



House of Commons
CANADA

Standing Committee on Environment and Sustainable Development

ENVI • NUMBER 025 • 2nd SESSION • 39th PARLIAMENT

EVIDENCE

Wednesday, April 9, 2008

—
Chair

Mr. Bob Mills

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

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

Standing Committee on Environment and Sustainable Development

Wednesday, April 9, 2008

•(1535)

[English]

The Chair (Mr. Bob Mills (Red Deer, CPC)): I am prepared to make a ruling on the point of privilege Mr. Warawa raised on April 2. I'd like to begin by doing that.

I believe the cameras will be leaving. This is of course on television, but not by live camera, as members know.

After looking at this ruling, members, with the assistance of our clerks and senior clerks and getting a lot of advice about the rules—as they will be—I would like to go through it point by point. It certainly has been a learning experience for me, as well as for some other members, I think—of course taking some guidance from the Speaker of the House.

This ruling arises from the question that was raised by Mr. Warawa on April 2, 2008, regarding the proceedings of the meeting of Monday, April 1, 2008.

Secondly, during the debate on clause 10 of Bill C-377 at the meeting of Monday, April 1, Mr. Cullen sought the floor on a point of order and moved a motion limiting debate on Bill C-377.

The chair ruled the motion out of order based on two arguments—first, that the motion was moved on a point of order, and second, that the committee was already seized with a question on clause 10—at which point Mr. Cullen challenged the decision of the chair. The chair's decision was overruled on division, and debate was allowed on the motion of Mr. Cullen. The meeting was suspended shortly thereafter, and it was agreed unanimously to resume the meeting the next day, April 2, 2008.

Next, on resumption of debate, Mr. Warawa raised a question of privilege alleging that the rules of the House had been broken. He referred to *House of Commons Procedure and Practice*, which on page 454 states that when moving a superseding motion it “is not in order for such a motion to be moved when the Member has been recognized on a point of order”.

Mr. Warawa argued that overruling the chair on matters that are clearly set out in usual procedure and practice constitutes disorder and misconduct, which impinges on members' abilities to carry out their duties. Other members referred to their right to debate the bill at that point.

Mr. Cullen, Mr. McGuinty, and other members expressed the view that the committee had an obligation to consider in a serious manner the bill before it and, while acknowledging that members have the right to debate, that the right to obstruct is not unfettered. Members

pointed out that the committee had spent over twelve and a half hours in filibuster at that point. They further noted that the committee was not abiding by a work plan agreed to unanimously by all parties.

As your chair, I have attempted to be fair and equitable. I interpret the procedure and practice of the House and provide guidance to the committee in order to assist it in accomplishing its work. To that effect, I have ruled several times that members may not move motions on points of order, as this goes against practice, as referenced on page 541 of *House of Commons Procedure and Practice*. I quote: “...Members may not rise on a point of order to move a substantive motion”.

A member cannot move a substantive motion when there is already a question before the committee, as was the case with the motion proposed by Mr. Cullen. Although these are well-known and established practices, the committee has now overruled the chair on two recent occasions.

I am not questioning the right to challenge a ruling of the chair, since this is in conformity with Standing Order 117, referenced on page 857 of *House of Commons Procedure and Practice*. I quote: “While the Chair's rulings are not subject to debate, they may be appealed to the committee.” This is, of course, what happened.

•(1540)

Members, however, must weigh carefully the impact of such actions. The committee, by not following the usual procedure and practice of the House, places itself in uncharted procedural territory. These comments are echoed in Mr. Speaker Milliken's ruling of March 14, 2008, on page 4183, concerning proceedings in the Standing Committee on Access to Information, Privacy and Ethics, in which he states:

...appeals of decisions by chairs appear to have proliferated, with the result that having decided to ignore our usual procedure and practices, committees have found themselves in situations that verge on anarchy.

By its own actions the committee finds itself in a procedural conundrum. Acting against the confines of established procedure and practice, yet having done so within the confines of procedures and practice, the committee is nearing an impasse. As Mr. Speaker Milliken stated in his ruling of Friday, March 14, 2008, as found on page 4183 of *Debates*:

Frankly speaking, I do not think it is overly dramatic to say that many of our committees are suffering from a dysfunctional virus that, if allowed to propagate unchecked, risks preventing members from fulfilling the mandate given to them by their constituents.

What are the options, then, for our committee? As noted on page 129 of the *House of Commons Procedure and Practice*, “the Chair of a committee does not have the power to censure disorder or decide questions of privilege”, and “The Chair...has no authority to rule that a breach of privilege...has occurred”. My role in this instance is to determine if the matter raised does in fact touch on a matter of privilege, and not a point of order, a grievance, or a matter of debate. If in my opinion the matter does touch privilege, then the committee can proceed to determine if it wishes to report the matter to the House. The report should capture the essential elements of the situation and include a motion that would form the text of the report. The motion is debatable and amendable and would take priority over all other committee business.

I've given a lot of thought to exactly what that would mean and what that would do and what privilege is. According to a classical definition of parliamentary privilege in Erskine May's *Treatise on the Law, Privileges, Proceedings, and Usage of Parliament*, “Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively...and by Members of each House individually, without which they could not discharge their functions”.

Does overruling the chair on procedurally sound decisions constitute privilege, in that by doing so members cannot discharge their functions? The answer to this question must be taken also in the context that one of the rights and powers of the House is the regulation of its own internal affairs. As I indicated, Standing Order 117 allows chairs' decisions to be appealed.

I'll just refer to a couple of things. I found very interesting the fact that on TV yesterday afternoon, Don Newman was questioning Bill Blaikie. As you know, Bill Blaikie is the senior member in our House. I thought he had some great insight into what was happening right now. He in fact suggested that rules were written for majorities, and that under majorities this sort of thing would never happen. In his opinion—and I will paraphrase—it may be time that we look at some changes to the rules in order to accommodate the kind of situation we find ourselves in at this committee and in several other committees.

I certainly found that interesting—and wish all of you had seen that—to hear from a senior member of the House.

Looking at all of that, my opinion is that although it is within the prerogative of the House to make its own rules, the use of conflicting rules may at one point impinge on members' ability to carry out their duties. To that effect, and given the seriousness of the matter, I will allow a motion—although not a motion of privilege per se—to be put to an immediate vote to report the matter to the House and recommend that the Standing Committee on Procedure and House Affairs—or possibly, as suggested by the Speaker, a special committee—consider whether changes to the Standing Orders might alleviate our current difficulties in committees.

•(1545)

So this goes beyond just our committee. It's all committees.

I note that the standing committee...and if I can give you a little precedence here, this has been done before. A former Standing Committee on Finance presented a report to the House of Commons on April 30, 1990, recommending that the question of rules and

procedures, as they relate to the limiting of debate in cases where committee has reached an impasse, be referred to the Standing Committee on Privileges and Elections. That committee now, of course, is called the Standing Committee on Procedure and House Affairs.

I also looked at the Speaker's rulings very carefully. I found that he had suggested, without actually going further, that in fact that would be a way, possibly, to solve this. Further to that, reading the comments by the chair of the justice committee, he also is suggesting that the rules need to be re-examined to allow us to get rid of this impasse that we find ourselves in—and in an increasingly serious manner.

What I would do, then, is invite a member of the committee to propose the following motion: That the committee report to the House inherent difficulties in the practice, procedure, and rules of the House that allow procedurally sound rulings of chairs to be overruled, and that the committee recommend that this matter be referred to the Standing Committee on Procedure and House Affairs or possibly a special committee to consider whether changes to the Standing Orders might alleviate current difficulties in committees.

Basically I'm suggesting a proactive move where we attempt to push the issue in order to solve the problem that we face. It is a compromise. It will require that the motion be voted on without debate. Then we would go back to where we were when I suspended to come up with this ruling.

Yes, Mr. Cullen.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Just for clarification, Mr. Chair, to which committee do you wish to refer this motion?

The Chair: Well, we're sending it back to the House. We're suggesting that under normal conditions, obviously it would be the Standing Committee on Procedure and House Affairs. They're the ones who can change the way the committees operate.

Mr. Nathan Cullen: As I'm sure the chair realizes—

The Chair: I do.

Mr. Nathan Cullen:—respecting the committee to which you're suggesting the House refer this, they also are under filibuster from the government. You might want to alter that if you're trying to find....

I appreciate the attempt to find compromise, to find a way that this committee can actually function. I think there is some sad irony in the fact that the place where it is meant to go to be fixed, if a fix can be found, is yet another committee where the government has chosen to obstruct.

So it may not be the appropriate place, or you may have to recommend in your motion that they clear that backlog in order for us to clear this backlog and get on with the business of Parliament.

The Chair: I'm suggesting that it could possibly be a special committee, which is what the Speaker referred to. I'm being procedurally correct on where it should go, but obviously, as I think you can hear—and I can certainly read this again—a special committee could consider this. That ultimately could be the committee where it would have to go.

Mr. Nathan Cullen: Yes, I see.

For clarification on a second point, Chair, are you seeking to put this motion before this committee without debate?

The Chair: Yes. I believe this motion would be put and voted on immediately, Mr. Cullen, and we would then go on.

We're in a position where, if that motion is passed, we would then, as I say, revert to where we were. If this motion is defeated, then I guess we're saying that the point of privilege is in effect. That then would be another vote to send it to the House.

You know, this seems to me to be a compromise that allows us to move forward, hopefully. More importantly, it sends a very direct message to the House that there is a conflict of the rules. There are rules saying that we operate by the rules. Then there's another rule that says the rules can be challenged and changed. You can't have it both ways. We're suggesting that this is a problem, and one that none of us has faced before. Of course, this is, as you know, happening in other committees.

This hopefully would send a very strong message to the Speaker and to the House that they need to look at these rules and make them work for a minority government situation. In a majority you wouldn't have the same problem.

• (1550)

Mr. Nathan Cullen: Mr. Chair, aren't you saying you'll put it to a vote?

The Chair: Mr. Warawa.

Mr. Mark Warawa (Langley, CPC): I'd seek a quick clarification, Chair.

The Chair: I don't have the motion yet.

I need someone to move the motion before we—

Mr. Mark Warawa: Mr. Chair, once you move the motion—

The Chair: Okay, go ahead.

It's Mr. Warawa, for a clarification.

Mr. Mark Warawa: I would like the same courtesy that you gave to Mr. Cullen.

In the report that came from the Speaker, he said that “appeals of decisions by chairs appear to have proliferated, with the result that having decided to ignore our usual procedure and practices, committees have found themselves in situations that verge on anarchy.”

What has been reported is very serious. What we are facing here is ignoring the rules. Unfortunately, twice—both times that the rules have been ignored—the motions came from the NDP, which has caused—

The Chair: Mr. Warawa, let's just talk to what I'm proposing here

Mr. Mark Warawa: Exactly.

The Chair: —as opposed to getting into debate. I don't want to get into debate on this. I just want to hear about my proposal, which is coming to you, in all honesty, to try to move on.

Mr. Mark Warawa: Mr. Chair, what I was going to ask is this. Mr. Cullen is the person who moved both of those motions that threw this committee into chaos, so I'd ask him to move this motion to try to get us back on track.

The Chair: I have Mr. Bigras, and then I have Mr. Watson. But ask questions, please—questions seeking clarification.

[Translation]

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): My intent is not to enter into a debate. I simply wish to understand the ins and outs of our decisions. From what I understand, there would be a motion. If the Committee votes in favour of this motion, there will be a report to the House of Commons. There will probably be a one hour debate on this motion in the House.

[English]

The Chair: It could be adopted unanimously by the House, or it could be debated.

[Translation]

Mr. Bernard Bigras: Very well, the motion would be debated. At that point, if the House were to adopt the motion, this matter would be referred to the Standing Committee on Procedure and House Affairs.

Given that there is already a filibuster going on in that committee, would that then mean that the Committee would have to first deal with the motion passed in the House of Commons, which would thus suspend the filibuster? Would that become a priority issue to be debated upon by the Committee on Procedure and House Affairs where the government, despite the decision of the House, would nevertheless be able to pursue its filibuster? What I mean to say by that is that our move here today must have some import. That is what I want to know.

[English]

The Chair: I'm no legal expert, Mr. Bigras, as you know, but as I understand it, when it goes to the House, we now put additional pressure, I guess, on the House to solve these problems. As you know, the whips have been discussing it, and I hope this would be an additional bit of pressure, which is unusual for committees to do.

That's how I would see this, as a pressure tactic by our committee to get it debated and hopefully acted on.

[Translation]

Mr. Bernard Bigras: I must provide further clarification, because you have not answered my question.

Might a clerk listen to me in order to try to answer my question?

If this motion is debated upon and passed by the House of Commons, which would, from my understanding, lead to the referral of the matter to the Standing Committee on Procedure and House Affairs, would the consequence of that be, given that that committee is presently faced with a filibuster, to put an end to the filibuster in order to study this matter?

• (1555)

[English]

The Chair: Mr. Bigras, the mention of a special committee is a guarded suggestion, I guess, to the House. We can't predict what the House will do with something, but that's where we would be sending it. Now, where they send it.... The Speaker has already indicated, as I've quoted, that he's concerned that what is happening could ultimately end in anarchy, so I think there's already a veiled suggestion about what the Speaker might do.

But we can't determine what the Speaker might do at this point, as we can't determine what the House will do when it gets this. This would move us forward, hopefully, and would hopefully solve a much bigger problem that could well plague other committees.

I have Mr. Watson next—and I'll get back to you, Mr. Cullen—and, I believe, Mr. McGuinty.

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

The Chair: And remember, this is for questions, not debate.

Mr. Jeff Watson: I have a brief point first, and then a question or a comment and your thought on that.

With respect to rules, the rules working in a majority situation, the rules aren't intended for majorities; they're actually to protect minorities within even a majority situation. More to the—

The Chair: That's debate, not—

Mr. Jeff Watson: Well, I told you I had a point to make and then a question.

To the question now, this ruling, if adopted, or a motion brought forward and approved simply sends it to the House to make a decision on where to send it. Our guidance to them would be to which committee, not that we're directing it to a particular committee. Is that correct? We'll be sending it to the House. They will decide or the officers of the House, however it's done, will decide which committee it ultimately ends up in or whether they need to strike a new committee.

The Chair: I guess by these comments and by documenting it the way I've done here, hopefully accurately, we're in effect agreeing with what the Speaker has also observed. It will be between the Speaker and the House leaders, the whips, to determine exactly how this is going to proceed, but ultimately it would be a matter of debate.

That gives some leeway, rather than specifying a committee. So that's the purpose of having that special committee, which in fact is a suggestion that's already floating around.

Mr. Jeff Watson: That's right.

The Chair: That's where that comes from.

Mr. Cullen.

Mr. Nathan Cullen: Thank you, Chair.

There was a direct question put to me by the parliamentary secretary for the environment in terms of moving this motion. The one exception I might make to this is my question to you earlier about the committee that you're suggesting the House send it to also being in filibuster. I'm not sure the government today can give us any insurance at all that that committee would not also end up in a logjam.

We've been at this one part of the bill for seventeen and a half hours now. In order to facilitate our moving beyond this and getting back to the environment, which this committee is meant to do, I would like to move a motion to strike out “the Standing Committee on Procedure and House Affairs” and just allow the House and the chair, the Speaker of House, to select a special committee in order to do this.

Without the assurance of that other committee not also being delayed, I don't think it actually meets the recommendation that comes from you, Chair, which is to try to break this logjam.

I'm prepared to move the motion, if you understand my direction with what I'm trying to do.

The Chair: Sure. Can we say “appropriate committee”?

Mr. Nathan Cullen: Okay. You're starting to help out.

The Chair: That gives that to the Speaker. You know, all his statements, which we reviewed very carefully, indicate that he wants action as well.

Mr. Nathan Cullen: Chair, as you have indicated—just to be clear on this process—you would like this motion moved, and once the motion is moved, that's the end of debate.

The Chair: Once the motion is moved, that ends it.

Mr. Nathan Cullen: So the language that you've suggested is “the appropriate committee”?

The Chair: I'm suggesting “That the committee report to the House inherent difficulties in the practice, procedure and rules of House which allow procedurally sound rulings of chairs to be overruled, and that the committee recommend that this matter be referred to the appropriate committee”.

Do we want to leave “the special committee”?

• (1600)

Mr. Nathan Cullen: Yes, please.

The Chair: Then, “or possibly a special committee to consider whether changes to the Standing Orders might alleviate current difficulties in committees”.

By saying “committees”, of course, we're acknowledging—

Mr. Nathan Cullen: Other committees.

The Chair: —the fact that it's not just us.

Mr. Nathan Cullen: Chair, in order to facilitate our getting back to Mr. Layton's legislation and hopefully finishing it today—I believe we're only some minutes away from actually finishing it; we've been at it for 20 hours, but I swear there's only 30 minutes left to go—I will move the motion as you've just repeated. I don't think I need to repeat it again.

So I move that motion, which began with, "That the committee report to the House inherent difficulties" and ends with "alleviate current difficulties in committees."

The Chair: Everyone has heard Mr. Cullen's motion with the correction. That correction the clerk has, and we'll make those changes. We'll send the background, as we have presented here, and we will deliver that, then, to the House. That's what the motion is. We're advising the House to choose the appropriate committee to send this on to, to help solve this problem with committees.

That's correct, Mr. Cullen. I'm calling for the vote.

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

The Chair: No one is opposed, so it's unanimous.

We will send this back to the House, then, as amended, and we will now proceed back to where we were when we suspended that portion.

Mr. Cullen.

Mr. Nathan Cullen: Thank you, Chair.

The point we are at now is, as it has been for six weeks, clause 10. This is a clause that talks about the transparency and accountability of climate change initiatives from government. The government, for seventeen and a half hours now, has been filibustering this committee.

I have the floor, I believe, Chair.

The Chair: Mr. Warawa has a point of order.

Mr. Mark Warawa: Chair, for clarification, my understanding from what you said was that once this was dealt with, we would go back to where we had ended, which was that Mr. Cullen had a motion on the floor to limit speaking time.

The Chair: That's correct, yes.

Mr. Mark Warawa: Is that where we are?

The Chair: Maybe I didn't make that clear.

Mr. Cullen, unless you withdraw it, you had a motion at that point, and I had a speaking order at that point—

Mr. Nathan Cullen: That's correct.

The Chair: —so we would revert right to that point. It is that we limit speaking to two minutes per speaker for clause 10 and onwards.

Mr. Nathan Cullen: That's correct. Chair, in this ruling that was just—

Mr. Mark Warawa: Speaking to that point of order, Chair—

Mr. Nathan Cullen: I have the floor, Mr. Warawa.

Mr. Mark Warawa: I have a point of order, which overrules—

The Chair: Mr. Warawa, yes.

Mr. Mark Warawa: Chair, because we are dealing with limiting time, not with clause 10, and it was that motion that created all the problems that are now being reported back to the House, would it be possible for Mr. Cullen to remove his motion, which was put in improperly, against the rules, so that we can deal with clause 10?

Mr. Nathan Cullen: Mr. Chair, I want to clarify that—

Mr. Mark Warawa: Does he have that opportunity?

The Chair: I think Mr. Warawa is asking a question.

What I am saying is that we have dealt with the point of privilege, which we're referring now back to the House; we unanimously agreed to that. We now revert to where we were when that motion and those votes and my ruling and everything was...and at that point we had Mr. Watson, Mr. Warawa, Mr. McGuinty, Mr. Bigras, Mr. Cullen, Mr. Vellacott, and Mr. Godfrey on a list. That's where we were, and it would be on the motion you made, Mr. Cullen, to limit speaking times.

Obviously it can be withdrawn and we can get on to clause 10.

Mr. Nathan Cullen: Is this what the parliamentary secretary is asking me to do?

The Chair: I will ask the parliamentary secretary that.

Mr. Warawa, are we asking for the removal of that motion and a return to the amended clause 10, or are we carrying on? Mr. Cullen is asking what you're asking me.

• (1605)

Mr. Mark Warawa: My point of order was to ask whether he has the opportunity to take that off the table—

The Chair: Yes, he has.

Mr. Mark Warawa: He knows what he did was against the rules. If he wants—

The Chair: Mr. Warawa, I don't think that's the point. The point is —

Mr. Mark Warawa: I'm not going to make that motion, because there's a motion on the table. So it's up to him, Chair.

The Chair: He's asking you, I think in all friendliness, whether you would like him to remove that motion. I think it's a yes or a no.

Mr. Mark Warawa: It's up to him, Chair. He knows what the right thing to do is.

Some hon. members: Oh, oh!

The Chair: Mr. Cullen, you can remove that motion and we can get back to the amended clause 10, and hopefully clauses 11, 12, and 13, or we can debate your motion, with this speaking order.

Mr. Nathan Cullen: As you and I have discussed, both here at committee and in other places, my respect for your chairmanship of this committee is of the highest order. The motion that was moved earlier was not done out of any attack on your abilities or your control of this committee.

Mr. Warawa has asked me—I think he's asked me—to remove this motion of time limitation. The place the motion of time limitation came from was five weeks of filibustering by the government, of taking the bill hostage and not allowing anything to proceed. I don't know whether he has the courage to actually ask me straight up. Is he asking me to remove the motion or not?

The Chair: Mr. Cullen, I believe you have your question period type of answer. I think what you need to do is decide yourself, and I really don't want any debate on this. You either withdraw or you don't withdraw—yes or no—and let's move on.

Mr. Nathan Cullen: With what I sense is no assurance from the government at all to actually deal with the bill and break the logjam, I can't remove this motion.

The Chair: Okay, we're at that motion, then, to limit the speaking times to two minutes. That's the motion.

We have Mr. Watson, who is the first on the speaking list, as determined previously. We have Mr. Watson, Mr. Warawa, Mr. McGuinty, Mr. Bigras, Mr. Cullen, Mr. Vellacott, and Mr. Godfrey. These are the persons I have on the speaking list. We can, of course, add others to this speaking list as we move along. So I'm calling for any other names and will call any other names when I get to Mr. Godfrey.

Mr. Nathan Cullen: Do you have me on the list?

The Chair: Yes, I have you on the list after Mr. Bigras.

Mr. Watson, the floor is yours— and please, to speak on the motion we're discussing, not on clause 10. We're talking about the motion to limit time to two minutes for each member.

Mr. Jeff Watson: More specifically, can you read the motion back? I believe it's two minutes per member per clause, not just two minutes per member.

The Chair: I'll just read what we are debating, and I will ask people to please stay on topic. I'll read this so that everybody is clear.

The motion Mr. Cullen is making is “That there be a maximum time limit of two minutes' debate per member of Parliament on each remaining clause and part of Bill C-377”. “Part” means the title and all the front part of Bill C-377. That's two minutes per clause and per part of clause, which of course are clauses 1 and 2, title, and so on.

Mr. Nathan Cullen: I have just a procedural thing, Chair, before Mr. Watson gets his engines running. Is there any way to allow some air into the room? I have a feeling we're going to be here for a number of hours with this filibuster, and we have more than the usual number of guests.

The Chair: It certainly is warm.

Mr. Nathan Cullen: Can you look into that?

The Chair: We'll see if we can get some air.

Mr. Nathan Cullen: You might want to pre-order some dinner for us, because I expect this might be a while.

The Chair: Mr. Watson, you have the floor.

Mr. Jeff Watson: Thank you.

[*Translation*]

Mr. Luc Harvey (Louis-Hébert, CPC): On a point of privilege, Mr. Chairman.

Mr. McGuinty has a kind of... I do not know what he calls it. Does he have the right to place things on the edge of his desk, especially when we are talking about a debate and not a filibuster. This is a personal accusation.

• (1610)

[*English*]

The Chair: It's not privilege.

Mr. McGuinty, I think you realize we can't use props either in committee or in the House.

Mr. David McGuinty (Ottawa South, Lib.): Mr. Chair, the last three times the Minister of the Environment has shown up in this committee, where he made a complete fool of himself, he used overhead props on a regular basis. I want to go back to your wording, Mr. Chair, to respond—

Mr. Mark Warawa: I have a point of order, Mr. Chair.

The Chair: Just a minute.

Mr. David McGuinty: At the last meeting we had, you said, Mr. Chair—may I quote back—

The Chair: Could we turn off the microphone, please?

Mr. McGuinty, we want to move forward. I hope at some point we're going to do that. I am probably getting as frustrated as anyone. I don't think having antagonistic props moves us forward.

Now, I am as hopeful as everybody else that we're going to move forward.

Hon. Geoff Regan (Halifax West, Lib.): Why didn't you rule out the minister, then? What could be more antagonistic than that?

The Chair: You know—

Hon. Geoff Regan: Really, it's a PowerPoint presentation. You cannot say that you can't have.... It's a PowerPoint presentation. It's a visual aid.

The Chair: You know, I could reread one of the clauses about the road down which we're proceeding. It's not a road I want to take. I don't know why you would want to do that. And you're right, you can use whatever you want. You can wear a costume if you want. Anybody can. But I'll tell you, I'm getting pretty tired of this from all sides. I really think we need to try to get to where we want to go. Maybe by being a little bit more sophisticated, we can get to where we want to go. That's what all of us want. That's what we came here for.

If you think that helps to make things go better and ultimately come to a peace—I don't think it does—fine, have your props.

Let's go back to Mr. Watson.

Mr. Watson, please address the chair and keep on the—

Mr. David McGuinty: On a point of order, sir, you gave me no chance to respond whatsoever.

The Chair: Yes, Mr. McGuinty, go ahead.

Mr. David McGuinty: I'm just going to go back to what you told me in the last meeting, sir, when I asked repeatedly of the clerk to report to Canadians who are watching these proceedings the extent to which the government is deliberately filibustering this debate.

I'll read back exactly what you said to me, sir. I respect your views. You said to me, "I'm not going to keep a clock running. So you can continue to do that, that's fine."

For the people who are watching today who want to know, I don't share your sense of good faith in the government MPs at all, Mr. Chair. If we had any inkling of good faith at all, we would move forward, and these three clauses would be dealt with in the next 15 minutes.

The Chair: Mr. Warawa.

Let's try to get to debate, if we can.

Mr. Mark Warawa: Mr. Chair, I'm speaking to the point of order raised by Mr. McGuinty.

The minister was invited to this committee. He was invited to this committee to speak to this committee, and he brought along a PowerPoint presentation, and he notified you and the clerk that he was going to do so.

An hon. member: Everybody does that.

Mr. Mark Warawa: That is quite different, bringing a presentation to this committee, as opposed to the....

I'm on topic, Chair.

The Chair: Yes, you are, Mr. Warawa, but really, I would rather hear Mr. Watson talk about why we should or should not limit speakers to two minutes.

Mr. Mark Warawa: I agree, Mr. Chair. I'm just, again, addressing an inaccuracy of Mr. McGuinty's, and I wish he would take his antics somewhere else.

Thank you.

The Chair: Mr. Vellacott, very briefly, please.

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC): On the same point of order, I would appreciate comment from the clerk, who is a learned man in these affairs. He very well would probably report to us that props are not allowed in this place either.

It's pretty deceptive for this member to say, when any witness appears with a slate of slides or whatever graphics they provide to us, that it's a prop, in comparison with what he's doing there.

I think the clerk will probably confirm.

The Chair: I think everybody should understand that there's a point at which a chair feels things are simply out of order and in disorder and simply suspends the meeting, throws it back to the members, and says, "Go and fight your battle out behind the barn. Come back to me when you want me to reconvene the meeting." I don't think anybody here wants to go there. I don't want to go there.

But we are sliding there, whether we like it or not. I guess it's up to you now to make that decision.

I am now ready to hear Mr. Watson. Mr. Watson is going to speak to the motion. It's unlimited debate; everybody has an opportunity to speak and can speak to Mr. Cullen's motion.

Mr. Watson, you're first on our list. That list is an ongoing list, just so that everybody understands.

•(1615)

Mr. Mark Warawa: On a point of order, Chair, are Mr. McGuinty's props permitted at the table, yes or no?

Mr. Maurice Vellacott: We either run by the rules or we don't.

The Chair: This is not the House—you're right—but I believe that this is antagonistic and that it threatens decorum.

So Mr. McGuinty, I will ask you to set that down. You can refer to it when you get the floor, but to have it sitting there.... I would ask you to remove it. The next thing we know, we'll have another prop, and then another prop. I don't believe that's going to create decorum.

I would ask you to set it down. I believe it does affect decorum. We're not at "the minister" at this point. We're about this committee's trying to deal with the motion put by Mr. Cullen in all sincerity.

Mr. David McGuinty: Mr. Chair, why don't we come to a compromise on this issue? Why doesn't the clerk, then, every hour upon the hour, simply remind the committee of the extent to which we have been filibustering this debate through the government members? Or we can prop this up once every hour to remind people who are watching and observers who are taking notes that in fact the government continues, hour after hour after hour.

I would remind you, sir, and the members of the government caucus that during the hearings in another committee, it was a regular feature of that committee that all of these members propped up a copy of the Gomery report for television reporters, in front of each of their microphones. It was never ruled out of order at the time. In fact, nobody complained about it. It's interesting now how the government is so deeply offended.

The Chair: Mr. McGuinty, we're a long way from the record.

Mr. David McGuinty: Could we, Mr. Chair, then, every hour—

The Chair: The other committee hit 32 hours—

Mr. David McGuinty: Could we, every hour...? I'm not asking for a reckoning.

The Chair: I'll tell you what the compromise is. I'll keep my watch and tell you at the beginning of each meeting that this is our... whatever hour of debate. That's a fair enough compromise. I'll do that; I'm not going to ask the clerk to do it.

But I would ask you to remove those, or I'm going to suspend at this point. I would ask you to remove them.

Mr. David McGuinty: No problem, sir. Every hour I will prop it up for 15 seconds to remind people where we are, just so we know where we are.

Thank you very much, sir.

The Chair: Mr. Watson, we'll finally begin to debate the motion. I've read the motion. You've heard the motion.

Mr. Warawa, on a point of order.

Mr. Mark Warawa: Mr. McGuinty has gone against your ruling. He has now said he is going to be using that prop every hour for 15 seconds.

Hon. Geoff Regan: That's what he suggested.

The Chair: At the beginning of every meeting I'll announce the time.

Mr. Mark Warawa: Chair, is he going to respect your ruling or not?

The Chair: I believe he will in good faith. I think he will let me report the time, where we're at, at each meeting, and I trust that he'll do that. We'll cross that bridge if and when it comes. We hope it doesn't, because I don't really believe that anybody here wants to carry on under this type of display. So yes, he will obey the—

Mr. Mark Warawa: On a point of clarification, Chair, if Mr. McGuinty were to not respect that, would that be an adjournment or a suspension?

The Chair: I can't deal in hypotheticals, Mr. Warawa. We'll deal with it when and if it happens.

Mr. Watson, please.

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

Thank you for the encouragement from Mr. McGuinty across the way.

Mr. Chair, we're speaking to a motion here to limit debate, the motion being two minutes per speaker per clause. Mr. Chair, off the bat, I'll say I'm opposed to this particular motion for a number of reasons.

Mr. Chair, I think it's a bad motion for some very significant reasons, the motion to limit debate in such a draconian fashion to two minutes per speaker per clause. First of all, I think it's a bad motion with respect to the freedom of speech, which is the cornerstone of Parliament and our democracy.

Mr. Chair, if we turn to Marleau and Montpetit, page 71, I'll quote from M and M under the heading of freedom of speech. It says:

By far, the most important right accorded to members of the House is the exercise of freedom of speech in parliamentary proceedings. It has been described as

—and he subquotes within that—
a fundamental right

—not something corollary or periphery, Mr. Chair—

without which they would be hampered in the performance of their duties. It permits them time to speak in the House without inhibition,

—that means with complete latitude, Mr. Chair, not being intimidated by the force of the will of a majority—

to refer to any matter or express any opinion that they see fit, to say what they feel needs to be said in furtherance of the national interest and the aspirations of their constituents.

Now, Mr. Chair, there are some caveats to that. It goes on to talk about things like immunity for members of Parliament, but they all build on the very cornerstone of a fundamental right, which is freedom of speech. Two minutes per speaker per clause is not what I think would be defined as freedom of speech. The opposition may find it inconvenient that they can't impose their will on the committee because the rules foster debate, not shutting it down. That may be an inconvenience to them. They may not like it, and perhaps they take that position and their opinion in the national interest and the aspirations of their constituents.

• (1620)

The Chair: Mr. Cullen, on a point of order.

Mr. Nathan Cullen: I don't mean to interrupt Mr. Watson as he gets going. Just for the record, so Mr. Watson understands where this came from, because I'm not sure he does, this was modelled after the international trade committee in which his party supported the adoption of a three-minute time limit for all speakers.

If he's willing to go to three minutes, then we're fine. But don't talk to us.... We'll stay here as long as it takes to break this filibuster, to break the government's will in holding up climate change. He's suggesting undemocratic principles and such, and I'll remind him that his committee members at another committee imposed the very same rules. I'm asking him whether he raised such objections at the time, because we need to get on to the issue of climate change and this has to stop.

The Chair: Thank you, Mr. Cullen.

Mr. Watson, carry on, please.

Mr. Jeff Watson: I'll get back to the motion. Thank you, Mr. Chair.

I was talking of freedom of speech and that this may be inconvenient. Obviously Mr. Cullen finds it inconvenient that members of Parliament exercise their full right and privilege to speak freely.

Mr. Chair, as I was trying to make the point earlier when I was interrupted by Mr. Cullen, the members opposite may feel that what they're doing, as I read here, is in the national interest or the aspirations of their constituents in trying to enforce their will with respect to this particular piece of legislation. But they can't interpret for the benefit of our constituents or what we may regard in the national interest, and that's why we have debate. Those matters are to be settled through debate. It's to be settled through a difficult calculus where members of Parliament interact with their own constituents on an ongoing basis. And ultimately the decisions for those will be rendered at election time. All members will stand accountable to their constituents for how they exercise their freedom of speech. Did they in fact do it in the interest of their constituents or in the national interest?

That's the beauty of our system, Mr. Chair. It's one of the reasons I oppose this motion. Two minutes per speaker per clause is a serious inhibition of a member's ability to speak in both the national interest and in the interest of constituents.

I don't pretend for a moment, for example, to try to interpret what the constituents in Mr. Cullen's riding want. I don't know how to perform that calculus, Mr. Chair. I don't live there. I don't circulate through the communities. In much the same respect, Mr. Cullen doesn't represent my constituency. He doesn't circulate through my communities. He doesn't know the people there. He doesn't know what they're thinking. If perhaps a constituent or two or maybe more write or phone Mr. Cullen, he may have some idea of what those specific constituents want. But dealing in the calculus of what my constituents want or what we deem to be in the national interest is something that is between a member of Parliament and the constituents.

Now, Mr. Chair, this motion of two minutes per speaker per clause is impinging on freedom of speech. There are reasonable limits to free speech both in society and in the House. We recognize that through our rules. In terms of the House of Commons, which is the cornerstone institution nationally speaking, Mr. Chair, we have the unique situation where reasonableness is limited in a much more generous fashion than in two minutes per speaker per clause.

There are limits—for example, closure on debate, when you bring free speech to a close. We recognize that's a tool that exists, but it's a prerogative of the crown; it's not a prerogative extended to the opposition. We have other limits. We do define certain limits for each stage of debate, that only a certain amount of debate can exist, but they're not draconian. Even in invoking closure, we don't suggest that it's two minutes per speaker in any fashion, Mr. Chair.

If the opposition considers it a flaw to the system that debate can continue in such a fashion as it's been continuing here at this committee, that's a flaw on the side of free speech, and I think that's something, Mr. Chair, that is incredibly important.

This is a bad motion, furthermore, Mr. Chair, this idea of two minutes per speaker per clause, because it ignores, as well, the fundamental place of rules and the importance of rules in society, in civilization, within our institutions. I'll elaborate on that a little. For example, Mr. Chair, our important documents recognize the supremacy of God and the rule of law. The importance of rules, Mr. Chair, is the preamble to everything else, and it's important.

• (1625)

Those who have thought long and hard in setting up the institutions of our country and the direction we would go in said we would start with the supremacy of the rule of law—with rules. That is very significant foundational stuff. We're not talking about the stuff you build on a foundation; this is foundational stuff. It starts with rules.

This motion ignores the concept of rules. The rule of law exists, Mr. Chair. It was a very radical concept in its time, because it substituted the arbitrariness of one person's will over another, or even the will of a majority over a minority. It was a very radical concept when in history there was rule by kings and rule by despots. This was a very radical departure.

Two minutes per speaker per clause ignores the foundational aspect of rules, Mr. Chair. Our civilization is built on the cornerstone of the rule of law. It's one of the things I think would define the civility within civilization.

Furthermore, Mr. Chair, when we're talking about rules, the importance of rules, and why this motion is bad, we have rules for society that go beyond the principle of the rule of law, if we bore down into that. Our Constitution, the preamble of which sets out the importance of the rule of law, is a set of rules that define relationships between levels of government so that we can serve the people, among other things, and maintain peace and order. It's why rules are important, Mr. Chair.

This motion ignores the importance of rules.

In society we also have the Charter of Rights and Freedoms. We have a lot of talk about the Charter of Rights and Freedoms, Mr. Chair. The Charter of Rights and the bills of rights that preceded it established inviolable relational rules for individuals as they interact within society. Mr. Chair, it's extremely important that we understand the importance of rules and why this motion is so bad.

Let's bore down even deeper into that. It's not just about the preamble to a constitution or the founding documents such as a constitution or, later, bills of rights or charters of rights, but about statute laws, Mr. Chair. They function within the charter framework and bore down into the details of what these relationships should look like.

Here parliamentarians enter into debate and enjoy free speech. They do these roles after elections with the consent of the people, not with the arbitrariness of imposing one's will or the majority's will over another.

Mr. Chair, it's important, even further down from that, that regulations bore down more deeply and more specifically into the rules that govern relationships. We have the court system to interpret these rules and the police and other law enforcement agencies to enforce the rules.

Rules aren't something peripheral to our civilization, Mr. Chair; they're foundational. They permeate every aspect of our institutions. They permeate every aspect of society, governing the relationships of people within society.

Mr. Chair, we have rules within Parliament. Your ruling earlier discussed the importance of rules within our parliamentary institutions. We have Standing Orders that define the rules of engagement and debate within our institutions. The committee also has rules, Mr. Chair.

Mr. Chair, can we have a little bit of order at the committee, please?

•(1630)

The Chair: I will have to clear the room if in fact these signs are going to carry on. I will clear the room of all people here immediately. This will be one warning; I will suspend and I will ask the room to be cleared, so I would ask you not to do that. It is a very definite request.

Carry on, Mr. Watson.

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

I'll go back to the motion at hand, which concerns the two minutes per speaker per clause.

Mr. McGuinty says we should go back to the Magna Carta. That would take a little more than two minutes per speaker per clause, Mr. Chair.

Mr. Chair, to go back to the point, even Parliament and its institutions—the House of Commons, the Senate—have rules. They establish rules to facilitate debate, not to shut it down. This was a bit of my point earlier, when we were talking about your ruling.

The rules don't exist for the majority to impose its unfettered will on the minority in Parliament. Our Charter of Rights flows out of the recognition that a minority group—or even, for that matter, an individual—versus the state has rights. We're protected against the imposition of the sheer will of a majority. We recognize that in the Standing Orders of the House. We recognize it in the committee rules as well. They foster debate.

Two minutes per speaker per clause doesn't foster debate. It closes it down.

•(1635)

Mr. Mark Warawa: On a point of order, Mr. Chair, again I appreciate your encouragement of decorum. What I am attempting to do is listen to Mr. Watson, but it takes about 20 interruptions from Mr. McGuinty before I raise a point of order. I shouldn't have to wait that many times, sir, and so through you, I would ask that Mr. McGuinty show decorum and allow Mr. Watson to have his time.

Thank you.

The Chair: I would ask all members to maintain decorum, to set an example for the people who are watching, and let's deal with this. We are following the rules as written, and the rules say that we have a speaking list, that Mr. Watson is speaking, that he's staying on topic because he is talking about the two-minute timeline. That's what the rules are.

I would ask everybody to enjoy your cup of coffee and think about what we're going to have for lunch. Let's hope it's not as bad as we've had some other days, and we won't order the one when we didn't have enough; we'll take care of it.

Think about that, and let's move on and listen to Mr. Watson.

Mr. David McGuinty: I have a quick point of order.

The Chair: Mr. McGuinty.

Mr. David McGuinty: Could you help us understand this, Mr. Chair? Maybe through you to the members who are on the list, could we get an idea of whether we're going to get through that speaking list today, or before May 7—just some idea? Some of us have real

work to do, and there is always the possibility of substitution for members, because there is real work to do.

If Mr. Watson is going to lecture us about the Magna Carta, many of us who have been through law school don't need that.

Can you get a sense, from the members on the other side or the list of those next to speak, of how long they intend to filibuster?

The Chair: Mr. McGuinty, actually you're the third speaker, so I could ask you.

Mr. David McGuinty: Who are they?

The Chair: We have Mr. Watson, Mr. Warawa, and then you.

Mr. David McGuinty: How long do you think they will—

The Chair: You know I can't ask that question, and we have gone down this road before. Each person has unlimited time to speak.

Mr. David McGuinty: Can I ask the question?

The Chair: No. Basically there's no answer to that question. I can't ask each person on this list. We have a speaking list. You know that people are going to speak as long as they want to for that motion.

Mr. David McGuinty: I can tell you now that I'll speak for less than two minutes, sir.

Hon. Geoff Regan: They can answer if they want to.

The Chair: I don't believe anybody wants to answer, so I'm going back to Mr. Watson, please.

Mr. David McGuinty: That's very telling. Thank you, Mr. Chairman.

The Chair: Mr. Watson.

Mr. Jeff Watson: Mr. Chair, I'll answer the member opposite by saying "Stay tuned".

Mr. Chair, when we talk about the importance of freedom of speech and rules, I don't think the member opposite would ever suggest that his brother, who is the Premier of Ontario, shouldn't have the same rights and privileges as well. That's what our system is based on. These are important things—as if the rights of one aren't the rights of all.

We were talking about the institutions of Parliament and the importance of rules and how the "two minutes per speaker per clause" motion ignores the importance of rules. We were illustrating it with the discussion of how rules apply in Parliament. I said earlier, Mr. Chair—just in summation, so that I can get back to where I was—before we talked about the Standing Orders, that we talked about rules existing at committee.

Those rules are to facilitate debate. Our rules, for example, don't allow for the calling of a question until such time as debate has been exhausted. That is in defence of freedom of speech. It is a very important rule that we have. It helps to establish and maintain order when we debate matters.

There's no levity to this particular issue, Mr. Chair. We take these things very seriously, because they're fundamental.

You alluded to a speakers list. We allow that to be replenished so that we have a fullness of debate, Mr. Chair. Two minutes per speaker per clause is a bad motion. It goes against the whole idea of the importance of rules, even at this particular table, Mr. Chair.

I'm going to bring this around to my third point, then, Mr. Chair. This is a bad motion not only with respect to its draconian limits to free speech and to the fact that it doesn't recognize the foundational importance of free speech—that's a debate—to the passage of laws and the functioning of relationships within society; it's a bad motion because it ignores the rules and the importance of rules. But thirdly, this is a bad motion—two minutes per speaker per clause—because it doesn't allow us the ability to speak without inhibition or to express our opinions and elaborate upon them sufficiently.

For example, Mr. Speaker, two minutes per speaker per clause isn't enough time to talk about the bill's fundamental flaws and to spell out how dangerous this particular bill is and what it means to working families in transition to the green economy. Two minutes is not nearly enough time to elaborate on that, Mr. Chair. Two minutes per speaker per clause doesn't allow members the opportunity to talk about the profound impacts of this particular bill, Mr. Chair.

This bill has some very profound effects. Let's start with the government; it has profound effects on the government. It attempts, for example, Mr. Chair—something I wouldn't be able to say in two minutes per speaker per clause—from the opposition side of the House to intrude into the prerogatives of the crown within our system, setting the policy direction, setting limits that ultimately will affect the fiscal framework of the government, and to do so without quantifying the costs that will arise from any of the particular measures contained within the clauses, let alone the overall impact to the Treasury, from the bill's full implementation.

Further to that, Mr. Chair, two minutes per speaker per clause isn't enough to elaborate how the opposition intends to force an exorbitant cost on the government without bearing the responsibility for that cost.

● (1640)

Mr. Chair, it will be very clear that when the significant impacts bore down to the human level that those impacts will be enacted by the government, not by the opposition. Therefore, the blame for job loss or the other social ills that result will be levelled at the government and not the opposition. This is the most irresponsible kind of government possible. Two minutes per speaker per clause doesn't allow sufficient time, Mr. Chair, to even begin to elaborate on issues like this.

It doesn't allow enough time, for example, as we noted in our last meeting when we looked at the effects of one particular aspect of clause 10—this just transition fund—and what that would mean. Two minutes per speaker per clause is not nearly enough time. As it turned out, that presentation took about an hour and ten minutes, or maybe an hour and twenty minutes, to elaborate. Those are three words within a clause within the entire bill, Mr. Chair.

There are very significant things contained in this bill with very significant impacts. Two minutes per speaker per clause is just not enough time to talk about, for example, issues that aren't contained in the bill but should be contained in the bill.

Two minutes per speaker per clause doesn't allow us to elaborate on measures the government is taking and to be able to compare those to the measures that are being proposed within the bill itself. Two minutes doesn't even begin to allow us to open that discussion and air it out fulsomely. The government is taking a number of initiatives. It would take an awful lot of time to elaborate on them, certainly more than two minutes per speaker per clause.

As well, two minutes per speaker is not sufficient time to begin to bore into the witness testimony and the evidence that we've heard. We've had a number of witnesses appear at this committee table. We've had climate change scientists. Our Canadian scientist who participated in the UNIPCC's fourth assessment report did some very valuable work and presented a wealth of information to this committee. Two minutes wouldn't even begin to unpack the discussion we had there. That's important testimony.

We didn't just have scientists, Mr. Chair; we had economists who appeared here. We had a panel of businesses and economists who themselves presented testimony. Two minutes isn't sufficient to begin to unpack the numbers, for example, by Mr. Sawyer, who appeared before this committee and said that this bill could have some very serious costs. It could have some very serious regional impacts. In his terminology, it could have some very significant competitiveness impacts for industries. These are all incredibly important things, Mr. Chair, that two minutes is simply not sufficient time to begin to explore.

We had evidence as well from environmental groups here. It's important testimony as well that they bring in terms of their perspective to the issue at hand, their thoughts and their opinions. Mr. Chair, two minutes wouldn't begin to assess and evaluate the impact of what their testimony is all about and how it bears on this particular bill.

Mr. Chair, we had constitutional experts, who got into some very important issues. We had jurisdictional issues covered here, the impacts between federal and provincial governments, which are very foundational to our Confederation. Two minutes is not nearly enough time to begin to unpack how unconstitutional the bill is, why it is, and all the things that we heard from the constitutional experts.

● (1645)

Mr. Chair, why is it important to begin to explore the witnesses' testimony? It is because we need to begin to evaluate whether this bill hits the mark or not. The discussion about that, which we're having at clause-by-clause consideration, has to take more than two minutes. You simply can't do it in two minutes per speaker. The ability to evaluate....

We know the bill doesn't hit the mark per se. Do the amendments hit the mark? Those things have to be evaluated. That's why we have our witnesses here; otherwise, it's just a show to have witnesses if the opposition simply wants to present a bill, enforce its will, try to cut off debate, and simply ram legislation through. That would be a mockery of the witnesses who appeared here. So it's important that we have sufficient time—and two minutes per speaker, Mr. Chair, is simply not enough time to do that.

Our system is a good system. When we function according to the rules, when we respect freedom of speech, the system works extremely well. We are set apart from others at the end of the day by doing things the right way and by not simply imposing the will of the majority. It is the right thing to do, because in civil democracies, Mr. Chair, we engage with words, and not with physical force. It's what separates us from others.

It's entirely foundational. This is not peripheral stuff here. It's why I'm not ashamed, Mr. Chair.... I've said before at this meeting, in front of a microphone, that I'm not ashamed to exercise my full privileges in speaking to this motion or any other motion.

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

The Chair: Go ahead, Mr. Cullen.

Mr. Nathan Cullen: Thank you, Mr. Chair.

If we're going to have the government carry on this filibuster, they should at least talk about climate change and this particular bill. If it would be of any assistance to the government, in order to allow us to get somewhere and allow these poor suffering folks who have shown up to this meeting to talk about the environment and hear the government filibuster on that, I will withdraw my motion and allow the government to begin their filibuster on climate change so we can hear what terrible plans they have for this country.

• (1650)

The Chair: We have to have a unanimous decision to withdraw it at this point, Mr. Cullen—

Mr. Nathan Cullen: This would provide progress, I believe, would it not?

The Chair: —and we would then move to clause 10. It would have to be unanimous, and we don't have that.

Mr. Nathan Cullen: I believe it was indicated by the government that they would rather filibuster before the filibuster and delay before the delay. I'm offering an opportunity to get back to the bill so that we can talk about the environment and climate change at the environment committee. What a novel idea.

We could finish this thing. I would withdraw this motion to allow us to get back to the bill.

The Chair: Thank you, Mr. Cullen.

We are in a motion, and that motion is the one that we started the debate on. Only with unanimous consent can we—

Mr. Nathan Cullen: It's unbelievable. I believe I can withdraw my own motion, can I not, Chair?

Mr. David McGuinty: Let's see if there is consent.

The Chair: You cannot when it's under debate.

Mr. Nathan Cullen: Just to be crystal clear, the government is going to continue wasting time on a motion—

Mr. Maurice Vellacott: I have a point of order, Mr. Chair.

Mr. Nathan Cullen: —and then waste time on the actual bill Mr. Layton has put forward.

The Chair: Mr. Cullen, as you know, you made the motion. The motion was to restrict time limits to two minutes. That's what we're debating. I've been listening to Mr. Watson—

Mr. Nathan Cullen: You're the only one.

The Chair: —and he is giving reasons for two minutes not being long enough.

Mr. Nathan Cullen: Three minutes is what was proposed at trade committee, and the Conservatives voted for that.

The Chair: That's not the committee we're talking about. We're in the environment committee. We have a motion, your motion; we're now debating that motion.

Mr. Nathan Cullen: That's unbelievable.

The Chair: Mr. Watson is speaking to that motion. He has the floor.

Mr. Maurice Vellacott: I have a point of order.

The Chair: Mr. Vellacott, if it's really necessary, then please be very brief and to the point.

Mr. Maurice Vellacott: I'll be very brief.

On the point that just happened moments ago, Mr. Cullen was allowed to withdraw that motion so we could get—

The Chair: That's correct—

Mr. Maurice Vellacott: —to clause 10, and he refused to do so, with some indignity and moral indignation, or whatever.

The Chair: We're all aware of that, Mr. Vellacott, and we are now debating the motion.

Mr. Watson has the floor. We are awaiting Mr. Warawa next.

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

Mr. Chair, can we have order at the committee table, please? I'd like to speak.

The Chair: Go ahead, Mr. Watson. I will ask members again, please.

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

I'm going to have to start reading the Jeffrey Simpson article for Mr. Cullen.

Anyway, Mr. Chair, more to the point, the reason we're on this motion is that Mr. Cullen in fact brought the motion. I find it the height and breadth of hypocrisy for this member to now suggest that we should be talking about the environment instead of freedom of speech, when in fact he's the one who brought the motion to limit our freedom of speech at this particular table. Is that the new democracy of the New Democratic Party? I don't know.

Mr. Chair, before I was rudely interrupted by the member, I was talking about—

The Chair: Mr. Warawa, on a point of order.

Mr. Mark Warawa: Mr. Chair, I would ask that you ask Mr. McGuinty to quit interrupting, because I'm finding it quite frustrating.

Mr. David McGuinty: I said nothing.

Mr. Mark Warawa: I can't hear Mr. Watson, and he's sitting right beside me, because of the interruptions of Mr. McGuinty.

Mr. David McGuinty: Mr. Chair, I'm not sure what he's speaking of. I couldn't hear either because I just heard the pounding of the fist. I couldn't hear a thing that Mr. Watson was saying.

The Chair: Mr. McGuinty, I would love to suggest—

Mr. David McGuinty: I couldn't hear a thing myself. I've had my earpiece in here and I'm trying to hear and I can't hear.

The Chair: I taught school once, you know. And that innocent little guy sitting in the front row who just never ever did anything wrong sat in the front row for a reason.

Mr. David McGuinty: That was John Baird.

The Chair: Mr. McGuinty, we're not discussing your school chums. Anyway, I will ask all members to please—

Mr. David McGuinty: I never went to school with John Baird.

The Chair: —stay on topic and let Mr. Warawa listen to Mr. Watson and everyone else to concentrate.

Mr. Watson, you have the floor.

An hon. member: It had better be interesting.

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

I find, Mr. Chair, every time I'm getting close to wrapping things up, there are all kinds of folks jumping in over here. The record will show, Mr. Chair, that I was very near the end of my comments in the last meeting when they started interrupting to ask how long I was going to speak. That's why I always say to stay tuned. We could be close to finishing up here.

In fact, Mr. Chair, I was making the point before all of these interruptions that what sets us apart is that in a civil democracy, in a civil society, we engage with words, not with force. Think about what that means to Zimbabwe. Think about what that means to Sudan. Think about what it means to an emerging democracy in Afghanistan, Mr. Chair.

I hear chuckles from some of the young folks who are in the audience here today watching. Those are freedoms that they're going to hope for down the road, Mr. Chair, and they're the freedoms that young people in other parts of the world, in third world countries, don't enjoy.

It is important. It is extremely important. It's so important that it's foundational. It's a cornerstone. It's what allows us to enjoy the type of prosperity and freedom and openness, and freedom from war. Civilized countries don't often go to war with each other, Mr. Chairman. There's peace that comes with civil society, and that's an important thing. If you want to chip away at the foundational stone with two minutes per speaker per clause, a draconian limit on freedom of speech....

I have to remind Mr. Cullen, who's chirping in once again, that this is not the trade committee, Mr. Chair, and this committee can set its own destiny.

•(1655)

Mr. Nathan Cullen: My goodness.

Mr. Jeff Watson: But, Mr. Chair—

The Chair: Mr. Watson, just address me and don't listen to any outside noise.

Mr. Jeff Watson: Thank you, Mr. Chair. I'd appreciate order at the committee so that I can in fact speak to you, Mr. Chair, and speak through you.

So here we are on the anniversary of Vimy Ridge, Mr. Chair. This is important. It's not just a symbol. It's not just an emblem. Either people fought for something that was important and foundational or they didn't, Mr. Chair. Two minutes per speaker per clause, I think, is a very, very bad motion.

I'm going to round my comments out with that. I think I've made my three key points about that. My encouragement to this committee, my warning to the committee, is that if we're going to chip away at the very cornerstone of a building, the building will collapse. That civil society that we built sits precariously on freedom of speech. It's precarious today because it's being threatened, and that's a very important concept that we can't lose sight of. Mr. Chair, that is something my constituents appreciate and that ultimately is in the national interest.

The Chair: Good, thank you, Mr. Watson.

Now, Mr. Warawa.

Mr. Mark Warawa: Thank you, Chair.

I want to thank Mr. Watson for his intervention. I found it heartfelt and hopefully it will enlighten some members of this committee. I found it interesting.

Chair, the motion that we find right now is a motion to limit the opportunity for us to speak. This started in our clause-by-clause debate, discussions, over Bill C-377. I think we would not be where we are if Bill C-377 was a good bill. If Bill C-377 had been supported by the witness groups, we wouldn't be where we are. What happened was that the witness groups said very clearly that there were some significant problems with Bill C-377. We heard from numerous witness groups, and every one of them said it should be costed.

What Mr. Cullen is suggesting by his motion is that we limit all critique to two minutes, and it's not realistic. So one would ask why Mr. Cullen would want to limit members of this committee from speaking for only two minutes.

Chair, there was another issue that came up on Bill C-377, which was that it was not constitutionally sound and that it would be challenged and likely defeated because it would give unlimited powers to the federal government over the provinces and territories. Do we need more than two minutes to talk about that? Absolutely. And for Mr. Cullen to attempt to stop all discussion after two minutes is beyond comprehension, actually.

Mr. Chair, it was Mr. Layton who introduced the bill, and after Mr. Layton was done speaking, it was Mr. Bramley who spoke to this committee. Both of them suggested that the government do a costing of Bill C-377. Can you do a critique, a costing, with two minutes? Well, not a very thorough costing.

I found it quite ironic in the questions we've also heard in the House—and there are definite timeframes in the House, because we have, for question period, approximately 45 minutes, Monday to Friday. There is approximately 30 seconds for a question to be asked and approximately 30 seconds for an answer, because of that timeframe.

Now it's actually 35 seconds, as Mr. McGuinty points out, but we try to aim at 30, because sometimes with the noise and the exuberance in the House, if you aim for 30, sometimes it's 35 by the time you actually start talking from when your light comes on. So it's very important that we have timeframes, depending on the circumstances.

Bills are debated in the House and sent to this committee to be properly debated. In that process, for example, Bill C-377 is sent to this committee to hear from witnesses and then to be debated. As I pointed out, we heard from witness group after witness group, and every one, including Mr. Layton and Mr. Bramley, said that the government needs to do the costing.

What we heard in question period, yesterday actually, was a question on the quality of our water. It was an NDP member from Vancouver Island North, Ms. Bell, who asked about the number of boil orders over a number of years—actually 1,760 boil orders. Well, that's a very serious problem, Chair. And this government is committed to cleaning up the water in Canada.

• (1700)

On one hand, we have members from the NDP—with time limits, appropriately, within a question period—who asked this 30- or 35-second question about boil orders, and then we had a subsequent answer. It was Minister Baird who answered the NDP member very clearly that the government is helping communities to clean up waste water treatment facilities with \$8 billion.

Now, the NDP knew about that, but they voted against it. That's the difficult irony I have. On one hand, in question period they're asking questions about why we aren't cleaning up water. Well, we are, yet they voted against it. To be able to deal with that takes more than two minutes. To be able to share that takes more than two minutes.

The Chair: Mr. Bigras

[Translation]

Mr. Bernard Bigras: It seems that the member digresses from the subject of the motion, as you may have noted. Maybe you could ask him to stick to the spirit of the motion because he is starting to really stray away from it.

[English]

The Chair: Thank you, Mr. Bigras.

Again, Mr. Warawa, as we've discussed, keeping it to the two minutes and your feeling about this motion is where we want to go,

much as Mr. Watson did. Would you please keep to the motion and keep within that debate.

Mr. Mark Warawa: Thank you, Chair.

I think if Mr. Bigras were to check the record, he'd see.... There may be a lag between when I'm speaking and the translation, but in actuality—

The Chair: Yes, Mr. Bigras?

[Translation]

Mr. Bernard Bigras: Mr. Chairman, I find the behaviour of Mr. Warawa unacceptable. He is saying that the interpreters are not doing their job properly.

Mr. Luc Harvey: He said that there was a lag.

Mr. Bernard Bigras: There is no lag. I heard very well what Mr. Warawa said. I would ask that he be called to order.

[English]

The Chair: Mr. Bigras, I'm listening to the translation. Obviously I'm getting it very clearly. I don't believe Mr. Warawa was suggesting that the translators aren't doing a good job. I think they are. Let's just carry on.

Let's deal with the motion, Mr. Warawa, if we could.

Mr. Mark Warawa: Thank you, Chair.

No disrespect was meant. What I was saying was that I had just been mentioning the importance of two minutes not being sufficient to deal with the issue of water. That's why I was suggesting maybe there was a lag.

But I appreciate the importance of staying on topic and I am committed to doing that.

Speaking to the importance of dealing with cleaner water, which is part of the environment, you cannot deal with clean water and policies—and even sharing those—within the limitations of two minutes. You can't deal with climate change and plans within two minutes. It is not possible.

The irony of what we're seeing, with the NDP bringing up a policy at question period and asking “Why aren't you doing something?”—the first irony—is that they vote against anything the government is doing and its funding, and then say, “Why aren't you doing something?” In actuality, this government is very committed to cleaning up water.

We're also committed to cleaning up the environment and reducing greenhouse gas emissions. That's why the government introduced the *Turning the Corner* plan a year ago. We're already seeing very positive things, results of....

Chair, I'm finding Mr. McGuinty quite disruptive. I'd ask that he respect my time.

• (1705)

The Chair: You can refer to your documents. That's what he's doing. We can certainly get a copy for you, if you don't have one.

Mr. Warawa, just continue, please.

Mr. Mark Warawa: Thank you, Chair.

I did bring copies of this. It's actually a newly compiled document, and I'd like to pass them out, through you or the clerk.

The Chair: Through the clerk.

Mr. Mark Warawa: Thank you, Chair.

Our government is very concerned about the environment, and that's why our target is the toughest in Canadian history: to reduce greenhouse gas emissions with absolute reductions of 20% by 2020. That's why we're already seeing positive results within the community and industry, with even a carbon market through the Montreal Climate Exchange.

With these signals of action on the environment in Canada, we're already seeing the positive signals that would not be happening with Bill C-377, particularly if everyone on this committee were limited to two minutes to debate Bill C-377. That's why Canada has a plan already in place—the *Turning the Corner* plan—that is providing these positive results.

But the topic at hand is whether we should be limiting all discussion about Bill C-377 to two minutes. Chair, I would suggest it's not fair and it's not right.

The environment is very important to me. I have been impassioned about the environment for most of my life. I live in British Columbia, one of the most beautiful parts of Canada, in the Fraser Valley, in my riding of Langley. The environment is very important. I have a responsibility, Chair, to work hard for my constituents and to represent them, and a moral obligation to work hard for a cleaner environment, and not only for the health of just this generation—and hopefully, Lord willing, I'll be living a lot more years. I want a cleaner environment for my wife and myself, but also for my family—my children and my grandchildren—and my neighbour's family and our community. That's why I've taken this to be so important.

I've found, Chair, that Bill C-377 is a very empty and hollow bill that will not achieve reductions in greenhouse gas emissions. What we would end up seeing is dramatic costs for energy, dramatic increases in the cost of gasoline, natural gas, electricity—dramatic increases in cost to Canadians. Chair, that's not what Canadians want.

Canadians don't want a sin tax. They don't want increased taxes. They don't even want increased gasoline prices, to the point where two days ago the NDP again rose in the House and asked a question about rising gasoline prices. The irony is that Bill C-377 would cause dramatic increases in gasoline prices. And how can we share that in two minutes, Chair?

The Chair: Mr. Warawa, again, would you relate this to the two-minute question of the motion, please?

Mr. Mark Warawa: Thank you, Chair.

How can we share with Canadians in two minutes the irony of the NDP, on the one hand, requiring their members to stand in the House and ask why gas prices are going up, while in this committee they're asking for gas prices to go up?

An hon. member: Mr. Chairman, how does this relate to the two-minute time limit?

●(1710)

The Chair: I think Mr. Warawa's point is that in two minutes he can't develop this particular part of the topic. He is referring to your motion.

Mr. Nathan Cullen: Chair, just to clarify, the bill says nothing about gas prices, says nothing about vehicle manufacturers, says nothing about a plan that the government keeps soliciting as reasons for their filibuster, and yet there's nothing there.

The Chair: If we were on clause 10, obviously we'd be talking about penalties, limitations, accountability, and so on. But we're not on clause 10.

Mr. Nathan Cullen: Correct, and that's my point, Chair.

The Chair: We're on the question of two minutes and whether you can develop your subject in two minutes.

Mr. Nathan Cullen: Mr. Chair, this is important, because you've said this. At another committee of this place, with the same rules guiding it, these same people voted for a three-minute limitation. Is that what they're suggesting?

The Chair: You've made that point.

Mr. Nathan Cullen: A friendly amendment is most welcome, if that's what they're looking for.

The Chair: This is not the transport committee. Again, we have the rules. You will get the floor, Mr. Cullen.

Mr. Nathan Cullen: Really? Can you assure me of that, Chair?

The Chair: I think so. You're not very far down the list.

Mr. Nathan Cullen: You don't have to be far down the list to be forever waiting, Chair.

The Chair: We have Mr. McGuinty, then Mr. Bigras, and then—

Mr. Nathan Cullen: But I have Mr. Warawa in the way.

The Chair: No, you're after Mr. Bigras.

Mr. Warawa.

Mr. Mark Warawa: Thank you, Chair.

It's interesting that the NDP did not like my bringing this up. When I talked on one hand about their asking for reduced gas prices, with Bill C-377 it hasn't been costed, and they don't want it costed. One day they do want it costed; it was when Mr. Layton was here. Every witness group said that it should be costed and that there should be an impact analysis. The reason I believe they don't want it costed is that we know there will be dramatic increases in the cost of energy. Chair, Canadians need to hear about that, and they can't hear about it if you restrict the time.

Mr. David McGuinty: You've got to earn your bread.

Mr. Mark Warawa: Chair, I'm having a difficult time.

Mr. David McGuinty: Mr. Chair, that's completely irrelevant.

The Chair: Go ahead, Mr. Warawa. Develop your point about the motion. Obviously we've got to talk about the motion.

Mr. Mark Warawa: Chair, the motion is that Mr. Cullen would like to see the members of this committee limited in their speaking time to two minutes. Chair, I don't believe that's proper. It would limit the opportunity for us to share with Canadians the concerns—and they are legitimate concerns—about Bill C-377. It would not hold the NDP accountable if we limited our comments to two minutes, comments that I need to make about the impact Bill C-377 would have on the environment—which is nothing—and the impact that Bill C-377 would have on the economy of Canada, which would be dramatic. There would be dramatic increases in the cost of energy and increases in the cost of gasoline. They're speaking against these increases on one hand, and then, in the committee, they're speaking in favour of them.

Chair, it's not possible to talk about this in two-minute limitations. We need to have thorough debate, and what we have from the NDP is attempts to limit debate.

It's quite ironic, Chair, that it would be the NDP, a party that has a long history in Canada. Tommy Douglas worked hard for Canadians, and now we have an NDP that has evolved to the point where it's limiting debate. That's their attempt. This is a party that has done very little in Parliament, and now they're trying to limit debate in Parliament. Chair, I don't think it's appropriate. Maybe they need to change the name of their party, because what we're seeing happening here is not democratic.

Chair, as I said, I have had a passion for the environment for years. A number of years ago in my riding there was a serious issue of an energy plant that they wanted to build, called SE2. I fought against that vehemently, as did our community. We had opportunities to go to EFSEC and we had opportunities to go before the energy board, and you cannot share properly the concerns of the committee in two minutes, Chair. It's example after example, Chair; you cannot limit thorough debate to two minutes. It has to be appropriate debate.

What I am speaking against in the motion is the limitation to two minutes.

Chair, let us think back to my parliamentary model, and then I'll get back to the immediate issue. My parliamentary model was a man by the name of William Wilberforce. He was in the British Parliament in the late 1700s. Chair, he spoke in the British Parliament over approximately 40 years, fighting for the abolition of slavery. Could he have done that, Chair, if he had been broken and limited to two-minute speeches? He would not have been able to.

Throughout history, Chair, people have been fighting for freedoms, and the basic freedom of democracy is the freedom of speech. Chair, what we see from the NDP here is an attempt with this motion.... Chair, I gave Mr. Cullen the opportunity to do the right thing and remove his motion from the table, and he refused to do that. He wanted to forge ahead and have speech limited to two minutes, so here we are dealing with this motion.

As I said, Chair, under Canadian constitutional law, freedom of expression is incredibly important.

Paragraph 2(b) of the charter states that everyone has the following fundamental freedoms: freedom of thought, belief, opinion

and expression, including freedom of the press and other media communication. Chair, it's part of the Charter of Rights and Freedoms, and this is a direct attack against that freedom. Two minutes is not an adequate amount of time to share in this committee and fulfill my responsibilities representing my constituents in the beautiful community of Langley, to speak and share my concerns about Bill C-377.

• (1715)

If Bill C-377 was a bill that was well written, that ensured that we would see reductions of greenhouse gas emissions, then I think you would have a totally different atmosphere in this committee, but we've heard from every witness group that it will not accomplish a reduction in greenhouse gas emissions. It was not costed, and they have every opportunity to cost it. It doesn't include talking about carbon capture and storage. Bill C-377 does not deal with absolute reductions in greenhouse gas emissions.

Mr. Nathan Cullen: Mr. Chair, on a point of order, if the parliamentary secretary wants to talk about the merits of the bill, then I would ask him again that I withdraw this motion so we can get back to the bill and see it through. Instead, he continues—18 hours and 15 minutes—to push with this filibuster. He's filibustering on something we attempted to do to see some progress here. Now he's resisting any more progress.

If the parliamentary secretary would finish his point, allow the withdrawal of the motion, we can move on to the bill itself, which he seems so eager to talk about.

The Chair: Mr. Warawa, you do have the opportunity to.... If it's unanimous, he can withdraw his motion, but it has to be unanimous. You're not giving unanimous consent.

Again, you realize what we're slowly deteriorating into—

Mr. Jeff Watson: I have a point of order.

The Chair: —where we simply suspend.

As to this heckling back and forth, obviously our Speaker has to put up with it from all sides, but I don't think in the confines of this committee we do. I have issued warnings. I'm getting pretty tired of listening to the backtalk from all sides.

I would ask all members to just shut up, listen to the person speaking. I'd ask the speakers to stay on topic and refer to the motion at hand. Ultimately we're going to vote on this motion, someday, sometime. I guess we're all going to be here as long as that takes.

So I would just ask everybody to stay very calm. I'll start giving out stars for good behaviour if that's what you want. But right now I would ask everybody—and there are some people guiltier than others—to just pay attention to the speaker, do your work if you want to do your work, but please let's try to stay on topic and let's try to stop the heckling.

Mr. Godfrey.

•(1720)

Hon. John Godfrey (Don Valley West, Lib.): Very quickly, in order to help you undertake this very difficult work, Chair, would you find it helpful or not, because it's very difficult for anyone just to keep listening, to have—

Mr. Mark Warawa: He's got his prop up, showing at the camera.

Hon. John Godfrey: —other folks raise issues of relevance, just to help? I mean, if you're having any doubt about whether the thing is relevant or whether it's germane to the topic, would that be helpful?

The Chair: If you look at the actual rules.... We're talking about a very broad topic—we're talking about this motion—and I've asked members to refer to it. I believe they're doing that. They are, of course, giving all of the reasons why two minutes isn't long enough to cover whatever particular topic it is, and they're developing that point. I believe that's within the realm of this motion.

I guess the thing that's probably delaying us as much as anything is the constant heckling back and forth. I would ask that you stop doing it.

Let's carry on, Mr. Warawa. I'm trying to keep order here. It's getting less and less easy.

And of course, once again, remember that the consequence is simply that we suspend to the call of the chair. I guess I throw it back to you guys to go somewhere and sort it out. When you come back, when you want to call the chair and say, "I'm ready now for you to call the meeting", we'll call the meeting. Whether that's next week, next month, next year, I guess is up to you. But that's where we're heading.

We have a motion that we're going to take to the House, where I'm going to lobby and push to try to get this problem solved for all of us so that we can all move on. We have now passed it unanimously; I'm really pleased about that. I'm going to really try to push it. You've given me the mandate, I guess, to do that.

But it surely doesn't help if we have to shut down the committee. That's not what I want to do. Some may want me to do that; I don't want to do it. I want to carry on with this committee. I want to get clause 10 done. I'm thinking of that in my sleep: "Shall clause 10 pass?" And here we are—

Mr. Jeff Watson: That's clause 10 as amended, Mr. Chairman.

The Chair: —debating a motion, a difficult motion. And I'm asking Mr. Warawa.... I believe he's getting close to wrapping up. We, of course, are going to votes. We will suspend and we'll come back here as quickly as possible. As long as we have a quorum, we'll continue, and we'll continue to debate this motion.

We have a speaking list. I don't know how long everybody can keep speaking; that is totally up to you. I will constantly try to listen and to keep people on topic, which is two minutes: is it long enough or isn't it long enough to make your points about climate change and about the bill that's before us? Is this time allocation right or wrong, yes or no?

We are hearing why it is not. I assume we're going to soon starting hearing why two minutes is good, and then we'll carry on. Until we exhaust the speaking list, we will listen to debate on this motion and

ultimately vote on it. When we vote on it, we'll then go to the amended clause 10 and discuss the amended clause 10.

So right now, unless it's something that I haven't covered, Mr. Watson....

Mr. Jeff Watson: It's a point of order, Mr. Chairman, a brief one.

The Chair: Yes, Mr. Watson.

Mr. Jeff Watson: Just so that procedurally we stay on track, I know that when Mr. Cullen raised his point of order he didn't quite move a motion, but he was close to moving a motion seeking unanimous consent to withdraw his motion from the table. That can't be done on a point of order, Mr. Chair. It would have to wait until he has the floor, if he in fact wants to do it.

The Chair: If it is unanimous, Mr. Watson, it can be done, but it was not unanimous, so there was no motion.

Mr. Jeff Watson: Not while he has the floor.

The Chair: There was no motion because it wasn't unanimous.

Anyway, we're back to Mr. Warawa.

Mr. Maurice Vellacott: I have a point on that same point of order.

The Chair: Yes, Mr. Vellacott.

Mr. Maurice Vellacott: I would just make the point that even if Mr. Warawa wanted to consent to give up or cede the floor, there are others of us who have some good things to say—

The Chair: It has to be unanimous for all members.

Mr. Maurice Vellacott: Exactly.

The other thing is that I want to draw to your attention that Mr. McGuinty has a habit of trying to get a prop forward in his own sneaky kind of way, but I'm beginning to wonder at this point if the number that is showing on it is the number of times—he has a count sheet—that the Liberals have abstained, and whether it includes the time of the extension—

•(1725)

The Chair: Mr. Vellacott, I don't think you want to go there.

I want to go back to Mr. Warawa, because—

Mr. Maurice Vellacott: He can't answer that question.

The Chair: Again, I will remind him to talk about why two minutes isn't long enough to develop his thoughts, his feelings about this bill.

Mr. Mark Warawa: Do I have the chair now?

The Chair: You have the floor.

Mr. Maurice Vellacott: It's 19 abstentions, 19 times sitting on your hands.

The Chair: Go ahead, Mr. Warawa.

Mr. Mark Warawa: Thank you, Chair.

I am quite opposed to the motion that Mr. Cullen has put before this committee limiting the speaking times on Bill C-377 clause-by-clause to two minutes per member of committee. Chair, we need to have thorough debate, and as I said before, we've heard every witness group raise concerns about Bill C-377. We have had amendments from the Liberals, from the Bloc, and from the NDP. Every party in opposition presented a major rewrite of the bill.

I had suggested to Mr. Cullen, and I think it was Mr. Bigras also who recommended, that Bill C-377 be rewritten. Well, in essence, it was. But we don't know—it's still missing so much and we haven't heard back from any witnesses since this attempt to rewrite—whether it is a good bill or not. I believe genuinely that Bill C-377 is not a good bill, but we already have a good bill.

What Mr. Cullen is attempting to do in this motion now is stifle healthy debate. Chair, freedom of expression is a cornerstone of a functioning democracy. Freedom of expression promotes certain societal values, as noted by Professor Emerson in 1963:

Maintenance of a system of free expression is necessary (1) as assuring individual self-fulfillment, (2) as a means of attaining the truth, (3) as a method of securing participation by the members of the society in social, including political, decision-making, and (4) as maintaining the balance between stability and change in society.

Our constitutional commitment to free speech is predicated on the belief that a free society cannot function with coercive legal censorship in the hands of persons supporting one ideology who are motivated to use the power of the censor to suppress opposing viewpoints. That's what I see happening right now with this motion.

They do not want to see an opportunity for members achieving self-fulfillment, members of this committee being able to share their moral concerns of Bill C-377, commitments to see a clean air environment. Bill C-377 will not achieve that. What this motion attempts to do is stifle self-fulfillment, an opportunity to share with

this committee the importance of a bill that will accomplish reductions in greenhouse gas emissions.

We all in this committee know the importance of doing real actions, real things on cleaning up the environment, the environmental mess left by 13 years of Liberal inaction. Maybe that's why the Liberals also want to stifle this opportunity for healthy debate, limiting it to only two minutes, because they're ashamed of their track record and our opportunity to remind Canadians of that—that for 13 long years they made a lot of promises, a lot announcements, but emissions continued to rise. So if they can keep members of this committee stifled to only two minutes, two minutes per clause, then we're not going to have the opportunity to be able to tell Canadians what happened.

Chair, we need, as Professor Emerson said back in 1963, the importance of individual self-fulfillment, and the attempt now of the NDP to stifle that is wrong. It should not be happening.

Point two was a means to attaining the truth, and Canadians need to know the truth of what is Bill C-377—

● (1730)

The Chair: Mr. Warawa, I am going to have to suspend. The bells are ringing. I believe we have 15 minutes and we have a number of votes—I think four or five. I'm not sure how many might be applied. But if everyone could return immediately after that, we'll carry on.

We're done. We're suspended.

●

_____ (Pause) _____

●

● (1835)

The Chair: I see no quorum. This meeting is adjourned.

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

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

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

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

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