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Tuesday, March 4, 2008

—
Chair

Mr. Gary Goodyear

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• (1110)

[English]

The Chair (Mr. Gary Goodyear (Cambridge, CPC)): Colleagues, let's begin our meeting today.

Colleagues, pursuant to Standing Order 106(4), a meeting has been requested by four members of the committee to discuss whether or not they will proceed to the consideration of Bill C-6, An Act to amend the Canada Elections Act (visual identification of voters) at the following meeting of the committee, and what witnesses and budget and meeting allocations will be required to complete such a study.

Colleagues, the purpose of this meeting, then, is to discuss whether or not the committee will proceed to the consideration of Bill C-6 at the next meeting and how the committee will study it.

I just want to remind members, as we're getting used to these 106 (4)s, that ultimately the committee is not being convened today to discuss Bill C-6, but rather to consider whether or not the committee will proceed to the consideration of Bill C-6 at its next meeting, and of course, as indicated in the letter, what witnesses and budget and meeting allocations would be required to complete such a study.

I'm happy to ask one of the signatories to the letter—I don't have the letter in front of me.

Mr. Lukiwski, you're a signatory. Would you kindly move this in the frame of a motion, please?

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): Certainly. It is so moved, Chair. Did you want me to read the motion in its entirety?

The Chair: Yes, please, word for word, if you could.

Mr. Tom Lukiwski: Certainly. Chair, I move that pursuant to Standing Order 106(4), this committee convene to discuss whether or not it will proceed to the consideration of Bill C-6, an act to amend the Canada Elections Act, also known as the visual identification of voters act, at the next meeting, and what witnesses, budget, and meeting allocations will be required to complete such a study.

The Chair: The motion is in order and it's accepted.

Mr. Reid, on a point of order.

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): I'm not sure if Mr. Lukiwski wants to say “at the next meeting”, because that implies it's not this meeting. Isn't that right?

The Chair: Well, that's correct, but the letter is very clear that this meeting has been called.

Mr. Scott Reid: It's just to discuss this.

I'm sorry, Mr. Lukiwski, I misunderstood. I take that back.

The Chair: The motion is exactly what the letter said and it is in order, so we'll begin discussion on that motion.

Mr. Marcel Proulx (Hull—Aylmer, Lib.): On a point of clarification, Mr. Reid has brought a subject into the conversation. I want to be clear on this: what's the idea, to discuss it now or as of the next meeting?

The Chair: No, this meeting has been called to discuss whether or not we will discuss Bill C-6 at the next meeting.

Mr. Marcel Proulx: Eventually, meaning the next regular meeting of the committee.

The Chair: That's correct, including witnesses, the budget—exactly. This meeting is not to discuss Bill C-6 itself, but to consider that.

Mr. Marcel Proulx: Thank you.

The Chair: You're very welcome.

Mr. Lukiwski.

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

Basically, it's nothing outlandish. I would suggest that this motion is perfectly in order with the overall mandate of this committee, Mr. Chair. We had discussed on a number of occasions—and I believe the record will show that we had all-party agreement on a number of occasions—that legislation coming before this committee should take precedence in terms of the discussions this committee would engage in.

Bill C-6, the visual identification of voters bill, is one that's been, frankly, sitting in the background for a number of weeks now, if not months. I know that members of this committee, in particular my colleagues from the Bloc Québécois, have stated that they would like to see this bill enacted and become law before the next election. Once again—and I think we've all said this from time to time—in a minority government there is certainly always the possibility of an election being called at any time.

We have certainly seen media speculation running rampant for the last number of months, suggesting, or predicting perhaps, that an election was imminent. At the current time, I suppose the threat of an election has been somewhat defused, because the three main items that were in the news as being potential election events or events that would force an election have now, generally speaking, been defused. Those three, of course, were the Afghanistan motion, Bill C-2, the Tackling Violent Crime Act, and of course the budget, which is an automatic confidence measure.

Although the budget has not passed in its entirety—we have a vote tonight, I think, as everyone knows—there are indications that it will pass. As well, the Afghanistan motion has not been voted upon yet, although as of today it looks as though we're going to be doing that on March 13. Again, there's been no guarantee that the motion as presented by this government will pass. There are indications, certainly, that that will be a motion that will pass, and of course the third potential election-causing matter of business, the Tackling Violent Crime Act, has passed the Senate. So that of course would not be an event that would cause this government to fall.

Since we apparently have a little bit of time, some breathing room, I think it would certainly be appropriate to try to deal with this piece of legislation in an expedient manner so that the decks are cleared, at least with respect to this particular bill, so that come the next election, whenever that might be, the law is in effect, the visual identification requirements as contained in Bill C-6 are actually law, and we can all comply with the law. I know this is something that has been near and dear to my colleagues in the Bloc Québécois.

Mr. Chair, I don't think that really there needs to be too much discussion on this, except to say that it appears the reason that we haven't been able to get to legislation such as this is that there have been some attempts, I would suggest, by members opposite to bring forward motions that are of a highly partisan nature and simply intended only to try to embarrass the government.

There seems to be no other rationale that I can determine for motions such as the proposed motion brought forward by Madam Redman to investigate the Conservative in-and-out advertising scheme. I see no other reason for that motion to be even discussed, other than the fact that this is something the opposition feels it can get some political hay out of. But I think what we need to remember is that, politics and partisanship aside, the role of this committee is to discuss legislation when it comes forward.

• (1115)

I would be hard pressed to think that any member of this committee would find fault with that purpose, and in fact I think it would be almost impossible to find a member of this committee who would disagree with the original position they have put forward, that all legislation pertaining to this committee should take precedence. Yet Bill C-6 has been sort of waiting in the wings for a number of weeks, if not months, and I think that's frankly something that's unfortunate, to say the very least, and something we should rectify at our earliest opportunity.

Therefore, Chair, I think the appropriate manner in which we can advance this is just to call the question, and I ask you to call the question now.

The Chair: I can't call the question now. We have a number of speakers still on the list.

If you're finished speaking, and I'm assuming you are, it's Madam Jennings' turn.

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): I'll cede my turn to Mr. Proulx, and you can slot me into his slot.

The Chair: I guess we can do that.

Monsieur Proulx.

Mr. Marcel Proulx: We could probably split the time, Mr. Chair.

[*Translation*]

Mr. Chairman, I would like to come back to the second report of the subcommittee on agenda and procedure of the Standing Committee on Procedure and House Affairs. This report was tabled to the main committee.

As a result of various ploys—not ploys, really, but rather administrative tricks—the subcommittee's second report was not able to be tabled for in-depth, proper review by the committee. You are aware of the content of this second report which the committee was supposed to examine and, quite possibly, approve. My colleagues may not necessarily recall the text in its entirety, but the second report stated this, and I quote:

Your Subcommittee met on Tuesday, January 29, 2008, to consider the business of the Committee and agreed to make the following recommendation: That, effective immediately [...] the Standing Committee on Procedure and House Affairs investigate the actions of the Conservative Party of Canada during the 2006 election, in relation to which Elections Canada has refused to reimburse Conservative candidates for illegitimate election campaign expenses.

The recommendation was made at the first meeting held after January 29, therefore in February. The report also said: “That [...] the debate on the motion of Karen Redman [...] take priority over the other work of the Committee”.

Mr. Chairman, the subcommittee on agenda and procedure which you chair had reviewed some outstanding items of business, one of which was consideration of Bill C-6, An Act to amend the Canada Elections Act (visual identification of voters). It's no secret. This bill was referred to the committee on November 15, 2007.

Mr. Chairman, I have no desire to formally review past actions, but I will do so informally by reminding you that since the month of September, if memory serves me correctly, the “in and out” file has been on the drawing board, so to speak. Through all sorts of manoeuvring, we have managed thus far to keep this item of business in the background to avoid having to do an in-depth, thorough examination.

The Conservative government, which is in the minority on this committee, is proposing to do an end-run around all various procedures in order to ultimately discuss this famous Bill C-6. It is very noble want to get to this bill as soon as possible. However, before we get to it, the majority of committee members—the three opposition parties agreed to this—had agreed that before discussing Bill C-6, the committee should tackle Ms. Redman's motion, which I spoke of earlier, which calls for the committee to investigate the alleged illegitimate spending by Conservative candidates during the 2005-2006 election. This is what the committee wanted. This is not a formal rebuke on my part.

Mr. Chairman, my impression is that it's been decided that you will find some way, along with the Conservative government, to discuss Bill C-6 before we get to anything else. To my mind, it is quite reprehensible for the committee to direct the debate and the work of the subcommittee as it sees fit to do.

Nevertheless, I am prepared to act in good faith, Mr. Chairman. The Liberal Party wants things to proceed smoothly, in keeping with the standing orders. So then, let's see what we can do about the government's motion.

Thank you for your patience and your attention. If you don't mind, I'd like to check your notes after to ensure that everything is accurate.

• (1120)

[English]

The Chair: We pretty much got them all.

Mr. Dewar, please.

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

I have a couple of comments. The first one is that notwithstanding the Conservatives' preference to cite the consensus that dealing with legislation before a committee is something that should be primary, it should be put in context. The context is that if they were concerned about doing the business of the committee in a responsible way, we wouldn't have been filibustering for I don't know how many months. I feel like this is *Groundhog Day*. The last time I joined folks here, we were talking about the same thing. The in-and-out seems to be this bill, along with the financial concerns of the Conservative Party, in that the bill comes forward, it goes back, it comes forward, it goes back.

So it's hard to take too seriously the intent of this government about whether or not they really want to get to work on the files in front of this committee, because of the filibustering, which is clear. Because they didn't happen to get their preference in terms of how the issue was dealt with sequentially, they filibustered. It is difficult to understand how on the one hand the government wants to deal with legislation when it comes before a committee, yet at the same time it does everything it can to filibuster the business in front of that committee. It's a matter of having some consistency in their argument, of which there is little to find, and maybe a search warrant is required.

Further to that, the bill they're having us consider is here because of the failure of the previous bill, which was Bill C-31, which most would argue we didn't need anyhow. I see some nods from my friends over there who agree with me. It was because they brought

forward a bill that most argue we didn't need—it was problem-riddled. We're having to deal with that now, I guess.

It's passing strange, Chair, that we would have the government come forward and say, "Let's get on with business now because we want to get things done", when for the last couple of months it refused to deal with the business that was in front of this committee.

The last thing I'll say about this, Chair, is that if this government wants to deal with files on a sequential basis and deal with things on a priority basis, it needs to really show it in its actions and not just in its words.

• (1125)

The Chair: Thank you.

Madam Jennings.

Hon. Marlene Jennings: Thank you.

I take note of the comments of Mr. Dewar and of my colleague Mr. Proulx. I find it astonishing that had the government allowed the report of the subcommittee, proposing that the committee investigate the actions of the Conservative Party of Canada during the 2006 election in relation to which Elections Canada refused to reimburse Conservative candidates for illegitimate, according to Elections Canada, election campaign expenses, that study would have been over, a report would have been concluded, and most probably it would have been filed in the House. It would have been done some time ago, and the committee would probably have already proceeded to Bill C-6 and possibly concluded Bill C-6.

I propose an amendment to Mr. Lukiwski's motion. The motion would read, as it does now:

Pursuant to Standing Order 106(4), that the Committee proceed to the consideration of Bill C-6, An Act to amend the Canada Elections Act (visual identification of voters)

—and then here is where my amendment comes in—

including what witnesses, budget and meeting allocations will be required to complete such a study, and that the above-mentioned Bill C-6 study commence at the meeting of the committee immediately following the committee's completion of its investigations into the actions of the Conservative Party of Canada during the 2006 election, in relation to which Elections Canada has refused to reimburse Conservative candidates for illegitimate election campaign expenses, and the tabling in the House of Commons of the committee's report into the actions of the above-mentioned study.

The Chair: I don't want to get into discussion until I see the actual motion, but if you have a point of order, Mr. Preston, I will recognize you on a point of order in two seconds. Thank you.

Colleagues, I've reviewed the amendment. I'm going to rule the amendment out of order as being beyond the scope of the initial motion.

• (1130)

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): We challenge the chair.

The Chair: I saw that coming.

Monsieur Guimond has challenged the decision of the chair, so we will have a vote. I will let the clerk read the technical terminology of whether the chair's decision stays.

Order, please. We're doing pretty well here today. Let's just keep it down and go through this, as we have to.

Mr. Clerk.

The Clerk of the Committee (Mr. James M. Latimer): Shall the chair's ruling that the amendment is out of order be sustained?

[*Translation*]

Does the Chair's ruling that the amendment is out of order stand?

[*English*]

Mr. Scott Reid: Mr. Clerk, I have a point of order at this point.

The clerk has read it out incorrectly. A rationale was attached to that ruling, and that is what is being voted on. It's not receivable because it is beyond the scope of the motion.

The Chair: Correct.

Mr. Scott Reid: Just to be clear, because I apologize to the clerk, but you didn't read it out quite the way it's actually—

The Chair: I think that's just clarification. It's accepted. We're still at the same vote.

We have some folks asking for a recorded vote, so we'll do exactly that.

The Clerk: Shall the chair's ruling that the amendment to the motion is out order be maintained?

The Chair: That's correct.

(Ruling of the chair overturned: nays 7; yeas 4)

The Chair: Obviously the chair's ruling has been overturned.

You have a point of order, Mr. Reid.

Mr. Scott Reid: Mr. Chair, this motion is out of order for another reason that was not dealt with in the substance of your remarks, and this is why I draw it to the attention of the committee.

You gave a rationale for the reason it's out of order, which of course is appropriate. For a chair to rule something out of order without giving a reason would be inappropriate.

At the beginning of this meeting, when Mr. Lukiwski was busy making his motion, I initially thought I had misheard it. The point I thought I misheard was about the next meeting. "At the next meeting", the committee is to engage in the study he has proposed.

It is nonsensical to start doing that at the next meeting. If that occurs as Madam Jennings proposes, that we only consider discussing the subject matter after we've held numerous meetings on a different subject, it's simply nonsensical. She could have worded it differently, and of course she has an opportunity to do so at a future moment. She might wish to do so immediately, or one of her colleagues might wish to do so, but this is a nonsensical motion. It is not possible to have multiple meetings, table a report, but "at the next meeting" deal with the subject matter here.

The Chair: On the same point of order, please.

I think Madam Jennings' hand was up first.

Madam Jennings, and then Monsieur Guimond.

Hon. Marlene Jennings: I suggest that possibly because he does not have the actual motion and amendment in front of him, Mr. Reid does not understand that the amended motion would no longer read "at the next meeting". We're not talking about multiple meetings simultaneously.

An hon. member: Well, the fact that Marlene worded it wrongly—

The Chair: Order, order. I'll look to you next.

Please continue, Madam Jennings.

Hon. Marlene Jennings: Thank you.

My motion would have the committee complete its study into the in-and-out scheme, table its report in the House, and at the meeting immediately following the tabling of this committee's report in the House proceed to consideration of Bill C-6. That's not multiple and simultaneous meetings. It means that whenever the committee proceeds to its investigation into Elections Canada's decision to declare illegitimate Conservative candidate expenses from the 2006 election campaign—once the committee begins, concludes, and files a report, then at the meeting immediately following the tabling of its report in the House, it would proceed to consideration of Bill C-6.

If the Conservatives sitting on this committee wish to continue to filibuster, as they have for months on end, paralyzing the work of this committee, including proceeding to consideration of the government's own legislation, Bill C-6, then they can, but they will be the ones putting their own government's legislative agenda and priorities in jeopardy.

• (1135)

The Chair: Okay, I think we're moving off the point of order into debate.

Monsieur Guimond, please.

[*Translation*]

Mr. Michel Guimond: Mr. Chairman, on Mr. Reid's point of order, I remind you that we do have an agenda for this morning's meeting. Ms. Jennings legitimately had the agenda amended. You ruled that Ms. Jennings' amendment was out of order, as per the chair's prerogative. According to the Standing Orders of the House of Commons, a ruling by the chair on a matter of this nature can be appealed. We did appeal and the ruling was overturned. We are asking you, Mr. Chairman, to proceed with the debate on this motion, as amended.

There is no need for anyone to argue or to engage any kind of systematic obstruction. We do not want to delay passage of Bill C-6. We support this draft legislation. If there are no objections, I move that we stop hurling accusations at one another and stop delaying the committee's work.

[*English*]

The Chair: Mr. Reid, then Mr. Preston. We're on the point of order. We're not debating the amendment.

Mr. Reid is the last speaker on the point of order.

Mr. Scott Reid: I was listening to Ms. Jennings, and it's possible I've misunderstood. I saw her writing it out, and then she talked about it. She was using a version of the agenda with a wording that is not quite Mr. Lukiwski's.

It had been my impression that what she put down could not, the way she worded it, have had the effect of removing the words "at its next meeting".

Perhaps I'm mistaken, and if that's the case, then the point of order I've raised would be incorrect. So I'll have to wait for you to tell me what the actual wording was. That would settle the dispute.

I'm not disputing her ability to do a motion like this. I'm just saying that as it's worded it would be a problem. But if I've misunderstood, then it isn't a problem.

If I've understood correctly and it is a problem, she can always reintroduce it. I certainly would not be the one to stop her from doing so in a wording that's correct.

The Chair: I guess the civil thing to do is to have Madam Jennings read her motion. Everybody can listen carefully and then we'll proceed.

Mr. Scott Reid: The orders of the day should not be the base of the motion. I'm not sure that's what was done.

Hon. Marlene Jennings: The motion reads:

That the Committee proceed to the consideration of Bill C-6...what witnesses, budget and meeting allocations will be required to complete the study, and that the above mentioned Bill C-6 study commence at the meeting of the Committee immediately following the Committee's completion of its investigation of the actions of the Conservative Party of Canada during the 2006 election, in relation to which Elections Canada has refused to reimburse Conservative candidates for illegitimate election campaign expenses and the tabling in the House of the Committee's report on this scheme.

The Chair: Any further comments on the point?

Colleagues, here's sort of a decision from me. The chair doesn't actually have to give the reasons for his ruling. So whether I identify one problem with the amendment or three, my ruling would have still been that it is out of order and would have been overturned.

My decision is that we are on the debate of the amendment at this point.

I'm sorry, Mr. Lukiwski, but you were on the list for the motion. We're now on the amendment.

Mr. Preston, please, on the amendment.

• (1140)

Mr. Joe Preston (Elgin—Middlesex—London, CPC): I feel offended now, Marcel.

Sorry, Chair, through you, this is about the will of this committee to actually work on legislation, or to work on some circus the opposition wants to create. Those are the two choices facing us. We came here in very good faith today, and you even heard Mr. Lukiwski call for the question very early in this meeting, so let's get down to work on the legislation this committee has before it. This committee has a history of dealing amicably, through consensus, on legislation. I suggest that if the circus wants to continue elsewhere—they've already taken the ethics committee and done it there—they

can do it in other places, but the procedure and House affairs committee has legislation before it, Bill C-6.

Someone across the way, Chair, already mentioned that we talked about this, or Standing Order 106(4), back in September or August, when we came together as a group—even out of schedule—to talk about the need to have meetings on this, and we superceded those meetings with talk on Bill C-6. There were some by-elections about to happen, and we thought this committee's work needed to be done, so we in fact went to the legislation, instead of going off on the witch hunt they wanted us to go—and I'll try not to use "witch hunt" too many times today. We actually went to Bill C-6, because back then we still were functioning as the procedure and House affairs committee should function; we were functioning as a group of legislators sent here by constituents across the country to actually do some work that changes the laws of this country. There we were, and we moved to it; we went to Bill C-6 and we talked about it.

Since then...and I'll agree with the focus across the table, Mr. Chair. Since then, the focus has been, can we start the circus, or can we get the elephants and camels walking down the street in terms of whether we should look into the books of some election?

We talk about this committee doing legislative work, not investigative work. There are other places that certainly could do it. As stated by many of us over the number of times we've had to do this, it is before the courts. There is a body greater than us, a court, that is looking at the decisions that have been brought forward on the so-called in-and-out election financing piece.

We asked today to get back to work. We asked today to stop the games. It's amazing, as I look across at the opposition today, that there are more here today than were in the House last night to vote for their own amendment.

An hon. member: That's a good point. That's an amazing point.

Mr. Joe Preston: It's just an incredible piece.

An hon. member: It's hardly pertinent.

An hon. member: But it's amazing, though.

Some hon. members: Relevance, relevance.

The Chair: I'll make those decisions, thank you.

Some hon. members: Oh, oh!

The Chair: Please continue, Mr. Preston.

Madam Jennings, if you put your BlackBerry down, you could listen as well.

Mr. Proulx.

Mr. Joe Preston: I'm sorry, did you call me Mr. Proulx?

The Chair: I'm sorry, Mr. Preston, I did. It's getting very confusing in here.

Mr. Joe Preston: I'm sure the citizens of Hull—Aylmer would be far better represented. However, my name is Mr. Preston.

This is about legislation. This is about doing the work we're sent here to do. It's not like the circus of last night, not like the circus that's happening at other committees; it's the actual work of talking about Bill C-6.

So what happens today? We came forward in good faith to talk about the legislative work that this committee has to do. We came forward with the opportunity to actually talk about legislation in this committee, and even call for a vote, so let's get down to it. This is a Standing Order 106(4) motion we brought forward today because this committee has been wanting to talk about nothing but a motion from the summertime on an election financing situation.

We're giving you that the courts are already looking at that. That's another place for it to actually happen and work out better, but let's get back to the work we can possibly do here. I know there are other issues. There are some pieces of ethics that Mr. Reid wants to bring forward to the committee too, a good two years' worth of work that has been happening there, but let's get back to the work of the committee and talk about Bill C-6.

We offered that today and very quickly explained our case and asked to get to it. What do we get instead? No. It's about being stubborn, apparently. It's about how, if they don't get to do their thing first, we're never going to get to do our thing. If they don't get to sling mud at the Conservative Party on an election financing issue, we're never going to actually get to legislation in this country. We're never going to fix Bill C-6 or be able to vote on it. We're not going to get there.

Mr. Chair, through you, Mr. Dewar is a visitor to our committee. Mr. Dewar mentioned that he comes occasionally to this committee and that the last time he was here we were talking about the same thing. Well, funnily enough, we were, because it just keeps coming forward. We do that instead of dealing with legislation. Even he mentioned that it's legislation he's helped us deal with from time to time too. Here we are again.

An hon. member: Fix it, then.

Mr. Joe Preston: They yell out, "Fix it". Well, absolutely, let's get at it. We've asked for that today. Let's talk about the witnesses we need to see for Bill C-6 and the budget concerns we need to deal with for Bill C-6. Let's talk about it.

Some hon. members: Oh, oh!

• (1145)

The Chair: Order, please.

Mr. Preston has the floor, and I'm having difficulty hearing him with the yelling that's going back and forth.

Mr. Preston, please continue.

Mr. Joe Preston: I'll be happy to.

Somebody yelled, "Call the question." Well, we did. Earlier this morning we said, "Let's vote on whether we're going to talk about Bill C-6." We did. We said, "Let's get to legislation. Let's get to work."

I know; I was here. I do have assisted hearing, but I do remember hearing that this morning. We did talk about that this morning. That's

where we were headed. We were going to get down to work and start getting the legislation back. The motion was fine. What do we get instead? We get the "I'm going to take my ball and go home if I don't get my way" approach that we've been having the whole time.

Through you, Mr. Chair, I'd like to ask the great citizens of this country who are listening in on this debate what they would have legislators do. Is it work on legislation? Would they have us work on legislation, or would they have us do an investigation into some partisan motion that's been put forward? I think even the partisan people out there, the people who may even call themselves voters of one of the other parties, would say we should work on the legislation first and do the work that we're sent here to do.

I have to say, Chair, that I'm a bit embarrassed for this committee. I know I've spoken on this before. I know that Bill C-6 was the topic of a conversation I've had at this committee before. We've struggled with wanting to get this done in the face of an election. I recognize, after the number of members of the official opposition we saw in the House last night, that their want for an election is somewhat lacking, but we will eventually go to the polls again in this country, one way or another.

You know, I will have to say that we're honoured with the presence of almost half of the official opposition who voted last night. I think people at home will think it's very relevant that the official opposition is actually in a committee.

• (1150)

The Chair: On the amendment, please.

Mr. Joe Preston: I'm there, because we want to talk...the amendment is about something that is very partisan, and I'm sorry, it doesn't just stop there; it stops at elections. Last night we had a vote that could have caused an election, Chair. I think it is very relevant that we talk about what would have happened if an election were caused. I'm pointing out that through the absence in the House of many of the official opposition, it didn't get caused last night, but, boy, if they find their way out of that lobby door once in a while, we might actually get to an election and actually have to deal with Bill C-6 as a piece of election legislation.

It's amazing. I guess we have the cream of the crop, Chair. We have here with us many of those who were actually able to find their way through the lobby door and down the stairs into the House of Commons last night to vote. What I'm asking them to do is to take that same power they seem to have as a select few of the members of the official opposition and use that same power to work on legislation here in this committee.

They're asking to be legislators. They're asking to be here. They were some of the ones who actually stood last night and voted for their amendment. Let's ask them to do the same here. Let's ask them to work on legislation that's needed. We've had Bill C-6 before this committee. We've had witnesses here before this committee. Each of the witnesses we had, even some of the religious background groups we had when we were talking about Bill C-6 in the summer, or September, when we were talking about it, talked about how important they felt it was. They certainly had some views. Most of them had similar views, stating how they weren't asking for the legislation to be interpreted in the way of the Chief Electoral Officer, when he interpreted Bill C-6 to mean that certain people could vote without identifying themselves. The purpose of Bill C-6 is for the use of photo ID to identify yourself at the poll.

Chair, as I have stated before, and I will say again, I show photo ID when I get on an airplane. I show photo ID in many cases. I've had young people say to me that they even have to show photo ID to get into a bar.

An hon. member: Don't you?

Mr. Joe Preston: Not anymore. I'm really sorry to say that the sweater vest crowd gets into the bars without showing photo ID. It just happens that way.

During the summer, Monsieur Mayrand, the Chief Electoral Officer of this country, certainly tried to share with us why he's interpreting it that way. This committee unanimously asked him not to share it that way. I was even quoted during the summer, asking what part of photo ID doesn't he understand? The actual photo piece is the important piece. You look at the photo and you compare it to something. That's why we use photo ID as a comparison.

So we've asked to get that cleaned up. We've been charged, as a committee, to move forward on that piece of legislation, Bill C-6. It would be nice to get it done. If I can commend my colleagues, there's certainly been a lot of legislation that's gone through the House here in the last little while, and that's been great. Certainly some of us voted with it, some of us voted against it, and others were sitting on their hands, not actually earning their paycheques.

The legislation continues to flow through other committees, whether it's the justice committee, where we had the Tackling Violent Crime Act go through last week. It was great to see it get royal assent. It was fantastic, but here we are, not wanting to do that in this committee. I'm still at a bit of a loss, Chair, as to how and why we got to this in this committee and aren't moving the same way as other committees. This used to be the committee that actually showed common sense. We used to show common sense.

Mr. Marcel Proulx: Stop filibustering.

The Chair: Order, please. Mr. Preston has the floor.

Thank you.

Mr. Preston, please continue.

Mr. Joe Preston: We've lost it. We've decided instead to go off on a tangent about election financing, and that's where we stand.

I've asked before, already this morning, if we really did talk to the general public out there, what would they say about this? Let's do an

investigation on election financing that's actually before the courts, or let's talk about legislation to change the next time we go to the polls in this country? I have a pretty good feeling what the people of Canada would tell us to do.

We gave every opportunity this morning to move forward on that, and what happened? You can interpret it, Chair, but the way I'll put it is that an amendment was moved, it's ruled absolutely out of order... and I'll get back to that one, too, Chair, because there have been other amendments. There have been other pieces that have been moved here that have been ruled out of order. But what happens? Now the bullies from the other side actually say, "No, Chair, you're wrong".

No, it's not that you're wrong. They're not even saying that you're wrong. They're just saying they outnumber you.

An hon. member: They're bullying you, Chair.

Mr. Joe Preston: That's right. They outnumber you. It's not that you're wrong. It's not that you didn't make the proper ruling—because I'm sure you did.

If I can refer back even to the beginning of this, when the first Standing Order 106(4) motion was put forward, signed by four members from the other side, to come forward this summer to look at the so-called in-and-out scheme.... A motion was moved from that. I remember you taking the time, Chair, to get that ruling right and to say whether it was going to happen or not. You ruled, even with the advice of the law clerk, that the motion was out of order; it wasn't something this committee should be looking at.

If I can remember correctly without my notes in front of me, what you talked about was the fact that it was before the courts, that it's certainly one of the reasons this committee should not be looking at it, as precedent has been set that committees should clearly not be looking at something that's before the courts, and that it doesn't truly fit the mandate of this committee.

It was an investigation into an election financing thing. This committee is about legislation and reports from certain parts of our government, the Chief Electoral Officer, and we do work from that vein, but we don't necessarily do the investigation work into election financing.

I guess I'll just leave it at that. We just don't do it.

Hon. Karen Redman (Kitchener Centre, Lib.): I thought he had nodded off.

Some hon. members: Oh, oh!

An hon. member: He's just refreshing himself.

Mr. Joe Preston: Chat amongst yourselves.

The Chair: Mr. Preston, please.

Hon. Marlene Jennings: Even your colleagues had to laugh. It was funny.

Mr. Joe Preston: I love it when my colleagues laugh at me.

Mr. Paul Dewar: With you.

Hon. Karen Redman: Joe, we are listening.

The Chair: Order.

Mr. Joe Preston: Yes, “with me”. That's true. Thank you, Mr. Dewar. You're absolutely right.

Never mind. I won't go there. You don't use the word “right”.

The Chair: Please get back on track.

Mr. Joe Preston: So here we are, being brought back again to where I was. You had ruled that the motion was out of order and that we should carry on working on Bill C-6 at that time. It was Bill C-6. It's Bill C-6 still now, and again you've ruled that the motion we're trying to talk about is out of order. Yet the gang of six has come together and overruled you again.

Have they overruled you so that the country will move forward? Have they overruled you so that legislation gets done? Have they overruled you so that Canada becomes a better place? No, clearly not. They've overruled you because it suits their partisan interests to do an investigation on an election that took place, now, clearly two years ago.

We've talked a lot about this in-and-out scheme, or the election financing piece on which they would like to do the investigation. As a matter of fact, through the conversations in this committee, we may have done a great deal of the investigation that this committee would do.

• (1155)

We've brought forward all of the affidavits that have been placed before the courts—where they'll get a proper airing, because it's a court of law rather than a committee of partisan members trying to sling mud—and we've discussed many of them.

We've discussed many examples of the similarity between the election procedures used by all four parties in the last election. We truly have found the exact same activities that the Conservative Party used being used by members of the Liberal Party, the Bloc Party, and the NDP. We found that there weren't any differences. We've certainly shown that the type of financing, the financing from the national party down to riding associations, from EDAs to campaign teams, from campaign teams back to national—that there was a flow of funds in every party's case from one side to the other. It's happened with all of us.

We have also discussed at this committee that the type of advertising that they're trying to find fault with has happened by all parties, that the “group buy”, if you will, the regionalization of advertising, has happened not only in the Conservative Party, but in the Liberal Party, in the Bloc Québécois, and in the NDP. We saw it in many cases, whether it was in the city of Edmonton or.... I believe there was a group of members.... I'm sorry, you'll have to forgive me, I don't even remember which party it was in New Brunswick where a group of candidates bought a bunch of advertising together that truly talked about their party's performance and talked about things on a much more national scope. They each put their name at the bottom of it, or when it was shown or heard on the radio in each of their own little pieces of the province, it said who had paid for what portion of it, by listing, as we do in elections, that this ad was brought to you by the financial agent of whatever candidate it was.

We've shown instances of how the same type of financing and the same type of advertising happens by all parties. I'm not certain of the investigative need of the rest. I leave that to the will of Elections Canada. They're doing it, and through the courts that we've sent affidavits to, they certainly will do it. They talk about this being some dire need by this committee to actually get to work and do that. I don't get it. I'm not there; I'm lost on the reasons why, when in fact this committee, for the life of itself, has always dealt with legislation when there was legislation.

We actually have a piece of legislation we should be dealing with—it's sitting there waiting—and we're not dealing with it.

I guess what we need to do is look back on what else can be done to break this logjam. We've tried, Chair, but you've been overruled again on making a ruling to move to legislation. I think, rightfully so, the chair of this committee has tried to move Procedure and House Affairs towards actually dealing with legislation.

• (1200)

Hon. Larry Bagnell (Yukon, Lib.): That's repetition; he's made that point several times.

Mr. Tom Lukiwski: Mr. Chair, can I ask for a point of clarification?

The Chair: A point of clarification is allowed, yes.

Mr. Tom Lukiwski: My colleague and I have also made reference to the fact that we had agreement among all parties that legislation should supersede all other discussions. Has that ever been a matter of record? Have we had that as something we agreed to formally, or was that an informal agreement?

The Chair: There is no formal agreement, but it is the precedent of many committees that legislation takes precedence over other options.

Mr. Tom Lukiwski: Thank you, Chair.

The Chair: The matters a committee deals with are up to the committee itself; they're the masters of their own domain, and these members here are the masters of this domain.

Mr. Preston, you may continue.

Mr. Joe Preston: That's so true, Chair. We are masters of our own domain. Wasn't that a *Seinfeld* episode? Sorry, I lost myself there for a second.

The point I was making before, Chair, about how other committees.... I know we've asked for other things to be looked at. Certainly legislation takes precedence, so let's do it, and if there's a study to be done after the fact or in between times of legislation, this committee has jumped and gone ahead and done different studies.

There are other committees out there certainly looking at other areas. Take, for example, the ethics committee, which passed a motion to investigate a Liberal fundraising practice. I believe the fundraiser was called “the sky is the limit”. If I can remember right, it happened around Valentine's day, and there was to be an auction. The whole fundraising piece was an auction of time and services of certain members of Parliament. The sky was the limit on what you could pay. Apparently, according to their fundraiser, originally even for corporations, the sky was the limit they could pay in order to spend time with prominent members of the official opposition. Well, they could maybe make a couple of bucks by spending time with them in the House of Commons, because it's not a common place to find them any more. I don't know how much someone would pay. Maybe a corporation would pay a lot for that too.

But let's get back to their real fundraiser. Their real fundraiser was based around...I don't know whether it was playing tennis with the Rae brothers or golfing with Paul Martin, and the other one was that you got to go to a hockey game with Ken Dryden. Now that would be an incredible piece.

• (1205)

The Chair: Excuse me, I am having some difficulty with the relevance. I've been giving you some leeway, Mr. Preston, because sometimes when I listen a little longer, you bring it around.

Mr. Joe Preston: I'm going to get there because this was the ethics committee that was asked to look at this fundraiser. I thought it would be very relevant for this committee to hear what that fundraiser was about, because it is truly about election financing, because even if it's fundraising in the off-term, this money will eventually be used for an election, I would think.

So I'm starting to close that circle, Chair, but it may take me a while to get around the arc.

So the ethics committee, which we know has been certainly talking about many, many things lately, was asked, “What about this sky-is-the-limit fundraiser?” I guess it was the ethics committee, so I guess it was being asked, “Was it unethical?” I don't want to say “illegal”; I'll just say “unethical” at the moment. The investigation would obviously prove whether it was illegal or not.

The Liberal chair of that committee, because that is an opposition-chaired committee, Chair—not as aptly chaired as our committee, perhaps—ruled that motion out of order. I don't think he did it in a partisan way. I would guess that he didn't—nudge, nudge, wink, wink. Because it was about a Liberal fundraiser, he ruled it out of order. The committee challenged his ruling and got his ruling overturned. I guess that's commonplace around here, right?

Then he argued that the procedure and House affairs committee should be the committee that conducts an investigation. That was their chair's argument. It should come here, because the sky's-the-limit fundraiser that they wanted to have, where, regardless of Elections Canada rules that have been set now for a number of years about corporations not being able to be involved in the fundraising aspects, even off-term—not during a campaign but even in the mid-term here—where we're fundraising to put together riding association funds....

I believe it was eight Ottawa riding associations that were pooling their resources, if you will, or pooling their unethical behaviour to put this sky's-the-limit fundraiser together. I guess regardless of what was bid on the auction items, this money was going to be split between these riding associations to run the next elections.

There is a cost saving here, because if you have the cost saving of splitting among eight ridings, an unethical auctioning of people services, it saves you the cost of the brown envelopes they used to have to put the money in, in order to hand it out to their riding association. So there's a bit of a cost saving there. I will say it's maybe even environmental. They're saving the cost of the brown envelopes.

It's hypocritical, Chair, I'll put through you, in a very partisan way, to want to examine the books of an election campaign that took place two years ago, that absolutely followed all of the rules, as we've stated. I know Mr. Reid talked very thoroughly in his last conversation to this committee about how even the memos to the handbooks for riding association presidents or riding association CFOs and candidates clearly stated that all of these things were passable. You could share money, north and south, from a national party through a riding association, or vice-versa. Those transfers of funds were allowable. You could do it. The same candidate handbook stated very clearly that you could do advertising buys that included groups of people. I believe the wording either talked about the candidate themselves or about an issue or a party that could influence someone's vote during a campaign. This is all in there. Mr. Reid has shared that.

The members, obviously, could go back and look at the records of the last meeting and see that we've read into the record each and every one of those things.

So I think it's a bit hypocritical that in a case where we've already shown you the rules as they were written, and even verbatim.... I know Mr. Reid was even amazed by how they were numbered, so I know he read them in right out of the book as they were written. All of a sudden, we want to investigate that. We want to investigate things that were clearly stated in candidate handbooks.

• (1210)

Yet we've got other unethical practices out there. The government members of this committee have chosen to say they won't investigate that because they've got legislation to do, Chair.

Mr. Tom Lukiwski: I have a point of clarification, again, Mr. Chair. I'm just trying to understand my colleague. Through you to my colleague, is he saying that the Liberal chair of the ethics committee had ruled a motion from the ethics committee to investigate the Liberal fundraising scheme out of order because he said it would be more properly dealt with in the procedure and House affairs committee? Yet this committee has refused to open up its books. So I'm not sure if we have a.... Is that basically what's happening here?

Mr. Joe Preston: I was about to close that circle on hypocrisy.

The Chair: Mr. Proulx, this is a point of clarification and not a point of order, so we're not going to debate it. I'm going to be cautioning members not to get into a debate, attempting to do indirectly what they're not allowed to do directly.

But I will listen, Mr. Proulx. Do you have another point on the point of clarification?

Mr. Marcel Proulx: No, Mr. Chair. You've read my mind.

The Chair: Thank you.

Mr. Joe Preston: Get ready. We're about to close that whole circle.

The Chair: Mr. Preston, perhaps you could briefly respond to the point of clarification and then move on.

Mr. Joe Preston: Yes, because I find the same hypocrisy. I find the same difficulty.

In one case, we have a chair of another committee trying to refer what we would call unethical political financing to this committee. Yet we have members of this committee, on many motions from us to open their books and talk about where their election financing comes from and where their election financing is spent, saying, "No, no, not our books, not our books, only the Conservative books."

So maybe someone...I ask, through you, Chair, the members of the official opposition. Perhaps it can't happen in the House; I know that maybe the chair of the ethics committee isn't one of the people who gets to sit in his chair all the time. They may have to do it in the lobby. But maybe they could ask him what he meant by sending this forward to this committee, because they're refusing to open their books.

You know, we have the case of the sky's-the-limit fundraiser, we have one member of the official opposition saying, "Send it here, open your books, and look at it", and then we have members of this committee sitting here saying, "We can't open our books and look at all of that stuff, it's only the Conservatives' books that need to be opened."

I'm sorry, but I'm not sure we can get to the bottom of the sky's-the-limit fundraiser in this committee if we only open the Conservatives' books, because we didn't hold it. As far as I know, none of us even attended. I'd love to play tennis with the Rae boys, but I thought it might get a little pricey.

Maybe through you, Chair, to others on the committee, does anybody know what we got for any of these things at that auction? I'm not sure it ever came back to us. I'm sure after we took off the sky's the limit...any corporation can bid whatever they want, which is truly an illegal donation if that were to happen. Once that came off, because I think they did at the last minute say, "Oh, well, we won't take corporate donations then", I wonder what the sky's-the-limit donation was.

How did you do on golf with former prime ministers, on hockey games with former goalies, on tennis with former premiers of Ontario? How did you do?

I don't know. I guess we don't have an answer for that.

Sorry, Chair, I guess we'll have to not do it.

I will state just one last time, to clean that whole piece up, the hypocrisy of a chair of the ethics committee bringing forward, or asking it to come here, when we've heard many times here, and asked clearly...

We would already be finished this. I think a member opposite this morning said we would already be done this if we had just gotten to it. We would already be done this. We would already be done Bill C-6. Am I not right? If they had chosen to make it non-partisan and to do a full investigation of election financing, we would already be done. I think we would. This committee works fairly well when it works. We would have had witnesses. We would already be finished.

If we had chosen to open all the books, if we'd chosen to say what's good for the goose is good for the gander—to use a saying that my grandma used to use—then we would have been done.

But what do we get? What do we get? We don't get the opening of everybody's books. No, what we get is the committee wanting to look at only the Conservative Party's books on this issue.

It's not right, not fair, not what we need, and not the way it should have been done.

We've talked about where we started on this, and I can show you, Chair, the minutes of meetings. On Tuesday, September 11, we met. I believe it was on a motion brought forward by Ms. Redman, I believe on a 106(4) motion. Four members of the committee had said, "Why don't we bring this forward?"

On Tuesday, September 11, they brought it forward, and you did, Chair, rule it out of order. I could read your ruling, because you went on at some length about why you chose to rule the way you did. You did some good research and such. But I guess I'll just say that you ruled against them, against the motion. You did so in a procedure that to me still gives me this "when you're right, you're right" feeling. And I still think right should outweigh procedure.

• (1215)

So I still have a problem with the fact that this overruling-the-chair situation goes from a chair making an absolute positive and correct ruling, stating in his ruling why he made it that way....

As you said today, Chair, you don't even have to do that, but you did. In each of these cases you stated why you made the ruling that way. You even showed us, in some cases, the lengths you went to in the case of talking to Mr. Walsh, the legal analyst in the case of the original motion, about trying to get it right. You went to great lengths.

So I still have this problem. I say it smacks of dictatorship. I don't want to use too harsh a term, but I think that's truly where we ended up, Chair.

An hon. member: They're bullying the chair.

Mr. Joe Preston: Well, I guess that's what it comes down to. You make a ruling that is absolutely right, and instead of the right winning, bullying wins.

An hon. member: Yes.

Mr. Joe Preston: I can out-vote you, so—

Mr. Tom Lukiwski: Why are they being so mean-spirited?

Mr. Joe Preston: I don't know. Why do they hate the rules of this place? I'm at a loss as to how we get there, but I still have a belief, and I know, Chair, in here somewhere you have a belief that you've made the right rulings. You've done the right things. And for the sake of democracy and the Canadian way, you've brought forward a decision.

They've become so good at it now that even before it's out of your mouth, someone is challenging the chair. Chair, it's a wonder you even get to go back to your office, because once you make a decision it's a wonder they don't challenge it; it's become automatic now. It's not about what's right or wrong; it's about if the chair makes a decision, they have to challenge it.

We find ourselves wallowing in this mud pit of overruling decisions rather than following what's right, and we're slinging it in all directions.

I'm wishing we could just pull ourselves up out of that, that we could rise up out of that. I guess we have to start with a verb that's different, then. Perhaps we should slither, from the other side, out of that gutter of partisanship. We need to get out of that gutter of partisanship and actually do some work here, Chair.

This committee has to move forward. We have to quit acting like—well, we've said it—a bully in a schoolyard. We have to quit acting like the only way is their way, that the only way is....

We offered a perfectly good option this morning, Chair. We offered an option—

An hon. member: Go right to legislation.

Mr. Joe Preston:—that we would go right to legislation. After a very short and very eloquent dissertation, we even asked for a vote on it. Let's go right to—

Mr. Tom Lukiwski: Thank you, Joe.

Mr. Joe Preston: Eloquent—yes, it was.

Sorry, through you, Chair, to Mr. Lukiwski, it was very good this morning.

We could have gone right to work, and the motion said that. We would then go on to talking about setting a budget and getting ready to discuss C-6. No, instead we're the loudest bullies, so we're going to change that, Chair, and we're going to make it so that before we deal with legislation we're going to get to sling some more mud in this room.

I hope the cleaners have an easy time cleaning up each night after the mud that's thrown.

I've talked a lot about where we were on this committee and what the folks back home might be thinking about it. But I guess the other part is that it's a good thing this is a fairly boring piece of television viewing, or at least listening or reading, because we're not saying much about the parenting skills and conflict resolution skills that this group has either. We've gone on for a number of times now talking about where we are at on this, Chair, and not able to get to a resolution.

● (1220)

I thought what we were offering this morning was indeed that. I thought that after having been a bit inundated with motions from the other side on Standing Order 106(4), demanding that the committee come to heel on certain issues, our attempt to talk about bringing this committee back together and talk about Bill C-6 as a piece of legislation was an appropriate mediation piece that we could at least get done. I think we'd find ourselves in a pretty unique place, Chair, because although the House has been pretty full of other legislation coming forward, this committee doesn't have a great deal to come forward other than Bill C-6. If we actually finish Bill C-6—surprise, surprise—the opposition sitting in the room may actually have a chance to deal with other things, and maybe even some of their motions, should they wish to. But they've chosen not to take that route and deal with Bill C-6 in that fashion.

We have some other issues. I talked about the hypocrisy of the ethics committee's chair and where he's gone, but there are some other things out there. We have some other issues. If we opened all the books from all the parties, we might also get another clearer look at where the leadership loan situation is on the other side of the—

The Chair: Mr. Preston, I'm just going to ask you to explain the relevance of this line of—

● (1225)

Mr. Joe Preston: Chair, very quickly, through you, because I really want to spend a lot more time talking about it, I'll give you a piece so you can see where I'm headed with it.

Their motion talks about the in-and-out scheme, the election financing scheme, which would mean following the election financing laws, and yet we have other election financing laws on loans that must be paid back in a reasonable amount of time and not just written off. Yet we don't want to open our books and talk about those. So I'm hoping, Chair, that to you there's relevance there.

We seem to want to nitpick and pick and choose the pieces of election financing we do want to talk about, and yet we don't want to open up the whole election financing act, which is truly the deal of this committee—to look at election financing and the running of elections in Canada in its totality, rather than just to nitpick and to pick and choose the little pieces that might give me a hunk of mud to sling at the other guy.

Those, Chair, are my thoughts on where the relevance is on that. I just want to throw it out that there are still some other election financing pieces out there from their last leadership race—some fairly significant and outstanding loans—and I believe the next report is due in June on how they've retired those loans. In fact, they are supposed to be all retired by that date, and if they're not, they actually would be, if I'm not mistaken, assumed to have been improper donations. They would become donations because they're in fact not paying them off.

If we're going to get to that end, as much as I talked about the bit of hypocrisy with the ethics chair and then not wanting to open their books, there's another piece of the books that I think, if we threw them open, we'd have a chance to look at—other things.

The other piece also, Chair, is we can also go back to the findings of Justice Gomery. There were still some real pieces in those findings that talked about election financing. There's still a lot of money certainly that Justice Gomery spoke of, and the trail hasn't been connected there either. I believe \$40 million is the amount that was not found, and we can only assume it went into election financing someplace too. If those books came open, maybe we could look at that too. I think perhaps that's the reason they don't want to open the books, because of what comes jumping out when we do open them.

I did mention some of the affidavits that we've made on elections financing. Just to clarify what I had said earlier, because I did not have this book in front of me and now I do, it talks about the transfer of funds and election advertising.

If we could talk about campaign ads being national in scope, which I mentioned earlier, it says "election advertising" means:

the transmission to the public by any means during an election period of an advertising message that promotes or opposes

—because sometimes we do put ads out that oppose another candidate or one of their views—

a candidate, including one that takes a position on an issue with which a registered party or a candidate is associated.

That sure sounds like that's what most of these people have done, or what we've done. The identification of "election advertising" is:

All election advertising that promotes or opposes a candidate, including taking a position on an issue with which a registered party or candidate is associated, must indicate who authorized it....

I think we've shared before that we've certainly followed those rules too, Chair. They're asking for us to do this investigation, and yet I want to read into the record, of course, why the investigation is not necessary, and this is certainly stating it clearly out of the Elections Canada handbook. I don't think there's anybody on the other side who is going to deny that we did these things.

I waited and nobody did, so I guess they're not denying we followed the rules of Elections Canada.

●(1230)

If it's clear that we followed the rules of Elections Canada, I'm not certain why we need to do the investigation of the in-and-out piece, and why we aren't talking about Bill C-6 instead.

I've talked about election financing and the rules on election financing. But the other thing we're talking about is regional ad buys. We've talked a bit about how you can't do an ad in a local area for the national party—I think that's the scheme they're talking about. That is, of course, a scheme; to them it's always a scheme.

In the past I've certainly done a fair number of radio buys. You're always happy when the radio station has as great a reach as possible. But if it's an election advertising situation and you're trying to reach only one riding, there's no wall at the edge of that riding to stop radio signals from flowing into another riding. It just doesn't happen. Radio signals go where they go. If someone has the appropriate radio station on, it comes in.

That's why we were always asked to put a tag on it to say it was truly Joe Preston advertising in Elgin—Middlesex—London. Even

though it might have been heard in one of the other London ridings, it was me making a statement about myself, another candidate, or an issue of my own party or another party. I paid for the piece that was spilling into or playing in Elgin—Middlesex—London; however, it may have gone other places. That's how regional ad buys happen.

As an example, a group around Edmonton bought radio ads that covered all of those ads. Of course, they may have been tagged at the bottom that they were for the member from Edmonton—Sherwood Park, but they might have spilled into another Edmonton riding. The next day it would have been that member's name on them.

We just want to clear this up. I can't stop the paper boy from delivering to the guy next door, even though I've paid for the ad in Elgin—Middlesex—London. *The London Free Press* covers all of London. They don't put out a separate section for my riding; they cover all of London. Although I may have paid for an ad hoping to reach voters in my riding, it will certainly reach other ridings. If I've spoken of issues that apply to other ridings, my party may benefit from the ad that was placed in the newspaper and went to other ridings, but it was not the intent to do so. The intent was for me to advertise. Walls don't go up and we don't stop the paper boy from delivering just because I have an ad in the paper today.

Part of what they're asking us to look at is that scheme. They feel we've spent money locally on national advertising that should have only been national. Well, we can't help it. The newspaper goes where the newspaper goes. Radio signals go where radio signals go. TV shows on cable now go around the country.

In one of my other conversations with this group, I said we used to be able to isolate test markets in this country very clearly. We could test products, whether in a political field or a retail field. You could feel safe that if you ran a TV ad in the Winnipeg market, for example, it wouldn't go anywhere else and people knew it was only there. But that doesn't happen any more. When you buy an ad on CanWest Global or CTV, it goes across the country. It's not about the one little market any more. There are associated radio stations and TV stations.

I'd like to come back to the beginning. We're really talking here about the....

An hon. member: [*Inaudible—Editor*]

Mr. Joe Preston: The Wheat Board—okay, I could do that.

Some hon. members: Oh, oh!

Some hon. member: Ah, the Wheat Board! That's great.

Mr. Joe Preston: Before I came here I believed wheat boards were crackers.

Hon. Karen Redman: Did you guys draw straws to see who gets to share in this filibuster?

●(1235)

Mr. Joe Preston: Through you, Chair, to Madam Redman, sometimes it's just whose name was on the list. We all have the ability to speak about the issues of this committee. We are glad to do so for our folks back home, because this is about getting work done. It's about getting legislation through. So I'm happy to say we actually show up and sit in our chairs, and when it's time to vote, we all vote.

The Chair: Mr. Preston, please continue.

An hon. member: Maybe he'll go back to the Wheat Board again. I was excited there for a minute.

Mr. Joe Preston: It's great that you have other topics I can discuss. If you find any others up there, please....

Marcel, I apologize for earlier stating that the constituents of Hull—Aylmer.... So we're even, because we've hurt each other now.

Mr. Tom Lukiwski: I think you've hurt his only feeling.

Mr. Joe Preston: Well, you know, if you hold that feeling out there like that, it happens.

Sorry, Chair, I know the relevance of feelings.

I have to agree with the member from Hull—Aylmer that Mr. Lukiwski is very good at this. In the past he has covered a great deal of the items here. I'm trying not to speak of them because he already did.

I have nightmares. The one part, of course, is the conversation about his dog and how he got in trouble for not feeding it because he went away. That's a whole different issue.

The Chair: Excuse me, Mr. Preston. We're having a little bit of levity, and I don't mind that, but I have to pull you back to the discussion on Madam Jennings' amendment. Let's focus on that, please.

Mr. Joe Preston: Let's just go back to that then, Chair, because that's truly what the whole issue today is. We came here today to talk about, in a funny way—because I love the 106(4) motion—the 106 (4) motion, signed by four members of this committee, to talk about putting this committee back on track and to talk about Bill C-6.

Did we come here to talk about Bill C-6? It's funny, because 106 (4) actually doesn't allow you.... You get to come here to say what you will talk about, not about what you were going to talk about. We're going to have a discussion about talking about 106(4). I'm going to try to use this back home whenever I'm in trouble and say, "Okay, we can't talk about it now; we're only going to talk about talking about it".

The other members of the committee, Chair, have used the same thing to try to move parts of their partisan issue forward and to talk about, again, in-and-out financing. Whenever they've brought it forward, we've risen to the occasion, Chair. The members on this side of the table have risen to the issue and talked about it on their behalf. Whatever they've wanted to talk about, whatever motion has been moved, we've grabbed on and actually talked about it.

Well, here we are today, Chair, with our own motion. We moved forward today with a 106(4) motion about Bill C-6. It is about us wanting to put together this committee and talk about Bill C-6—call

witnesses, what the budget would need to be. Instead, what happened when we asked for a vote was that we had our motion amended. Was it amended to make it simpler? Was it amended to make it easier to talk about Bill C-6? Was it amended to actually say, great idea, let's talk about Bill C-6? Was it amended to bring the Chief Electoral Officer here and maybe get to the bottom of why he's having trouble with visual identification or voter ID in elections? No, it wasn't at all.

An amendment was moved to the original motion Mr. Lukiwski put forward to stop right there, not talk about legislation, and not do the work we were sent here to do. Please don't, because we're now going to talk about, guess what, the in-and-out scheme again. We're going to talk about it, and when we're done talking about it, we might talk about legislation. That's what the amendment says.

Mr. Tom Lukiwski: Is the in-and-out legislation?

Mr. Joe Preston: It's not legislation. This was, again, through you, Chair, to move from the work we're supposed to be doing to, again, this other issue and to talk about it for a while.

Mr. Chair, you moved that amendment to our motion out of order. It truly was, because it's beyond the scope of what we're supposed to be here talking about today.

An hon. member: We agreed to talk about legislation.

●(1240)

Mr. Joe Preston: I think we agreed to talk about legislation. The rest of the members knew what the orders of business were today. I receive that page on the orders of the day every day before I come to committee. The rest of the members of the committee receive the same orders of the day. If they don't, I know that the great staff here delivers it to them the minute they arrive in the room. It comes and sits in front of them. It tells them what it is we're going to talk about today.

We all knew why we were coming today. After a short period of time we asked if we could vote on it and get down to business. We asked for it. "No, please don't work on legislation", is what they yelled out. They said to stop and not work on legislation.

Hon. Karen Redman: A point of order, Mr. Chair.

The Chair: A point of order, Madam Redman.

Hon. Karen Redman: I think the blues will clearly show that there's an awful lot of creative licence being used by Mr. Preston. There is nobody at this table who said we were not willing to get to legislation. I believe we're talking about an ordering of legislation. I also didn't hear anyone crying out, "No, we will not go to legislation". I think there could be a little bit more veracity in Mr. Preston's interpretation of what has happened.

Mr. Joe Preston: I'd be happy to have that taken care of. It was a very good piece of debate, and when Ms. Redman would like the microphone, she can have that debate.

Mr. Chair, I would ask if we could please have the motion—

The Chair: Mr. Preston, order.

I was listening to Madam Redman and I haven't given the floor back to you.

Mr. Joe Preston: It's a shame. I'm just so used to having it, Mr. Chair.

The Chair: That's fine.

You do now have the floor. Please continue.

Mr. Joe Preston: I would ask that we read the motion we're currently debating, because it clearly states, although I may have taken a bit of theatrical licence in how I said it, exactly what I just said. We were here to talk about Bill C-6, and in fact the opposition has put an amendment to the motion that says we're not going to get to talk about legislation; we are going to talk about what we want, and it's the in-and-out scheme.

So could I have the motion read? I believe some of them are missing.

The Chair: Before we go on too many of these points of order, I want to say that they are somehow bringing to the attention of the chair a deviation from the Standing Orders or the common procedures. They're not avenues for participating in the debate.

But I will recognize Mr. Proulx on a point of order.

Mr. Marcel Proulx: Let me ask you a question. Is the truth being modified—

The Chair: That's another debate, I'm sorry.

Mr. Marcel Proulx: —outside the rules and regulations?

The Chair: I can take your name down, and when it comes your turn you can rectify or clarify the situation.

Mr. Marcel Proulx: Thank you.

The Chair: Mr. Preston.

Mr. Joe Preston: Could we reread the motion? There was obviously some lack of understanding in the room about what we are now debating.

The Chair: I'll have the clerk reread the motion that we're on, including the amendment. Is that what you'd like?

Mr. Joe Preston: Yes, it was the amended piece that I really wanted read in.

The Chair: The whole thing, then.

The amendment we're now debating will be read by the clerk.

The Clerk: The motion as amended would read:

That the Committee proceed to the consideration of Bill C-6, An Act to amend the Canada Elections Act (visual identification of voters), and that the above mentioned study commence at the meeting of the Committee immediately following the Committee's completion of its investigation of the actions of the Conservative Party of Canada during the 2006 election, in relation to which Elections Canada has refused to reimburse Conservative candidates for illegitimate election campaign expenses and the tabling in the House of the Committee's report.

Mr. Joe Preston: That was perfect, but I think it made my point without me having to read it. I was saying that we came here today to talk about Bill C-6, a piece of legislation, and that we were sidetracked, hijacked, whatever way you want to put it, into saying, "Let's put something ahead of it first."

I was interrupted and told I was taking theatrical licence or literary licence with it, and I think it clearly states it exactly there, that this is what is being attempted, a hijack of a perfectly good motion to talk

about legislation at this committee, take it back off track and talk about something else.

Through the goodness of her heart, Madam Jennings has left in there that we could talk about our motion after the fact. My mama taught me to say thank you, so thank you for leaving that part in there. But what you really did was hijack where we originally were to talk about something that you wanted to talk about.

Answering the point of order, Chair, my point has been well made. I may have been deemed descriptive of it. I may have been adding some of my own words as to somebody yelling out, "No, let's talk about this." Perhaps the word "no" was not used. However, I think the answer was that it's exactly what happened. We changed a motion to deal with legislation at this committee. All the people at this table answered the call when the orders of the day went out. That's what they were coming here to do. That's what it said. Instead of dealing with that in that fashion, they chose to change it and deal with the amended part.

I won't ask for it to be reread, because it states very clearly that it's about dealing with the in-and-out scheme of some election financing piece from 2006, and when that's all done, it's okay, the people of Canada then will get to deal with legislation that's needed in this country. It's about dealing with the partisan mudslinging first. It's about having to finish that first, and if that's okay, then we'll get to the other.

When and if that happened, what's to stop another amendment or another motion from coming forward, rather than dealing with legislation? I can only assume, since it's been happening at a regular rate and a regular pace, that this would not be the end. There would then be something else that was more important to this committee than legislation. A member of the opposition side would then come forward and go, "Aha!"

They're thinking of it now, Chair. They're coming up with ideas that we could deal with instead of dealing with any pieces of legislation. I think it's unfair to the citizens of this country to think that the opposition members of this committee clearly don't want to deal with the legislation.

I never thought of it this way, but perhaps their full intent is to do exactly that. I've always believe in the goodness in the hearts of men and women, that they truly are here for noble purposes, but perhaps that is the true reason. They actually are here to not do legislation, to not move the good work of Canada forward, to not move legislation that will help make this country a better place going forward. They're actually here to talk about their own issues, not about the issues of the country.

I hope that's not true. I'm not hearing anybody say it's not true over there, but I still believe in the goodness that—

• (1245)

Hon. Marlene Jennings: The only one filibustering is you. The only people I've heard filibustering since I got here in January are the Conservatives.

The Chair: Order.

Hon. Marlene Jennings: I thought it was a real question he was asking, not a rhetorical one. I apologize.

The Chair: I know you just got here, so that's understandable.

Mr. Preston.

Mr. Joe Preston: Not to worry, Madam Jennings, I'll be happy to answer on the record what you just asked.

You know, each of those motions we have debated, each of those motions that have been brought forward has been about bringing legislation forward. I ask, through you, Chair, to the person who just asked me the question—I'm sure it wasn't rhetorical. The answer was, and has been all along, in each case we've put forward a motion to please, please, get back to legislation, to quit talking about a simple partisan piece. We have even tried, in our own good way, to modify even that motion, which we don't believe we should be talking about, to an open and honest and transparent motion that would include all of us. If we're going to go down that road...and you know what? After we have dealt with Bill C-6, if we have to get there, great, fantastic, let's get there, but let's get there in a non-partisan, open, transparent way where we look at the books of all the parties.

Chair, through you, that's what we've been doing here, and I'm sorry if we have interrupted the partisan path they want to take. I apologize. That's not what we've been trying to do. It's not about them. It's about the legislation before us. We came here today, as I said, in a perfectly good compromise situation with a motion to deal with the legislation before this committee and asked very early in this meeting—hours ago, it seems—to vote on it. Let's talk about that piece of legislation.

As I said, Chair, through the quirks of a 106(4), it wasn't really even to talk about the legislation, it was to talk about talking about the legislation. It was to talk about setting a budget, calling a witness list, and doing the things that are needed to bring Bill C-6 before this committee.

The hoops we have...a guy my size, if you can imagine, jumping through hoops, but the hoops we have to jump through to get to where we want to deal with legislation at this committee...it's becoming infamous. It's just crazy. We're having to deal with this in the minutiae of bringing this legislation forward when the opposite side wants to stop every time we get to the edge, near to the point where we might actually deal with the legislation again, where it just might happen that we actually start doing the work of the people of this country. We amend a motion. We move another motion. We bring another 106(4). Something else is going to happen.

Chair, we've got meetings twice a week with this committee, and what do we ask? What's next? What's happening at the next meeting? I know what I'd like to do. I'd like to sit here and look down at those chairs and see the Chief Electoral Officer and perhaps some representatives from some of the...maybe even the Muslim communities, because that would be good, and some of the people who have written us letters about what would work and what wouldn't work in changing Bill C-6, and some of the people who have to do with election laws in this country. I'd like to ask them questions about how we can move this piece of legislation forward, ask Mr. Mayrand sitting right there in that chair—and probably Ms. Davidson would be with him because she usually is—what trouble they are having with voter ID, what trouble they are having with this piece of legislation. Why can't we move it forward?

I would suspect—I know the members opposite ask fantastic questions when we do this too. Usually, they do a great job in talking to witnesses, and in very, very short order we could write that piece of legislation. We could get to a clause-by-clause situation on Bill C-6 and have a real, true finish to Bill C-6, a piece that, as Mr. Dewar mentioned earlier today, Chair, for you started as Bill C-31, started as another piece of legislation. We could truly get to that point—when we actually are working, getting questions asked and answered as to what the difference is. I don't think we're far, Chair. In reviewing some of the pieces on Bill C-6, I don't think we're but one or two questions away from Mr. Mayrand's answers, what he would like to see different in Bill C-6 to what we have. I don't think we're far, and you know what, the government side doesn't tend to get to go first in most of that questioning, so it might even be found through a question of the opposition, should they be in their chairs during that questioning, Chair. We might get to the answer very early in the first meeting we could have on Bill C-6.

● (1250)

Now, there are other witnesses, and I know they must have put some thought into it, because it was on the orders of the day today that we would also talk about the budget and the witness list for Bill C-6. So I know they must have thought about it, or at least had their staff thinking about who we could get, who else we need to see to complete the act concerning visual identification of voters. Who else do we need to see, Chair?

I'd much rather be sitting here having a good friendly debate and a laugh or two with Mr. Proulx or Mr. Guimond about that, about who we should have. That's what this committee used to do. We honestly used to sit here and talk about what we were going to do next and get to the point of getting the witnesses here with a little good cajoling and "Here's my witness list and here's yours", and we'd actually come up, at the end of the day—

Mr. Pierre Lemieux (Glengarry-Prescott-Russell, CPC): Find common ground.

Mr. Joe Preston: Right, the middle ground. My friend Mr. Lemieux said it just right. We'd find the middle ground. You know, we've lost the middle ground. We keep going in this tug of war from one side to the other, from one side to the other.

But each time, Chair—I ask you again and I'll try and make it clear—my friends here on this side of the table continuously try to bring it back to legislation. I think if you check the blues of the committee and all of the tapes, we've asked every time if we could just get back to legislation. Could we just get back to what we do?

As I said, we've got three parties on that side that for some reason don't feel we want to move forward in this debate and instead want to talk about their election financing in-and-out scheme, mud-slinging exercise. That's where they want to go with this.

And we've even offered to compromise on that. As I've stated, we offered the give-and-take. I guess we give, they take. But we keep asking if we could please just talk about it all. I grow tired.

Sometimes my kids do this to me too. If you ask dad for something 33 times, on the 34th time he might give in. It's kind of happening on the other side.

We keep wanting to talk about the in-and-out, but we keep saying, "Well, let's just talk about everybody. Let's just throw the books open and see if there is something in the election laws that we would like to see changed." As I've pointed out today, and I've read into the record even, there is nothing in the law that says that what's going on isn't appropriate. We're saying that everybody is doing it.

So if truly we need to throw open the books, if truly we need to change the election laws, we'll need to throw open all the books to see that you guys are doing that and that's happening here, a similar thing happened over here and that ad buy went that way—is there consensus around the table that we want to change that? Is it not something we want to have happen in the next election? Okay, we'll write that legislation. We have great researchers and great legislative writers in this room. They do a fantastic job.

If the will of this committee is to change something in the Elections Act, let's get at it. Let's do that.

An hon. member: Get her done.

Mr. Joe Preston: But it's not about a partisan search—

An hon. member: A witch hunt.

Mr. Joe Preston: Well, I don't like to use "witch hunt" too much because I did once before and the chair kept track of how many times I said it.

An hon. member: You don't like to be repetitive.

Mr. Joe Preston: I think I'm only up to about two or three times today, Chair, on "witch hunt". Three times? That was me asking about "witch hunt"; that wasn't me saying it, so that wasn't a fourth time.

Oh, Chair, you can't count it because—

Hon. Karen Redman: I think that's five.

Mr. Joe Preston: Oh, well anyway, it can't be that way.

Even if that's the work we're going to do on this committee after we're done with Bill C-6, even if that's where we head.... Although I know Mr. Reid read a list last week of other work we could do, which is appropriate for this committee to actually work on, we're not there yet, and maybe this would have to follow it even, because I would rather see us do the work of the ethics reporting and some of the other stuff this committee has already been working on.

But, Chair, if we got there, we still would have to get there in a fair fashion, in an open fashion, where all books were open, where we really did talk about it all. Even if we did investigate just the Conservative Party piece, I'm not sure how we're going to get the change in the laws, because we would have to see what was happening in other parties and what other people had been doing. If one is doing it one way and another is doing it differently, I'm okay with it, but when we're all doing it the same way, how could we possibly get to changing a piece of legislation when we've only looked at one angle of it?

•(1255)

I don't think that's truly how it would work. We have to look at it in a much more open fashion, Chair. We have to get to the point where we actually deal with the piece of legislation before us, and then perhaps the other pieces of work this committee has, be it private members' business or ethics committee business, or other stuff that will have to happen.

Then if we truly want to ask him about this election financing, we can have Mr. Mayrand here. I think I have a pretty good idea of what Mr. Mayrand will say.

An hon. member: What will he say?

Mr. Joe Preston: He'll say, "I'm sorry, Mr. Preston, but that's before the courts and I'm not certain we should discuss that until it's done. I'm sure your chair would have made that ruling, because he's very good."

I would think that's what he might say. I don't like putting words in his mouth. I'm sure Mr. Mayrand is watching, and if he would like to correct me, he could.

An hon. member: It's a reasonable assumption.

Mr. Joe Preston: I'm sure he's listening; it's the foil hat thing.

Through you, Chair, I'm sure you would never think that.

But that's the type of legislative work this committee could be doing. I've given a good vision as to having people here as witnesses and getting that piece of legislation off the table before any other comes.

It's a good thing we're not backlogged with other pieces of legislation from the House. There have been a lot of great justice bills, a fantastic budget, which we've been talking about, and the other stuff the House has been working on. If it had been election financing pieces, or other things that this committee had to work at, it would be getting backlogged. Chair, it's very good that we are not behind in our work, and it's through no fault on this side. As I've already stated, there's the other side that continues to want to bring forward a very partisan issue, instead of working on the legislation.

One more time: if we work on the legislation, we may find ourselves with a gap that we could only fill with their piece of work. I don't know, but if back on September 11 we had actually gone to work on Bill C-6 and finished it, I would guess that we would have had a meeting or two on another topic by now. I offer that to my colleagues in this room, that we could have got there.

You know what? We came close today. I guess it was probably about 11:15 today that Mr. Lukiwski—

•(1300)

The Chair: Excuse me, Mr. Preston, the time for this meeting has expired.

This meeting is now adjourned.

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