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CANADA

# **Standing Committee on Procedure and House Affairs**

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**EVIDENCE**

**Tuesday, November 25, 2008**

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**Chair**

**Mr. Joe Preston**

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## Standing Committee on Procedure and House Affairs

Tuesday, November 25, 2008

•(1105)

[*English*]

**The Clerk of the Committee (Mr. James M. Latimer):** Honourable members of the committee, I see that we have quorum.

Pursuant to Standing Order 104(1), your first order of business is to elect a chair.

[*Translation*]

I am ready to receive motions to that effect. Are there any motions?

[*English*]

**Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC):** Mr. Clerk, after careful consideration during many months off, over the course of the summer and the election, members of this side have considered this—

**Mr. Tom Lukiwski:**—and we nominate Mr. Joe Preston because of his vast experience in the chair.

**The Clerk:** Mr. Lukiwski moves that Joe Preston be chair.

Are there other motions?

Seeing as there are no other motions, is the committee ready for the question?

[*Translation*]

The committee has heard the motion. Is it the pleasure of the committee to adopt the motion?

(Motion agreed to.)

[*English*]

**The Clerk:** I declare Mr. Preston elected chair of the committee.

Before inviting Mr. Preston to take the chair, we may, if you wish, proceed to the election of vice-chairs. Is that the committee's wish?

**Some hon. members:** Agreed.

**The Clerk:** The first vice-chair would be someone from the official opposition.

[*Translation*]

**Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ):** I nominate Mr. Marcel Proulx.

**The Clerk:** Mr. Guimond moves that Mr. Proulx be elected First Vice-Chair.

Are there any other motions?

[*English*]

Seeing no other motions,

[*Translation*]

Is it the pleasure of the committee to adopt the motion?

(Motion agreed to.)

[*English*]

**The Clerk:** I declare Mr. Proulx elected first vice-chair.

The standing order says that the second vice-chair must be from a party in opposition other than the official opposition.

[*Translation*]

**Mr. Marcel Proulx (Hull—Aylmer, Lib.):** I nominate Mr. Michel Guimond.

**The Clerk:** Mr. Proulx moves that Mr. Guimond be elected Second Vice-Chair.

Are there any other motions?

[*English*]

Seeing as there are no other motions, is the committee ready for the question?

(Motion agreed to.)

**The Clerk:** I declare Monsieur Guimond elected second vice-chair.

I would invite Mr. Joe Preston to take the chair.

**The Chair (Mr. Joe Preston (Elgin—Middlesex—London, CPC)):** Thank you.

The last time I didn't get to sit in the chair.

**An hon. member:** You chose not to.

**The Chair:** I'd like to thank you all for the wonderful opportunity to be your chair again. I can't seem to lose an election at this committee.

Many of you are friends and have served on this committee in the past, and there are some newcomers. I would like to start just as we may have started at the beginning of the last House, and as I'm sure this committee has started many other times, by explaining that this committee is the granddaddy of all the committees. It is the one that strikes the others. It is always run by consensus, and has in the past always worked well by consensus. I hope that, with the will of the members, that's how it will run again. I will be here to join in your conversations rather than to rule. I hope partisanship stays outside in the hall and that in here we will be people all willing to make this Parliament and Canada a little better place.

Thank you.

Why don't we do this? In the first meeting last time, with the consent of the committee....

I'm sorry, Mr. Guimond.

[*Translation*]

**Mr. Michel Guimond:** Thank you, Mr. Chairman.

First of all, I would like to welcome to the committee my colleague from Beauharnois—Salaberry, Ms. Claude DeBellefeuille, who is replacing Ms. Picard. Ms. Picard served on this committee for many years and decided not to seek another term.

On behalf of the Bloc Québécois, I would like to congratulate you on your election, Mr. Chairman. Earlier, I jokingly said in English that you were well prepped to take on your duties as chair because you had five or six months to read the Standing Orders.

Seriously, though, I want to reassure all of my colleagues that I intend to co-operate with this committee that I have served on since 2000 in the hope that it will recapture the spirit that prevailed prior to last year, which as I'm sure we all agree, was very raucous. The past is the past. As my mother always said to me, there is no use crying over split milk. It's time to look ahead to the future.

Regardless, Mr. Chairman, if you scrupulously abide by the Standing Order of the House which govern our proceedings, if you act in a non-partisan, open manner—and we are confident that you will—, everything should go smoothly.

Again, congratulations and rest assured that I will cooperate with you to the fullest.

[*English*]

**The Chair:** Mr. Cuzner.

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Mr. Chairman, on behalf of the official opposition I'd like to congratulate you on your election.

Being a recent member, I first sat on this committee back in 2003 as the parliamentary secretary to the Prime Minister. The view was a little different from that side of the room. Nonetheless, I want to reiterate what Michel has said here. Our intention is to work on this committee and hopefully find consensus and develop a relationship among the committee that's conducive to Parliament. There are some early indications that this might even be possible. We'll certainly do our part from here.

•(1110)

**The Chair:** Mr. Lukiwski.

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

From the government side, Joe, thank you for being a calming and steadying influence on this side of the table for the last year or so. Congratulations to you on your selection and election as chair.

First, I want to introduce a couple of new members. We now have six members. Five members are sitting on this side of the table, and a couple of them are new. First, there is Ms. Kelly Block, who is from Saskatchewan. We have another Saskatchewan presence on this committee, newly elected this year. I'm sure Kelly will be a wonderful addition to this committee.

**Mrs. Kelly Block (Saskatoon—Rosetown—Biggar, CPC):** Thank you.

**Mr. Tom Lukiwski:** As well, we have the deputy whip of our party, Mr. Harold Albrecht. Of course, we have our caucus chair, Mr. Lauzon. Mr. Scott Reid and I will be the two veterans of the committee.

On behalf of all government members, I first want to thank Michel and Rodger for their very kind words. Without question, and without assigning blame to anyone, last year's committee didn't end well. We all know that. I'm very encouraged to hear the words of Michel and Rodger. I want to underscore the fact that we completely support those words. We all know—at least the people who have been on this committee for many years know—that the purpose of this committee is to work on behalf of all parliamentarians to establish or change standing orders, and to work on matters that concern all parliamentarians, whether they relate to security or other issues that affect all of us.

I have always known that this committee is intended to be probably the least partisan of the 27 standing committees that we have in Parliament. I will give you our assurances, as well—although there will be times, I'm sure, when there will be differences of opinion. The intention of this government and of the members of this committee is to work as cooperatively as we possibly can and to actually get some work done on this committee. A failure occurred last year, and we don't intend to have that happen again, I'm sure.

Thank you very much for your kind words. You can count on us to work as cooperatively as we possibly can.

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

Monsieur Godin.

[*Translation*]

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** First off, Mr. Chairman, I want to congratulate you on your election. I will not even bother to joke that you are not familiar with the chair's duties. You did not find yourself in this position because you lack expertise.

Senior officials in the previous government wanted to do away with this committee. Let us hope that this will not come to pass. This will not stop the opposition from suggesting topics that the committee could discuss. The issues that we will raise in committee will need to be, and will be, debated. The Chair will need to be impartial, because it is the duty of the Chair to be non-partisan.

I appreciate you're saying that this committee is one of the most important committees in terms of how Parliament operates. The other committees concern themselves more with how the government and ministers operate and they debate matters raised by political parties. This committee deals with the operation of Parliament. I am saddened by recent events in Parliament and I hope that we can work together.

In a democratic system, we have a government party and an opposition. It is the duty of the opposition to draw the attention of citizens or the government to matters with which it disagrees. The Chair has a responsibility to ensure that these matters are debated. It is not the Chair's responsibility to silence a committee, as we saw last time around. I'm optimistic and I believe that we can engage in debate. Otherwise, we will have to live with the consequences.

I promise you that I will work hard to make this committee work, all the while with an eye to preserving democracy. The opposition must have the right to speak and to participate in the debates of this committee.

Once again, congratulations on your election.

[English]

**The Chair:** Thank you, Monsieur Godin. I accept all of your congratulations and will take on the job in earnest and with your sage advice.

Now, if I could ask the permission of the committee, our business is finished for the day, but there are other things we can accomplish, with the unanimous will of the committee, to move forward with our routine motions so that we can set the pace for how the committee will function. I see agreement, so let's go ahead and move forward on that.

What you've been handed are the minutes of the first meeting that took place in the last Parliament. We're going to try to adopt some of the motions that were moved the last time.

The first motion that I'm told is critical to us is for an analyst. The committee needs to retain the services of an analyst from the Library of Parliament, as needed, to assist the committee in its work. I will entertain motions.

Madam Jennings.

• (1115)

**Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.):** I so move.

**The Chair:** Is there discussion on that? I see none. Will the committee vote in favour of that motion?

(Motion agreed to)

**The Chair:** The next motion that is fairly critical to us, allowing us to move forward in setting the other committees, is assigning the authority of a striking committee, which is made up of the four whips of the parties in the House, to establish the committees and report back, if I'm not mistaken, to the chair so that it's reported to the House.

Is there any one willing to move that motion? I will read it:

That the four Whips be delegated the authority to act as the Striking Committee pursuant to Standing Orders 104, 113 and 114 and that they

be authorized to present directly to the Chair, in a report signed by all four Whips or their representatives, their unanimous recommendations for presentation to the House, on behalf of the committee.

The motion has been moved by Madame DeBellefeuille.

[Translation]

**Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ):** Thank you, Mr. Chairman.

I would just like to ask you to read a little more slowly, as I'm a unilingual francophone who needs to rely on the interpretation services.

[English]

**The Chair:** We'll make sure it happens.

Mr. Lukiwski.

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

We're in agreement with that, Mr. Chair. Just to let the other whips know, I spoke with Michel just a few moments before the meeting.

For the benefit of Rodger and Yvon, we're still probably a half a day to a day away.... There are still a few people on the government side on the assignment of committees. We're not quite sure. We should have that handled by tomorrow at the latest. I would hope that by the time we get together on Thursday the whips might even be in a position where they have the membership of committees struck and can report back to this committee.

We're probably half a day to a day away from assigning all of the members from our side. We're certainly in agreement with giving all of the whips the duty to strike the committees.

**The Chair:** Thank you for that information, Mr. Lukiwski.

Mr. Godin.

• (1120)

[Translation]

**Mr. Yvon Godin:** Mr. Chairman, I'd like to know if the Bloc Québécois and the Liberals have drawn up a complete list of their party members who will serve on committees and if they are prepared to submit that list to the committee.

[English]

**The Chair:** A question for you, Michel, and a question for you, Rodger.

[Translation]

**Mr. Michel Guimond:** The Bloc Québécois is prepared to submit the names of its members who will serve on all committees.

[English]

**The Chair:** Mr. Godin asked if you are close to your list for committees.

**Mr. Rodger Cuzner:** Our lists are ready to go. The question that should be asked is, will the government be ready by day's end tomorrow?

**Mr. Tom Lukiwski:** Rodger, my understanding is at the very latest day's end tomorrow. It might even be day's end today.

[Translation]

**Mr. Yvon Godin:** Our list is ready as well. If you like, we can give it to the clerk.

[English]

**The Chair:** Monsieur Guimond.

[Translation]

**Mr. Michel Guimond:** You say your list is ready. For Tom's sake, no doubt you realize that there are a considerable number of names of this list. I would like us to have enough time to review the list. Last time, I was handed the list in the lobby 10 or 15 minutes before it was scheduled to be tabled. I don't know whether you were the House leader at the time, or whether it was Mr. Van Loan.

I would like to have enough time to review the list before it is tabled in the House.

[English]

**Mr. Tom Lukiwski:** I can't speak on behalf of Minister O'Connor, but I don't believe we have any problems with that, Michel. So either Harold or I, or both, will speak with Minister O'Connor.

Are you saying you would like to see the partial list, or try to get the completed list to you as quickly as possible?

**Mr. Michel Guimond:** No, the all-party list.

**Mr. Tom Lukiwski:** We'll attempt to get it to you as quickly as we possibly can.

**The Chair:** By passing this motion we're giving the striking committee two to four whips. They'll have time to discuss it at length with each other as long as they want before they have to present it to the chair.

Please take the time you need to do the document and let's move it forward.

Madame Jennings.

[Translation]

**Hon. Marlene Jennings:** Thank you, Mr. Chairman.

Personally, I have only one concern. All of the committee members have been chosen. We want the standing committees to be struck so that they can begin their work. Given the considerable number of names, it would be very helpful to the clerk if the government list could be ready by the end of the day. Entering all of the names into the computer before submitting the list does indeed represent a phenomenal amount of work. The longer the process drags on, the longer it will be before the committees are up and running.

That being said, as the Whip mentioned, we the Official Opposition are ready, but in the spirit of cooperation, we will give you time to prepare your list.

[English]

**The Chair:** Mr. Lukiwski.

**Mr. Tom Lukiwski:** The only reason, quite frankly, we don't have it ready now—it is my understanding at least—is that on some committees we have an additional member. Plus we asked all of our new members and all other members to indicate which committees they have a preference for. There are only two or three that we're

trying to juggle. On all committees we're trying to keep some experienced members as well as some new members. We'll speak to the whip and make sure that Gordon speaks with Rodger, Michel, and Yvon and tries to get it done by the end of the day. I think it's really close.

**Hon. Marlene Jennings:** Thank you.

**The Chair:** Because I was speaking so quickly, I would ask the clerk to read this motion *en français*, please.

**The Clerk:** Mr. Chair, the motion before the committee is as follows:

[Translation]

That the four (4) Whips be delegated the authority to act as the striking committee pursuant to Standing Orders 104, 113 and 114, and that they be authorized to present directly to the Chair, in a report signed by all four (4) Whips, or their representatives, their unanimous recommendations for presentation to the House, on behalf of the Committee.

[English]

**The Chair:** Is there any further discussion on the motion?

(Motion agreed to)

• (1125)

**The Chair:** We have another critical one—and we may be jumping around from your schedule. Since the drawing of names for private members' business has already taken place, we would like this committee to strike its subcommittee for private members' business so it can go to the first meeting of that committee and move the first replenishment forward.

Pursuant to standing order 91.1(1), the subcommittee on private members' business shall be composed of one member from each of the recognized parties and a chair from the government party. We'll need to appoint a chair, at that point, from the government party.

Mr. Proulx, will you move that?

Is there any discussion?

Mr. Guimond.

[Translation]

**Mr. Michel Guimond:** I just want to let you know that Ms. Claude DeBellefeuille will be the Bloc Québécois' representative on this subcommittee. Are you taking names right now?

[English]

**The Chair:** Sure, we might as well. That way if you have your names we'll take them, and if not, you can certainly tell them to us.

**Mr. Tom Lukiwski:** Mr. Scott Reid will represent the government on that committee.

**The Chair:** Monsieur Godin.

[Translation]

**Mr. Yvon Godin:** Ms. Charlton will be representing the NDP.

[English]

**The Chair:** It will be Ms. Chris Charlton for the NDP.

**Mr. Rodger Cuzner:** Mr. Chair, I don't think we were on mike at the time.

**The Chair:** Marcel Proulx will sit on behalf of the Liberal Party.

The question then is who is sitting as chair from the government party?

**Mr. Tom Lukiwski:** Mr. Reid will be the government member. We need a chair. We're working on the chair.

**The Chair:** You can tell—you can see the smoke.

**Mr. Tom Lukiwski:** That's because we haven't discussed this. My recommendation—and this may catch you off guard, Harold—is that Mr. Albrecht be chair of the committee.

**The Chair:** It can be changed after, I'm certain, but for the purposes of striking the committee....

**Mr. Tom Lukiwski:** It will be Mr. Albrecht then.

**The Chair:** Mr. Albrecht is appointed the chair.

**Mr. Marcel Proulx:** Point of order.

**The Chair:** Certainly. I shall approve my first point of order. Let's hear it.

**Mr. Marcel Proulx:** Very simply, I just want to make sure that notes were taken down as being Marcel Proulx and not Michel Proulx.

**The Chair:** I'm sorry. It should be Marcel Proulx. My apologies.

**Mr. Marcel Proulx:** I appreciate it.

**The Chair:** That was the first of many mistakes, and I'm sure it will carry on.

First of all, we need somebody to move the motion with those names attached. Marcel Proulx is moving it. I'm just going to say Monsieur Proulx, and then I won't have to worry.

**Mr. Marcel Proulx:** No, that was my father.

**The Chair:** Is everyone clear on the motion? Is there any further discussion?

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

**The Chair:** Monsieur Guimond.

[*Translation*]

**Mr. Michel Guimond:** I am trying to follow the order of the motions as it was presented last time. I do not understand why you wanted to move so fast to strike the subcommittee when we still have other motions to deal with. You skipped the one that pertains to the composition of the Subcommittee on Agenda and Procedure.

[*English*]

**The Chair:** I'd be happy to explain myself. It's the order in which the clerk just handed them to me.

[*Translation*]

**Mr. Michel Guimond:** So then, we are blaming the clerk. He was looking for a scapegoat.

[*English*]

**The Chair:** In the spirit of cooperation with the clerk, I went that way.

I will now entertain any other motions you'd like, in whichever order you would like to use them.

Monsieur Godin.

[*Translation*]

**Mr. Yvon Godin:** If at all possible, we should follow the order listed, sir. It is easier for us if we do that. Otherwise, we may forget something and we wouldn't want that. Let's stick with the order given here.

[*English*]

**The Chair:** I'll get right to you, Madame Jennings.

We're not obliged to do all of these, but if that's that intent of the committee, that's fantastic.

Madame Jennings.

[*Translation*]

**Hon. Marlene Jennings:** I move that the Subcommittee on Agenda and Procedure be composed of the Chair, the two Vice-Chairs and a member of the other opposition party.

[*English*]

**The Chair:** We have a motion on the floor. Is there discussion on that?

Mr. Reid.

**Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC):** Mr. Chair, I would propose an amendment to that motion so that it would include two members of the government side, very much like the subcommittee on private members' business we just adopted. The private members' business committee has functioned well working that way. We've had other subcommittees that have worked that way, one of which I chaired dealing with the Ethics Commissioner, the ethics code and the forms under the Ethics Commissioner.

There is a real advantage to doing it this way. You have a member of each party able to represent the party's interests on the committee.

As the subcommittee was structured last time, which is essentially what Madam Jennings has proposed to do again, the member from the government side was also the chair of the subcommittee. This meant that he could not, without entering into a conflict between his two roles, represent the government side and the government's interests and be an objective chair of the committee at the same time. So I think that amendment would facilitate the subcommittee working well. You may recall that it didn't work terribly well last time, whereas there are other subcommittees that have a history of working very well indeed simply by allowing a division of those roles.

I'll just make the obvious point that the opposition still commands a very firm and clear majority within the subcommittee on all questions. That wouldn't change. It would simply allow for a division of those two roles between the chair and the person representing the government's interests.

• (1130)

**The Chair:** Since this is an amendment to a motion moved by Madame Jennings, I believe we have to ask her if that is all right.

**Hon. Marlene Jennings:** No, it is not.

**The Chair:** It's not.

Okay, we're debating the amendment.

Michel Guimond.

[*Translation*]

**Mr. Michel Guimond:** I'm not in favour of the amendment moved by Scott Reid, because it goes against the principle of having a harmonious, consensual discussion.

I serve on this subcommittee not as a representative of my political party, but rather as a member of the executive. You have just unanimously elected me Second Vice-Chair. By the way, these meetings were not a problem in the last Parliament. There were no incidents. I did not get the impression that the Chair, Gary Goodyear, was there to defend the government's position.

The best proof we have that the goal is to achieve a consensus is that we are not looking to change the numbers, but simply to guarantee that each party represented in the House is also represented on the Subcommittee on Agenda and Procedure. I would also just like to mention in passing that the subcommittee reports must be ratified by all members of the committee.

For these reasons, I feel obliged to vote against Mr. Reid's amendment, which is not in keeping with a consensual approach to business.

[*English*]

**The Chair:** Madame Jennings.

[*Translation*]

**Hon. Marlene Jennings:** I'm opposed to the amendment moved by Mr. Reid. I've served in the past on a steering committee and we always operated by consensus. Committee members drew up the agenda of the main committee, working by consensus. If a problem arose, they attempted to resolve it. The composition of this subcommittee which is the focus of my motion is the same as that in previous legislatures, and the subcommittee always worked very well. If there were any problems, they arose primarily within the Standing Committee on Procedure and House Affairs.

Consequently, I'm opposed to the proposed amendment to my motion.

[*English*]

**The Chair:** Monsieur Godin, and then Mr. Lukiwski.

[*Translation*]

**Mr. Yvon Godin:** Mr. Chairman, I for one will be voting in favour of this amendment. If we want the Chair to be impartial and to truly refrain from taking part in the debate, we are making a mistake by not including a government member on the committee. In any event, whether it passes or not, the committee's decisions will be unanimous. I would prefer that someone truly represent the government, that we get to the bottom of things and that arguments be put forward. Ultimately, it will be the same because it will be unanimous. If not, the committee will not go forward and no recommendation will be submitted to the main committee.

If we lay the burden of defending the government's position on the Chair, people will say that he is siding with the government. It would be simpler to have a government representative on the subcommittee so that when decisions need to be made, that individual can make recommendations and defend the arguments put forward. That way, we can have a real debate, one in which the Chair will not be

required to take part. The Chair must be allowed to do his job, which is to chair the committee. He should not take part in the debate.

With this new government, we are asking the Chair to be impartial. Otherwise, as soon as the committee sits, members will end up being upset with the Chair, and that should not be the case. Therefore, I am in favour of the amendment.

A government representative has sat on other committees in the past. It is healthy to have a government representative so that a real debate can take place, one in which the Chair should not be involved. Let the Chairman chair the committee. That is what he was elected to do.

• (1135)

[*English*]

**The Chair:** Mr. Lukiwski.

**Mr. Tom Lukiwski:** Yvon has just presented my argument, and it was only that, that if you want the chair to be impartial and really not get involved with any decision-making—and I think that's probably the way it should be—then that effectively means there's no government voice on the committee. Now, if you allow the chair to participate and have his voice heard as part of the consensus or non-consensus, that's fine, but if you want the chair to be completely impartial—and I think that's the correct way to go—then I would suggest Yvon is quite correct that we should have a government member on the committee just to represent the government when determining the agenda and other items that that committee considers.

**The Chair:** Thank you.

Mr. Lauzon.

[*Translation*]

**Mr. Guy Lauzon (Stormont—Dundas—South Glengarry, CPC):** As a new member of this committee, I agree with Mr. Godin's position.

[*English*]

We have a minority government; the Canadian electorate has voted to have representations almost equal from both sides. I think it's important that not only the opposition position be enunciated at this subcommittee, but also the government position has to be enunciated. I think Mr. Reid's amendment allows that to happen in the spirit of cooperation, so I don't see it detracting from the good work that that subcommittee could do.

**The Chair:** Very good.

Mr. Proulx.

[*Translation*]

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

We are fooling ourselves this morning if we think the Chair of this subcommittee will be an impartial bystander. The idea behind creating a subcommittee like this was to have one representative per party who could defend the views, ideas and positions of each party, without making this subcommittee an excessively partisan instrument.



Assigning a second member of the government party to the subcommittee will not affect the decisions made in any way, since the three representatives of the opposition parties will be in a majority. This is merely an attempt to pull the wool over our eyes and to have a clear conscience.

One representative per party is more than enough. I'm not prepared to disclose what goes on during meetings of the subcommittee, which are always held in camera. However, you know very well. Mr. Chairman, that whether or not he is a Conservative or Liberal member, the subcommittee Chair participates fully in the discussions.

Therefore, I intend to vote against this amendment. I do not feel that it is necessary to have a second representative of the government party.

• (1140)

[*English*]

**The Chair:** Mr. Albrecht.

**Mr. Harold Albrecht (Kitchener—Conestoga, CPC):** Mr. Chair, could we have the amendment read again?

**The Chair:** Certainly we can. Maybe we should read the motion and the amendment.

**The Clerk:** Ms. Jennings moved that the subcommittee on agenda and procedure be composed of the chair, the two vice-chairs, and a member of the other opposition party.

Mr. Reid moved that the motion be amended by adding, after the words "opposition party", the following: "and one government member".

(Amendment agreed to)

(Motion agreed to as amended)

**The Chair:** We have other routine motions to get through.

The next motion passed in the last Parliament was that the chair be authorized to hold meetings to receive and publish evidence when a quorum is not present, provided that at least three members are present, including a member of the opposition. Would anyone like to move that motion?

It is moved by Mr. Proulx.

Is there discussion on that motion? Mr. Lukiwski.

**Mr. Tom Lukiwski:** I just want to make sure I've read the previous motion first, because I may have a point to make.

I suggest that the quorum should consist of at least three members, one of whom must be a member of the government and one of whom must be a member of the opposition.

**The Chair:** Is there discussion on the amendment?

Michel Guimond.

[*Translation*]

**Mr. Michel Guimond:** I will be voting against the amendment because it amounts to giving the government a right of veto. All government members will need to do is not show up and the committee's hands will be tied.

I cannot support this amendment and I hope that everything sides with me on this.

[*English*]

**The Chair:** Monsieur Proulx.

[*Translation*]

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

I will be voting against this amendment. The government party was trying to put one over on us earlier when it said that it intended to co-operate, to not...

May I continue, Mr. Chairman?

[*English*]

**The Chair:** I'm sorry, I thought you were finished.

**Mr. Marcel Proulx:** You weren't listening to me, so I stopped.

**The Chair:** Oh, but I was. I have two ears.

**Mr. Marcel Proulx:** Okay. You can chew and walk.

**The Chair:** That too. That is almost apparent, sir.

[*Translation*]

**Mr. Marcel Proulx:** The members of the government party were trying to sell us a bill of goods earlier when they told us that they would refrain from making this committee excessively partisan and that they wanted everyone to work by consensus. The problem is that the same thing that happened in the last Parliament could also happen again as early as next week. If the government is unwilling to have the committee hear from witnesses on a particular subject, all it has to do is not show up for our meetings, and our committee will be paralyzed and completely unable to act. I've already lived through that very same situation. Even if the government says it has no intention of revisiting the past, to avoid a recurrence, I intend to vote against this amendment.

[*English*]

**The Chair:** I believe I have Mr. Lukiwski first.

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

I have two quick points.

I believe I made an equitable and fair suggestion: if you're going to have a quorum you should have representation from both sides of the table. I suppose Mr. Guimond's argument is that if the government wants to stonewall us they don't have to show up, but if there was a situation where the opposition disagreed with the way that was going, they could do the same. They just don't have to show up and it goes no further.

I think it's a matter of equity and fairness. There's not much more I can add. If you think there are some ulterior motives behind us, there are not. You either take me at my word or you don't, I guess. That's why I made the amendment.

• (1145)

**The Chair:** Mr. Godin.

[*Translation*]

**Mr. Yvon Godin:** Mr. Chairman, I will be voting against this amendment. The argument that was made the last time around is still valid. We want assurances that the opposition will be present. We will not close the door on the government. If a government representative wants to attend, then by all means he can. He will not be able to use the excuse that there is no quorum to not show up. It's simple, all he has to do is show up. The motion does not say that the government will not show up; it will be represented. If not, that will be its choice.

[*English*]

**The Chair:** Mr. Reid.

**Mr. Scott Reid:** I'm not going to try belabouring the point at great length when clearly the opposition parties, who have a majority here, are all against it. I think that indicates it will be defeated.

Mr. Godin, do you support this?

[*Translation*]

**Mr. Yvon Godin:** No.

[*English*]

**Mr. Scott Reid:** He doesn't.

Notwithstanding Mr. Lukiwski's intervention, I didn't want to belabour the point.

I do want to stress something here. I was a little disturbed by Mr. Proulx's suggestion that although we're all trying to get off to a good start here, we're already presupposing that the government side is going to stonewall and be obstructionist and so forth.

**Mr. Marcel Proulx:** A point of order.

Mr. Chair, I don't think Mr. Reid should misquote what I've said. If you look at the blues, that was not the sense of my intervention; it was a situation of preventing...

Thank you.

**The Chair:** Thank you.

Mr. Reid.

**Mr. Scott Reid:** Thank you.

So Mr. Proulx was not implying that the government would do this but that some hypothetical government, other than the one that happens to be sitting here, might do that; therefore, we ought to take measures to ensure that the hypothetical government, not the one that's sitting here...by putting something not into hypothetical rules, but into the rules that are here. I'm glad he's clarified that point for our benefit.

If the government faces, or the opposition faces, a witness we're hostile to, we're going to send somebody to ask them questions. The chance that had this gone forward this would have caused problems...it would be very remote, quite frankly, in the manner he's suggesting. I just find it discouraging that there's talk of wanting to have consensus and goodwill when in fact Mr. Proulx has twice intervened to do what he can to ensure that the government is in fact shut out as much as possible. I find that disappointing.

**The Chair:** Mr. Lauzon, then Madam Jennings.

**Mr. Guy Lauzon:** As I am a new member of the committee, please keep an open mind about my comments.

First of all, I'm a little surprised that as few as three members can constitute a quorum on a committee—

**A voice:** No, this is a subcommittee.

**Mr. Guy Lauzon:** Oh, this is a subcommittee.

**The Chair:** It's only to receive evidence as a committee.

**Mr. Guy Lauzon:** Okay. In other words, if a witness shows up, as long as three people are present, we will see that witness.

**Mr. Yvon Godin:** We wouldn't send them back to Winnipeg.

**Mr. Guy Lauzon:** Then let me continue with the other point I was thinking of.

As I said, I'm a new member of this committee. I have read about the difficulties of the committee in the past. From what I gather, we're supposed to be turning the page here, but it doesn't seem to me we're turning the page very quickly. I think it's just reasonable that you have both sides of the table represented if you're going to have a meeting. That would just seem to be reasonable, and as Mr. Lukiwski said, both sides of the table have the option of not showing up.

I don't think we're starting on the right foot if we get caught up in this particular issue. I'm a little disappointed, actually.

Thanks.

• (1150)

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

Madam Jennings.

[*Translation*]

**Hon. Marlene Jennings:** Thank you, Mr. Chairman.

I'm disappointed as well. I've always been told that when someone makes a mistake, the first step in the reconciliation process is to admit to that mistake.

[*English*]

We heard beautiful words earlier today, and now there are allusions to the difficulties this committee encountered in the last legislative session. Well, all those who sat on this committee, including Mr. Preston, Mr. Lukiwski, Mr. Scott, and the other members here—not the new members—who actually lived through the experience, know very well that obstruction took place and that the overwhelming majority of the obstruction came from the government. And this is not from me, but from the objective observers who then reported on it to the public. So when someone says they want to work collaboratively and they want to be good friends, I ask them, as a measure of good faith on the part of those individuals, to at least acknowledge some culpability in the difficulty that this committee had.

[*Translation*]

The burden rests with the government. If we are to believe that you are truly prepared to work in a spirit of cooperation, the first step is to accept at least a share of the responsibility for the problems the committee encountered during the last session of Parliament.

However, I have yet to hear a single past member of this committee accept even a modicum of responsibility for the committee's past problems. This committee has not accomplished anything since last March, through no fault of the opposition members. At the very least, the government members could be honest about that.

As for the new Conservative members on the committee who were not around last time, I strongly encourage you to read the minutes to find out about the decisions made by the majority of committee members, and to see for yourself the obstructionism engaged in by certain government members that completely paralyzed the committee's work.

[*English*]

I'm opposed to the motion and the amendment to the motion. The reason I am opposed is that I do not have faith that the members who were part of this committee in the last session are in fact in good faith, because I haven't heard either one of you, Mr. Reid or Mr. Lukiwski...

Chair, you're neutral now, and I'm going to take it on good faith that you will in fact be neutral and that you will in fact render rulings and decisions objectively, fairly, and reasonably. But those two members were here, and I have not heard any acceptance or any acknowledgement that they might have directly and intentionally contributed to the paralysis of this committee in the last legislative session.

So I'm not going to vote for this amendment.

**The Chair:** Thank you for the lecture.

Monsieur Godin.

**Hon. Marlene Jennings:** Chair, if I may, I do not appreciate my statement being qualified as a lecture. It was a statement I made in the same way as Mr. Lukiwski's words were a statement and the words of any other member here were a statement. When you say a lecture—

**The Chair:** I apologize.

**Hon. Marlene Jennings:** Thank you.

**The Chair:** Monsieur Godin.

[*Translation*]

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

As I said earlier, I cannot support the motion. We need to move forward and wrap up the debate on this motion.

We need to acknowledge that there is a difference between the government and the opposition. Normally, the government is the party that is less interested in hearing from certain witnesses. I am not accusing any one political party. I'm talking about the government, whether it be Liberal, Conservative or something else. For that reason, the last time around, we passed a motion calling on the committee to decide from the outset which witnesses it would be calling. Someone said we shouldn't cry over split milk, but I have to say that it can be painful at times, because the child could starve to death. Sometimes, we need to remember the past. We are not the ones who sent witnesses home.

In the past, the committee decided to invite witnesses to attend certain meetings. People flew in from Winnipeg, Manitoba, and then the chair blithely chose to cancel the meeting. The witnesses were forced to fly home. This decision did not come from the opposition. So then, we must never forget the past, if we want things to be better in the future. We are not saying that the government cannot be represented on the committee, but merely that the government will not be able to stop the proceedings. I believe we are acting in good faith.

When the motion was first passed in 2006, we never thought that the Conservative government was going to stop committees from meeting. This is something the Liberals have also resorted to in the past. When the opposition and the government invite witnesses to Ottawa, we want them to have the opportunity to testify. This mechanism would ensure that that happens. As I said earlier, no one objected to the government's presence. If the government was absent, then it was by choice. We are not closing the door. All we are saying is that we will hear from the witnesses.

• (1155)

[*English*]

**The Chair:** Mr. Cuzner.

**Mr. Rodger Cuzner:** To continue on in the spirit of cooperation and getting off on the right foot, when Dick Cheney went hunting with his friend I don't think he intended to shoot him in the face. This amendment sort of takes the safety off, I think, so I hope the government understands why we won't be supporting this—not that there's any belief on this side there will be intent, but I just think it takes the safety off.

So we'll be voting against the amendment.

**The Chair:** Mr. Lukiwski.

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

I'd like to respond to Marlene, and Rodger, I appreciate your comments. Obviously we're going to get to the question right away and obviously your perspective will carry the day, but I do want to get something on the record, because I am disappointed.

Rodger, on one hand you say that's the spirit in which you don't try to presuppose anything. Well, quite frankly, Marlene came out and said, look, you guys are the bad guys and you obstructed this. Again, I won't go over everything that precipitated those problems we had last year, but quite clearly we had a position that we did not think the motion they were trying to pass on the in-and-out scandal was fair. We said we'd go along with it as long as you involved all parties. Of course we believed, and still believe, quite frankly—I'll be quite honest—that it was politically motivated. So I'm disappointed when you say it's only one side that was at fault there. I think in any situation there are always two sides to every story.

Quite frankly, yes, I've never denied that I filibustered to prevent that investigation from happening at this committee, because I didn't think the manner in which the motion was presented was appropriate. Now that situation is not even a concern of this committee any more. That's gone to the ethics committee. They're going to deal with it. So I don't think using that as an example of why you don't have any trust on the government side.... I just don't understand why, on one hand, you said that you don't believe the nice, flowery, eloquent words we use. Well, I could say the same thing from our side. You say you want to cooperate, yet in the next breath you say, we'd like to cooperate, except we can't because we don't trust members of the government. But let's not get into an argument about that.

I just want to get on the record saying that I made this motion only because I felt it was a matter of fairness. If you want to have a quorum, well, let's have at least one representative from both sides of the table. Clearly that's not the position of the opposition. We're going to have a vote on it, and they'll get their way. But to suggest, before we even get into proceedings, that there is no trust because there are two members of this committee who were on last year's committee when we went through that whole song and dance on the in-and-out thing I think is a very poor way to start the proceedings here.

With that, I conclude my comments. I would ask you to call the question, unless there are any other interventions.

•(1200)

**The Chair:** Mr. Albrecht.

**Mr. Harold Albrecht:** Thank you, Mr. Chair.

I was not a member of this committee in the previous Parliament. However, I was a member of the government operations committee, a rookie member, that very first day when we came to elect our chair and vice-chairs and go through routine proceedings. I recall very clearly coming up to this particular issue and simply raising the question as to why it would not make sense for at least one government member to be present. The rest of the committee agreed that just from a common sense perspective, if we look at this from the average Canadian voter seeing that there are hearings being held and not even one government member is present, when the opposition has that privilege.... This isn't a matter of controlling anything. One government member isn't going to stop or stymie the witnesses, but it just makes sense that a government member should be present to hear the witnesses.

So this is a common sense amendment. This has nothing to do with political motivation. I'm convinced of that.

Thank you, Mr. Chair.

**The Chair:** Madam Jennings.

**Hon. Marlene Jennings:** I would simply like to make a point for the new members. In order for witnesses to be called, the committee has to have agreed to a list of witnesses. They've also agreed to the dates when those witnesses will appear or they have given the chair the authority to arrange those dates. Notices go out to every single member of the committee. Therefore, on the issue of a committee hearing from witnesses when there's no government member, if any

of the regular members—and this includes opposition—is unable to be present, an associate member of that party can be signed in.

So I do not believe the issue of fairness, which raises its head here, is a justification, but in the spirit of cooperation, I support Mr. Lukiwski's suggestion that we move the question now.

**The Chair:** Thank you. I have no more speakers, so that will work very well.

(Amendment negated)

(Motion agreed to)

**The Chair:** The next motion has to do with reimbursing travel, accommodation, and living expenses for witnesses.

Monsieur Guimond, did you want to read it?

[*Translation*]

**Mr. Michel Guimond:** Yes. It is the same motion that was moved by our colleague Mr. Lukiwski the last time and it reads as follows:

That, if requested, reasonable travel, accommodation and living expenses be reimbursed to witnesses not exceeding one (1) representative per organization; and that, in exceptional circumstances, payment for more representatives be made at the discretion of the Chair.

I so move.

[*English*]

**The Chair:** We have heard the motion. Is there debate?

(Motion agreed to)

Mr. Proulx.

**Mr. Marcel Proulx:** May I read the next one? This is one we accepted last year after some debate.

[*Translation*]

I move that only the Clerk of the Committee be authorized to distribute to the members of the Committee documents and only when they exist in both official languages and that witnesses be advised accordingly prior to appearing before the Committee.

[*English*]

**The Chair:** So it was amended from last time.

**Mr. Marcel Proulx:** Yes, it was somewhat.

•(1205)

**The Chair:** I remember the discussion.

**Mr. Marcel Proulx:** The first one last year was discussed and rejected.

**The Chair:** Right.

**Mr. Marcel Proulx:** And then we came up with this one.

**The Chair:** It's a different one.

**Mr. Marcel Proulx:** There might be an additional point that we want to add to this. The terminology in English says "and that witnesses be advised accordingly". We could maybe work this part to make sure that witnesses are advised accordingly prior to their appearing before the committee so that whoever comes from Winnipeg, for example, doesn't show up here with only an English document, because then it will not be tabled. So maybe we should—

**The Chair:** Can I take your words “prior to meeting” or words to that effect, rather than the whole Winnipeg piece?

**Mr. Marcel Proulx:** You might as well. But it could be anywhere else in Canada. It doesn't have to be just Winnipeg.

**The Chair:** I'll have the clerk read the motion.

**The Clerk:** Mr. Chair, through you to the committee, I believe Mr. Proulx is moving that only the clerk of the committee be authorized to distribute to the members of the committee documents and only when they exist in both languages, and that witnesses be advised accordingly prior to appearing before the committee.

**The Chair:** Is there any discussion on the motion?

Mr. Guimond.

[*Translation*]

**Mr. Michel Guimond:** Even though we have excellent translators, perhaps we could add a few words in the French version. At the end, we could add the following words: “et que les témoins en soient avisés au préalable“, that is prior to the meeting.

[*English*]

**The Chair:** Very good. So for clarification, we have it in both languages now.

Is there any discussion on the motion?

(Motion agreed to)

**The Clerk:** This motion is to authorize working meals.

**The Chair:** Okay.

Mr. Guimond.

[*Translation*]

**Mr. Michel Guimond:** I would move the motion that you tabled the last time, namely that the Clerk of the Committee be authorized to make the necessary arrangements to provide working meals for the Committee and its Subcommittees.

I will not add “except for sandwiches“. I'll keep that in mind.

[*English*]

**The Chair:** The chair knows your preferences.

Is there any discussion on the motion?

(Motion agreed to)

**The Clerk:** This is on in camera transcripts.

**The Chair:** In camera transcripts are the subject of the next motion.

Monsieur Godin.

[*Translation*]

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

I move that one copy of the transcript of each in camera meeting be kept in the Committee Clerk's office for consultation by members of the Committee.

[*English*]

**The Chair:** We've heard the motion. Is there discussion on the motion?

(Motion agreed to)

**The Chair:** I believe those are all of our routine motions, unless someone else has another to suggest.

That being the case, we've finished that order of business.

Mr. Reid.

**Mr. Scott Reid:** I was going to propose a motion, if I might, dealing with notice for substantive motions to be considered.

The motion I would make is that 48 hours advanced notice be required for any substantive motion to be considered by the committee, and that motions be filed and distributed to members by the clerk in both official languages.

**The Chair:** You're going to have to give that to us just a bit slower.

**Mr. Scott Reid:** Sure. The motion is that 48 hours advanced notice be required for any substantive motion—I emphasize the word “substantive“ motion—to be considered by the committee, and that the motion shall be filed and distributed to members by the clerk in both official languages.

● (1210)

**The Chair:** I would have the clerk read it and then we'll discuss it, if needed.

**The Clerk:** Mr. Chair, through you to the committee, I believe Mr. Reid is moving that 48 hours notice be required for any substantive motion to be considered by the committee and that the motion be filed with and distributed by the clerk in both official languages.

**The Chair:** Discussion.

Mr. Godin.

[*Translation*]

**Mr. Yvon Godin:** I cannot support this motion, Mr. Chairman. The same arguments were raised during our last meeting in 2006. As a rule, members of the Procedure and House Affairs Committee are House officials. Some very important motions may have to do with the workings of the House of Commons. We cannot stop work in the House of Commons because of a motion. We should always be prepared to consider a motion. That is why we cannot file a motion, which may concern the House of Commons, 48 hours before considering it. We have to remember that we are for the most part officials of the House of Commons and as such, we have always maintained that the 48 hours notice requirement was unacceptable. It works for other committees that examine bills and consider other matters that affect the House of Commons differently.

I am a Whip and I have been a member of the Procedure and House Affairs Committee since 2000. The same argument is always made and the 48 hours notice of motion requirement has always been rejected. I intend to reject it again, for the same reasons. This committee should be prepared to consider any issue, any time.

[*English*]

**The Chair:** Mr. Cuzner.

**Mr. Rodger Cuzner:** From our perspective, when we were in government it was one that we never did like or enjoy but saw the merit in it, and we see the merit in Mr. Godin's argument now. We believe that it's necessary for the operation of the committee. We think it's good as it stands.

**The Chair:** Okay.

(Motion negatived)

**The Chair:** Mr. Lukiwski.

**Mr. Tom Lukiwski:** With the willingness of the committee, I'd like to bring forward a discussion on a couple of other routine motions, and that's on the length of time for questioning and the order of questions. In different committees, we give different time allocations for rounds of questioning.

If I may, I'd like to suggest that the witnesses of any organization that is coming to make interventions or presentations before this committee be given ten minutes to make their opening statement. During the questioning of witnesses—this is the most important part—there should be allocated seven minutes for the first round of questioning and five minutes allocated to each questioner in the second round and beyond.

I'm open to discussion on this. I think we've kind of gone around the horn. The reason I'm saying seven and five is because we have an additional member on the government side now. I'm just trying to open it up for discussion to see what the committee thinks would be the best allocation of time for this committee during the questioning of witnesses. I'm suggesting seven and five.

**The Chair:** Monsieur Guimond.

[*Translation*]

**Mr. Michel Guimond:** May I make a suggestion that could be helpful to committee members? To be honest, I have to admit that we have not had time to consider the order and length of questions. I've discussed with Mr. Proulx the matter of excluding our assistants from in camera meetings. On that very issue, there could be three or four other motions. Could we not draw up a list right now and have the steering committee discuss it, even if that means reporting back to the main committee? Might that be a good suggestion?

• (1215)

[*English*]

**The Chair:** Mr. Lukiwski.

**Mr. Tom Lukiwski:** Sure. I don't have a problem with that. You're right, there are several others, Michel. There is not just the time allocation for questioners; there is the order of questioning, whether there are staff, how many staff, in camera or not in camera. So certainly I would agree that we can submit a list of those types of routine motions and forward that to the steering committee, and they can report back to the committee as a whole.

**The Chair:** Great.

**Mr. Tom Lukiwski:** Do I want to put a deadline on that or something?

**Mr. Michel Guimond:** Maybe before the next steering committee.

**Mr. Tom Lukiwski:** Whenever that is, sure.

**The Chair:** I will certainly take that on, to make sure we can gather those other routine motions through the chair for the steering committee and that we discuss them there before they come back here. That's very positive. There are some real elements to some of those.

Monsieur Proulx and Mr. Albrecht.

[*Translation*]

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

Under the circumstances, the Subcommittee on Agenda and Procedure could look at what happened with the previous committee and determine exactly what changes could be made to address the increased membership.

[*English*]

**The Chair:** Mr. Albrecht.

**Mr. Harold Albrecht:** Mr. Chair, just for clarification, the steering committee is charged with bringing back the item or will be charged with bringing back a recommendation for the routine proceeding? Which is it?

**The Chair:** I took it as a recommendation—

**Mr. Harold Albrecht:** Of the actual...?

**The Chair:** I see nods around the room, so that would be it, and scheduling....

Sorry, Mr. Godin.

[*Translation*]

**Mr. Yvon Godin:** If we are done with that subject, then I think we should consider scheduling a meeting of the steering committee, perhaps on Thursday. I think we need to begin discussing our agenda.

[*English*]

**The Chair:** You've read my mind, or perhaps taken it from me, that the steering committee or the scheduling and agenda committee should meet probably during this committee's time slot on Thursday to prepare those items, plus discuss the future agenda and be prepared to come back to the committee of the whole the following week. If that's all right, I'll take that upon....

Monsieur Guimond.

[*Translation*]

**Mr. Michel Guimond:** That is an excellent idea. However, I think some informal talks have already taken place between my two colleagues who are whips. I know that the Government Whip, in anticipation of next Thursday's scheduled economic update by the Minister of Finance, would like to give priority to getting the Finance Committee back up and running. Therefore, if the steering committee meets, at the very least we need to have the list of Finance Committee members approved, so that you can report to the House.

[*English*]

**The Chair:** It's my reading of it that we will form the striking committee by putting the four whips in charge of that, and they only have to report to the chair, who then reports to the House. This committee now does not have to meet in order to assign the finance committee's membership, provided the whips have come to a conclusion on the membership.

[*Translation*]

**Mr. Michel Guimond:** I thought we had to approve the list. I misunderstood.

[*English*]

**The Chair:** Madam Jennings.

**Hon. Marlene Jennings:** Thank you, Chair.

Given the Minister of Finance's preoccupation that the Standing Committee on Finance be able to begin its work following his economic and fiscal update, I'm sure that is going to be an incentive to the government members to get their lists of members together for the committees as quickly as possible.

**The Chair:** Okay. Seeing nothing else, the steering committee of the agenda committee will meet in this time slot on Thursday from eleven to one.

Do I have a motion to adjourn?

Mr. Reid so moves.

**Some hon. members:** Agreed.

**The Chair:** Thank you very much. It was a pleasant first meeting.

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