



House of Commons  
CANADA

# Standing Committee on Procedure and House Affairs

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PROC • NUMBER 016 • 2nd SESSION • 39th PARLIAMENT

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EVIDENCE

**Thursday, February 14, 2008**

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**Chair**

**Mr. Gary Goodyear**

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## Standing Committee on Procedure and House Affairs

Thursday, February 14, 2008

• (1105)

[*English*]

**The Chair (Mr. Gary Goodyear (Cambridge, CPC)):** Colleagues, let's bring the meeting to order. For today's meeting, we just have committee business on the agenda, but let's see where we go with this.

I have Mr. Lemieux, Madame Redmond, Mr. Preston, Mr. Lemieux, and then Mr. Reid.

Mr. Lemieux.

**Mr. Pierre Lemieux (Glengarry—Prescott—Russell, CPC):** Thank you, Chair.

I'd like to put forward a motion that the committee move immediately to the study of Bill C-6.

I have it here in French and English.

**The Chair:** Can you bring it forward, please?

• \_\_\_\_\_ (Pause) \_\_\_\_\_  
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**The Chair:** I'm sorry we're taking some time here. The clerk and I are debating the definition of superseding motions.

Did you have a question? I don't want to get into a debate, because if this is superseding, it's not debatable.

The clerk is informing me that this motion is a superseding motion. It's not debatable. We'll just go straight to the vote.

It's not amendable. According to the clerk, it's not amendable, and it's not debatable.

We have some points of order.

Monsieur Guimond.

[*Translation*]

**Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ):** Mr. Chairman, could you ask the clerk—or do it yourself—to cite the Standing Order that stipulates that this motion is beyond...

Pardon me for asking you a question. I hope you won't adjourn the proceedings as a result of that question. I've gotten to the point where I'm afraid to ask a question. At the last two meetings, I just asked when we were going to resume following the votes, and you adjourned the meeting.

[*English*]

**The Chair:** We'll find the reference, Monsieur Guimond. It's on page 451.

On the same point, Madame Jennings.

**Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.):** It's simply that we're discussing a motion that I did not hear.

**The Chair:** Oh, I'm sorry.

The motion is that the committee move immediately to the study of Bill C-6.

Colleagues, I can answer Monsieur Guimond's point. Marleau and Montpetit states clearly that motions decided without debate or amendment generally include—third bullet point down, on page 450 —“motions that the House proceeds to another order of business”.

The meeting today is just committee business, and whether or not this is actually a move from anything is the reason the clerk and I were discussing the superseding motion issue.

Standing Order 116 suggests that the rules of the House apply generally in committee.

Does that answer your question, Mr. Guimond?

[*Translation*]

**Mr. Michel Guimond:** Yes, but the answer is entirely unsatisfactory.

I remember very clearly that, when you announced the adjournment when I wanted us to go back to Ms. Redman's motion and after discussing Mr. Lukiwski's motion, you said that it was contrary to the Standing Orders.

I simply want to understand, Mr. Chairman. You're making a decision, but I would like you to explain to me how this situation is different from the one that arose the other day, when I wanted to move the debate back to Ms. Redman's motion.

[*English*]

**The Chair:** What was the date you were talking about, Mr. Guimond?

[*Translation*]

**Mr. Michel Guimond:** I can't... In any case, we've... Ask the clerk. We have a clerk; we have a researcher. I can't answer you.

[*English*]

**The Chair:** Okay, thank you.

I have some other points of order called. Is it on this point of order, please?

I saw Madam Redman. Did you want to speak to this?

**Hon. Karen Redman (Kitchener Centre, Lib.):** My understanding is that I'm the next speaker, so if this is not debatable—

**The Chair:** Yes, that's correct. I understand. Sorry.

**Hon. Karen Redman:** —then I would just reserve my right to be the next speaker after this vote is taken.

**The Chair:** Thank you.

Mr. Preston has a point of order, and then Monsieur Proulx.

**Mr. Joe Preston (Elgin—Middlesex—London, CPC):** It may be a point of clarification, the point being that certainly legislation before this committee would be committee business. And that's what the agenda today says, so I don't understand how this becomes a superseding motion. It is a motion about the business of this committee.

You can read your bullet points, but the point is that committee business is what the orders of the day say, and we've brought forward a motion about a piece of legislation that is before this committee.

**The Chair:** Order, please.

Thank you, Mr. Preston.

We'll go to Monsieur Lemieux on the same point, please.

**Mr. Pierre Lemieux:** Yes, it's on the same point of order, Mr. Chair.

The order of the day is committee business. The last meeting was adjourned. There is a lot of business and outstanding matters in front of the committee. For example, there is a motion to add a member to the steering committee. There is the first report of the steering committee. There is a whole list of work that is open in front of the committee, and here we are discussing committee business.

The last meeting was adjourned. It was convened for a very specific reason, and the meeting was adjourned—it's over. So the way I see it is that we're back to committee business. And what business does the committee want to discuss?

I'm putting forward a motion to say that we should be reviewing Bill C-6, and I believe this is in accordance with the earlier priorities set by the committee, which were to discuss legislative matters as a priority because that's in the best service of Canadians.

We're not superseding anything here, because we're at the beginning of a meeting. The last meeting was convened for a very specific reason, and then it was adjourned. This is not superseding anything. This is a motion that has been tabled at the beginning of a meeting, under committee business, and in fact, it concerns committee business. So I'd like to see that the motion is actually debated.

**An hon. member:** Are you challenging the chair?

**Mr. Pierre Lemieux:** No, I'm not challenging the chair. I'm explaining, on the point of order, where I'm coming from.

•(1110)

**The Chair:** *Merci.*

Monsieur Proulx, you have the same point, of course.

**Mr. Marcel Proulx (Hull—Aylmer, Lib.):** It is the same point of order, Mr. Chair.

Would you be kind enough to ask the clerk to tell us what the French translation for “superseding” is? I presume that superseding is included in the special orders. I'd just like to know the exact French word.

[*Translation*]

**The Clerk of the Committee (Mr. James M. Latimer):** A privileged motion, sir.

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

[*English*]

**The Chair:** Are there any other opinions I can gather on this point, please?

Go ahead, Monsieur Guimond.

[*Translation*]

**Mr. Michel Guimond:** Mr. Chairman, could you please enlighten me. Where does the report of the Subcommittee on Agenda and Procedure stand? Is it adopted?

The Catholic catechism talks about a state called limbo. Limbo is between earth and heaven. We are in limbo; it's a passage before entering heaven.

The Subcommittee report—

[*English*]

In English it's what? Limbs?

**An hon. member:** It's limbo.

[*Translation*]

Mr. Michel Guimond: Where do we stand on the adoption of the report of the Subcommittee on Agenda and Procedure,

[*English*]

the steering committee report, and where we are?

**The Chair:** I'm going to make a decision on this first point, then I'm happy to answer that question. But I'm going to suspend the meeting for a few minutes to consult with the clerk on the first point.

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\_\_\_\_\_ (Pause) \_\_\_\_\_

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**The Chair:** Colleagues, I'll call the meeting back to order.

I've just had a conversation with the clerk, and I appreciate all the opinions around the table. I think there is some possibility to go either way on this, but I think the strength of the arguments I'm hearing from all members around the table is that this is not a superseding motion. It is a legitimate motion that therefore is debatable and amendable. I'm going to confirm with Madam Redman that the speaking list therefore survives. Madam Redman is next on the list.

Mr. Lemieux, do you have anything further to say?

**Mr. Pierre Lemieux:** Yes, I'd like to explain why I'm tabling this motion in front of the committee. I feel the committee needs to.... It's all right, I can wait.

• (1115)

**The Chair:** Go ahead, Mr. Lemieux. We're gathering speakers. I want to make sure I see everybody.

**Mr. Pierre Lemieux:** Thank you, Chair.

What I'm saying is this.

[*Translation*]

As a committee, we must move forward and continue our important work. There are a lot of things to do.

I'm a new member, I've been here for two years, and I've noticed that we've wasted our time in recent meetings. We're not doing the committee's important work. I spoke with—

[*English*]

**The Chair:** Excuse me, colleagues, please. I'm trying to listen and hear the translator as well. I sure don't want to control any debate that's going on around the table, but could we have the debate away from the table, or perhaps in the hall?

Is this a point of order?

**Hon. Marlene Jennings:** Point of order.

**The Chair:** Point of order, Madam Jennings, please.

**Hon. Marlene Jennings:** I really need some clarification. Last week when Madam Redman moved a motion, my understanding was that it was a superseding motion—that was your definition—and therefore the debate immediately went to her motion. At some point, while debate on her motion was going on, the meeting was adjourned—and if I'm misstating something, I would appreciate a correction. Therefore, when we came back, the business should have been Ms. Redman's motion that was being debated, which I had understood was a superseding motion. It could not be amended and could only be debated. I had moved the question—

**An hon. member:** Chair, I have a point of order.

**The Chair:** Okay, we'll hear it. I'm listening to Madam Jennings right now.

**Hon. Marlene Jennings:** I had moved the question. We can get the blues to determine whether or not my recollection is correct. If that's the case, the motion Mr. Lemieux just tabled couldn't be tabled because the question had been put on Ms. Redman's motion.

That's why I'm asking for clarification. Have I misunderstood something?

**The Chair:** My recollection is that no question was put, but we're going to check anyway, Madam Jennings.

**Hon. Marlene Jennings:** Please check, because the question was put. I put the question.

**Mr. Joe Preston:** Chair, on the same point of order, I disagree with where you're heading on it. Mr. Lemieux's motion certainly seems like committee business; however, should you rule the opposite, that the last meeting was to carry on, I certainly still have things to say on that motion, and I was the speaker at the time.

**Mr. Pierre Lemieux:** My recollection is that the last meeting was called for a very specific reason. The reason was in writing. The motion Ms. Redman put forward was different from the reason the meeting was convened in the first place, so it's a superseding motion. It is superseding the business of the day, the reason the last meeting was convened.

The order of the day is committee business, so it's open as to what committee business is. There's nothing to be superseded here. The last meeting was adjourned. We're starting a new meeting. It's under the orders of the day. There's the agenda, it's committee business. So my motion is simply to define what I would like to see as our committee business. It's not superseding anything, because there was nothing on the agenda at the beginning.

**The Chair:** Madam Picard is next, please, on the same point, and then Mr. Proulx.

[*Translation*]

**Ms. Pauline Picard (Drummond, BQ):** I have the same questions as Ms. Jennings regarding Ms. Redman's motion. Earlier I thought I understood, when Mr. Lemieux introduced the motion on the study of Bill C-6, that you had said there wouldn't be any debate. So I thought we were moving on to the vote.

I don't really agree with Mr. Lemieux's remarks because, normally, with regard to the committee's business, that decision should come from the committee and we didn't decide that. It's quite clear that all this toing and froing is designed to make us waste our time; it's so you can continue your obstruction for hours more, until you adjourn. And when we come back, following the recess week, we'll start over again in the same way. I think that's enough.

You said we would be voting on Bill C-6, so let's vote on the motion.

• (1120)

[*English*]

**The Chair:** Mr. Proulx.

[*Translation*]

**Mr. Marcel Proulx:** Mr. Chairman, the committee was convened to discuss committee business. We have long been dealing with this second report of the Subcommittee on Agenda and Procedure of the Standing Committee on Procedure and House Affairs.

It would be much more logical and much more acceptable to start by discussing matters in the chronological order in which they were presented to the committee. The first of those subjects is surely the adoption of the second report of the Subcommittee on Agenda and Procedure. We should therefore simply go back to the adoption of that Subcommittee report.

[*English*]

**The Chair:** We're getting away from the main point here. I'm allowing it because I want to hear everybody's opinion, but we're starting to drift into topics other than the original point. I just want to caution folks to help me. Let's try to stay on the original point by Madam Jennings.

Madam Jennings, you're next to offer some more advice to the chair. Then Monsieur Lemieux, and Mr. Godin.

**Hon. Marlene Jennings:** Following a discussion with several of my colleagues, I believe this is what happened and this is why Monsieur Lemieux's motion is in fact, one, in order, etc.

Ms. Redman moved that the committee move to.... We had the request by four members. That's right. I moved concurrence in the report of the subcommittee. That was being debated. That was being filibustered by Mr. Preston, I believe. At the end of the meeting, rather than calling the question, you adjourned the meeting.

As a result of that, this is an entirely new meeting, as Mr. Lemieux said. It's committee business, and he had the luck of the draw that he got the floor before anyone else and therefore was able to move his motion, that the committee should immediately move to consider Bill C-6.

I think we should vote on it.

**The Chair:** Thank you.

Monsieur Lemieux.

**Hon. Marlene Jennings:** If I'm not mistaken, it is amendable, as you stated. His motion is amendable.

**The Chair:** It's debatable and amendable, but I'm not making a decision right now because I'm trying to figure out if I'm still on this original point of clarification by Madam Jennings, which I haven't solved.

Are you clear you don't need anything?

**Hon. Marlene Jennings:** I'm clear.

**The Chair:** Colleagues, then this round of points of order, based on Madam Jennings' original, is finished. It's done. Hang on. You may have another point of order and perhaps maybe even the same point, but technically Madam Jennings is satisfied and we're right back to the same thing. I will not have points of order on something that we've already decided on and have already moved forward on.

So where we are right now is exactly where we were 15 minutes ago, give or take a couple of minutes, where Monsieur Lemieux has a perfectly legal motion on the floor, and he's the first speaker. Madam Redman is next, and so on and so forth. If there are other points of order I'm happy to hear them, but it sounds to me as if we've gone full circle and we're back to where we should have been in the first point.

I'm getting some negatives from Mr. Godin, so I will hear Mr. Godin, please.

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Chairman, I just want you to explain to us, if it's possible.

On the orders of the day, to me there's a difference between future business or committee business. The committee business is to continue what we started. With future business, we come out with what we want. But this is committee business, and the committee business we already have started. That's why I say it supersedes.

**The Chair:** I have to follow the rules.

There is a point of order.... I'm sorry; one second, please.

Monsieur Lemieux is on the list. Mr. Lemieux, you're next, and then Mr. Preston.

**Mr. Pierre Lemieux:** Thanks, Chair.

I was going to discuss some of this a little bit later, but I may as well mention some of it now.

There are many outstanding matters in front of the committee. Maybe I should go to asking for the question here, but I'm just saying, Monsieur Godin, that—

• (1125)

**The Chair:** Through the chair, please.

**Mr. Yvon Godin:** He's been doing that since nine o'clock this morning.

**Mr. Pierre Lemieux:** Thank you.

What I was going to say is that there are many outstanding matters in front of the committee. For example, there's the first report of the steering committee. Well, it is sitting there to be looked at. It could be considered business of the committee.

**The Chair:** I'm sorry, I'm going to rule that as debate. I think we're getting into debate. If you have a point to make, I'm happy to hear it, but I'm hearing debate now.

**Mr. Pierre Lemieux:** I was just going to get to my point.

**The Chair:** Okay, please.

**Mr. Pierre Lemieux:** All I'm pointing out is that the argument Monsieur Godin made on his point of order is actually not relevant, because there's much outstanding business within the committee. My motion is put forward as committee business.

**The Chair:** Mr. Preston, please. Is it on the point?

**Mr. Joe Preston:** It's on the same point, Chair, yes.

There's much committee business before us. I leave it to you to decide which committee business is it. It seems as though Mr. Lemieux's motion is in order.

**The Chair:** Mr. Lemieux, please, proceed on your motion.

Madam Redman will be next.

[*Translation*]

**Mr. Pierre Lemieux:** I was saying that, as a member, I think that the committee has an important job to do. Personally, I believe we are not on the right track and have not been for a long time. We decided in committee, for example, that the bills that are really important for us, in the committee, and for the government, are also important for Canadians. When I say "government", I mean each of the members and all the parties that are trying to work together in the House.

We have a real job to do. That is why it's important to focus our efforts on the business that is really important.

[English]

I mentioned that there are outstanding matters of business that the committee has not been considering because we've been sidetracked by Madam Redman's motion, which is actually not key to the work of the committee. And I'll say the unfortunate part is that it's not the first time that has come up. There is, of course, the first report of the steering committee, and this has just generated itself into a second report to the steering committee, which of course we were in the process of debating.

But there are actually other pieces of legislation that are very important to the committee and to Canadians. I have brought forward Bill C-6, which is an act to amend the Canada Elections Act, but this is only one piece of legislation, or one, I suppose, important piece of work that we need to do.

For example, I'll just bring up a second one. There's actually a statutory requirement regarding this next piece of business, and that is to review the provisions of Bill C-3, an act to amend the Canada Elections Act and the Income Tax Act, and it concerns the registration of political parties under the Canada Elections Act as a result of the Figueroa case. As a committee, we have a statutory requirement to consider this case and to proceed with it. Instead, we're losing valuable time, so the important work of the committee is stacking up while the opposition is floundering around trying to basically sidetrack the committee in the important work that we are trying to undertake.

I'll say that fortunately today, thanks to my motion, we have an opportunity to work together as a committee to get the committee back on track. It's perfect. I want to explain, though. I'm not too sure that we all agree, and that's why it's going to take some persuasion, I'm sure, because what we have seen from the opposition is that in their actions, Chair, they don't agree. They would rather be moving off into left field in terms of hunting down phantoms as opposed to doing the real work of the committee, and that's why it's important that I take time to explain why I've put my motion forward and why it's important to the committee.

I think it's within the context of how the committee has been operating so far, Chair. For example, I'll bring to light the fact that when I came to the committee.... And I haven't always been on this committee; I wasn't on this committee during the first session. So I'm assuming that some decisions were made during the first session of Parliament with respect to this committee, but certainly they were reiterated once I became a member, because I've certainly heard it not just from our members, but from you, as chair, and from the opposition members as well, that legislation is to take priority.

And why is that? Why would legislation take priority? Because it's in the best service of the House of Commons. We're all trying to work together as MPs, as political parties, to do what's best for Canadians. And I agree that we can have differing opinions, that we can have different points of view. But there are bills that come in front of the House, and they pass...certainly first reading. They go through first and second reading, and they move off to committee. Here we have a very important bill, Bill C-6, in front of our committee, and it's actually not on the agenda.

If we look at the orders of the day, we see it's just wide open—committee business. Yet here is a bill, I would say, of pressing importance because it involves elections, and who knows how close we are to an election. It also impacts byelections. There were byelections in the latter half of last year, but there are more byelections coming up. So here we have a bill that came out of the House of Commons with the support of the majority of MPs. It's come to committee, and it's been stagnating.

It's been sitting here. I'll even use the—

• (1130)

**The Chair:** On a point of order, Mr. Proulx.

**Mr. Marcel Proulx:** Mr. Chair, you're a reasonable man. I'm questioning the relevance of Mr. Lemieux's speech, as we all agree around the table that we should vote on this. So why would he continue?

**An hon. member:** That's not a point of order at all.

**The Chair:** I don't think that's a point of order.

**Mr. Marcel Proulx:** No, but it's a question of relevance.

**The Chair:** I agree with you. According to the rules, I can't. No one can call the question while I have people on my speaking list. And I have people on the speaking list.

He's speaking to the relevance of whether the committee should move immediately to the study of Bill C-6. So I'm going to let the gentleman speak, with the knowledge that there does seem to be some relevance. But you never know what's going to happen until the hands go up or down.

Monsieur Lemieux, please.

**Mr. Pierre Lemieux:** Thanks, Chair.

To address that point in particular, I would say that—

**Mr. Marcel Proulx:** Mr. Chair, you shut down the point of order. You ruled on it. Nobody else around the table has to debate it.

Thank you, Mr. Chair.

**The Chair:** That was a debate, not a point of order, anyway.

**Mr. Pierre Lemieux:** A lot of this goes on in many committees, Chair.

On this side of the table—I believe I can speak for my colleagues—we are not convinced that the opposition MPs support a motion like this. This is unclear. In fact, based on the track record of the committee and the previous words of the opposition members, I would hazard a guess that they're against moving forward with the immediate study of legislation. After all, they're the ones who have been putting all of these motions on the table to sidetrack us.

**An hon. member:** Mr. Chair, I'm sorry, I can't quite hear.

**An hon. member:** I'm having trouble hearing Mr. Lemieux. Maybe he could start over.

**The Chair:** Please, colleagues. I'm getting some complaints that some members can't hear others.

I'm going to invite members to step as far away from the table as possible, even out into the hall, to have their conversations.

My apologies, Mr. Lemieux. Please carry on.

**Mr. Pierre Lemieux:** That's okay. I'll start at the beginning.

I was born on April 9—

**The Chair:** No.

**Mr. Pierre Lemieux:** All right. I was saying, Chair, that it is not evident to me, and I don't think it's evident to my colleagues, that the opposition supports a motion to move immediately to legislation.

**The Chair:** Ms. Redman has a point of order.

**Hon. Karen Redman:** Monsieur Lemieux, I would appreciate it if you would define “immediate” for us, since it's government members who have been filibustering since last August.

**The Chair:** That's more like a point of clarification, but I'll give you the opportunity during your discussion.

Thank you, Madam Redman.

• (1135)

**Mr. Pierre Lemieux:** Thank you, Chair.

The “immediately” means that it should be our first order of business in terms of working together—and I'll emphasize working together as a committee. I feel we do our best work when we're working together, and in fact we saw that earlier. It's just that we've been sidetracked by the opposition. In fact they have split the committee so that it's opposition versus government on something that's not even related to legislation.

Certainly when I discuss this matter with others on the Hill, but also in my riding, they wonder why we're not at work on legislation. They wonder why the committee is being sidetracked and why these motions are coming from the opposition. Why are these motions coming from the opposition to move the committee from its *raison d'être*, from its core work, off in all directions that don't concern the welfare of Canadians and particularly concern elections?

As I'd mentioned, we have an election potentially coming up, yet this matter is very unclear. So I'm putting this into the context of what the committee had decided before.

I was at the point where I was saying I was not a member of the committee during the first session. Now, being a member during the second session, what I have certainly heard other members say, members of the opposition, and what I've heard you say, Chair, is that the focus of the committee is to be in fact the study of legislation.

So quite frankly, I am baffled as to how it is that we have spent so many meetings not studying legislation. Thank heavens the previous motions from the opposition didn't pass, because if they had, more and more meetings would have been spent on things not related to legislation. I honestly think that would have been a great disservice to Canadians.

So I'm actually quite happy. My hope, Chair, is that it is behind us now as a committee. I'm hoping that on Valentine's Day we can embrace, we can hug, we can work together for the betterment of Canadians, particularly with an election on the horizon.

Chair, I must admit, as a member I am tempted to step off the main track, to step away from the core business of the committee to launch investigations.

The Liberal Party hosted the riding cocktail party last night—

**An hon. member:** We'd like to move on.

**Mr. Pierre Lemieux:** Yes, we have heard, but I'd like to reiterate it here.

**Hon. Karen Redman:** Relevance?

**Mr. Pierre Lemieux:** The relevance, Chair, is that I myself am tempted on occasion to step away from what the committee has defined as the core business of the committee. So I'm just giving an example to show that...

Today, for example, I put in a motion that the committee should study Bill C-6. The relevance of this is that I could easily have put in a motion that says we should be looking at this eight-riding cocktail party, which actually would have been an absolute breach of election financing laws. The jingle is, “the sky is your limit” during this auction. This is the Liberal Party that was at work. They basically were saying, Chair...and it's shocking. Don't fall off your chair, please. They were saying that a successful bid—it was an auction—is not a political contribution and is not eligible for a receipt for income tax purposes. Now, that is a flagrant violation of the Canada Elections Act and election laws and a matter of great concern.

They also said, your successful bid will not affect your annual political contribution limit of \$1,100, as if there were no limit whatsoever. I'm just trying to basically put, within the parameters, how critical and how important this particular issue is, and that I would have been tempted to step into that realm. But I've controlled myself.

I just want to finish off here quickly on this one issue.

They went on to say that individuals, partnerships, can you imagine corporations and associations—

**The Chair:** Monsieur Lemieux, I appreciate that. I think you've made your point on that issue. I'm just going to pull you back.

**Mr. Pierre Lemieux:** Chair, are you sure you have a good understanding?

**The Chair:** Yes, I've got a perfect understanding. Thank you.

**Mr. Pierre Lemieux:** Do you want it tabled?

**The Chair:** No. Please just go forward, but not on that point.

**Mr. Pierre Lemieux:** That's fine.

I will just pull back into my main point before I digressed into the details. It was that I myself as an MP had grave concern about what was about to happen at the cocktail party last night. So I would have been very tempted today to drop a motion on the table to say that we should be having a serious look at this, because this is a flagrant overstepping of the law when it comes to election financing. But I controlled myself and instead I said no, what is the focus of this committee? Is it to be chasing after these matters now when we have important legislation on the table? Or is it to actually do the work of the committee?



It is to do the work of the committee. I was just giving an example that all members have this tug at their heartstrings to move off the priorities of the committee and step into other areas, and yet we all must show—I'm just saying, Chair—some self-restraint.

In fact, there's a lot of noise there, and I know people are interested in what I'm saying, and if they showed some self-restraint, they'd be able to hear me. I'm really glad they have earpieces. Thank you.

I'm just saying that it's showing some of this self-restraint. I did that in the best interests of the committee. I think that as MPs we can all do that, and so this is another reason that accentuates why I defined the motion in the way in which I did.

The other thing I would like to comment on is this. I'm actually surprised that Ms. Redman's motion got as much air time as it did and that the committee report got as much air time as it did, because I was reading through some documentation concerning earlier meetings. This committee met in September. It met outside of the normal sitting time for committees, and there was an argument put forward, I believe, by my colleague Mr. Reid, and he was quoting from Marleau and Montpetit. In that argument of his, he was talking particularly to Madam Redman's motion about pursuing the election financing.

One of the things he was bringing out was actually from *Beauchesne's Parliamentary Rules and Forms*, the sixth edition, page 153, citation 505. It says:

Members are expected to refrain from discussing matters that are before the courts or tribunals which are courts of record. The purpose of this *sub judice* convention is to protect the parties in a case awaiting or undergoing trial and persons who stand to be affected by the outcome of a judicial inquiry.

It was a fairly pertinent point and I think it was well received, certainly by the chair, but by the committee members, and so I must admit, as I was doing my research, it did surprise me that the committee had moved away from legislation like Bill C-6, as I'm proposing in my motion, and was stumbling into this overgrown field of launching investigations when in fact the matter is indeed before the courts. I think the opposition agrees with me. I don't hear any rebuttal against that. I'm assuming they agree in that regard, Chair.

There are some other points I'd like to bring out regarding the importance of Bill C-6. One of the things is that there was a comment made, again, when the committee was convened during the summer, because Bill C-6 came up and it was acknowledged by most members that Bill C-6 was of critical importance. And it was of critical importance because there were byelections coming, but also because of the uncertainty that was shown regarding this matter.

Here we had the House of Commons passing a bill into law, and when they passed it into law, it was interpreted differently by Elections Canada. This, I argue, caused great confusion. It caused great confusion among all parties because we had all parties commenting on this ruling of Elections Canada regarding veiled voters.

● (1140)

I know that the chair ended up, in good conscience, basically trying to address this issue with Mr. Mayrand. He had addressed a

letter to you acknowledging receipt of your letter in which you had informed him of a unanimous motion of the committee—

● (1145)

**The Chair:** Excuse me, colleagues, but I'm going to suspend the meeting for five minutes so that we can have all of these conversations that we're having, and get them over with. Then we can come back for some quiet time.

The meeting is suspended, due to disorder, for five minutes.

● \_\_\_\_\_ (Pause) \_\_\_\_\_

● (1150)

**The Chair:** Colleagues, let's reconvene the meeting.

Again, I just want to make sure everybody is fully aware of what my feelings are. I absolutely do not mind conversations going on in the room. I understand that they are necessary. There's research, etc. I don't mind that.

But what I do mind is when conversations start taking place across the table, or when folks on the perimeter of the room start getting louder than the members.

Let's carry on. Mr. Lemieux has the floor.

Let's try to keep it down. I'll give you as much leeway as I can, but when I can't hear, then we have a little bit of a problem.

Mr. Lemieux, please.

**Mr. Pierre Lemieux:** Thanks, Chair.

I was just saying that with Bill C-6 in particular, it's obvious that the problems arose last summer when Parliament passed a bill regarding elections and the way in which they were going to be conducted. This bill was not interpreted to the liking of Parliament or members' understanding of the bill they had just passed, and they felt it was perhaps an overstepping by Elections Canada. They were quite clear on that.

I was just acknowledging that as chair, you have tried to seek clarification from Elections Canada. I was commenting that Elections Canada had written you back. Monsieur Mayrand had written back acknowledging the receipt of your letter in which you had informed him of the unanimous motion of the committee—so it was unanimous—calling upon Elections Canada to reverse its decision to allow veiled voting, which was the way he put it.

So there was unanimous consent in the committee to address the issue directly with Monsieur Mayrand, through you, Chair, in a formal manner, that is, through a letter, a letter that was a response, and to which Monsieur Mayrand responded. Once the bill made it through Parliament and was passed into law, we could say it had the support of the House; that's a fair comment to make. And when it was discussed by this committee at that time—and it had the unanimous consent of the committee—I think it's fair to say this was a concern to all parties in the House and to all parliamentarians, just from the point of view of unanimity.

But when he wrote back, Monsieur Mayrand said, “As I indicated in my press conference yesterday”—and he attached the transcript—“The Canada Elections Act provides several ways of voting that do not require the visual comparison of an elector with a photograph, and consequently the choice to unveil is that of the elector. This result flows not from a decision on my part, but from the act, as recently adopted by Parliament”.

Of course, there's great debate on that point. There certainly was great debate at that time on that point. I think the debate now has shown itself in the form of Bill C-6, which addresses this.

Now, what he did go on to say towards the end of his letter was that, “I would be pleased to appear [before] the Committee at your convenience to further discuss the requirements of the Act in this regard and the reasons why I believe an adaptation would not be justified at this time”.

So you had interpreted the letter to be a no to this unanimous motion passed by the committee. Attempts were then made to have Monsieur Mayrand appear before the committee.

Again, underlining the criticality of the issue, there are many influential MPs—I would point out Monsieur Guimond in particular—who basically expressed their opinions on this matter.

● (1155)

[Translation]

For example, my friend from the Bloc, Mr. Guimond, said:

I repeat that the Bloc supports the principle of the bill because it believes that all voters, men and women, must be equal before the law.

It's Mr. Guimond who said that, and I congratulate him on those words. He truly speaks on behalf of his party, the Bloc Québécois. He said this was really a critical problem that concerned not only the members and parties, but also voters across Canada. That's a quotation from Hansard.

[English]

But there are other MPs who spoke up at the same time—again, as I said, well-known MPs who have important things to add.

[Translation]

For example, Peter Van Loan, another minister, said that during the recent byelections held in Quebec, the government clearly expressed its disagreement with Elections Canada's decision to let people vote with their faces veiled. He said that in October 2007. His remarks were clear.

He also said he thought it was necessary to ensure that the population continues to have confidence in the electoral process. That's an important remark because we're talking about the public's trust in the electoral process. Members are afraid there is a decline in public trust in the electoral process.

That's why we're trying to improve the situation. We've heard from witnesses and we've engaged in debates to identify the reasons why voter turnout at elections is lower. The numbers—

[English]

**The Chair:** Excuse me, Mr. Lemieux.

Apparently there are some transmission problems because of the BlackBerrys. I'm hearing fine, but our translators are having some difficulties. I know you have to use them, so just push back from the table a little bit.

Please continue.

[Translation]

**Mr. Pierre Lemieux:** So I was saying that the members in the House and those around this table are concerned about declining voter turn-out in the electoral process. We'd like to increase turn-out levels because the figures are constantly falling. We're looking for the reasons for that because we would like to provide solutions.

Mr. Van Loan's comment was really relevant. He said that, if the situation remained unresolved, poorly understood, that would undermine public confidence in the electoral process. That's one of the concerns of all members. We've previously spoken about that.

Mr. Van Loan also told the *Globe and Mail* that we had seen the consequences of that decision in the byelections that were held in Quebec in September. He also said before a committee that, when anyone starts ridiculing the established electoral rules, people begin losing confidence in their electoral system, and he didn't believe that we parliamentarians could let that be done without reacting.

That's why Bill C-6 is really of capital importance. There were some stupid things—

[English]

Stupid things were done during the election. People showed up with Darth Vader helmets to take advantage of what people perceived as a loophole or a poor interpretation of the electoral law. They made a mockery of the electoral system. In doing so, they have eroded the confidence of people who didn't do that, who had the good sense to not mock the system in that way, because they ask what's happening with the electoral system if it allows that to even occur. As I mentioned, this is a matter of concern for everybody in this room and everybody in Parliament, which is why we came up with Bill C-6.

● (1200)

[Translation]

That's why we decided to have official meetings here in committee, where the business on the agenda was to study Bill C-6 and to implement a solution as quickly as possible to improve the situation because that situation was utterly unacceptable. As I said, why aren't we on the right track? That's why I'm proud to introduce a motion to ensure that we are on the right track.

I quoted a number of remarks by Mr. Van Loan and my friend Mr. Guimond.

As regards the Liberal Party, I'd like to talk about the opinion of the leader of the official opposition, Stéphane Dion, on veiled voters. This comes from a September *Canadian Press* article stating that Liberal Leader Stéphane Dion is of the same view and that, in his opinion, it must be possible to identify people who are going to vote. The article states that Mr. Dion said in Vancouver that Elections Canada should assign female staff to the polling stations to identify women under their veils, something a man would not have a right to do.

Mr. Dion also stated that his party did not agree with Elections Canada, which he asked to reverse its decision. He added that, ultimately, a person must be able to be identified at the time of voting.

We see that the concerns are all well expressed and well stated everywhere.

One *National Post* article states that the Liberal leader, Stéphane Dion, whose party is having trouble finding support in the province, is also opposed to this measure. The Liberal leader says he believes that citizens are required to reveal their identity when they vote in an election. That's why he would like Elections Canada to reverse its decision and to require women to show their faces in order to prove their identity.

The words used to discuss the situation are strong and direct. I've made a few references to Mr. Mayrand's letter stating that Mr. Dion's remarks were not—

[English]

They weren't convincing enough to have him change his decision regarding veiled voting.

Stéphane Dion also went on to say that he had a real concern with the byelections. There were byelections at that time, so it wasn't just an esoteric argument, which we had time to consider. There were some very real byelections approaching in which people voted.

The integrity of the electoral process is paramount. If we want Canadians to participate in the electoral process, then we need to ensure that they in fact have a high level of confidence that the electoral process is sound. I would say that of all the laws we pass, some of the most important are those that concern electoral reform, because it affects each one of us, yes, personally.

But I don't think any of us here is vain enough to think we will be MPs for eternity. It also affects the future of our government. MPs come and MPs go. Even for MPs who have served for extremely long terms there comes a point when they go, and a new election determines who will replace them as MPs. If Canadians find fault with the system, then they aren't so interested in participating. Their skepticism increases—it does not decrease—particularly when they see a flagrant mockery of a misapplication of the law.

That's where Bill C-6 is important, because it directly addresses this concern, and it's a concern that was identified by many people.

Just to go on, in *La Presse*,

• (1205)

[Translation]

**here's what it said:** Mr. Dion also said he hoped that an amendment would be passed to have all voters vote with their faces uncovered in the next Canadian election. "There has to be an amendment," he said. "However, that will come in time. Byelections are being held now. We want them to be held in a peaceful atmosphere. We disagree with Elections Canada's decision, but we respect it."

[English]

He quite rightly put his finger on the point that this needed to change not just for the byelections but for the long term. He was recommending an amendment at that time simply to find an immediate solution because of the impending byelections.

The Chair: Who is "he"?

Mr. Pierre Lemieux: Oh, I'm sorry, it's Monsieur Dion.

[Translation]

I was talking about Mr. Dion. In the remarks I've just quoted, it was he who proposed an amendment. He suggested an amendment rather than another bill, because he wanted to address the problem as soon as possible as a result of the byelections currently underway.

[English]

I'm just saying that Monsieur Dion, who is the leader of the opposition, was speaking for the Liberal Party, and he was basically expressing his concern with this interpretation of the law and the need for it to be addressed. There was no question about that.

Monsieur Bélanger, another well-known MP, says, "If we want to board a plane in this country, we must provide photo ID". He's right. Everybody now knows that when you board an airplane, you provide photo ID, and it's unveiled: you can't present your photo ID and yet have a veil on. In your photo on the driver's licence, you're not veiled. So we must prove who we are as well.

He went on to say, "I do not have difficulty with that and I do not think anyone has. It is the same thing for the citizenship card. People must have a photo on it and Muslim women must be unveiled. I do not think anyone has difficulty with that because it is a universal application."

The point he's making is very well taken. I particularly like his point regarding the universality, because elections have a universal application to them. Of course it is our hope that all Canadians of voting age will participate in elections, so we see it as being universal across Canada.

I think Monsieur Bélanger's point is that if we must have photo ID in which we are not veiled and if there are other circumstances under which we must present ourselves unveiled—for security reasons, in this case, or just for identification reasons—then this should apply to elections as well. It's a good point.

[Translation]

Even Mr. Godin... I'd like to read something because Mr. Godin is with us today.

Good morning.

**Mr. Michel Guimond:** Mr. Chairman, I have a point of order.

**Mr. Yvon Godin:** Mr. Chairman—

[English]

**The Chair:** We have a point of order.

I got it; I got it. Thank you.

[Translation]

**Mr. Pierre Lemieux:** That's very good. Thank you, gentlemen. I learn something new every day.

[English]

**The Chair:** Okay, you know—

[Translation]

**Mr. Pierre Lemieux:** Thank you for your vigorous and well appreciated participation.

[English]

**The Chair:** Thank you, gentlemen.

Did you want to say something more, Monsieur Godin? I think I've got the point, and the member has been warned.

**Mr. Yvon Godin:** I just wish that Monsieur Lemieux were not here today. Well, he's here.

**The Chair:** That's debate.

**Hon. Marlene Jennings:** I have a point of order.

**The Chair:** Okay, here we go again.

Go ahead, Madam Jennings.

**Hon. Marlene Jennings:** It is simply that you said the member has been warned. The member has not been warned. You simply said, "I got it; I got it", and later you said that the member had been warned.

**The Chair:** Do you need an official warning on the record?

**Hon. Marlene Jennings:** I think that for the transcripts—

**The Chair:** Okay, I'll accept that. Thank you very much.

**Hon. Marlene Jennings:** —it would be good to point out the error of the member and to—

**The Chair:** Thank you. Thank you very much. I appreciate all that.

•(1210)

**Mr. Pierre Lemieux:** Have I been yellow-carded, Chair?

**The Chair:** We're going to hand you a yellow card right now, Monsieur Lemieux.

**Mr. Pierre Lemieux:** A yellow card—excellent.

**The Chair:** I think there was a spanking offered over there, but we're not going to do that.

Members know we can't comment on the attendance of any other members.

**Mr. Pierre Lemieux:** I'll take the yellow card, Chair.

**The Chair:** Thank you.

**Mr. Pierre Lemieux:** Despite that little uproar, I'm going to read what Monsieur Godin said because I think it's important and I have respect for what he said.

Monsieur Godin said,

[Translation]

Going back to that situation, yes, our party supports the bill.

The purpose of the bill was to guarantee the integrity of the electoral process and the ability to identify voters.

Mr. Godin continued as follows:

I think it's because of society, because it appears that most people don't accept that. [They don't accept the Elections Canada decision.] We want it to be—

**Mr. Yvon Godin:** Mr. Chairman, for the purpose of the minutes, I'd like this document to be tabled because it states: "Elections Canada", and I don't think the document mentioned that.

[English]

**The Chair:** Thank you.

[Translation]

**Mr. Yvon Godin:** He's putting words—

**Mr. Pierre Lemieux:** Thank you.

So I'm going to quote Mr. Godin directly:

We want this to be clear and not misinterpreted. It will be clear: people who want to vote will show their faces. Why not say it like that? That will be much better.

[English]

I think Monsieur Godin's words were very well spoken. He feels that it will go a lot better...

That's why I'm surprised that there's been delay from the opposition MPs in coming around to actually discussing Bill C-6. It's a bill that's been referred to the committee for discussion, and yet it's work we have not gotten to, as a result of motions from opposition party members to derail the important work of the committee.

**The Chair:** Excuse me one moment, Mr. Lemieux.

I'm having some discussion here about the tabling of documents at committee. Unlike the situation in the House of Commons, documents don't technically have to be tabled, but there has been a request that you put that particular document before us, and I would ask that you do it. We can get a copy to Mr. Godin.

Is that sufficient?

**Mr. Pierre Lemieux:** Yes. Can we do that after the meeting?

**The Chair:** Good. We're all happy.

Mr. Lemieux, please carry on.

**Mr. Pierre Lemieux:** Yes, that's not a problem.

**Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC):** Mr. Chairman, on a point of order, I assume you would ensure that all documents tabled are distributed by the clerk to all members, and that we take care to ensure that they're in both official languages, and all of that good stuff, right?

**The Chair:** Is it all members who wish a copy of that document?

We technically don't table documents, but I'm happy to do this. The member has agreed to do it, so we will get a copy of that document.

**Mr. Joe Preston:** This document right here.

**The Chair:** That's fine. We'll table the exact document.

**Mr. Scott Reid:** It's just that my experience in committees that I've been on is that regularly I would ask, "Would you mind giving me a copy?" Then the chair would always say, "Well, of course, the clerk will get it. We'll make sure it's available in both official languages, as our rules require, and we'll then ensure that all members get it."

I think it's just a good standard practice. It may not be the practice adopted here, and every committee can do its own thing, but I think it's a good general practice.

**The Chair:** I don't have a problem with that. We'll get the document. If it's not in both official languages, I'll ask our clerk to have it translated as quickly as possible and get it out to the members.

Is everybody happy? Perfect.

Mr. Lemieux, please carry on.

**Mr. Pierre Lemieux:** That's good. Thank you, Chair.

I was in the process of showing the wide-based support there is for proceeding with Bill C-6. The bill addresses an important matter, and there was great concern, particularly at the time, regarding this bill and the interpretation by Elections Canada of the law that had been passed and that resulted in Bill C-6.

I'll move on, Chair, and make reference to Montreal's *The Gazette* newspaper, where MP Marlene Jennings also supported, I think, the concern that had been expressed when she said, "I think that people showing their faces for identification purposes to vote is fine." That was in *The Gazette* of October 24. Again, it shows that wide-based concern.

I've given quotes from all parties here, from all MPs, from leaders and from House leaders, showing that there was concern and that there is still concern, I would have to argue, because it hasn't been rectified yet. The bill is in front of the committee, and this situation has not been rectified.

I think the government has made an excellent effort to address this situation in a direct manner by proposing legislation that would address these widespread concerns, yet this bill is stalled in front of our committee. It's stalled in front of our committee because there are motions moving us away—and I'm going to say that these motions moving us away are from the honourable members of the opposition—from this essential work of the committee. And given what I've read, it is surprising: it is surprising to me, to my colleagues, and to Canadians.

Now, there are more people who have a role in this, Chair.

[Translation]

It isn't just the members who are concerned about the deficiencies of the act or its interpretation; the various communities everywhere, especially the Muslim community, are as well.

[English]

They participated. We had some of them come in front of the committee as witnesses so that we in fact could understand.

I think from their point of view, veiled voting primarily impacts the Muslim community—not exclusively so, but primarily so. I think

it was wise and prudent of the committee to have witnesses come from the Muslim community so that we could have a much better understanding of their points of view on this, and whether they were concerned about what was happening. Were they for Elections Canada's interpretation or against it?

These are the kinds of things you don't necessarily want to just read about in the paper. As a committee, as part of our work, we invite witnesses here because it allows us to question them and have fruitful discussions to better understand their positions. So I actually think it was a very wise move on behalf of the committee to do so. We had a variety of different witnesses come in front of the committee. We also had a variety of people comment outside the committee, as people are free to do, and to give their opinion. Particularly when it comes to the Muslim community, it can have consequences ethnically or perhaps religiously, and we wanted to understand that better.

One witness who I found very interesting was Mrs. Alia Hogben, executive director of the Canadian Council of Muslim Women. One of the points she made was that there was a perception that this had in fact been framed as a Muslim issue, and she found that to be unfortunate. There was a concern expressed that people would simply focus this in to a very narrow focus group and say it just concerned one group of people.

● (1215)

This is one of the things she said:

From what I understand, Monsieur Mayrand was being well-intentioned and thoughtful about veiled Muslim women. Sadly, this focus has exacerbated the anti-Muslim sentiment and has made this into another bad example of how Muslims are seeking accommodation when, in fact the confusion is the result of unclear directions and the act and its options.

These are interesting comments, particularly from the Muslim community, about this. She actually went on to say:

This issue should be dealt with as a Canadian issue of encouraging voting, and as security versus human rights issues. The rationale for changes becomes understandable if these concerns are addressed for all Canadians. Do not, please, make this an issue for Muslims only, as Muslim women are willing to show their faces. They accept the importance of voting.

This is an important quote coming from the executive director of the Canadian Council of Muslim Women. It would seem there is a perception that the ruling was made to accommodate Muslim women and perhaps their cultural practices, but here we have the executive director of the Canadian Council of Muslim Women actually stating publicly on the record that Muslim women are willing to show their faces, and they accept the importance of voting.

This actually would run contrary to the widespread public perception of the issue at the time. She made an important clarification, and I don't think that it was necessarily lost on the committee. As I said, it was on the record. Committee members were paying close attention when those comments were made, and it has influenced the importance of Bill C-6 in an important manner. It shines light on the need to clarify a way forward and the need to fix this problem, and to fix it in a way that all Canadians can see and that all Canadians can understand, as a hole that has been plugged or an issue that is no longer of concern. This is why Bill C-6 came forward from the House, and this is why it is in front of the committee, but it just seems to lack the support of the opposition in terms of moving it forward.

Mr. Proulx had mentioned that the opposition certainly supports moving immediately to Bill C-6, but I would say I think it is fair to be skeptical, because their actions have said otherwise. Their actions to date have included sidetracking the committee and railroading the committee, simply by force of their numbers. There doesn't seem to be much logical argument to support their position. It just seems to be a numbers game. In other words, there are more opposition members. This is a good point to make. Those of us sitting here know this, but Canadians don't necessarily know this. It's good to remind them that in these types of committees the opposition MPs greatly outnumber the government MPs, and so sometimes debate—

**An hon. member:** That's what Canadians want.

**Mr. Pierre Lemieux:** —and sometimes voting on issues—for example, my motion—doesn't always focus on logic. It doesn't always focus on what is best for Canadians—for example, I'm talking about the electoral process here—and instead it can become somewhat partisan.

• (1220)

I think this is a concern that we have had to this point with the election financing motion that, actually, Mr. Lukiwski spoke so eloquently about.

When Mr. Lukiwski spoke, of course, and it's good to be clear about this...our party and we as MPs sitting here on a committee are willing to move forward right away, if necessary—for example, if the other MPs were to agree to it, to basically move on. We would be willing to move forward quickly—I want to put the word “quickly” in there—if all parties would—

**Hon. Karen Redman:** Again, Mr. Chair, on a similar point of order as before, I wonder if Mr. Lemieux could define “quickly” for us?

**The Chair:** Okay. That's a good point.

Mr. Lemieux.

**Mr. Pierre Lemieux:** That is a good point.

It's hard for me to give a quantitative answer to that, because it would depend on what state the books of the opposition are in. We know that our books are in good order.

• (1225)

**The Chair:** Order, please.

**Mr. Joe Preston:** I'm trying to get a point of order. I think it would just help if we'd get Madam Redman a dictionary.

**The Chair:** Monsieur Lemieux.

**Mr. Pierre Lemieux:** I just may have one. Let me check.

What I'm saying is that it's very hard to get quantitative, because I know our books are in good order. The question is, are the opposition books in good order?

The committee could spend an awfully long time dissecting the opposition books if they're not in good order. But I think what Mr. Lukiwski was saying in the last meeting was that we're willing to proceed quickly—I'll use that word again—with this matter, as long as all parties open their books, because in this particular case we're saying that all parties have done nothing wrong, that all parties have followed the same practices, and that no party has done anything wrong.

In a sense, certainly with the position that we have, there is a lack of partisanship—

**An hon. member:** On a point of order, Mr. Chair, where is the relevance?

**The Chair:** I think we're moving a little bit away from the relevance.

**Mr. Pierre Lemieux:** I'll bring it back. Yes, I'll be bringing it back.

**The Chair:** I'll give you a couple of seconds to bring it back. Thank you.

Order.

Mr. Lemieux.

**Mr. Pierre Lemieux:** What I am talking about, Chair, is the work of the committee. The motion I put forward is the work of the committee and how we were getting off base on the work of the committee. That's why I'm bringing it back into moving forward with Bill C-6.

What I'm tying it to is a comment that the opposition is willing to move forward with Bill C-6. I'm saying I don't have a lot of confidence in their intentions and I'm giving an example. This is how it's tying in, because they're saying we should bring this to a vote and we'll get right to it. I'm saying I don't have a lot of confidence because that's not what I have seen.

Instead, what I'm saying is—and this is where it ties in very nicely—we were willing to move without delay on Madam Redman's motion provided the opposition would agree to open their books so we're looking at all parties at the same time when it comes to election financing. As Mr. Lukiwski pointed out, we have all followed the same practices.

Rather than forcing a delay in the business of the committee, if we want to deal with this quickly, let's find some common ground. Let's find some unanimity among the different parties. If this is really a priority issue for the opposition, let's all open our books, let's conduct the study they feel is necessary to conduct for all parties and let's get on with it, do it quickly, get it out of the way, so we can get back to legislation like Bill C-6. This is where I'm tying back in.

That's not what we saw. Instead we saw an intransigence on the part of the opposition MPs in that they simply would not budge from their motion. They will not entertain amendments. They will not entertain friendly amendments. These are friendly amendments. To open all books is a friendly amendment if I ever saw one. Yet I feel, Chair, they turned hostile to that friendly amendment. A hand was offered in friendship, and they bit the hand. It does make one hesitate to offer an olive branch a second time, but I think we would be willing to do so.

I'm making this point again. We need to move ahead with committee business. This is what I am proposing in this motion I have put forward. I think we probably could have accomplished both the study and moving ahead with the legislation if only we could have found some unanimity among the parties instead of this blockheadedness regarding being able to amend their motion so we could look at all parties' books. I think as soon as we open all the books we'll see there is no issue here. The actual time we "would have spent"—it's conditional, "would have spent"—conducting this study would not have been needed.

I did diverge a little to explain the importance of moving ahead with committee business and why I think we could have accomplished both, but let me focus on Bill C-6.

I was talking about different stakeholders, the people who have a valid concern with Elections Canada's interpretation, which has resulted in a solution, Bill C-6, and why we need to move on this, because there are many stakeholders. Many groups have a role to play. They are influenced and affected negatively, I would argue, by the issue, particularly if it remains unaddressed.

Here's something interesting. This was reported in the *Montreal Gazette* in October 2007. It says: "Most of the Muslim community say so as well. They didn't ask for the ruling that the chief electoral officer made. Nobody had asked for the right to vote with their faces covered. It was a unilateral decision on the part of the chief electoral officer."

• (1230)

In a sense, I think it shows that there is a widespread understanding, or disagreement, or unhappiness with the ruling of Elections Canada, which in fact turns the eyes of Canadians back to Parliament, turns them back to the MPs.

They quite rightly said, "Listen, you just passed a law. It's not been interpreted well, we don't agree with this interpretation, and yet apparently it's in our favour. What are you going to do about it as parliamentarians?"

Now, as parliamentarians, particularly as the government, we said that we would move forward with Bill C-6. So we worked with opposition parties to do that. We tabled Bill C-6 in the House. It went through first and second reading. So there was debate on this. Different parties commented and had thoughtful comments to make.

[Translation]

They took part in the process in the House to improve the bill. However, we know that an important stage in the life of a bill is its study in committee. Suddenly, all the work stops and Bill C-6 stays there.

[English]

It's not front and centre right now. I'm trying to move it front and centre, but it is not front centre right now. This is a matter of concern, because we may have a general election coming up. We definitely will have byelections coming up. So the same concerns that were enunciated last summer during the previous byelections would logically apply to the byelections coming up, because nothing has changed. Bill C-6 has not been passed into law. It hasn't even made it through this committee yet. So fundamentally, there has been no change to the situation that existed last summer. The very concerns that I heard from MPs and from the Liberal opposition party—

**The Chair:** You have a point of clarification, Mr. Proulx.

**Mr. Marcel Proulx:** Mr. Chair, would you ask the honourable member to confirm whether I heard right in the sense that the Conservative Party intends to blow the ceiling again? Is that what I heard from him, that the Conservative Party intends to spend more money than the ceiling of expenses allows?

**The Chair:** I didn't hear that.

**An hon. member:** Is there a faulty interpretation?

**The Chair:** There may have been. Please clarify, Mr. Lemieux.

**Mr. Pierre Lemieux:** No, that's not what I'm saying.

**Mr. Scott Reid:** On the same point, Chair, I understand how the problem came out. I think the phrase "the sky is the limit" may still have been in the member's head, and that's perhaps what caused this.

**The Chair:** Thank you very much, members.

Mr. Lemieux, you have the floor.

**Mr. Pierre Lemieux:** Mr. Chair, if you allow me, I could go on about the sky being the limit.

**The Chair:** No.

**Mr. Pierre Lemieux:** Is that point of order done?

**The Chair:** There's has been a point of clarification asked. You may clarify that point.

**Mr. Pierre Lemieux:** I will say that's not what we're saying. I'd like to elaborate but I'll respect your guidance, Chair.

**An hon. member:** Oh, I'll bet you could get to it anyway.

**Mr. Pierre Lemieux:** Yes.

So I'm saying, Chair, that with the forthcoming byelections in fairly important ridings—and I would argue actually that some of these byelections will take place in communities where there is a significant presence of Muslim women—nothing has really changed since the last byelections. I would imagine that the concerns I commented on earlier in this meeting would pertain today. I would just have to assume that the same concerns exist. I have certainly not heard anything contrary to that.

To me, that means Bill C-6 needs to be treated in a priority fashion and the committee needs to get back on track. The committee needs to ensure that it remains focused on legislation that has such a dramatic impact on our electoral process.

I have a few other things, because they are interesting here. We had Ms. Farzana Hassan. She is the president of the Muslim Canadian Congress and she made some rather pertinent comments as well. She said,

The Muslim Canadian Congress is opposed to the burka or the niqab or the complete veiling of women in public spaces. We are suggesting that the burka be banned, especially in the electoral process in which openness and freedom need to be guaranteed. We need to ensure the integrity of the electoral process. It is imperative that whoever is physically present in the electoral process should be able to identify themselves. It is not a requirement of Islam that Muslim women stay covered completely. They would be more than willing to lift their veils if that is the requirement.

So, Chair, we come back to this point of stakeholders and who this affects the most. What we're hearing here is the Muslim community speaking out. There are important points here where they feel they have been targeted somewhat unfairly, because they never asked for this issue of veiled voting. They never asked for this accommodation, and yet it was somewhat given to them and then it was misunderstood. They feel that the misunderstanding is not in their best interests.

We have some very direct comments here that indicate it is not a requirement. At least this is what the president of the Muslim Canadian Congress says: "It is not a requirement of Islam that Muslim women stay covered completely. They would be more than willing to lift their veils if that is the requirement."

What I hear there is an appeal to the committee to get on with Bill C-6. Let's get this bill moving. Let's get it through committee.

We'll have to call witnesses, Chair. We'll have to go through the clause-by-clause analysis. It may not take long, because I think we're fairly conversant with Bill C-6.

Again, it surprises me that the opposition has waylaid the committee in that way, because I think when we finally sink our teeth into Bill C-6 and actually move to accomplish our work, we will do so in a very effective and efficient manner. I have no doubt of that.

Actually, to have continually shuffled Bill C-6 off—

• (1235)

**The Chair:** Mr. Lemieux.

On a point of clarification, please, Mr. Proulx.

**Mr. Marcel Proulx:** Did I hear the honourable member say that the opposition had delayed the work of this committee? He must be in another world, or I misheard.

**The Chair:** You may have misheard, but I'll leave that to the member to clarify, please.

Is there another on the same point?

**Mr. Scott Reid:** Mr. Chair, the suggestion that the member is in another world implies that he's not present in the committee, and that's out of order.

**The Chair:** Okay.

**Mr. Pierre Lemieux:** I think you should yellow-card him on that.

**Some hon. members:** Oh, oh!

**The Chair:** Order, please.

Nothing needs to be said about any of that. Thank you.

Clarify the point for Monsieur Proulx, please, and then carry on.

**Mr. Pierre Lemieux:** We have two yellow cards on the table.

And to clarify the point, actually he should repeat it so I get it exactly. What was your point of clarification, through the chair?

Chair, what was his point of clarification?

**The Chair:** Monsieur Proulx.

**Mr. Marcel Proulx:** I'm very happy, by the way, Mr. Chair, that you have assistance on the government side of the table to help you in your decisions, but my question of clarification was whether I heard the honourable member say that the opposition was delaying the work of this committee.

• (1240)

**Mr. Pierre Lemieux:** Oh yes, that's right. Thank you.

To address that, what I'm saying is that the opposition has delayed the study of Bill C-6 and other important legislation. In fact, just to give some weight to what I'm saying, when I look at the outstanding business of the committee, there was a first report of the steering committee, there was a motion, then there was a report from the steering committee, then there was a second report from the steering committee, there was all the debate that ensued from that report, and there was a real obstinacy, to not accepting amendments, to not entertaining all parties opening their books. I'm saying their obstinacy in proceeding with this issue of election financing actually delayed the study of Bill C-6.

So I would have to say yes, the opposition MPs delayed the study of Bill C-6 by trying to force an election financing study that actually we were quite happy to accommodate if we'd open all the books of all the parties. Our position on that is that when all the books are open, everybody, Canadians included, will see that all parties have acted in the same manner, in a legal manner, and in accordance with election financing laws, and that there is no study to be done. That's the key thing. That's why by proceeding that way we would not have actually spent a lot of time doing a study, because the matter would have been rectified rather quickly.

But there's an obstinacy on behalf of the opposition to accept the suggestion—I call it the friendly amendment—to open all books. There's nothing to hide here. We're not criticizing the opposition for their election financing. I'm clarifying why they're—

**An hon. member:** On a point of clarification—

**Mr. Pierre Lemieux:** Yes, you asked for a point of clarification, and what I'm trying to clarify is the fact that I'm saying yes, the opposition MPs delayed the study of Bill C-6, and the reason they did it was for the partisan purposes of launching a study on election financing that actually could have been implemented and completed in a very effective and efficient manner, provided they had accepted our friendly amendment to open all books of all parties. My point was that when we open all the books of all the parties, Canadians will see that all parties have acted in the same manner, that they've done exactly the same thing, and that it is legal.

**Mr. Yvon Godin:** On a point of order, does that have something to do with Bill C-6?



**The Chair:** In fact, the member is working on clarifying a request for a point of clarification by Monsieur Proulx. Thank you, though.

Mr. Lemieux.

**Mr. Pierre Lemieux:** You know, Chair, I wouldn't be here discussing this if Mr. Proulx had not sought the clarification in the first place. Now that the clarification is required, I want to make sure I address his concern, because if another MP—

**Mr. Marcel Proulx:** On a point of order, Mr. Chair, I'm sorry to have to report that the clarification has not been very complete, because I'm still hooked on the fact that the government is filibustering, not us.

**The Chair:** Excuse me, Mr. Proulx.

A member cannot do indirectly what they're not allowed to do directly, which is to interrupt the debate order. I'm happy to put your name on the list if you want to get into the debate, but I won't have points of order or points of clarification used to jump inside the debate.

Mr. Lemieux.

**Mr. Pierre Lemieux:** Thank you. It's a good call.

I will try to simply finish my clarification, because I keep losing my thoughts when he interrupts like that.

**An hon. member:** Can you start over?

**Mr. Pierre Lemieux:** The point I'm trying to make is that if we opened up all the books of all the parties, we could have dispensed with this study of election financing. I think that would have been to Ms. Redman's goal. She wants to have a study of election financing, so let's do it and let's get it over with quickly; and by doing so, let's open up all the books, because as soon as we open all the books of every party, Canadians will see there's nothing there. That would take probably less than one meeting. We could then move on with other important business.

So I do want to answer the question directly that was asked of me. I am indeed saying that the opposition has delayed committee business—and I'm talking about committee business being Bill C-6 and the study of other legislation—with this sort of partisan initiative to look at the books of only one party. It just makes no sense.

• (1245)

**The Chair:** Is there a possibility that we can conclude that we're clear on that point? Are you okay now?

**Mr. Pierre Lemieux:** Well, I've always been okay. I've always been clear with myself. The question is whether my colleague is clear, because he indicated he was not clear.

**The Chair:** He's indicating that he's clear on this point. So let's move....Thank you, I understood it. I'm sure the member opposite is very clear now. Let's move back.

Thank you.

**Mr. Pierre Lemieux:** I am so glad. It worries me when my fellow MPs are not clear. That's right. He did understand. It did sink in. That's great, so it's in there. It's been logged in his memory bank.

I was talking about the Muslim Canadian Congress, Chair, and what their viewpoint was on this, and that very important statement

they made that it is not a requirement of Islam that Muslim women stay covered. They would be more than willing to lift their veils if that is the requirement. So I was just in the process of underscoring what I consider to be a fairly significant statement by the Muslim Canadian Congress.

They went on, of course, to say:

My question is, how are you going to ensure that the same veiled person is not going to vote a multiple number of times using different identifications? Unless identification can be connected to the person voting, it is useless. So if there isn't legislation in place at the moment for voters to identify themselves visually, there should be, and that's what I'm proposing here.

Again, the president of the Muslim Canadian Congress is very eloquent here in that the president is raising a very valid concern. I think this is the concern that prompted the change in the law in the first place, and that is this whole idea of the identification of the voter. As we know, votes are crucial. We have some MPs who won by a handful of votes. The opposition has some MPs who won by a handful of votes. Every vote counts.

I think, in a sense, Chair, this is something that is taken for granted at times. When an MP wins by 10,000 votes or 20,000 votes, one can see how it can be taken for granted. Oh, it's just a handful of votes; okay, so it's not 12,000, it's 12,000 less a handful. But there are several MPs who won by a handful of votes or to whom a handful of votes would have made a significant difference.

I can certainly speak to that myself. In my riding it was a huge change. It moved from a Liberal MP to a Conservative MP. For your edification—I know you'll be interested in this—in part of the riding it had been 124 years. I'm talking 1882 since the last time a Conservative MP had been elected. When I was elected on election night, it actually unfolded in an interesting way. There are parts of the riding that are very strong in one way and others that are very strong in the other way. So as the results were coming in, it really depended on which parts of the riding were reporting in during the evening. Of course, no one really had visibility on that. All we saw were the overall results showing up on the screen. I started the evening in advance, but then the Liberal candidate took the lead and he held the lead for a good portion of the evening. In fact, some media outlets declared him the winner, so they put the check mark beside his name because he had been ahead for an hour by roughly 1,000 votes.

What's interesting is that at the end of the evening, the remaining polling stations reported in and I started to eat into that lead, much to the delight of those who voted in favour of me, and actually narrowed that gap. Here's where it gets interesting, Chair. At the very end of the evening, and I think mine was one of the last ridings to know definitively who the winner was, I had surged ahead. I won by an avalanche of 200 votes. In my riding 200 votes works out to roughly one vote per ballot box.

Now where does this fit into what I'm talking about today? What I'm talking about today and what the Muslim Canadian Congress brought up was, how are you going to ensure that the same veiled person is not going to vote a multiple number of times using different identifications? We're talking about the integrity of the voting process. I'm saying that certainly I am very sensitive, as I think other MPs would be, especially those who win by a smaller margin, to the integrity of the voting process and this ability to be able to identify voters.

• (1250)

Up until the passage into law regarding identification of voters, it was possible to vote just with your card. You could just say, "Hi, I have this card, and I'm voting", and you were not obligated to prove that you were who you were. Of course, when you're looking at a 200-vote spread, if things don't go in accordance with the way they are supposed to, this can cause great concern.

I think her concern is valid in that we're talking one vote per ballot box. What if veiled voters went to other boxes to vote and could not be properly identified because of the misunderstanding that now exists in the electoral process? It's a very valid question, because the point I'm trying to make, Chair, is that one vote per ballot box can make the difference. There are other MPs who won by smaller margins than mine, and I would say that their concern would even be more intense regarding this process. So the president of the Muslim Canadian Congress quite rightly said, "So if there isn't legislation in place at the moment for voters to identify themselves visually, there should be..."

She said this back in September, yet here we are, we're sitting here in February, and basically the bill is stalled. Bill C-6, our solution to this problem, is stalled here in the committee, when in fact I think it could have been dealt with in a very efficacious manner. All we need is a bit of cooperation—

**The Chair:** Can I have order, please.

Monsieur Godin.

**Mr. Yvon Godin:** On a point of order, can we get some clarification how we identify people who send their vote by mail? Maybe he could explain that.

**The Chair:** I don't think that's part of the debate, and it certainly wasn't mentioned during Mr. Lemieux's debate, so I don't see that there would be a need for clarification. You might want to speak to the member afterwards. I'm sure he'd be happy to explain.

**Mr. Yvon Godin:** I'd like somebody to explain it to me, because I'm really lost on that one.

**The Chair:** At this point in time we're just going to continue with Mr. Lemieux.

**Mr. Pierre Lemieux:** Chair, I would be happy to stay with my colleague after the committee meeting to—

**Mr. Yvon Godin:** Oh, no, no. Please, through the Chair, don't do that to me.

**Mr. Pierre Lemieux:** Oh, no, no. It's no imposition.

**Mr. Yvon Godin:** I'd like better to be spanked instead. No.

**The Chair:** Mr. Lemieux, please.

**Mr. Pierre Lemieux:** Right. So as I was saying, we've been asked by a stakeholder in this process—I would say a fairly significant stakeholder in this process—to move now, and actually "now" for them, when they made that statement, was back in September. Yet the bill, Bill C-6, has been waylaid. It has been shunted to the side by the opposition members. It's time to get back on track to ensure that we in fact proceed with the business that concerns the electoral process, which is very pertinent to Canadians.

**Hon. Karen Redman:** I have a point of order.

**The Chair:** On a point of order, please, Madam Redman.

**Hon. Karen Redman:** Or it may be clarification, Mr. Chair. I'm assuming this committee will end at one o'clock. I would just like assurances that the speakers list will continue on to the next meeting.

**The Chair:** We'll see what happens at one o'clock. That's not a point of clarification.

Mr. Lemieux.

**Mr. Pierre Lemieux:** Mr. Chair, there was actually another point from the Muslim Canadian Congress. Ms. Hassan said, "Even for women who believe that it is a religious requirement, they would not practise it as rigidly, and if they were asked to comply with a certain regulation, they would. So it's not an issue."

Again we have, in a different statement, a comment saying that even if it were.... It is interesting that she says, "Even for women who believe that it is a religious requirement", because earlier she was saying that requirement is not necessarily there, but she's trying to accommodate that in saying that they would not practise it as rigidly, that they would comply with a certain regulation, and that it's not an issue. It only seems to be an issue with Elections Canada. It does not seem to be an issue with the Muslim community. It does not seem to be an issue for the rest of Canadians. So that's why this matter must be addressed, and addressed as a priority issue.

Chair, it's important that Bill C-6 not languish. It's important that Bill C-6 be given the attention it deserves as a bill that has been passed by MPs in the House. Again, this gets—not "again", actually; this is the first time I'm mentioning it—to the crux of the matter. What gets to the crux of the matter is that MPs are elected by Canadians, and so it is truly right and correct to say that they are the representatives of the people of their constituency. As MPs representing Canadians, we have brought forward this bill concerning the electoral process and the identification of voters.

It is somewhat disconcerting to realize that if the opposition were really sincere in their intention to move with Bill C-6 in this committee—in which we are outvoted—it could have been done a long time ago, and we in fact could have had this out; we could have had it passed into law, and it would beneficially impact elections.

Instead, what we've had to endure is partisan posturing, partisan motions, partisan politics, in trying to take advantage of a situation in which there truly is no advantage. When we tried to level the playing field and tried to say we were acting both according to the letter of the law, which is important, and in the spirit of the law, and that all parties were acting that way, they rebuffed that. They've taken something that could have been addressed in a very efficacious manner and instead have drawn it out into a long process, a process that I think has been detrimental to addressing these more important issues, such as Bill C-6.

I mentioned it is not just Bill C-6. I do have this concern that we actually have a statutory requirement to review the provisions of Bill C-3 by May 11, 2008, so we're talking about a statutory requirement to move ahead. Instead, we're being stalled as a committee in terms of doing what I call real work. This is real work, a statutory obligation. It is real work. We're being stalled by the opposition, which is moving forward with partisan manoeuvres to take advantage of a situation in which all parties have acted in the same manner and in accordance with the law.

There is other work, of course, in front of the committee. There is this one here, the conflict of interest code for members of the House of Commons. There were forms on November 2, 2007; the commissioner sent the committee draft forms for its approval, if you can imagine. We're talking over three months ago. The commissioner also requested the approval of the committee before posting online the public registry. The committee sent a letter to the commissioner regarding the forms under the code, and the commissioner appeared before the subcommittee.

● (1255)

But this is still an open item of business, Chair. Here we have an officer of Parliament who has asked the committee to do some work. And instead, we've been floundering, with opposition motions and subcommittee reports.

Again, to clarify, really to underline what my good friend and colleague Joe Preston was saying at the last meeting, the steering committee itself is quite biased. I respect your presence there, Mr. Chair. But you know, and committee members know, and I hope Canadians will now know after I make this statement—although they could have read Mr. Preston's testimony—that you do not play an active role in terms of determining the business of the committee. In fact, you can't even vote. So it's a very lopsided, one-sided affair on that committee.

Mr. Chair, I'm just pointing out the fact that future work... Bill C-6 is future work. I'm pointing out that there is other future work and that the steering committee, where some of this other work comes from, is dominated by the opposition. If they really wanted to get some real work done—the important work of the committee—they could do this, they could accomplish this, at the steering committee. Instead, they're launching these partisan-type attacks and trying to take advantage of the process and procedures of the committee for their partisan advantage. This is not to the advantage of Canadians. This is not to the advantage of Parliament. This is to their own partisan advantage.

We have proposed a change to that subcommittee, Mr. Chair. We feel that we should have a voice, not just a body on the committee who can't participate in determining future business and who cannot vote in terms of future business. We feel that we should have an active participant in the subcommittee process, because the subcommittee plays a key role in determining the future business of the committee.

● (1300)

**The Chair:** Excuse me, colleagues, we've reached the one o'clock timeframe for this meeting.

This meeting is adjourned.

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**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**

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