr. Marcel Proulx: Ms. O'Brien, you say that when a position becomes available, part-time or seasonal employees can apply. They are free to do so at the same time as anyone else. I am told that, for some positions that were subject to a competition, 200 or 300 people applied. Would it not be possible to give priority to people who are already seasonal or part-time employees, rather than opening up those competitions to the general public? Those people are already part of our family, part of our system.

Ms. Audrey O'Brien: I know that for some time, that was one of our policies. I will ask the question and note the information I am given in that regard.

Mr. Marcel Proulx: According to my information, that is not the way things are done now. However, it would be a good idea to give those people priority.

Ms. Audrey O'Brien: I have noted your suggestion.

Mr. Marcel Proulx: Thank you.

[English]

The Chair: Mr. Owen, would you like the other half?

Hon. Stephen Owen (Vancouver Quadra, Lib.): Thank you.

Thank you all for being here.

Mr. Speaker, I have a question of more general application than the specific estimates themselves, but it really goes to the opinion of you and your colleagues as to your effectiveness in being able to execute your responsibilities in the House of Commons in the face of what—as I understand from people who have been here much longer than I—is the deteriorating situation with respect to allegations that can really be classified as nothing other than defamation in the House.

I'm interested in your historical view of the issue of members' privilege, which, as I understand it, is an important privilege that grew out of the need to protect members of Parliament from the both the Crown and the courts, and to provide that space to speak freely and challenge and exchange ideas.

While I understand that if it were not under this privilege, it would be seen to be defaming other members, at least members have a chance to protect themselves and the Speaker has the opportunity to intervene in a number of different ways to try to correct that situation. But of increasing concern to me is the fact that, with CPAC and immediate publication of a defamation—not against another member, where there are some protections, but against any member of the public across Canada—we have a situation under parliamentary privilege that I think is contrary to a fundamental legal principle in our country, that if someone is harmed, there should be a remedy.

I'm wondering, first of all, if you agree there has been some decline in civility or an increase in comments that could be defamatory of people not within Parliament. And perhaps giving consideration to the Parent case as well, which showed some incursion of the courts—not in this way, but in another way—into the activities of MPs and in defining or narrowing the parliamentary privilege, do you feel satisfied you have the tools to do your job, or will the courts perhaps be convinced they have a role to play to protect the necessary remedies of Canadians affected by defamatory comments?

I must say, Mr. Speaker, I did ask this same question of Justice Rothstein during his appearance before the parliamentary committee, before his appointment to the Supreme Court of Canada, and he didn't burden me with his opinion on it.

• (1145)

Hon. Peter Milliken: I gave a ruling this morning on this. It was dealing with a point of order raised by a member who alleged that another member had used the Standing Order 31 statement to suggest that someone had done something improper. I ruled that the statement did not in my view violate the principles of the House. In my ruling I cited statements from Mr. Speaker Fraser in Marleau and Monpetit, which indicate that members should not use the names of members of the public in their presentations in the House unless it is in a polite way. I noted in my ruling that in my view the member had not overstepped the line in his quotation. He had quoted a member of the public who had appeared before a committee. The quotation was accurate. He made comments about the organization to which the member of the public had some connection, which were unflattering to that organization. But in my reading of the statement they were not directed at the individual in question, as was alleged in the point of order. So in effect I dismissed the point of order.

I don't think the House has deteriorated particularly in that regard. I don't believe there are more statements that are offensive about members of the public in the House today than there were when I arrived 18 years ago. I think members are relatively guarded in that respect. More of the offensive comments seem to be directed at each other than at members of the public. I haven't had many complaints about comments about members of the public in the House, which members of course are free to raise, as happened in this point of order this morning. I don't think it's a particularly serious aspect of the way the chamber is functioning at the moment.

I have no comment whatsoever on committees. I'm relatively unfamiliar with what transpires in committees. I believe there were allegations in the point of order that something had happened in the committee. Of course it's not for me to make rulings in respect of those matters. I'm unfamiliar with it, because I rarely get to a committee meeting. That's why I enjoy coming here. Of course where there is something that goes wrong, I refer it to this committee. You people can look into it and report it to the House. I appreciate your assistance immensely.

The Chair: Thank you very much.

Monsieur Godin, we have a five-minute round for you now. Thank you.

[*Translation*]

Mr. Yvon Godin: Thank you, Mr. Chairman.

I would just like to comment on what Mr. Own said. I would have trouble accepting the idea of this be handled outside of Parliament. I think we have to resolve these issues inside Parliament. I don't wish to offend anyone, but I would find it hard to accept that I was to be judged by judges appointed by the Conservative Party or the Liberal Party for something I allegedly did in Parliament. Parliament is essential political. We are protected by Parliament and we resolve our issues directly in Parliament. There are committees that have their own disciplinary rules and we resolve our issues internally. However, even though we deal with things internally, we deal with them publicly. As a general rule, all of those things are public. When there is a point of order raised in the House of Commons, it is public. I have difficulty imagining someone else—particularly since we are in politics—muzzling us to prevent us from speaking our minds. I believe every member of Parliament takes his responsibilities. Mr. Speaker, I suggest that you have someone removed from the House of Commons because he had not taken his responsibilities, but the Liberals and Conservatives refused. We could have gone that far, but it was not accepted. So, we have to trust you.

• (1150)

[*English*]

The Chair: I guess that was more of a comment.

Mr. Yvon Godin: It's comments and questions, right?

The Chair: That's called rhetorical commentary.

I don't have any questioners on my list, so perhaps I could be indulged to simply ask our panel a question.

Under the first section, "Budgets for Members and House Officers", I see an increase of about \$3 million, which I understand from last week is the result of an increase in rental costs, the Bank of Canada's consumer price index, and extra ridings. Then I see as well, under "Salaries", a salary adjustment for members of the House.

What I want to speak to, and it speaks to the point that Mr. Godin raised about our staff, is that I've been on the Hill now coming up to three years, Mr. Speaker, and I follow all the guidelines that are provided with respect to suggested staff salaries being in the range of 63% to 68% of your MOB, and so on. We're certainly doing that, but I have noticed that there seems to be an increasing discrepancy between what we pay our staff here on the Hill versus the private sector. I know some members can probably comment that they've

lost staffers to the private sector because the pay is significantly higher for, in most cases, similar work.

I'm concerned that as the years go by, that discrepancy will increase, and at some point in time it may in fact cost the taxpayers a huge amount of money to simply catch up or to try to catch up to par with the private sector. I just wonder if you could explain how you go about determining what the members need in terms of paying their staff.

It goes to the issue of passports, which I would agree is perhaps a temporary issue, but all of our staff work very, very hard, and it's difficult to pay them. Could you comment as to whether there are any plans in place to try to decrease that growing gap in the short term?

Hon. Peter Milliken: I don't think the plan is to attack the issue from that perspective. We do have difficulties that have been discussed in the board in the past, and indeed, we're proposing to look into some of these matters in the next short while.

Part of the difficulty is that members face different pressures in different places. For example, members in Toronto or Vancouver have to pay rents that are astronomic compared with the rents that many of us in the rest of the country have to pay. So the percentage of their budget that goes to renting an office can be double or triple what it might be in some other parts of the country to have a quite modest office in their own constituency.

Other members have similar difficulties with salaries in constituency offices. Salaries, you expect, might be higher in some parts of the country than they would be in others. We hear about it in the media. The difficulty of hiring people at Tim Hortons or Burger King in northern Alberta is much greater than in Ottawa or Kingston. This makes for a significant difference in the rates of pay expected in different parts of the country.

Those factors are all ones that impinge on members' operating budgets in a significant way and can make for real discrepancies in the amount that members are able to put into salaries, rent, or purchase of other items that their budgets allow them to purchase, because of these differences that exist across the country. As you know, the differences that we make in members' operating budgets are impacted by the size of their riding geographically and the population size of the riding. Supplements are paid for those two factors but really not for anything else. So we don't pay if the rent is higher in a certain place, and we don't pay or deduct if the salaries are higher or lower in a certain place.

We're looking at, really, what the members' operating budget is doing at the moment for members in terms of allowing for engaging of staff, obviously both in Ottawa and elsewhere, because the constituency staff is a very important part of this. Both are being looked at, and I think the board may come up with some recommendations, for a new Parliament, for changing the MOB to a different figure, based on their studies. But we have to do some detailed work on this, and you have to accept the fact that some members pay more in salaries than others.

We have, I believe, ceilings and a base on all of the salaries, and I'm sure those will be reviewed as part of that review, but some members are much closer to the ceiling, I'm sure, than others, and that's just the way it works. Some may have fewer employees than others. Many will employ a bunch of part-time people. The options are there for members to make their own decisions in this within the framework of the budget. But I agree that rents and rates of pay can be significant distortions in the way that members can operate their offices, and the differences or the variables across the country significantly impinge on this, and our process does not reflect the costs of carrying on operations in various parts of the country. At least in Ottawa everyone is the same, but again, some members will hire more people here than in their constituency, and others will hire more in the constituency than here. It's a matter of choice, and it's one that the board does not dictate to MPs, as you know.

• (1155)

The Chair: Just as a final comment on that, and then....

Sorry, I see that we have other questioners. I guess I'm causing a lot of questioning here. I apologize.

Has the board ever considered using a point system for rents, much like we use for travel? Again, it's the same sort of variation. I drive home, and that's a tank of gas. Yet members from British Columbia have to purchase a \$3,000 plane ticket. There's the same discrepancy. If the board were to put the rent of a constituency office on a point system, that would free up the money for staff salaries. It's just a suggestion that you might consider.

Hon. Peter Milliken: We noted that rents in British Columbia—we just discovered this the other day—are paid by the legislature and are not part of the member's budget.

So there are options, and the board is looking at these. It's under what I would describe as semi-active consideration at the moment.

The Chair: Thank you very much.

Hon. Peter Milliken: We recognize that we're not likely to change it this year, but at some point there might be a recommended change of some sort in the process.

The Chair: We have two more people on the list.

My apologies if I've stirred up a bit of a nest here.

Mr. Owen, you are up, and then Monsieur Godin.

Hon. Stephen Owen: Thank you.

I have just an observation in passing, Mr. Chair and Mr. Speaker. The discrepancies in cost of living that affect MPs' staff also are reflected in MPs, themselves, should one be so unlucky as to live in Vancouver or Toronto. But there are compensating benefits as well.

The Chair: Mr. Reid is next, and then Monsieur Godin.

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): With relation to the subject of offices, we've been discussing constituency office rents, but I'm thinking here of the offices in the West Block that at some point, presumably, will be subject to being emptied out and put into another building so the building can be renovated. Every time I go past the building, I see further evidence that it is a matter of increasing urgency.

One of the options that had occurred to me, and I just want to suggest it, is when moving out of that building, I wonder if it would make more sense and be less expensive to rent office space somewhere in the downtown area of Ottawa, as opposed to trying to build up and refurbish one of our own buildings to accommodate people during that period. I gather that would be a very expensive undertaking, that is, refurbishing one of the buildings currently in the parliamentary precinct, say, La Promenade Building.

It occurs to me that a considerable amount of money could be saved if we were to look at the option of renting office space during that period. I gather from the fact that embassies use office spaces that these areas can be made secure. We have security considerations as well, but I assume that can be done.

Hon. Peter Milliken: It's a good question.

I understand that some investigation was done of the possibility of doing that when we made a decision, whether the board or public works—I don't know who made the decision—and agreed with a recommendation that a building would be refurbished and that members would move into that building, in part because of its proximity to the Hill. No members want to work far away.

Part of the difficulty in finding accommodation within a block of the Hill.... It is a problem. And we have it relatively close by in buildings that are currently under our control or under the control of the Department of Public Works. That's why we're going with that option. Members will not be farther away than Sparks Street and will be able to get back and forth to work readily.

The decision to go south of Wellington was one that generated considerable controversy, to my recollection. But it is so close that they felt it was safe because members could get from there to the West Block, for example, more quickly than they could from the Justice Building, and originally similarly to the Centre Block, even on foot.

We're optimistic that the whips aren't going to be overly upset if some of their members are that far away when others are not, and that was part of the rationale for the decision.

• (1200)

The Chair: Monsieur Godin.

[*Translation*]

Mr. Yvon Godin: It's true that members of Parliament really have to be close to Parliament in case of votes or for committee meetings. In 1997, I worked in the Wellington Building, and I really liked it, because I was just as close as if I had had an office in the West Block. I don't think you will contradict me on that point. Some members of Parliament may not want to work in that building, but it's my responsibility.

In terms of the budget, that is where there are differences of opinion. When we talk about budgets, some people say it's more expensive for people living in cities, like Toronto and Vancouver, for example. On the other hand, MPs who live in rural areas have to drive hundreds and hundreds of kilometers. That ends up costing almost as much money.

Hon. Peter Milliken: I did not refer to that, but travel within the riding is a good argument. That is quite a different matter and I did not mention it; however, there are a number of different factors that affect each of our budgets and that have to do with the diversity of our country. For others, it's a problem. At least there is a supplementary budget for larger ridings—in Nunavut, for example. It may not be enough, but...

[*English*]

The Chair: My apologies.

Is that the end of your round, Mr. Godin?

My apologies for being distracted there.

Colleagues, I think that our round of questioning on the estimates is over.

Mr. Yvon Godin: You didn't hear what I said?

The Chair: I heard everything you said, and I'll read it again tonight when I get the minutes.

I would like to thank you, Mr. Speaker; I appreciate your coming out again. And Audrey, thank you very much.

We're going to try to deal with this. You are dismissed, but we're going to try to deal with this very quickly.

Madam Redman, did you have a comment?

Hon. Karen Redman (Kitchener Centre, Lib.): I actually have a little, tiny question, if I could.

The Chair: Absolutely.

Hon. Karen Redman: I will try to be very brief. This is estimates writ broadly here.

In your role as the Speaker, and pursuing your authority within the House, can you clarify for us the jurisdiction and authority you have over the House and over committees and the conduct of members of Parliament? I'm just anticipating a subject that we may deal with later in this meeting.

Hon. Peter Milliken: Conduct outside the House—nothing.

Hon. Karen Redman: Would that include committees, just for clarification?

Hon. Peter Milliken: Yes, effectively. The committees are masters of their own procedures, as you know. I've ruled on that many times.

The one place where I think I have had something to say about what a committee has done is when the committee has come back to the House with a bill that had amendments in it that were beyond the scope of the bill, and I've chucked the amendments. That, I believe, has happened recently.

Beyond that, the events and so on that transpire within committees are really matters for the committees. They can make a report to the House and ask the House to make an adjudication, but unless there's a report from the committee, the House has nothing to say about what happens there, and the Speaker certainly does not.

My jurisdiction, really, is dealing with members and their behaviour in the House, if you want to take it in those words that you were using in your question. It doesn't extend beyond that—unless it has something to do with their budgets, and then I suppose there might be some complaint that could come to me from that source, but it would really be directed to me as chairman of the Board of Internal Economy, and the board would likely deal with it, not just me.

• (1205)

The Chair: Thank you.

I would just ask another question. We seem to be deviating from the estimates a little bit, so my apologies. But since we are deviating, coming back to Mr. Reid's point and then Mr. Speaker's comment about using Wellington Building, which is obviously outside the geographical precinct, what is the process for the Speaker to extend parliamentary privilege to a building that is outside the physical precinct with respect to members' privilege? Is it simply an order that you would make, Mr. Speaker, or is there a process?

Hon. Peter Milliken: The precinct is only the buildings; we don't actually control the lawn. You step outside this building and you're out of the precinct. It's something I have urged change in for some time, but so far without success. So a building occupied by Parliament is part of the precinct, and I believe the Wellington Building is part of the precinct; it certainly was when we had members' offices there, and it still has a lot of members' support services there and committees occasionally meet over there. In my view, it's part of the precinct, within the building.

It's outside that's the difficulty. We don't have control of the lawns between the East Block and the West Block, or between Centre Block and either one of them, either. The building itself is the precinct; beyond it we don't have....

The Chair: Thank you very much.

Mr. Reid, did you want to follow up?

Mr. Scott Reid: Yes. Further to our chair's question, though, how does one go about changing that?

Hon. Peter Milliken: I think it would take a law, a little act of Parliament, to declare whether the precinct were extended to the fence, which is something I think would be worth considering. The board is working on this at the moment, and I'm optimistic that we'll come up with a solution before long, because I believe we have cooperation from the Senate in this respect as well.

The Chair: Thank you very much.

Mr. Reid, are you comfortable?

Mr. Scott Reid: We know the lawn is out, but what about the parking area?

Hon. Peter Milliken: That's out too. Everything outside the building is out.

The Chair: Colleagues, I believe we have finished this review of the main estimates from the Speaker of the House. I will simply try to deal with this matter at this point.

Does vote 5 under Parliament, less the amount voted in interim supply, carry?

PARLIAMENT
House of Commons
Vote 5—Program expenditures.....\$263,640,000

(Vote 5 agreed to)

The Chair: Should I report the main estimates to the House?

Some hon. members: Agreed.

The Chair: I would like to thank our witnesses today and their team for coming. We appreciate that.

We will go in camera to deal with the draft report.

[Proceedings continue in camera]

- _____ (Pause) _____
- _____

[Public proceedings resume]

•(1240)

The Chair: Colleagues, we're going to reconvene the meeting.

I just want to remind members that we are in public, and the business before us right now is a motion in the name of Mr. Preston. I will just remind members that this motion—if Mr. Preston is going to move the motion, and I suspect he is—is debatable and amendable. There is no time limit on the debate. However, if we can get through this, then we can discuss future business.

Mr. Preston, would you kindly go ahead, please?

Mr. Joe Preston (Elgin—Middlesex—London, CPC): The motion has been distributed, so I won't really go through it. Some of the questions we had of the Speaker today pertain to what the motion is about, and that is who has the ability to look at committees and what truly happens in committees.

We certainly have had cases in the past, and I guess over time, looking backwards, I have some rulings even from Speaker Fraser of confidentiality breaches by committees. It's just that it is truly inappropriate conduct, and at least it can't go unnoticed. I'm not standing here to be an accuser. I'm looking for a remedy here, if we can find one, to this situation, and my motion looks to this committee to at least discuss this subject and see if we can come up with a solution.

The Speaker says it's not in his orders to do so, so I guess it's up to this committee.

•(1245)

The Chair: Colleagues, we can open for a bit of discussion on this. I will tell you that I've read the motion. I do rule it in order. This committee did study an issue similar to this in the 36th Parliament. The issue falls within the committee's mandate. So if the committee agrees to the motion, it simply means that we'll put it on our agenda to do a study on it, which could include bringing witnesses and preparing reports and so on and so forth.

Are there any discussions on the motion before us?

Mr. Lukiwski.

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): Just briefly, Mr. Chair, I would say I support it. We don't have to deal with this now, but yes, Mr. Preston has indicated that in years past probably there have been culprits from all parties who from time to time have perhaps purposefully or inadvertently released confidential documents to parties who were not supposed to be in possession of them.

So I think it would be prudent of this committee to set some time aside for this as an agenda item to discuss it, if for no other reason than that it would bring once again to the attention of all members that when you're in committee and dealing with confidential subjects, you must be very conscious about how you treat those matters. And if there are sanctions that are ultimately approved by this committee or at least recommended to be brought forward by this committee, I think it wouldn't hurt to remind members of the oath of confidentiality that we all took when we became members of Parliament.

The Chair: Thank you.

Madam Redman, please.

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

I would agree. I think this is an egregious insult to everybody on the committee, but I would have to tell you—and I'm happy to take my part in this debate—it's always the crux of proving who the leak is, and it becomes a bit of a witch hunt.

I've been in places where you signed your document and handed it back in, and I understand all of this, but it seems to me that the hardest piece of all of this is actually proving who leaked it. So I'm happy to have the discussion. I think it's an insult to colleagues when this happens. I do believe that probably over the course of history there's not been a party that hasn't been the victim or the perpetrator of this, but I think the real crux of it is that it's very difficult to prove. So we can talk about sanctions—and it is an important issue—but I don't know that we're going to resolve anything.

The Chair: Okay.

Monsieur Guimond.

[*Translation*]

Mr. Michel Guimond: I'll be brief, Mr. Chairman. I agree with the comments made by my colleague, Ms. Redman. This is not something that is easy to prove. And we certainly cannot be against the motion before us, as currently worded. I am inclined to vote in favour of the motion, but I am also inclined to say that it will be difficult to enforce. It is rare for a member of Parliament who has leaked a confidential report to hold a press conference to brag about it. In any case, if someone has done that in the past, I would like to know about it. I would like our researcher to go as far back as 1867 to try and determine whether there is any precedent in that regard. I think we should assign that task to him. He should begin immediately, without even taking the time to have lunch. He has to find a member of Parliament who bragged about...

[*English*]

The Chair: We'll certainly instruct him forthwith.

Thank you very much.

Are there any further comments on the motion, or can I deem the motion adopted such that we refer it to the steering committee to get an agenda set, a timing set?

Mr. Yvon Godin: You said there was something similar in 1996. Maybe you could get that information, please.

The Chair: We can certainly do that. I'm deeming that the committee will look at this and we'll get all of that information.

My question to the analyst here is whether we refer this to the steering committee for placement on our agenda, and decisions to be made regarding witnesses and whatever.

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

The Chair: Okay, that deals with the motion, colleagues. Thank you very much.

I just want to point out future business. We can stay in public for this. We have nothing now on the schedule for Thursday, April 26. The committee itself will therefore not meet on Thursday; however, there may be a meeting on the code of conflict issue.

On Tuesday, May 1, the Clerk of the House will be joining us to discuss the issues of in camera proceedings, and committees continuing to sit during the division bells. Briefing notes will be sent around by our research staff.

Is there any other business this morning? Seeing none, the meeting is adjourned.

Thank you.

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