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Standing Committee on Procedure and House Affairs

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Tuesday, January 27, 2009

—
Chair

Mr. Joe Preston

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•(1110)

[English]

The Clerk of the Committee (Mr. James M. Latimer): Honourable members, I see a quorum.

[Translation]

Pursuant to Standing Order 106(2)

[English]

your first order of business is to elect a chair.

[Translation]

I am ready to receive motions to that effect.

Mr. Marcel Proulx (Hull—Aylmer, Lib.): If Mr. Preston is interested in the position, I would be happy to nominate him.

The Clerk: Mr. Proulx moves that Mr. Preston be elected Chair.

Mr. Marcel Proulx: That is, if he agrees.

The Clerk: Are there any other motions?

[English]

Is the committee ready for the question? All those in favour of Mr. Preston being chair?

(Motion agreed to)

The Clerk: I declare Mr. Preston duly elected.

Some hon. members: Hear, hear!

[Translation]

The Clerk: Our next item of business is the election of the first vice-chair.

[English]

The first vice-president must come from the official opposition.

I would remind the committee that I am not able to recognize members in debate.

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): I'd like to propose Mr. Marcel Proulx as the first vice-president of this committee.

The Clerk: Ms. Jennings moves that Mr. Proulx be elected first vice-chair.

Are there any other motions?

[Translation]

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

(Motion agreed to)

[English]

The Clerk: We can now proceed to the election of the second vice-chair, who must come from an opposition party other than the official opposition.

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): I would nominate Monsieur Guimond.

[Translation]

The Clerk: Mr. Lukiwski moves that Mr. Guimond be elected second vice-chair.

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

(Motion agreed to)

[English]

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

I would invite Mr. Preston to take the chair.

The Chair (Mr. Joe Preston (Elgin—Middlesex—London, CPC)): I've prepared a short 45-minute acceptance speech. The parade will follow after, down Wellington.

Thank you very much.

As Mr. Lukiwski said, each time I've been elected, the time I've served as the committee chair has been a little bit longer. Let's see if we can keep this one for a few months, or longer.

I understand that there might be agreement to consider a draft membership report for committees. Is that agreed?

Monsieur Guimond.

[Translation]

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Has each party submitted its list? I see Mr. Latimer nodding in agreement. I ask that we suspend the proceedings for five or ten minutes to give us time to review these lists.

[English]

The Chair: A draft report has been prepared. Therefore, if you would like to do that, we are going to be handling.... Perhaps we should move in camera.

[Translation]

Mr. Michel Guimond: No.

[English]

I just want a copy. My assistant can check and we can go on with other business.

The Chair: Is that all right?

Shall we suspend for five minutes for Michel?

An hon. member: Sure.

The Chair: Let's do that.

• (1110) _____ (Pause) _____

• (1115)

The Chair: I would like to call the committee back to order.

Does the committee agree to adopt this report?

I'll give you one more minute.

Mr. Michel Guimond: We've found a problem with the industry committee. There's one extra Liberal. The Liberals have four and are supposed to have three. It's a 12-member committee.

That's a good reason for asking for this small break.

Hon. Marlene Jennings: Mr. Chair, on the industry, science and technology committee, the name of Mario Silva should be deleted.

• (1120)

The Chair: Okay. We will do that.

Hon. Marlene Jennings: The Liberal members would be Anthony Rota, Siobhan Coady, and Marc Garneau.

The Chair: Does everybody recognize that change? We've taken Mr. Silva's name off the industry committee. With that change, do we accept this report? We have to vote on the change.

Mr. Michel Guimond: Two minutes.

The Chair: Two minutes more? Okay.

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Silva should be added as an associate.

The Chair: We added Mr. Silva as an associate member to the industry committee.

Two more minutes.

• (1120) _____ (Pause) _____

• (1120)

The Chair: Let's call the meeting back to order.

We've reviewed the report. Does the committee agree to the report as amended, with the amendment of Mr. Silva on the industry committee?

[Translation]

Mr. Michel Guimond: Fine then.

[English]

The Chair: All in favour of accepting the amended report?

Some hon. members: Agreed.

The Chair: Shall I present the report to the House?

Some hon. members: Agreed.

The Chair: I have a couple of other things we will try to agree to today.

First of all, I need a motion to retain the services of an analyst.

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): I so move.

(Motion agreed to)

• (1125)

The Chair: Great. I would invite you to join us at the table, and now we're well represented.

Generally at the first meeting of this committee we delegate to the whips the authority to make membership changes to committees. Then if that needs to be done, the whips can do it without coming back to this committee. I need a motion to move that, if that's agreeable.

Mr. Lukiwski.

Mr. Tom Lukiwski: I so move.

(Motion agreed to)

The Chair: Do we have anything else?

Mr. Reid.

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Isn't a sheet of routine motions and all that sort of thing normally handed out to us?

The Chair: We can do that if you wish.

Mr. Scott Reid: I didn't have a chance to chat with two of the other parties—and I apologize that I didn't get over to Yvon—but I just suggested that we take everything that we had agreed on from that sheet, as amended by our committee last time, and adopt them in the form in which they were adopted last time.

The Chair: I'll try a motion, if you don't mind: that all the relevant routine motions agreed to at the beginning of the first session of the 40th Parliament be deemed moved and adopted.

Would you be moving that, Mr. Reid?

Mr. Scott Reid: I guess I would be, yes.

The Chair: All right.

[Translation]

Mr. Yvon Godin (Acadie—Bathurst, NDP): No mention is made in these routine motions of when the committees will begin meeting. Correct?

[English]

The Chair: The other committees, Monsieur Godin? We report that to the House, and we'll do that today at routine proceedings, if at all possible. I believe they can start work after that.

The Clerk: Mr. Chair, through you to the committee, once the report has been concurred in by the House, as long as 48 hours' notice—or two sleeps—have been given for organization meetings, the other committees may organize. So if the House were to concur in the report today, the earliest that other committees could begin meeting, according to the Standing Orders, would be Thursday.

[Translation]

Mr. Yvon Godin: I understand, but all parties must agree in order for a committee to sit. We cannot hold meetings on our own.

[English]

The Clerk: The House, Mr. Chair, would have to concur in the report that you've presented to the House. At that point the membership becomes official. According to the standing order, the Clerk of the House will convene a meeting, giving at least 48 hours' notice, for the purpose of electing a chair.

Mr. Marcel Proulx: For any or all committees?

The Clerk: It doesn't say all; within ten sitting days of the adoption of the report in the House, the committees must meet to elect a chair. The earliest they could begin meeting, if the report is concurred in today, would be Thursday.

The Chair: Is any further clarification needed on that? We're okay with that?

Going back to Mr. Reid's motion of accepting the routine motions for this committee, did I have a seconder for that?

The Clerk: You don't need a seconder for that.

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

The Chair: On future business, I'll go with Michel and then Tom.

[Translation]

Mr. Michel Guimond: I haven't confirmed this with my colleagues from the other parties, but during the brief period of time that we sat in late November and early December, we agreed to move forward with certain items of business, in particular the question of forms and the creation of a subcommittee on gifts in conjunction with the work of the ethics commissioner.

According to the notes prepared for us by the Library of Parliament, technically, we would need to approve these decisions once again. Could we move a general motion calling on the committee to endorse the decisions made during meetings held in late November and early December, even if we have to specify the exact dates? A few weeks ago, we agreed to set up a subcommittee on gifts and we agreed on the form. Do you really want to go over all of this again?

[English]

The Chair: Is there any discussion on that?

Mr. Scott Reid: I think procedurally it might make sense to handle the two things as two separate motions, one to deal with the forms and one to deal with the subcommittee, I would suggest.

The Chair: I know it would make Madam Dawson pretty happy.

Mr. Lukiwski.

Mr. Tom Lukiwski: I was just going to make a suggestion. Since at our last sitting we had, as a committee, approved the report by Madam Dawson, I was going to make a motion that we approve it again. It has nothing to do with the subcommittee on gifts. We did approve, as a committee, the report from Madam Dawson, so I would like to move that we approve that once more.

The Chair: Monsieur Proulx.

● (1130)

Mr. Marcel Proulx: I was under the impression that what we had done, properly and legally, prior to the prorogation remained and stayed. But I'm informed that's not the case.

Mr. Tom Lukiwski: No. We didn't report it to the House.

Mr. Marcel Proulx: So it didn't get reported to the House.

Okay. I was under the impression that we had.

Mr. Tom Lukiwski: So maybe my motion should be that we approve the report and report it to the House.

The Chair: Is there any further discussion?

Monsieur Godin.

[Translation]

Mr. Yvon Godin: Mr. Chair, are we talking about the steering committee report? We are? One person is saying yes, and another is saying no.

[English]

The Chair: It was a report. We accepted the report from Ms. Dawson on her use of the new disclosure statement forms, but we did not have time to report it to the House before prorogation, so it went away. We are asking if we can bring it back and report it to the House.

[Translation]

Mr. Yvon Godin: Only that item?

Mr. Michel Guimond: And the matter of creating a subcommittee on gifts.

[English]

The Chair: I've heard that we're asking to do those as two separate things. So let's do them that way if possible. Let's talk about the report from Ms. Dawson first and the acceptance of the disclosure forms. She'll be quite pleased if we get that through and reported to the House so she can use the forms.

Is there further discussion on that motion?

All in favour of accepting the report on the draft disclosure forms and reporting it to the House?

(Motion agreed to)

The Chair: Mr. Guimond.

[Translation]

Mr. Michel Guimond: We've just adopted the motion, but could we agree to adopt a similar motion to create a subcommittee on gifts?

[English]

The Chair: That's the question: are we asking to recreate the subcommittee we spoke about at the last meeting? Is there discussion on that?

Mr. Reid.

Mr. Scott Reid: I'm in favour of doing it. If there is not a willingness, I won't pursue this, but I think perhaps as an oversight the committee was designed with one member from each party and with the chair from the government, which means there's nobody on the committee from the government side who can question witnesses and that kind of thing.

I'd like to put forward an amendment to say that this committee consist of one member from each party, plus the chair. If it's shot down, I'll still vote in favour of the original motion, but I think that would improve it somewhat.

The Chair: So are you making the motion?

Mr. Scott Reid: No, I think Mr. Guimond effectively made a motion. That is my understanding.

The Chair: So you're amending his motion. On the amendment to that motion, is there any discussion?

Mr. Guimond.

[Translation]

Mr. Michel Guimond: I would remind Mr. Reid that we have already had this debate and voted on this matter. He is entirely within his rights to try again, but we shouldn't debate the same issues. My goal is to move matters forward, not to get further bogged down. If we're going to get into a lengthy debate, then I am prepared to withdraw my motion, if there is unanimous consent, and we'll have another debate. However, I would ask Mr. Reid to consider the fact that we have already debated this matter and that a majority, democratic vote was taken.

[English]

Mr. Scott Reid: I don't doubt the vote was democratic. As I say, I think the subject matter is good. I just think this will improve it. Maybe the appropriate thing is to vote on the amendment. As I've indicated, I'm not wedded to this. I think it would improve the quality of the committee, and I think it would improve the quality of any subcommittee to be structured this way. So I hope people will vote for it, but if they choose to vote against it, I'll then vote in favour of the original motion.

• (1135)

The Chair: Is there any discussion on the amendment?

Mr. Albrecht.

Mr. Harold Albrecht: I don't recall that we did debate that issue as it relates to this gifts committee. We may have, but I don't recall that we did.

It would seem to me that it would make sense to follow the procedure that we used for the subcommittee on agenda, whereby we have the four parties and the chair represented. I think it would be wise to follow the same protocol.

The Chair: Mr. Guimond.

[Translation]

Mr. Michel Guimond: With all due respect, I wish to inform my colleague Harold, who was probably too impressed by the looming economic statement and too anxious about the prospect of prorogation, that I recall discussing this question. We had agreed to go with exactly the same structure as that of the subcommittee on

private members' business. That being said, maybe I'm the one who has grown forgetful over the holidays.

[English]

The Chair: Monsieur Lauzon.

Mr. Guy Lauzon (Stormont—Dundas—South Glengarry, CPC): Thank you, Mr. Chair.

I think what Mr. Reid is saying is that when witnesses appear, he would like the chair to not be able to really take part in the questioning, etc. I think it would just give an opportunity for the government side to be able to question witnesses, etc. I don't think it would derange or do anything to the committee that would prevent the committee from functioning. As Mr. Reid says, I think it would probably enhance the procedures and the insight of the committee. Like Mr. Reid, I'm going to support the motion either way, but I think it would be an act of good faith for all members of the committee to agree with his amendment.

The Chair: Thank you.

Is there any further discussion on the amendment?

Madam Jennings.

Hon. Marlene Jennings: My opinion is that it would have been an act of good faith on the part of Mr. Reid and the other members of the governing party not to have put the amendment forward, given that this amendment was put forward in the previous session, was clearly debated, and was defeated. Mr. Reid was clearly informed that there was no support on the part of the opposition members for that amendment. So the act of good faith by this softer, kinder governing party would have been simply not to put it forward.

That's just my opinion.

The Chair: Mr. Reid.

Mr. Scott Reid: I'm disappointed that Madam Jennings wants to imply that I'm acting in bad faith. In fact, I think if one looks up how bad faith is defined, that's clearly not what's going on here. I'm just surprised at her comment.

I'll just point out the obvious merit here of having a government member. I chaired a subcommittee of this committee that had one member from each party and no government member, and then this committee chose to change it. It was on changing the conflict of interest code. It was changed, and Mr. Goodyear was added as a member. I thought that helped things. It was a consensus committee. We had no votes. I was quite proud of the fact, actually, that we all got along by consensus and did good work.

When you have a consensus committee, I think it's helpful to have all points of view. When you have a committee that might not be operating by consensus—and the history has been over the last little while that this committee has moved away from consensus to actual votes—it's helpful to have someone who can represent the government point of view and can actually debate that point of view. There is no one to do that.

As I say, I'm not going to pursue this, but I'll just make the obvious point. The opposition, if they're working together—and their great claim to fame in this Parliament is that they do work together and potentially could be a coalition government—and if they have the majority, can do whatever they want in the end. So the desire to keep any government member from being on there as an actual member of the subcommittee is disappointing.

This time around I'm not going to raise a fuss about this. As I say, if someone wants to call the question and they all want to vote against it, that's great, and we'll move on. But in the future if this is the attitude that's going to be adopted, they might anticipate that it will be very hard to get subcommittees set up. They might want to think about that.

It is reasonable to have a voice from the government on a subcommittee when there's a danger that it might not operate by consensus, and they don't always do so.

This time, because it was set up in advance and because I'm a person of good faith, notwithstanding Madam Jennings' assertion to the contrary, I'm prepared, if my amendment is defeated, to see the whole thing go forward as originally planned. But I think we ought to think very carefully. This is the last time I'm going to be so agreeable to the idea of having no government voice on the subcommittee. It's not the proper way of setting things up. I guess you all know how I feel about it.

• (1140)

The Chair: Monsieur Guimond.

[*Translation*]

Mr. Michel Guimond: I want to correct something I said earlier. There are in fact two government members on the subcommittee on private members' business, one of whom is the Chair.

I really don't feel like getting into a lengthy debate on this subject today, but I will live with it. We need to put matters in perspective. We're talking about a subcommittee that would be responsible for looking into gifts from the standpoint of the ethics code for MPs. The 308 Members of the House of Commons are allowed to accept gifts and we need to know what rules apply in such instances. No one party is more likely than another to receive gifts. We're talking here about a small subcommittee that would meet perhaps three or four times a year, unless it wants to present a very detailed report and work on it for a year and a half. I really don't see what the problem is. The Chair would have the right to speak up just like the other members. It would not be a formal structure. We shouldn't anticipate problems where there are no problems. This newly created subcommittee is really quite benign.

[*English*]

The Chair: Ms. Block.

Mrs. Kelly Block (Saskatoon—Rosetown—Biggar, CPC): I'm sorry; just in reviewing the minutes, just for clarification, I think we had the debate that is being referred to—on the composition of committees—in regard to the private members' business committee. It was not on the gifts committee. There was no debate about the committee structure at that time.

So just to make sure that we're clear, we had not proposed an amendment to that committee composition and had a debate around

that; it was another committee, earlier in our time, sitting as a committee.

The Chair: Is there any further discussion on the amendment?

Monsieur Godin.

[*Translation*]

Mr. Yvon Godin: There was no debate because no one raised this question. If memory serves me well, aside from the Chair, there are no government members on the official languages committee. The Chair of the steering committee is a Conservative MP, and one member from each party serves on the committee. That issue was not debated. The only debate that took place focused on private members' bills. It was then that I agreed to add another member. Now then, I agree with Michel that no one raised any objections and that this proposal was approved. We're simply asking for the same thing here. It's really quite simple. The parties all agree on this and it would be fair to all Members.

[*English*]

The Chair: Is there any other discussion?

Mr. Lukiwski.

Mr. Tom Lukiwski: Mr. Chair, call the question.

An hon. member: Hear, hear.

The Chair: Okay, this is for Mr. Reid's amendment.

(Amendment negated)

The Chair: On the original motion, on having a committee to look at gifts, go ahead, Mr. Reid.

Mr. Scott Reid: I'm going to vote in favour of this thing. I think it's a very worthwhile subcommittee, and I'm glad Monsieur Guimond brought it up. I think adding clarity—and potentially, if necessary, changing the rules—is a good idea.

I just want to again make the observation that I'm disappointed at what is, I think fairly transparently, an effort to freeze out members of the government and make it difficult for the government to operate on this subcommittee. And you know, I think we should assume that this will be the last subcommittee that we will allow to be set up without a government member on it.

That being said, I think this is an excellent subcommittee, and when you call the question, I'll be voting in favour of that motion.

• (1145)

Mr. Tom Lukiwski: Call the question.

The Chair: In the original motion, we had set a reporting date of June 1, 2009. Are we leaving that there? Yes? Okay.

So then we'll have a vote on the motion with that date in mind.

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

[*Translation*]

Mr. Yvon Godin: Did I in fact hear Mr. Reid say that the government has now decided that there will be no subcommittee? Is he speaking for the Conservative government?

[*English*]

The Chair: Mr. Reid.

Mr. Scott Reid: I think Mr. Godin should assume that's my position.

Mr. Yvon Godin: No, I asked if it was the government's position or just yours.

Mr. Scott Reid: You should assume that if you're trying to get my support on something, you're going to find it hard to do. Just take that for what it's worth.

[*Translation*]

Mr. Yvon Godin: Mr. Chair, could someone clarify something for me? Is this the government's position, or that of Mr. Scott Reid? In case he doesn't know, each committee is the master of its own actions. Each committee has the right to decide if it will have subcommittees and, if so, what their role will be. Mr. Reid is not the one who decides for all of the committees. I want to be clear about that. When he says that he will be voting against this measure, is Mr. Reid speaking as an MP, or for the government which now wants to interfere with committees?

As the Speaker of the House of Commons so aptly put it:

[*English*]

the committee is the master of their own....

The Chair: Thank you for that. We've finished the debate and the moving of that motion. We'll move on. If you need to clarify something with Mr. Reid, I'm sure you can do it outside of the room.

Are there any other motions for today?

Mr. Yvon Godin: I'm sorry, Mr. Chair. I'm referring to the statement he made at the meeting, and I want to know what he said.

The Chair: But we're not in any debate on any issue at the moment, Mr. Godin.

Mr. Yvon Godin: We're not in debate. I'm just asking, since he made a statement, if he could clarify whether it is his or the government's.

Mr. Scott Reid: Point of order, Mr. Chair.

The Chair: Let's try it.

Mr. Scott Reid: I'm responding to Mr. Godin by using the point of order. The answer is that this is what I want to do in this committee. It's not the government's position for every committee.

The Chair: Thank you.

Mr. Guimond.

[*Translation*]

Mr. Michel Guimond: Mr. Chair, I'm re-reading the minutes of proceedings of our third meeting on December 4 last. My colleague Harold can check and see if there was a debate. According to the minutes, this matter was debated. Be that as it may, I don't wish to belabour the point.

According to the minutes, some members were apparently designated. Do we have...

[*English*]

The Chair: Have we not already settled this, sir? Go ahead.

[*Translation*]

Mr. Michel Guimond: Do we know who these Members are? The minutes do not contain names. As I recall, Mrs. DeBellefeuille was supposed to be our party's representative on the committee. And Mrs. DeBellefeuille recalls that Ms. Block had been selected at the Conservative party representative.

[*English*]

The Chair: It said that the subcommittee would be composed of a member of each party following consultations with the whips. That's what we had decided. We have yet to establish that because the whips need to establish that subcommittee.

[*Translation*]

Mr. Michel Guimond: Mrs. DeBellefeuille will represent the Bloc Québécois on the subcommittee on gifts.

[*English*]

The Chair: Excellent.

So we're staying that way. We don't have all the whips here today, so I'm certain we can report them to the clerk. We have Madame DeBellefeuille as the representative of the Bloc. We had established that Ms. Block was ours, but we're not certain, so we'll leave that to report to the clerk.

Mr. Yvon Godin: And we will give the name.

The Chair: Certainly, you will give a name.

Is there any further business for this committee today?

Thank you. The meeting is adjourned.

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