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## Standing Committee on Fisheries and Oceans

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EVIDENCE

**Tuesday, February 3, 2009**

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**Chair**

**Mr. Rodney Weston**

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## Standing Committee on Fisheries and Oceans

Tuesday, February 3, 2009

• (1105)

[English]

**The Clerk of the Committee (Ms. Julia Lockhart):** Honourable members of the committee, I see a quorum. We can now proceed to the election of the chair.

[Translation]

I'm prepared to receive motions to that effect.

[English]

**Mr. Randy Kamp (Pitt Meadows—Maple Ridge—Mission, CPC):** I'd like to nominate Rodney Weston as chair.

**The Clerk:** It has been moved by Mr. Kamp that Mr. Rodney Weston be elected chair.

Are there any other motions?

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

(Motion agreed to)

**The Clerk:** Mr. Rodney Weston has been elected chair of the committee.

**Some hon. members:** Hear, hear!

**The Clerk:** Before I invite Mr. Rodney Weston to take the chair, if it's the pleasure of the committee we can proceed to the election of vice-chairs. We'll start with the first vice-chair, who must be a member of the official opposition.

Monsieur Lévesque.

[Translation]

**Mr. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eeyou, BQ):** I propose Raynald Blais.

**Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ):** The first vice-chair must be a member of the official opposition party.

**Mr. Yvon Lévesque:** My apologies.

[English]

**Mr. Glen Pearson (London North Centre, Lib.):** I propose Mr. Lawrence MacAulay.

**The Clerk:** It has been moved by Mr. Pearson that Mr. MacAulay be the first vice-chair of the committee.

Are there any other motions?

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

(Motion agreed to)

[Translation]

**The Clerk:** The second vice-chair must be a member of a party other than the official opposition.

**Mr. Yvon Lévesque:** I propose my colleague Raynald Blais.

**The Clerk:** Mr. Lévesque has proposed Mr. Blais.

Are there any other motions?

[English]

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

(Motion agreed to)

**The Clerk:** Mr. Blais is the second vice-chair of the committee.

I'll now invite Mr. Rodney Weston to take the chair.

**The Chair (Mr. Rodney Weston (Saint John, CPC)):** To start off, I want to say welcome to everyone. Thank you for choosing me as your chair this morning.

We have a few items of routine business that we need to go through this morning. There are routine motions that were adopted by the committee in the previous session. We're handing out at this point a copy of those motions. We can consider these motions on an individual basis. We can go through them. If there are any discussions or if any amendments need to be made to the various motions, we can deal with those one at a time.

We don't have a large agenda this morning. It's going to be fairly quick, providing we're able to proceed through these motions.

Once again, thank you very much. Welcome to the vice-chairs. I look forward to working with all the members of the committee, and the vice-chairs as well. Hopefully we'll be able to achieve some really good things for the industry here in this great country.

To begin with, we'll start out with the first motion, the services of analysts from the Library of Parliament. The motion was that the committee retain, as needed and at the discretion of the chair, the services of analysts from the Library of Parliament to assist in its work.

Is there any discussion on the motion?

Monsieur Blais.

[Translation]

**Mr. Raynald Blais:** I so move.

[English]

**The Chair:** Mr. Lévesque.

[Translation]

**Mr. Yvon Lévesque:** I second Mr. Blais. Moreover, Mr. Chairman, since what's contained in the document concerns proposals that applied during previous sittings and since it worked very well that way, I move that we adopt all of these motions.

[English]

**The Chair:** I appreciate the comments, Monsieur Lévesque.

Are there any comments otherwise?

**Hon. Lawrence MacAulay (Cardigan, Lib.):** I second the motion.

**The Chair:** Discussion?

Monsieur Blais.

• (1110)

[Translation]

**Mr. Raynald Blais:** I simply wanted to know if I've understood this correctly. Is Mr. Lévesque moving that we adopt in its entirety everything in this document or is it simply a proposal, a suggestion? The point of the vote we're having right now deals with the first block, if I can put it that way. Is that right?

[English]

**The Chair:** I'm sorry, that's my fault. It's my first day on the job here. I'm entitled to a couple.

What Mr. Lévesque has proposed is this. Seeing as these motions were adequate, were acceptable in the last session, he thought that things worked quite fine in the last session, so his suggestion was why don't we just vote on the entire document, on accepting all the motions. What I was asking is whether this is something we want to propose, or do we want to go through them one by one, individually?

Mr. Kamp.

**Mr. Randy Kamp:** My preference would be to go through them one by one. I think there are some that we need to revisit. We may not come up with anything different from what we have, but I think it will be helpful for us to take another look at them.

**The Chair:** Okay, we'll go through them one at a time. We'll deal with each issue on an individual basis. On the first motion that I had read off earlier, the services of an analyst from the Library of Parliament, is it the pleasure of the committee to adopt the motion as prepared, or as accepted in the previous...or is there some discussion that would like to be had at this time? Are we okay on that motion?

So I would ask for a mover to adopt that motion.

I'm sorry, Mr. Blais, I forgot you had moved it previously.

A seconder?

**Hon. Lawrence MacAulay:** I second the motion.

(Motion agreed to)

**The Chair:** Now I'd like to invite the analyst from the back to come up.

The next motion we want to deal with here this morning is the subcommittee on agenda and procedure: that the subcommittee on agenda and procedure be established and be composed of the chair,

the two vice-chairs, a member of the other opposition party, and a member of the government party.

Are there any amendments to be proposed to this motion? Are there any concerns with this motion?

Mr. Kamp.

**Mr. Randy Kamp:** It seems to me in the last go-round this committee didn't function very well, if at all. It met only occasionally. So it's not entirely clear what its mandate is. I think we ended up just going into committee business here as the committee of the whole and discussing the same things as the subcommittee had already talked about when it did function. I think because of that we ended up not meeting very often. In fact, I think in the last session we didn't meet at all.

It might still be a good idea to strike this, but at some point we need to figure out whether it has a role and what that role is.

**The Chair:** Are there any comments?

Mr. MacAulay.

**Hon. Lawrence MacAulay:** I wasn't on the committee in the last session, but I agree that the committee should be left in place. We should evaluate its procedure and see if we can improve it in some way down the road.

**The Chair:** Monsieur Lévesque, do you have a comment?

• (1115)

[Translation]

**Mr. Yvon Lévesque:** Mr. Chairman, I always thought that the role of the subcommittee was to examine specific problems and to submit recommendations to the committee. Regardless of whether or not the makeup of the committee is changed, we can't ask the subcommittee to make the final decision, because that's up to the committee. As part of its current duties, the subcommittee must make recommendations to the committee. That's what's always been done. Of course, changes were made to subcommittee decisions on occasion, but its role is to recommend, and the committee's role is to change the subcommittee's decision whether slightly or more fully. Nevertheless, the final decision rests with the committee.

[English]

**The Chair:** Monsieur Blais.

[Translation]

**Mr. Raynald Blais:** Thank you, Mr. Chairman.

On this subject, I'd like to say that I've had the opportunity to take part in subcommittee meetings. I don't know if you remember this aspect, but regardless, it enabled us to sort out some of the issues that we were going to discuss. I'm thinking in particular of the way to proceed in order to cover all of Canada, regional visits, where we'd go exactly, proposals for various scenarios for travel regarding these activities that had to do with the reports that we issued, notably on small craft harbours and the seal hunt.

Indeed, the subcommittee does not necessarily have any decision-making powers, but it is there to submit proposals, to discuss matters. This formula is a good one. There can always be some progress when there are 12 people, depending on the issue we're dealing with. However, when there's five of us—because we are talking about five people—it's much easier in a way. Moreover, we know full well that the subcommittee examines relatively specific subjects. It has happened that we've had occasion to consider future business in a more general way. As a matter of fact, we'll have occasion to do that very soon. A discussion around the wider table is more than interesting, but when the time comes to make choices or propose various scenarios, it's much more efficient with the subcommittee, in my opinion.

I agree with Mr. Kamp that the committee has its rightful place. There's no doubt that depending on the chairmanship and how our work unfolds, the subcommittee in question will have to meet more assiduously or more regularly, but that goes hand in hand with the issues we're dealing with. If we can easily have unanimity or if it's relatively easy to discuss things around the wider table, it is not necessary for the subcommittee to meet, to discuss things again, to make another decision or to propose things that have been dealt at the plenary committee. In my opinion, that's more or less the way things worked in the last Parliament. We do know that many challenges await us in this new Parliament. In my opinion, the subcommittee allows the committee to deal more easily with various issues.

[English]

**The Chair:** Mr. Calkins.

**Mr. Blaine Calkins (Wetaskiwin, CPC):** Thank you, Mr. Chair, and I apologize for not being here.

I congratulate you on your election as chair of this wonderful committee. Actually, it is a great committee. I certainly welcome the opportunity to be back with Mr. MacAulay, Mr. Blais, Mr. Lévesque and Mr. Stoffer, and of course my colleagues here. I'm looking forward to continuing the work that this committee does on behalf of the fisheries and fishers across our country.

Given the interest now, past experience has been that we've used the subcommittee—in the time that I've been on this committee—very little, but it has proven to be useful from time to time when it was deemed necessary to do so.

Given the context, that the committee does decide and is not locked into any decisions that the subcommittee makes, that it simply makes recommendations to the committee, and given the fact that the structure of Parliament has changed, I was wondering if I could put forward a friendly amendment to what we currently have there. If you read the motion from the 39th Parliament, it said that it shall be “composed of the Chair, the two Vice-Chairs, a member of the other opposition party”, which would have been Mr. Stoffer, “and a member [at large] of the Government party”. That was fairly restrictive, and I'd be curious to see what the comments would be. There has to be the vice-chair, but if it's the chair and the vice-chair, sometimes that makes things.... I think we should have a chair for obvious reasons, but I'm wondering if having the vice-chairs or making it necessary for the vice-chairs to be there is absolutely necessary.

I would propose that the subcommittee on agenda and procedure be composed of the chair, the parliamentary secretary, a member from the government party, and a member from each of the other opposition parties.

In the last session it worked out that there would be a member from the opposition parties and a member from the governing party, and the opposition parties would have basically the majority on voting procedure in that subcommittee. We're proposing the same thing. It's really no different except that we're simply adding another government member. This would mean we would have three opposition party members and two government members, so the opposition parties would simply be allowed to go to the subcommittee as well simply because the feedback and the advice he could provide to the subcommittee would be most valuable. However, that would be the maximum composition of the subcommittee.

I also propose that the quorum of the subcommittee consist of at least three of those six members, one of whom must be from the government and at least one of whom must be from the opposition, and that each member of the subcommittee be permitted to have one assistant attend any meetings of the subcommittee on agenda and procedure.

I'd be curious to get feedback from my colleagues on that.

• (1120)

**The Chair:** We'll now go to Mr. Weston.

[Translation]

**Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC):** Thank you. I'm a new member of Parliament as well as a new member of this committee. It's an honour for me to be here among you, many of whom are members with many years of experience.

I notice that this committee is called “Subcommittee on Agenda and Procedure”. However, the document doesn't mention anything about the purpose of this subcommittee. Is it to plan the agenda and procedure or is it something else?

[English]

**The Chair:** I understand from the clerk that this is the title that's been given to the subcommittee by virtue of its parliamentary tradition. It's informally known as the steering committee. That's basically drawn from tradition.

Are you okay on that, Mr. Weston?

**Mr. John Weston:** Does that mean it can't deal with anything besides agenda and procedure?

**The Chair:** It's there as a steering committee, but it can do basically whatever the committee as a whole empowers the subcommittee to do.

Is there anything further, Mr. Weston?

**Mr. John Weston:** No, that's fine.

**The Chair:** Mr. Stoffer.

**Mr. Peter Stoffer (Sackville—Eastern Shore, NDP):** I have just a comment. The reality is that the parliamentary secretary can be a member of the governing party. You don't have to specify.

I'd just remind the committee that this same agenda procedure is in most other committees, and it is adopted within about 30 seconds of its being on the table. I haven't been to a committee in a long time other than fisheries that has discussed this at this length.

Keep it the way it is. If Mr. Kamp wishes to be a member of the governing party to shoulder the subcommittee, I have no problems with that whatsoever, but you don't need to redefine and make it specific. It says "a member of the governing party", and that person can well be Mr. Kamp.

We should call the question, move the adoption, and move on. Otherwise we're going to be here until five o'clock.

**The Chair:** There are a couple of other speakers first.

Mr. Bagnell.

**Hon. Larry Bagnell (Yukon, Lib.):** I basically agree with Mr. Stoffer.

There's normally just one member from each party. In the last committee—we met this morning—we allowed the parliamentary secretary to come as a non-voting member because he often can add some very interesting information. But because he's a member of the government you normally wouldn't have him as a voting member.

• (1125)

**The Chair:** Monsieur Lévesque.

[*Translation*]

**Mr. Yvon Lévesque:** For my part, I see the subcommittee as a committee that is useful for solving problems. Its mandate comes from the standing committee to which it reports. With regard to the presence of the parliamentary secretary, we feel in other committees that this person is a good source of information for the subcommittee on occasion. However, if another government member is already present, the parliamentary secretary loses his right to vote or replaces the other member. He can be present but he doesn't have the right to vote.

[*English*]

**The Chair:** Are there any further comments?

Monsieur Blais.

[*Translation*]

**Mr. Raynald Blais:** In my opinion, this formula should not be changed for several reasons. The first is purely parliamentary, whether it's the main committee or the Subcommittee on Agenda and Procedure. In fact, simply to reassure Mr. John Weston regarding his question, let me point out on the one hand that the subcommittee in question deals with all the subjects given to it by the standing committee, and on the other hand, the word "agenda" has to be understood in the broadest sense of the term. As you know, there are electoral agendas, but here we're not talking about that. It's more an issue of our working agenda. In that sense, it's understood in the broader sense.

I think we shouldn't change the way we're doing things right now because I feel it's a winning formula. It allows us to represent all the strengths that exist within the main committee. In other words, each of the political parties is well represented and it is fully represented. Moreover, we've seen that in these conditions, the government is

represented by two people out of a total of five, which is not the case for the Bloc Québécois or the Liberal Party. In my opinion, that faithfully represents the current Parliament, and it allows for very good cooperation for our work and shows a good attitude of openness. I hope that this will be maintained by the government party because it allows for the participation of representatives from each of the political parties.

[*English*]

**The Chair:** Mr. Calkins.

**Mr. Blaine Calkins:** Mr. Chair, I simply threw those ideas out there as suggestions. It doesn't look as if there's much support for changing what we currently have. So in the interest of time, I simply move that the motion on subcommittee on agenda and procedure from the 39th Parliament be presented for the 40th Parliament.

**The Chair:** All right. We've dispensed with the previous motion made by Mr. Calkins.

Mr. Calkins would move that the motion as adopted by the 39th Parliament on the subcommittee on agenda and procedure be put forward at this time, seconded by Monsieur Lévesque.

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

**The Chair:** Now we're going to deal with the motion on reduced quorum. The motion read from the 39th Parliament is that the chair be authorized to hold meetings to receive evidence and to have that evidence printed when a quorum is not present, provided that at least three members are present.

Are there any questions?

Mr. Allen.

**Mr. Mike Allen (Tobique—Mactaquac, CPC):** Yes, I have just one quick point on this, Mr. Chair.

In spite of it being just three members—I would like to see it four, but on a committee of 12.... Given evidence and depending on the composition of the committee, it could mean any party is occupying the chair at that particular time. So in the spirit of what we just passed in the previous one, that there is assurance that the government party have a membership on the subcommittee, I would like to see that it be specific: provided that at least *x* members are present, including at least one member from the opposition and one government member.

• (1130)

**The Chair:** So Mr. Allen would move that we change the motion put forward from the 39th Parliament to add this wording: "to include at least one member of the opposition and one member of the government party".

**Mr. Mike Allen:** And Mr. Chair, while I'm at it, if people were to entertain a move from three to four, that would be my interest as well.

**The Chair:** Let me get this clear. Is the amendment you're putting forward, Mr. Allen, that the quorum would be at least four members present, including one member from the opposition party and at least one member from the government party?

**Mr. Mike Allen:** That is correct.

**The Chair:** Mr. Bagnell.

**Hon. Larry Bagnell:** First of all, I'd like to have those two amendments split, because I have a different view of each of them.

On the first one, I would agree with there being a government member, because it seems fair that they be present when witnesses are heard, although I would say that in the past, if government were to try to use that provision—and I'm sure these members wouldn't—to avoid having a witness speak, then we in the opposition would just change the provision in the future. But I'm prepared to support it at this point.

On the second part, though, concerning having four present, the problem for people who have been at committees before is that sometimes you have a witness who is only of interest to a few members, and something else very critical is also going on that members have to be at. If you bring a witness from all across the country at great expense to the taxpayer and only three of us show up, I think it's still worth hearing the person; then it's in the record and people could read it anyway. Likewise, if you travel somewhere at a cost of about \$5,000 a person to a place such as Cambridge Bay and only three committee members can go, I still think it's worth it to those people that they go, as opposed to having to have four members just to hear that evidence.

So it would be great if four or more could show up when witnesses are here, but I'd hate to make it mandatory to hear witnesses with four present. I think three gives us more flexibility.

**The Chair:** Monsieur Blais.

[*Translation*]

**Mr. Raynald Blais:** Thank you, Mr. Chairman.

I would like as many committee members as possible to be in attendance when witnesses appear. This should be the case on a regular basis. It is simply a matter of respect. At the same time, I do understand the quorum formula and I agree with the first part of Mike's amendment. I simply wanted to make an amendment to include at least one member from the opposition. I do not have a twisted mind whatsoever; quite the opposite, I am showing openness. I think that the quorum should include a member from the government and a member from the opposition.

We do operate in a rather collegial, open and cooperative way, but we are also engaged in politics. Unfortunately, that can sometimes catch up with us. In some cases, that is what happened over the past few months. I pointed this out to committee members and the atmosphere at committee did improve somewhat. Accordingly, I agree to a reduced quorum, where the government and the opposition are represented, in order to avoid unpleasant situations. The formula which would increase quorum from three to four members is, in my opinion, imperative or essential.

I am prepared to support the amendment suggested by Mr. Allen, but I do not believe that we necessarily have to increase the quorum. Thank you.

[*English*]

**The Chair:** Thank you, Monsieur Blais.

Mr. MacAulay.

**Hon. Lawrence MacAulay:** If I understand correctly, when you read it, you didn't add the second part. The first part was....

Or did you?

• (1135)

**The Chair:** No.

**Hon. Lawrence MacAulay:** What was the motion?

**The Chair:** Julia has it written out here: "including at least one government member and one opposition member". I didn't add the portion about increasing to four members.

**Hon. Lawrence MacAulay:** I agree with what has been said here, that if it came to only three members being available and you couldn't hear the evidence, it would be most unfortunate. It's true that people travel a long way. That I certainly support. I think you must leave it at three—and of course, as many as you can have. The fact is that all you are doing is receiving evidence; you're not having a vote of the committee or anything like that.

**The Chair:** Monsieur Lévesque.

[*Translation*]

**Mr. Yvon Lévesque:** Mr. Chairman, I would like to express my opinion on the need to have a fourth person in order to obtain a reduced quorum. I am thinking about circumstances where, for instance, the committee may be called upon to travel immediately to a very remote region in order to listen to some individuals' concerns. We have to consider the means available to the committee. The obligation to have this fourth person in order to have a reduced quorum and thus be able to hold a committee meeting represents an additional cost.

Moreover, unless Mr. Allen is prepared to split his amendment, I'm wondering whether we should accept it as it is worded, namely, whereby the quorum has to include an additional member as well as an opposition member and a member from the government. I would not like to see the situation, as we have already seen in certain committees, where the party in government, or for that matter a party from the opposition, uses this requirement in order to prevent certain witnesses from appearing. I am really counting on the good faith of the two parties, given the agreement that we have had up until now, in order to ensure that this committee continues to run smoothly. An aspect of a motion should not be used in order to prevent the committee from sitting.

[*English*]

**The Chair:** Thank you, Monsieur Lévesque.

Mr. Calkins.

**Mr. Blaine Calkins:** Thank you, Mr. Chair.

I believe what I've heard here, then, is that hopefully Mr. Allen would be willing to accept a friendly amendment to leave the quorum at three, yet change the motion from the last Parliament, so that at least one government member and one opposition member are present during a reduced quorum.

I want to make the point that I really do appreciate the sense of cooperation from our colleagues across the way, because it is quite important. I know from the trips we've gone on that it was very important.

For example, Mr. Blais, when we went to Gaspé for hearings, on the last day of a five-day trip it was very hard to keep the whole semblance of the committee together, but we were able to hear very important testimony from your constituents.

I think it's very nice to have members, because we are allowed to cross-examine, or at least examine, the witnesses and ask some questions, even in a reduced quorum. It's vitally important that at least questions be presented from both the government party side and the opposition side so that a full and balanced approach can be taken.

I do appreciate the fact that sometimes it's unfortunate that we would only have three members. It would be nice to have four or five members, or a full committee, but in the interest of protecting the use of taxpayers' dollars, we'd better make use of three committee members when we have to, to make sure that we don't have a witness come all this way or that we travel to some remote part of the country, which we often do as a fisheries committee, and not be able to accept testimony simply because we have a rule that doesn't seem to make sense at that particular point in time.

So I was hoping that would be accepted as a friendly amendment and we could move on and go to the question.

**The Chair:** Mr. Allen.

**Mr. Mike Allen:** Thank you, Mr. Calkins. I appreciate the comments from my colleagues. I absolutely agree and I accept the friendly amendment.

**The Chair:** Apparently there's no such thing as a friendly amendment. What we need to do at this point in time is to understand the original amendment, which I'll read in its entirety: "That the Chair be authorized to hold meetings to receive evidence and to have that evidence printed when a quorum is not present, provided that at least four (4) members are present, including at least one government member and one opposition member."

It is my understanding that we need to defeat this motion and move a new amendment to leave the membership at three.

Mr. Calkins.

• (1140)

**Mr. Blaine Calkins:** We could do it that way or I could move a subamendment to amend it from four to three and we could vote on that.

That's what I move. I move that we amend the amendment from four to three.

**Hon. Lawrence MacAulay:** We'll vote on that.

**The Chair:** We'll vote on that. It sounds good.

**Mr. Blaine Calkins:** We're not going to have friendly amendments.

**The Chair:** The amendment as moved by Mr. Calkins would change the number from four to three. It's seconded by Mr. Weston.

(Amendment agreed to)

**The Chair:** Now we need to vote on the motion and we need to vote on the amendment. We voted on the subamendment and now we need to vote on the amendment.

I'm getting confused here. Okay, no one actually moved the original motion, so we just need to vote once more.

We'll make sure of what we're voting on, which is that the chair be authorized to hold meetings to receive evidence and to have that evidence printed when a quorum is not present, provided that at least three members are present, including at least one government member and one opposition member.

(Motion as amended agreed to)

**The Chair:** The next item is the distribution of documents. The routine motion from the 39th Parliament on the distribution of documents says that the clerk of the committee be authorized to distribute to the members of the committee only documents that are available in both official languages.

Monsieur Lévesque.

[*Translation*]

**Mr. Yvon Lévesque:** I move the motion.

[*English*]

**The Chair:** So moved. The seconder is Mr. Bagnell.

Is there any discussion?

(Motion agreed to)

**The Chair:** Next is working meals: that the clerk of the committee be authorized to make the necessary arrangements to provide working meals for the committee and its subcommittees.

Monsieur Lévesque.

[*Translation*]

**Mr. Yvon Lévesque:** I move the motion.

[*English*]

**Mr. Peter Stoffer:** As long as they bring chocolate milk.

**The Chair:** It's seconded by Mr. Blais. I'm going to ignore that comment.

Is there any discussion?

Monsieur Blais.

[*Translation*]

**Mr. Raynald Blais:** We may also have a preference for seafood.

[*English*]

**Mr. Blaine Calkins:** In the future when this committee elects a chair, we should have the discussion about this and the proposed chair's position on working meals before we vote on the chair.

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

**The Chair:** Is there any reasonable discussion? Let's put it to the question.

(Motion agreed to)



•(1145)

**The Chair:** The next item is witnesses' expenses. The 39th Parliament's motion read this way: "That, if requested, reasonable travel, accommodation and living expenses be reimbursed to witnesses, not exceeding two representatives (2) per organization; and that, in exceptional circumstances, payment for more representatives be made at the discretion of the Chair."

That's moved by Mr. Lévesque and seconded by Mr. Stoffer.

Is there any discussion on the motion?

Monsieur Blais.

[*Translation*]

**Mr. Raynald Blais:** An individual requesting reimbursement has a certain amount of time in which to do so. Is that three or six months after the event? Is this time limit left to the discretion of the chair? I would agree that we should leave it to the discretion of the chair to decide whether or not to increase the number of representatives. I would also agree that he do so for exceptional cases.

We recently experienced a similar situation. For one reason or another, the witness may forget or fail to submit the reimbursement request by the deadline. So I would like to give the chair some discretion, for exceptional situations, to allow expenditure reimbursements. I also understand that this clause does not mean that witnesses who appeared two years ago can be reimbursed today. That is not what I'm looking for. Rather, I would like us to be able to have some flexibility in that respect.

[*English*]

**The Chair:** The short answer is that it's not within the power of the committee to authorize the chair for exceptional circumstances to extend beyond the 60 days. For anyone to submit expenses, it's 60 days.

Are there any further questions?

Mr. MacAulay.

**Hon. Lawrence MacAulay:** It's also within the authority of the committee to decide if there were some extenuating circumstances that would allow the chair or the committee to deal with it after 60 days.

**The Chair:** The policy is set by the Liaison Committee, which is a committee comprised of all the chairs of the committees, and they can decide to grant exceptional circumstances. But in this committee, it's not within our authority.

**Hon. Lawrence MacAulay:** Very good.

**The Chair:** Any other questions about the motion?

(Motion agreed to)

**The Chair:** The next motion is regarding staff at in camera meetings, and it says that, unless otherwise ordered, each committee member be allowed to be accompanied by one staff person at an in camera meeting.

It's moved by Mr. Bagnell.

**Hon. Larry Bagnell:** I also want to make an amendment that each party's whip be allowed to send one person to an in camera meeting.

**The Chair:** So the amendment proposed by Mr. Bagnell is to include that each party's whip also be authorized to send one staff member.

Monsieur Blais, on the question.

[*Translation*]

**Mr. Raynald Blais:** I am willing to support this motion, particularly since I considered tabling it in the form of an amendment for the following reason: a member can ask a staff person to be in attendance during one of these meetings. Yet, it may happen that we need a specific research analyst, for example somebody from the Bloc Québécois research office. That person could also be from the government side, the NDP, or the Liberal Party. I think that this motion would also cover that possibility.

That is probably how things would unfold if that were to occur. As far as I am concerned, I would be accompanied by someone from the research office.

We can leave it up to each party to determine who may or may not accompany a member to help him in his work.

[*English*]

**The Chair:** Thank you.

Mr. Kamp.

**Mr. Randy Kamp:** I think we're not opposed to that. We may want to broaden it and just say "one party staff member", or something like that, because they may not come from the whip's office; they might be from some other branch.

•(1150)

**The Chair:** Mr. Kamp, would you like to propose some wording as a subamendment?

**Mr. Randy Kamp:** Yes. I don't know what his complete amendment was.

**The Chair:** His amendment reads that—

**Hon. Larry Bagnell:** I withdraw my amendment.

**The Chair:** All right, that simplifies it.

Mr. Kamp, do you wish to make an amendment?

**Mr. Randy Kamp:** Yes, I'd like to amend the motion to add this: "In addition, each party shall be permitted to have one party staff member attend in camera meetings."

**The Chair:** Okay, Mr. Kamp moves that, at the end of the existing paragraph for staff at in camera meetings, it will include, "In addition, each party shall be permitted to have one party staff member attend in camera meetings."

Are there any comments on that?

(Motion agreed to)

**The Chair:** It's a lot quicker now that I know we don't need a seconder.

So the next motion is regarding in camera meeting transcripts, and it's from the 39th Parliament: 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.

**Mr. Blaine Calkins:** I move that we accept this wording.

**The Chair:** It has been moved by Mr. Calkins that we accept the wording. Are we ready for the question?

(Motion agreed to)

**The Chair:** The next one is notice of motions. The 39th Parliament motion reads:

That forty-eight (48) hours' notice be required for any substantive motion to be considered by the Committee, unless the substantive motion relates directly to business then under consideration; and that the notice of motion be filed with the Clerk of the Committee and distributed to members in both official languages.

Do I have a mover for that motion? It will be moved by Mr. MacAulay.

Discussion?

Mr. Kamp.

**Mr. Randy Kamp:** Yes, although we've never misused this in the years I've been on the committee as far as I can recall, I've always been a little concerned by that clause in the middle that says "unless the substantive motion relates directly to business then under consideration", because that's quite broad. You could be talking about the seal hunt, for example, and it could lead to some pretty significant substantive motions condemning the government, for example. Those kinds of things I think we want 48 hours' notice on.

As I say, I don't recall it being misused, but I'm not sure why we would want that clause in there, as we've never used it. There have been some non-substantive motions, things under consideration, and I think that's fine. They've been minor motions, perhaps. But I think I would feel more comfortable and I think our party would feel more comfortable if it read without that clause.

**Mr. John Weston:** So delete "unless the substantive motion relates directly to business then under consideration".

**Mr. Randy Kamp:** Right. So in the interests of time, I'll move that we amend this motion to remove that clause.

**The Chair:** So Mr. Kamp's amendment is to remove this wording from the previous motion: "unless the substantive motion relates directly to the business then under consideration". Is that correct?

**Mr. Randy Kamp:** Yes.

**The Chair:** Mr. Bagnall.

**Hon. Larry Bagnall:** I can understand where the member is coming from, but I would disagree. That hasn't occurred in any other committee, and as the member said, it hasn't been abused. But I think the purpose of it is that when you're discussing whatever issue you're discussing, all sorts of motions come up, amendments, subamendments. So you have to be able to make motions while you're discussing a topic and you can't wait 48 hours for all these motions every time you want to have a discussion. You can't break the discussion, stop the committee meeting, wait for 48 hours, and then discuss again. So I think you have to be able to make amendments and subamendments while you're discussing something. That's why it has always been like this in all the committees.

• (1155)

**The Chair:** Mr. MacAulay.

**Hon. Lawrence MacAulay:** I believe if you check the record, Mr. Chair, you'll find that I did use that part of the motion in the last

session, at one committee meeting. So with great respect to Mr. Kamp, I would oppose what he's trying to do.

**The Chair:** Is there anything further?

Mr. Blais.

[*Translation*]

**Mr. Raynald Blais:** I agree with Lawrence. It does happen that I agree with him from time to time.

This is how I understand the notice of motion. When we're discussing an issue, for example small craft harbours, another subject could be of interest to one of the members of the committee. If that occurs, the motion, or the notice of motion can be tabled. With respect to an amendment or a subamendment regarding a given discussion, anything is possible because the topic is already being discussed. For example, if we are dealing with the seal hunt, small craft harbours, the catastrophe facing ground fish fishers, or anything else, there is nothing preventing us from tabling a notice of motion. In my opinion, a notice of motion prevents us from talking about any other subject that does not tie in to the subject being discussed then and there. However, there is nothing preventing us from tabling a notice of motion on a particular subject that could be discussed at a future meeting.

I am more in favour of maintaining the status quo, because I believe that it accommodates our committee. I do, however, want to point out to Randy that the current format allows for a certain level of flexibility on holding discussions. This format is effective because a member cannot table a motion on any given subject when we are discussing a specific topic.

[*English*]

**The Chair:** Monsieur Lévesque.

[*Translation*]

**Mr. Yvon Lévesque:** Thank you, Mr. Chair.

Correct me if I am wrong, but according to what Randy is saying, if we withdraw the words "for any substantive motion to be considered by the Committee, unless the substantive motion relates directly to business then under consideration", we can use the substantive motion only if we want to raise another topic that is not currently being discussed then and there, or we deal with the motion. Urgent situations can occur during which we need to table a motion being discussed.

My understanding is that if we're taking this out, a member can table a motion on a subject being discussed with 48 hours' notice. Right now, if the matter relates to the subject being discussed, a 48-hour notice is not required to introduce an amendment or motion. Just correct me if I have misinterpreted. If we amend the motion as Randy suggests, we run the risk of extending the timeframe in which decisions are made.

[*English*]

**The Chair:** The amendment is to delete the wording, "unless a substantive motion relates directly to business then under consideration". So you're correct when you assume that what's being proposed would limit any motions to 48 hours' notice.

Does that clarify it for you, Monsieur Lévesque?

[Translation]

**Mr. Yvon Lévesque:** Yes.

[English]

**The Chair:** Mr. Kamp.

**Mr. Randy Kamp:** I guess I would just say that if we do proceed with the status quo, then we would certainly expect all honourable members of this committee to act honourably and not blindsided, because the wording of this says “business then under consideration”. It doesn't say it was ever on an agenda. It just says it was under consideration. It got on the floor in some way. There's a whole variety of means that could then lead to a legal substantive motion. That's what would concern us, of course. If the business under consideration were planned business, if it said “to planned business then under consideration”, I would feel more comfortable with that.

In either case, however we proceed with this, we expect everyone to act respectfully. I think that has happened in the past. It's hard to define what a substantive motion is, and it's also hard to define what “under consideration” means, how it got on the floor at the time.

Those are our concerns, Mr. Chair.

● (1200)

**The Chair:** Is there any further discussion before we vote on the amendment?

Mr. Kamp's amendment would be to remove the wording “unless the substantive motion relates directly to business then under consideration”.

(Amendment negated)

**The Chair:** Now we need to go back and vote on the motion as stands by the 39th Parliament: that 48 hours' notice be required for any substantive motion to be considered by the committee, unless the substantive motion relates directly to business then under consideration; and that the notice of motion be filed with the clerk of the committee and distributed to members in both official languages.

**Hon. Lawrence MacAulay:** I so move.

(Amendment agreed to)

**The Chair:** On the next motion on allocation of time for questioning, the 39th Parliament motion read:

That witnesses from an organization be given ten (10) minutes to make their opening statement; and that, at the discretion of the chair, during the questioning of witnesses, there be allocated ten (10) minutes for the first questioner of the Liberal Party, seven (7) minutes for the first questioner of the Bloc Québécois, five (5) minutes to the questioner of the New Democratic Party, and ten (10) minutes for the first questioner of the Conservative Party; and that if there is a subsequent round that the rotation be the same except all questioning be for five (5) minutes.

**Hon. Lawrence MacAulay:** I so move.

**The Chair:** Is there any discussion?

Mr. Stoffer.

**Mr. Peter Stoffer:** I just find that when somebody travels from across the country to speak to our committee—for those who don't have their BlackBerrys out and who actually listen—ten minutes is not enough. I'd like to give them 15 minutes to be able to present

their case. Some folks are quite nervous, or it may not be in the right language for them or whatever. I'd like to see them get at least 15 minutes to be able to make their point.

Secondly, I notice that the time allotted for questions hasn't changed in terms of ten, seven, and five. I would move, respectfully, that seeing how the official opposition dropped from 100 down to 70-some seats and they still keep their ten minutes, which I don't want to change, I would like to see the New Democratic Party—be it me, Jack, or whoever is here in this position—have seven minutes.

So I would make just two slight changes, that the ten-minute presentation by witnesses goes to 15, and that the NDP position is seven minutes. Everything else remains more or less the same.

**The Chair:** Mr. Stoffer would make an amendment to change the time allotted for presenters to 15 minutes, and the time allotted for the New Democratic Party to seven minutes.

Is that correct, Mr. Stoffer? Thank you.

Mr. Allen.

**Mr. Mike Allen:** Thank you, Mr. Chair.

In the spirit of collaboration... It's funny how this comes up for discussion every time but ends up reverting back to the way it was.

From my past experience on the committee, in a lot of cases when witnesses come in they will each take an hour, typically. So getting through this is sometimes a challenge, and getting all members to be able to actively participate also ends up being a challenge. You have to do all these gymnastics around splitting time. And I'm okay with doing some of that as well.

What I'd like to do is this. I'm not necessarily averse to Mr. Stoffer's proposal, to his increase in minutes to properly reflect the representation in the House. That's fine. But I think when it comes to the second rounds, I would like to see an opportunity before we go to each party a second time.... If that means we have to adjust the time accordingly, we can, but for future rounds I would like to see us make sure that all members have had a chance to question the witness prior to our going to a second round for some. I would like to see a situation whereby we continue that first round as we do, and then we would go to the Liberals, the Conservatives, then the Bloc, then the Conservatives. Then we might end up with a couple of Conservative questioners in a row, and then we could go back to the full rotation if we had a round of time after that.

So my amendment is that if there is a subsequent round, the rotation alternate between opposition and government members until all members have had the opportunity to question the witnesses, and all questioning will be for a period of five minutes.

● (1205)

**The Chair:** So you would like to propose a subamendment to Mr. Stoffer's amendment, that in the subsequent round it would rotate between opposition and government until all members have had an opportunity to question.

**Mr. Mike Allen:** Yes. Now, practically that might not...because with one hour, it's probably not going to happen very often anyway. If it's one hour and one hour, we'd go back to the round anyway, so....

**The Chair:** Mr. MacAulay.

**Hon. Lawrence MacAulay:** The problem I see with any of the changes is that we sat here before and put all this formula together. We found previously that when the presenters came in, they had 10 minutes, which can run 12 or 13 minutes, which means you have, in a one-hour presentation, about one-quarter of the time used by the presenter. It cuts in on the time.

My thought would be that if you shift to 15 minutes, that would be great, but you only have an hour, and there's lots of dialogue between the different parties and the presenter. I would like to leave it the way it is. We fought hard to get this into a reasonably acceptable mode. We find that if the presenters go on too long, you just don't get time enough to ask questions.

The way it's set up seems to have worked pretty well. Perhaps somebody wants a minute or two more or something like that, but I think overall the chair has been reasonably generous over the period. I expect that this chair could be too. But if we get into shifting this back and forth.... I think it was a lot of work putting it the way it is, it has worked reasonably well, and I would support that.

**The Chair:** Mr. Calkins.

**Mr. Blaine Calkins:** Thank you, Mr. Chair.

Given the fact that the committee is composed of members of Parliament, and that as elected officials, public office-holders, it is our responsibility to carry out our business here at this committee.... This is what this is about.

I'm not necessarily averse...and I understand the rationale that Mr. Stoffer put forward for having 15 minutes, but in reality, is 10 minutes with a subsequent 50 minutes of questions and answers less valuable than 15 minutes followed by 45 minutes of questions and answers? Given the fact that our role as parliamentarians is to be here to defend the interests of our constituents and to bring forward issues pertaining to our constituency, if we did that, it would provide less opportunity for us to do our work as parliamentarians, although it would provide more opportunity for the presenters.

So I'm still a little conflicted on that. I think that my time as a member of Parliament here may be less respected in that particular case, so I have a little bit of an issue with that. I'd like to see it stay at 10 minutes.

What I do recall from the last session of Parliament is that as a member of this committee, there were several times when I had questions and I had no opportunity in a one-hour session to bring my question or concern forward to the witnesses. That is because of the current structure of the speaking order and rounds of questioning. Now, I'm just as elected to this House of Commons as every other member of this committee, and I take great umbrage...as a matter of fact, I would almost take it to the point of a question of privilege. If we don't change the speaking order to reflect an opportunity for every member of this committee to have an opportunity to question a witness, when other members have three opportunities or two opportunities to question a witness, I think it will impact on my

ability to operate on this committee as a member of Parliament. And I do believe it would pose a legitimate question of privilege, my parliamentary privilege as a member of this committee to fulfill my obligations and my duties to this committee, and we need to be very careful about that.

So we can talk about minutes if we want to work out something that is reflective and works for everybody. But I do think we seriously need to take a look at this, because every member of this committee is equal—or should be equal or have equal opportunity to ask questions of a witness.

• (1210)

**The Chair:** Mr. Bagnell.

**Hon. Larry Bagnell:** I wanted to ask Mr. Stoffer a question about his amendment on the number of minutes.

Usually when I've been at committee meetings, there's not been just one organization; there's very often been a panel. So if you have a panel of two or three organizations—and sometimes if it's a two-hour session we have four or five organizations—does that mean each of those organizations, if you have five organizations...? That would be an hour and 15 minutes out of two hours used on just the witnesses.

Can he clarify what's he's proposing?

**Mr. Peter Stoffer:** Generally what we have done is that if you have six different organizations representing an umbrella group, not all six are going to speak. What would happen is the head spokesperson would speak, and possibly someone else would match the time, or generally they'd split that time. They don't speak for an hour and then we question for an hour; they generally keep it down to a fairly good time limit.

From what I've seen recently, when there are multiple groups here, all the chairs are very good at allocating the specific time and narrowing it down to a focus.

But I do have another point to make with my colleague Mr. Calkins.

Sir, you also get 10 minutes. Your party starts off with 10 minutes. There's absolutely nothing stopping your first presenter from sharing the time with another colleague. I've seen that done in many other committees. You get 10 minutes, and how you divide those first 10 minutes is your business. So there's no reason your lead person couldn't ask a couple of questions and then split the time with another colleague, then every single one of you could get the time that you have. You don't have to keep it to one person for 10 minutes; you can split that time. And that would show the respect that you've asked for in offering those questions.

**The Chair:** Mr. MacAulay.

**Hon. Lawrence MacAulay:** Of course, here we are again right back at the same discussion we've had for the last...well, at least the last time we put the committee together, if not the time before. The fact is that the way this has been set up has worked reasonably well. The truth is that if we bring more than one presenter in, sometimes it happens, yes. The chair does their best, but what can happen and why this was put in place the way it is right now is to make sure that members of Parliament... As Mr. Calkins has indicated, we're all members of Parliament and we have a legitimate responsibility to ask questions. But if most of it is given to the presenter, and there's no dialogue back and forth...

I recall this was put together this way because we had so many problems with not having enough time. There's never enough time to ask questions. But the fact is that the way it is right now has worked pretty well. Everybody wants a little more time. I've certainly sat here and needed to ask very important questions that could not be asked because we ran out of time, but there is a limited time.

So I agree that we leave it as it is.

**The Chair:** Mr. Weston.

**Mr. John Weston:** I see those magical words "subject to the discretion of the chair" in the second section. It seems to me that we can accomplish all our objectives by putting those words in the first part too, so it says "subject to the discretion of the chair, the witnesses from an organization be given ten minutes".

The rule would be ten minutes, but if it were the consensus of the room, or the chair thought an individual needed more time to present, it could be extended. I think it's good to give presenters the notion that less is more when they come and they have only 10 minutes to get their message across. Then in the spirit of equality, giving your party seven minutes makes sense.

I would give the chair the discretion to extend the time from ten minutes, but go along with Mr. Stoffer's suggestion of seven.

**The Chair:** Monsieur Blais.

[*Translation*]

**Mr. Reynald Blais:** This is based on the fact that there's no perfect formula for sharing time. There is a domino effect with this issue. If we change anything, if there has been no prior discussion each one of the political parties, it will be difficult to satisfy everyone. The current formula is not perfect, but it is acceptable, in light of how it's been used in the past. This is why I am more in favour of maintaining the status quo.

On the other hand, I would add, as Mr. Weston has just stated that, I've had several opportunities to preside over question period, etc. It's true that a chronometer is used, but some members were able to benefit from one or two additional minutes.

Therefore, the chair must be granted discretion. It seems that our native New Brunswicker, Mr. Weston, has proven himself to be flexible. We simply have to frame this formula, which is not perfect, I concede, but we need some sort of guiding principle. I think that the 10, 7, 5, and 10 minutes for the government party formula, and five minutes for each party during the second round, is fine. What is left is deciding how much discretion we want to leave the chair, which we can decide on once we put things into practice. He looks like a nice guy, I don't think there should be any problems.

I wish to extend to him my congratulations and assure him of my full cooperation so that our work here is as positive as possible. There's a way to deal with our friend Peter's perseverance, who invariably asks for more time. The current format is balanced, even though it would appear difficult to accept in certain situations. Despite this, I think it has served us relatively well in past Parliaments.

For that reason, I believe that we should keep the status quo.

● (1215)

[*English*]

**The Chair:** Thank you.

Mr. Kamp.

**Mr. Randy Kamp:** Well, I understand the comments that this has worked reasonably well, but Parliament has changed; its composition changes. And when that happens, we ought to take a look at whether the rotation and speaking times make sense.

What's currently proposed is that the Liberals would have three members—let's assume there are just those two rounds, as we've specified—and two out of the three Liberal members would have a chance to question. If they split their time, it would be three out of three. And they get 15 minutes in total in those two rounds.

For the Bloc, two out of two would get a chance to question the witnesses, for a total of 12 minutes.

For the Conservatives, they'd have two out of five questioners. If we split, we can go to three out of five, and we get 15 minutes.

None of this is reflecting the proportion, certainly, in Parliament. I hope we're clear on that. I can give you the percentage if you'd like.

For the NDP, not only is it not one out of one, but this one member would speak twice. Nobody else gets that opportunity.

If we go along with this proposal to increase his first round to seven minutes, then he gets 12 minutes, the same as the Bloc, and it would certainly be well out of proportion with their standing in the House and this committee.

So we're going to get at least two members who don't get a chance to speak in those two rounds, no matter what we do. To me, I'm having a hard time understanding why that makes sense to you and why we don't need to rejig this in some way.

In fact, I thought the better approach would be to give every party seven minutes in the first round, and then we would alternate government and opposition members in the subsequent rounds, with the length of questioning at the discretion of the chair—perhaps five minutes, perhaps four minutes—and go Liberal, Conservative, Bloc, Conservative. And if there's time, we'd finish off with the Conservative members who haven't had a chance to ask a question or two. That seemed to me to be fair. It's proportional.

But the status quo, to me, doesn't seem fair.

● (1220)

**The Chair:** Mr. Calkins.

**Mr. Blaine Calkins:** I'm going to pass.

**The Chair:** You're going to pass? All right.

Mr. Stoffer.

**Mr. Peter Stoffer:** If we've agreed to keep the witnesses at 10 minutes, with the discretion of the chair to allow someone who has difficulty presenting, if they're nervous or something, a few more minutes, that would be fine.

But if we go this way—and I think I concur with Mr. Kamp in this regard, in the spirit of cooperation—and have a Liberal, Bloc, NDP, Conservative member in the first round, I'd still like to see seven minutes for this side. Secondly, it would go five minutes Liberal, Conservative, Bloc, Conservative, New Democrat, Conservative; and that way they would all get a chance to speak, and we would all get the second round.

We did that in the defence committee, when I was there before. That's how we did it, and it worked out very well. I think that way all of them would get an opportunity to speak in the second round, in an alternating fashion.

Obviously, if there's a third round, which sometimes happens if it's a quiet day, it could happen that way.

**The Chair:** Thank you.

**Mr. Peter Stoffer:** That goes with what Mr. Kamp was saying.

**Mr. Randy Kamp:** Sort of, except you'll notice I didn't mention the NDP in the second round.

**Mr. Peter Stoffer:** Yes, I noticed that.

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

**Mr. Randy Kamp:** I thought you might, but I was hoping you wouldn't, because it still leaves one of our members unable to speak.

I think that in the second round we would have to specify, however we do the second round, that the chair needs to, rather than just starting out with five, five, five, or however we do it.... What has happened in the past, of course, is that because the Conservatives are last in that round, as under the status quo, it would often never get to us. So it not only made it even more unequal, but....

Anyway, I like the idea of everyone getting seven minutes in the first round, and then alternating between the government and the opposition. If the committee wants to put the NDP in that second round, per Peter's suggestion, I guess that's up to the committee. But I think it should be alternating between the government and opposition, or the opposition and government, I guess.

**The Chair:** All right.

**Mr. John Weston:** On a point of order, I'm confused. Actually what we're voting on—

**The Chair:** That's what I'm going to try to straighten out here.

**Mr. John Weston:** I don't know, Mr. Chair, if you can break up these things so that we can first deal with the first phrase, for which I think there's some consensus, and then get to the second part.

**The Chair:** I'm going to try to get it all straightened out here, because we can't accept a third subamendment. Basically, we'll deal with what we have here first, and then we'll go to further business on this motion.

What we have to deal with first is a subamendment, and I'm looking to the clerk for guidance here. It's a subamendment, proposed and moved by Mr. Allen, that suggests that the subsequent round alternate between government and opposition until all members have had an opportunity to question.

Are we all clear on what we're voting on, on what the question is at this time?

**Mr. Randy Kamp:** Can you run it by me again?

**The Chair:** It's a subamendment, proposed by Mr. Allen, that would suggest that the subsequent round alternate between government and opposition until all members have had an opportunity to question. That was a subamendment moved by Mr. Allen.

Let's go back to the beginning. We read the initial motion—I'm not going to read it through again—as laid out in the 39th Parliament, and it was moved by Mr. MacAulay. Mr. Stoffer amended that original motion to read "that presentations be increased to 15 minutes and that the NDP questions increase to seven minutes".

● (1225)

**Mr. Peter Stoffer:** I will withdraw the 15 minutes and keep it at 10 minutes, because of the consensus of the committee.

**The Chair:** We have to deal with the subamendment first, correct?

**Mr. Mike Allen:** I have a point of clarification. I think there was one portion you might have left out. We might have handled that at the discretion of the chair. But to clarify, it is that all remaining members have the opportunity to question the witnesses, and all the questioning will be for a period of five minutes.

**The Chair:** That was your subamendment.

We have the original motion, moved by Mr. MacAulay. We have the amendment moved by Mr. Stoffer that presentations be increased to 15 minutes and that questions for the NDP be increased to seven minutes. Then we have the subamendment by Mr. Allen that the subsequent rounds of five minutes for each party alternate between government and opposition until all remaining members have had an opportunity to question.

Is that correct, Mr. Allen?

What we're going to deal with first is the subamendment moved by Mr. Allen.

(Subamendment negated)

**The Chair:** We'll have Mr. Van Kesteren.

**Mr. Dave Van Kesteren (Chatham-Kent—Essex, CPC):** Before we go on, Mr. Chair, to the next amendment, can we just have a quick discussion about a possible subamendment again?

**The Chair:** Certainly.

**Mr. Peter Stoffer:** Chair, where I moved to 15 minutes for the presentations, keep that at 10 minutes.

**The Chair:** I'm sorry to interrupt, gentlemen. We need the unanimous consent of the committee to amend Mr. Stoffer's amendment, to change it from 15 minutes per presentation to 10 minutes. Do we have unanimous consent? Thank you.

Go ahead, Mr. Van Kesteren.

**Mr. Dave Van Kesteren:** I'd like to offer a subamendment.

Obviously the question here is of fairness. I think Mr. Kamp has reasonably argued that the composition of the government changed in the last election. And there is a real possibility....

I am new to this committee, and I'm glad to be here. This is going to be a great committee.

We normally have the seven minutes, so I'm somewhat puzzled by the period of time. I can see there is a real possibility that the government side will not have an opportunity to have a period of questioning. In the spirit of cooperation, I am offering a compromise.

Again, this 10 minutes is somewhat unique to this committee. Could we break from the traditional method of going on the second round from opposition to government, to continue the questioning from the government? We would then have the last round of questioning—to go directly to the government in the second round. I think it would definitely give us all an opportunity to question. I am proposing that the first round end with government, and the second round would begin with government and then go to opposition and government so that we can solve that problem.

• (1230)

**The Chair:** To clarify your subamendment, Mr. Van Kesteren, you're proposing that we amend after the first round, that the subsequent round would begin with the government, and then the rotation would be the same, except that all questioning would be for five minutes.

**Mr. Dave Van Kesteren:** It would give us that opportunity to get that extra government side in. I think that's where the problem lies. It's a real possibility that on the government side we would not have the opportunity—

**The Chair:** So the first round would end with the government party and the subsequent round would begin with the government party.

So that we're clear on the subamendment, for a subsequent round the rotation would be government, Liberal, Bloc, NDP, and all questioning would be for five minutes. Does that make sense?

**An hon. member:** No. Isn't the subsequent round to be opposition, government, opposition, government, opposition, government?

**The Chair:** That subamendment was defeated.

My understanding is that if there is a subsequent round the rotation would begin with the government, so it would end with the Conservatives as well. The only change in the subsequent rotation would be that the government would lead off, and then the rotation is the same from there forward. Is that correct?

I'm going to get the subamendment and read it, and then we will continue on.

The wording for the subamendment, as moved by Mr. Van Kesteren, is that if there is a subsequent round, the rotation would be government, Liberal, Bloc Québécois, NDP, and government, and that all questioning be for five minutes. Does that make sense?

Mr. Blais.

[*Translation*]

**Mr. Raynald Blais:** I have two or three comments to make. Firstly, I sort of have the feeling that I'm at the Olympics. I would therefore like to award the government party a gold medal for all of the effort it has made to change the formula in their favour. I fully understand their intentions, which I consider honourable. However, I still cannot agree to the changes that are currently being proposed.

There are two or three things that I'd also like to remind members of the committee of. When it is my turn to speak, I sometimes try and squeeze a little more than seven minutes from the chair. However, if I don't need my full seven minutes, I stop speaking. From time to time, I don't make any intervention, and skip my turn. However, more frequently than not, I would ask the chair to give me a little bit more time. If the chair agreed, I received a few more minutes, if not, my time was up. I'm able to tolerate the chair exercising a certain level of discretion. Obviously, as you know, when it came to discussing small craft harbours or the seal hunt, I had a hard time stopping. And I know we're going to hold these discussions again.

I have the impression that given the state of things now, we're going to have a difficult time coming to a reasonable compromise for everyone, because each time a small detail is altered, everything changes. It is as silly and straightforward as that. I, for one, believe that having a little bit more time could be useful, but I think it would be extremely difficult to get a consensus from members or even a majority agreement for my amendment to be adopted. I see that you're really bending over backwards. However, I don't have any other choice whatsoever than to try to understand, to the best of my ability, while showing openness, how you see this committee operating henceforth. However, I will point out that up until now, I have not seen any amendment formula that is satisfactory.

I also have the impression that we run the risk of running around in circles for a very long time if amendments to improve the formula are constantly being proposed. I'm simply going to continue opposing them. I don't know what other members of the committee are going to do, we shall see. I, for one, would simply like to point out that it is 12:35. We're talking about a formula for time allocation. This committee has not sat for seven months. There are topics that are more important than the one we are currently discussing and concern the future of our fisheries. Let's put an end to this scrambling around. I would be remiss not to call upon the will of members of this committee to collaborate so we can get down to real business.

As you know, the fishing sector is facing a crisis. Jobs have been lost, jobs are at stake. I know that we can have a candid discussion about time allocation but there comes a time when enough is enough. That is why I am asking members of the committee to show a spirit of cooperation.

•(1235)

[*English*]

**The Chair:** Mr. Bagnell.

**Hon. Larry Bagnell:** Thank you, Mr. Chair.

I think that was very eloquently put, and I agree with everything the member said. And I think our lead on this side would agree just to stay with the status quo.

I do understand the opposition member's desire for everyone to have a chance to speak, and I hope that will usually be accommodated, even with the present rotation.

I know, though, that when we were in government, people were making the case that it was important for the opposition to get their concerns on the table. The government members, because they're part of the government normally creating the legislation in question, are, first of all, going to vote for it because they're in the government. Second, they have more chance for input, in caucus with their minister and their parliamentary secretary, into the development of the legislation, and so it is important to make sure that the opposition has sufficient time to at least get any critique they have onto the floor or questions they have on the legislation to witnesses.

The government has already, in theory, if they've done good policy development, asked all the questions they had to interest groups and experts before they proposed the legislation. If they haven't, then they haven't done good policy development.

Thank you.

•(1240)

**The Chair:** Mr. Weston.

**Mr. John Weston:** Forgive me if my newness to this committee is reflected in the naiveté with which I ask the question.

It seems to me that the asking of questions is not just designed to support a position; it's also to bring out of a witness information that the government may be the most informed about and that should be on the table. So I'll be supporting the proposal of my colleague. In the event that it fails, I hope the chair will understand how critical it is for the government to get in its questions, be it at the beginning or at the end of the process.

**The Chair:** On the subamendment as moved by Mr. Van Kesteren, we would take the motion of the 39th Parliament and replace the bottom paragraph. After the words "Conservative Party", we would add that if there is a subsequent round, the rotation would be government, Liberal, Bloc Québécois, NDP, and government for all questioning, and that all questioning be for five minutes.

Is that correct?

**Mr. Randy Kamp:** Is that talking about a third round or a second round?

**The Chair:** That's for the second round or subsequent rounds. So it would say that if there is a subsequent round, the rotation would be

government, Liberal, Bloc Québécois, NDP, and government, and all questioning would be for five minutes.

Does everybody understand the question? This is the subamendment as moved by Mr. Van Kesteren.

(Subamendment negatived)

**The Chair:** Now we'll deal with the amendment as moved by Mr. Stoffer. By unanimous consent we removed the original 15 minutes for the presentations. Mr. Stoffer proposes that NDP questions move to seven minutes.

(Amendment negatived)

**The Chair:** We're back to the original motion, as moved by Mr. MacAulay, that we adopt the motion as used in the 39th Parliament. I'll read it once more:

That witnesses from an organization be given ten (10) minutes to make their opening statement; and that, at the discretion of the Chair, during the questioning of witnesses, there be allocated ten (10) minutes for the first questioner of the Liberal Party, seven (7) minutes for the first questioner of the Bloc Québécois, five (5) minutes to the questioner of the New Democratic Party and ten (10) minutes for the first questioner of the Conservative Party; and that if there is a subsequent round that the rotation be the same except all questioning be for five (5) minutes.

(Motion agreed to)

**The Chair:** Are there any further motions to be brought forward today?

Mr. Kamp.

**Mr. Randy Kamp:** I wonder whether another routine motion might be in order specifying that legislation has priority within this committee. In other words, it would read something along the lines that the consideration and examination of any government or private member's bill that falls within the express mandate of the committee shall take precedence over any study or non-legislative examination other than questions of privilege. In such circumstances, the non-legislative study shall be deferred until such time as the bill is reported back to the House.

It's basically just saying that if legislation makes its way to us—it doesn't happen too often in this committee, but it might—it would take priority over another study. So we wouldn't be able to not deal with legislation, according to this.

•(1245)

**The Chair:** It has been moved by Mr. Kamp that the consideration and examination of any government or private member's bill that falls within the express mandate of the committee shall take precedence over any study or non-legislative examination other than questions of privilege. In such circumstances, the non-legislative study shall be deferred until such time as the bill is reported back to the House.

Is there discussion?

Mr. Stoffer was ahead, but he pulled out.

Mr. Blais.

[*Translation*]

**Mr. Raynald Blais:** Thank you very much.



I want to make sure that I fully understand the new motion tabled by Mr. Kamp. There are two or three points on which I need clarification.

Firstly, the motion seeks to give priority to bills. Under the committee's rules, when a bill is tabled in the House of Commons... For example, we dealt previously with Bill C-45, which became C-32, the new Fisheries Act. If the bill comes back to this committee for consideration, it is discussed in priority. I do not see the need to vote on a procedural motion that establishes a procedural rule already in effect. The practice could be strengthened by adding something that is already part and parcel of how we operate. I have a lot of trouble understanding this. I hope Mr. Kamp can provide me further details on that.

Next, subjects that are discussed in order of priority are done so by both the Subcommittee on Agenda and Procedure, and by the plenary committee. Each time we hold these discussions, we always come to a consensus on priority topics. As you know, I have two or three topics that I would like to table, and you probably have some too. I, along with my party, have collaborated with you very well, as have the Liberals and New Democrats. This was especially the case when people from British Columbia wanted to talk about salmon in the Fraser River. I fully understood that it was important for them to talk about that. There were other issues pertaining specifically to Quebec that are of particular concern to me, and that I raised with members of the committee at the time. After a few years of discussion, we had the opportunity to deal with the small craft harbour issue again. That's how things work.

Given the current situation, there are new issues that are being given priority. What will the new fishing season be like, as it will begin in a few days, or a few weeks, and which has already begun in some parts of the country such as Nova Scotia?

The motion or amendment that has been tabled does absolutely nothing to change the current situation. It does not do anything more than tie our hands. I have a problem with that. Our committee, be it the whole committee, or the subcommittee, must enjoy total freedom. This total freedom should allow us to deal with things as they occur. I don't know what the next crisis faced by the fisheries sector in upcoming weeks or months will be. I hope that it won't be a huge crisis; however, without knowing what type of crisis it will be, I unfortunately have the feeling that there will be one. I hope that any crisis will force members of this committee to start talking.

I am open to Mr. Kamp's motion, but for now, I am very reluctant to support it. To my mind, it is not necessary for us to undertake future business.

Thank you.

• (1250)

[English]

**The Chair:** Mr. Stoffer.

**Mr. Peter Stoffer:** To reiterate, I appreciate what Mr. Kamp is doing. If a private member's bill were coming through and we were doing something else, it would delay that PMB for—who knows—an indefinite period of time. So it would have a detrimental effect on the opposition.

The flip side is that if the government had a bill and we were into something else, it would take precedence over our business, and thus we would delay a study on whatever it is we were doing.

One thing about the committee is its independence. The committee can decide, if something pops up, as in that situation that happened in the Îles-de-la-Madeleine last year with the sinking of a vessel, to interrupt our business to discuss it. The committee makes a decision at the particular time.

So I don't think the motion is necessary. I think if something comes up that the committee decides we need to divert our attention to, we should have the ability to do so and not lock ourselves into a set motion of this nature.

**The Chair:** Mr. Calkins.

**Mr. Blaine Calkins:** Thank you, Mr. Chairman.

I appreciate the interventions made by Mr. Blais and Mr. Stoffer; however, we are elected as parliamentarians and we are legislators. We're here to legislate; that is our primary role, our primary responsibility. If we want to be students, we should go to university where we can study all we like.

Studies are very useful and very effective at times when there is no legislation before the committee. But history has taught me, in the last session of Parliament, that if we don't make legislation a priority, sometimes coalitions from the opposition—and I don't mean this as any slight—can detract from that responsibility. This is the responsibility our electors sent us here to look after: to address the legislation.

If we have an emergency or a crisis come up such as Mr. Blais has mentioned, we have the ability to hold an emergency debate in the House of Commons. If that doesn't suffice, we can always hold extra meetings of this particular committee. However, government or private members' business legislation should be our foremost responsibility when legislation is brought forward to this committee as part of our mandate. It cannot get back through the House. The legislative process that we have in Parliament is such that a bill cannot pass Parliament unless it gets through this committee. This committee's job, as a subset of Parliament, is to examine legislation and get it back to the House in as thorough but expedient a manner as possible.

Unless I'm missing something—and if the opposition parties would like to educate me on how their electors seem to think that a study is more important than passing legislation, I'd like to hear it—from my perspective this is pertinent. It's our foremost responsibility to get that legislation, when it's received at committee, back to the House in an amended or an unamended form.

Could you imagine a private member's bill coming through and being reported back in 60 days to the House of Commons as unamended, if this committee chose not to deal with it? I find that to be unacceptable. If we're going to do those kinds of things, if we're going to have committee members... It could be a private member's bill from anybody. It could be a private member's bill from Mr. Blais, from Mr. MacAulay, or from any of the members of this particular committee, dealing with an issue such as we had with the lighthouse bill in the last Parliament, which we dealt with in an expedient manner.

This committee has done well. This committee has a different rapport from that in most committees. However, experience has taught, I think, a valuable lesson to all parliamentarians, that when legislation is referred to the committee from the House of Commons, it should be our first and foremost matter of business.

I don't think there's a single problem in enshrining this in our routine motions. To fail to enshrine it in our routine motions means that legislation is not a priority of those who choose to vote against this particular motion.

**The Chair:** Mr. Kamp.

**Mr. Randy Kamp:** I think Mr. Calkins has said it well. The attempt was not to tie the hands of this committee, but really to acknowledge the obligation that already exists. I think I heard Mr. Blais say that he recognized that this is the normal procedure. This is just a routine motion to acknowledge that this is our business.

He has asked why we would do this. It's because we can point to some other committees where it's been very difficult to get contentious legislation dealt with because the opposition parties have the ability to control the agenda and have refused to look at that legislation. We think we ought to state as a committee that legislation is our priority and that when it comes before us we ought to give it the consideration it deserves.

•(1255)

**The Chair:** Mr. Bagnell.

**Hon. Larry Bagnell:** Thank you.

I agree with the members from the Bloc and the NDP that this isn't a necessary amendment. All committees have legislation as their priority, but they don't write it in as a particular addition. I don't know why we would now start putting it in as a routine motion, for the exact reason that committees are masters of their own destiny, as Mr. Blais has said. They should discuss what they want to discuss. If they want to do a study to improve very important legislation that's more important, it's all legislative work.

As Mr. Calkins outlined, we don't stop bills, because there's a process where they go back to the House anyway, so I don't think this motion is necessary. I don't think we need to start a precedent in Parliament with this particular motion, because it ties the hands of the committee.

**The Chair:** Mr. Stoffer.

**Mr. Peter Stoffer:** I've now had the distinct pleasure of being on this committee since 1997. We've done over 28 comprehensive reports, I believe, 25 of which were unanimous. The reality is that each and every one of those reports has assisted the minister and the department in getting through some tough situations, be it the seal harvest that we were concerned about or other concerns of that nature.

Mr. Calkins, we're not just legislators; we're also here to understand the issues facing fishermen and their communities across the country. Many of those issues have nothing to do with the legislative nature of things. I've seen a variety of chairs and members come and go, but the reality is that I've never once seen a report where a minister hasn't come back, thanked the committee wholeheartedly, and then actually used some of those unanimous recommendations to improve the lives not only of the people

working in the department, but also of the fishermen and their families.

Many times the committee has been asked for help—by Mr. Kamp himself and previous parliamentary secretaries who have been here—and when we can get a recommendation that's unanimous to help the minister in a particular area like the seal harvest, for example, it goes a long way in showing a united front.

Again, I go back to the fact that we're not just legislators. We're also here to assist the minister and the department in the many complicated issues that face us on a day-to-day basis.

I suggest that we go on to the question, have our say, and try to remove BlackBerry's from the committee so that we actually pay attention to witnesses, but that doesn't get me many friends. We'll go on from there.

**The Chair:** Having heard that, it is my intent at this time to move on to the question. I wanted to make sure everyone had a fair opportunity to be heard here today. If there's nothing further on the motion, I'll put it to the question.

The motion is that the consideration and examination of any bill, government or private member's, that falls within the express mandate of the committee shall take precedence over any study or non-legislative examination other than questions of privilege. In such circumstances, the non-legislative study shall be deferred until such time as the bill is reported back to the House

That was moved by Mr. Kamp.

Are we ready for the question?

(Motion negated)

**The Chair:** Mr. Stoffer.

**Mr. Peter Stoffer:** Just to reiterate, we all do this except me, because I don't have one, but I notice this a lot at various committees, not just this one. The witnesses come in, and within about five minutes a fair number of us have our heads down playing with our BlackBerry's. To show deference to the witnesses, I think we should put them down, put them away or turn them off, at least during the presentation. I actually find it quite rude.

My own colleagues are just as guilty of this as anybody else. Someone is presenting, and within two or three minutes they're on their BlackBerry's and are not even paying attention to a person who has travelled all this distance to come here and make a bilingual presentation on a serious issue. As a courtesy, to show that we're actually listening as parliamentarians during the presentation—and we don't have to make this a motion—we should turn them off or pay no attention to them until after the presentation.

**The Chair:** Yes. You don't want to put that in a formal motion?

**Mr. Peter Stoffer:** I mention this to my colleagues as a courtesy to the witnesses.

**The Chair:** Basically what you're saying, Mr. Stoffer, is that as a courtesy to the presenters during their 10-minute presentations we should not engage in our BlackBerry's, but when you have your seven minutes it's okay.

•(1300)

**Mr. Peter Stoffer:** You do whatever you want. Nobody listens to me anyway, so it doesn't matter.

**The Chair:** I think that's fair enough to ask.

Let's have one more from Monsieur Lévesque.

Monsieur Lévesque.

[*Translation*]

**Mr. Yvon Lévesque:** Mr. Chair, I have a point of information. Has a meeting of the subcommittee been scheduled to discuss the order of priorities, among other issues?

[*English*]

**The Chair:** I just want to check to make sure. I'm new to this job, guys. Give me a shot here.

On Thursday I'd like to call a meeting of the subcommittee. If we could gather on Thursday morning for our regular meeting time, we could have a discussion in that direction, Monsieur Lévesque, and we will report back.

Mr. Bagnell.

**Hon. Larry Bagnell:** I have a question for the parliamentary secretary.

Given that we only have until February 12 to hear the minister on the estimates, I wonder if you had a proposed time slot for the minister to come.

**Mr. Randy Kamp:** It's up to the committee to invite her. I'm not aware of her schedule, but if that's what you want to do, then you'd better get that invitation in soon.

**The Chair:** Is that what you're suggesting, Monsieur Blais, that the committee invite the minister?

[*Translation*]

**Mr. Raynald Blais:** Yes, and the invitation is now being extended. You are more than welcome to attend, even if a meeting of the subcommittee is scheduled Thursday morning at 11 a.m. If you put in the request to the minister immediately, she may be able to appear sooner than if we were to wait till later to ask her. I think the request can be made today.

[*English*]

**Mr. Randy Kamp:** Tuesday or Thursday next week?

**Mr. Raynald Blais:** Yes.

**The Chair:** We would like to invite the minister to come at her earliest convenience is what you're suggesting. We will invite her to come next week to consider the budgetary estimates.

**Mr. Peter Stoffer:** The minister and her appropriate staff.

**The Chair:** The minister and her appropriate staff. Thank you.

With no further business to be heard today, I thank you very much for your cooperation today, gentlemen. I look forward to seeing the subcommittee on Thursday.

The meeting is adjourned.

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