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Chair

Mr. Chris Warkentin

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• (1140)

[English]

The Chair (Mr. Chris Warkentin (Peace River, CPC)): I'm going to call this meeting to order. It's the second meeting of the Standing Committee on Aboriginal Affairs and Northern Development.

Today is an important day. It's a day that we've all been waiting for. It's the opportunity for us to get through, hopefully, routine motions. The routine motions being distributed are as they existed in this committee previous to the dissolution of Parliament. Our committee has not yet passed these. We've moved through a couple....

We procured the services of the Library of Parliament, but that was the only one we undertook. I was elected as chair, I guess, when we last met at committee prior to the summer break.

Members, you now have those routine motions before you. I will need somebody to make each motion. It would be wonderful if we could get through these pretty expeditiously, but I'll leave it to you, members, to move them, to debate as necessary, and, hopefully, if it's not necessary, we can just move to a vote.

I'll leave it now to members to begin the process of making motions with regard to these.

Does everyone have a copy?

Yes.

Mr. John Rafferty (Thunder Bay—Rainy River, NDP): Mr. Chair, I just have a question. You said "vote". Do you run this committee in terms of consensus, where people would just—

The Chair: I'm always hopeful for consensus.

Mr. John Rafferty: Oh, you are.

The Chair: But in the event that—

Mr. John Rafferty: You prefer a vote on each thing, do you?

The Chair: Well, I sometimes find it's easier to gauge the will of committee if we actually have....

I'm not looking to go through members' names. If we could just have quick votes, that probably would be the most expeditious way to move through this.

Ms. Duncan.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): I think Mr. Rafferty is making a valid point. I would prefer if we just asked if

there was a consensus. Then we wouldn't have to go to a vote. It's only if we don't have consensus that we would have to go to a vote. It would save us a lot of time.

The Chair: Mr. Rickford.

Mr. Greg Rickford (Kenora, CPC): Mr. Chair, I have no problem with that. The issue is that the routine motions from the 40th Parliament could hardly apply in certain areas.

Ms. Linda Duncan: I thought we were going to do it provision by provision.

The Chair: That's right.

Mr. Greg Rickford: If we can get consensus—

The Chair: Perhaps I can make myself a little bit more clear here.

I cannot move a motion, so I'm looking for somebody at the table to at least suggest an incarnation of the motions, one after another. Then we can begin this debate. I'd like to move on from this preliminary debate to the actual substantive issues of the motions.

So if somebody has the first motion, if somebody wants to move it, then we can move into a discussion, if there is a discussion. If there seems to be a consensus to move and adopt that, I'm happy to do that.

Am I hearing anybody moving the first motion?

Ms. Linda Duncan: I'll move point 1, the services of analysts from the Library of Parliament, as per the last Parliament.

The Chair: Sorry, that is the one motion that we did pass.

Ms. Linda Duncan: We did pass that. Okay.

The Chair: We're looking at number 2 to begin with.

Ms. Linda Duncan: Then I will move number 2, the motion on 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—I think "a member of the other opposition party" should be removed—and the parliamentary secretary, who will not have a vote.

The Chair: Is there any discussion or debate?

Mr. Rickford.

Mr. Greg Rickford: I'm just reading from the 40th here, that the subcommittee on agenda and procedure be composed of five members, including the chair, the two vice-chairs, the parliamentary secretary, and a member of the Conservative Party. Quorum of the subcommittee shall consist of....

Is that covered in...?

Mr. John Rafferty: We're just on 2, I think, Greg.

Mr. Greg Rickford: Sorry. Yes.

My bad.

The Chair: Ms. Bennett.

Hon. Carolyn Bennett (St. Paul's, Lib.): I'm not sure; "a member of the other opposition party" doesn't exist, right?

The Chair: I think it's been removed from Ms. Duncan's motion.

I think you left that as an omission purposely when you read it out.

Hon. Carolyn Bennett: Okay. Good.

The Chair: Is there consensus with that? Is everyone satisfied with the proposal that was brought forward?

Ms. Linda Duncan: I have a comment, Mr. Chair.

As this is simply for the purpose of getting the perspective of the three parties on items to be discussed in committee, I guess I would ask two questions. Different committees do it in different ways. Some committees have the subcommittee or steering committee—whatever it's called—take a look at coming items and make a recommendation to the committee, who then approve the proposed agenda. If that's the way we will proceed, then I don't see a need to have three members of the Conservative Party and one from each of the other. I don't see any need for that many members if it's just a discussion, but if you're going to insist on that, I guess we lose the vote on that.

The Chair: I don't want to intervene with my own personal opinion. My hope is not to take a partisan position in my role as chair, and I will be serving as chair in that subcommittee as well. So if in fact you were counting me as being under a particular partisan affiliation, I would make every effort not to affiliate in a partisan way in that subcommittee in the same way that I wouldn't here. I don't know if that alleviates any concern, but that would be my intention.

Mr. Rickford.

Mr. Greg Rickford: Just to be clear, out of an abundance of caution, I think, as a matter of consistency, we're trying to reflect the conditions in the House as we see them and apply them here. I don't see any particular reason why this would be contentious. We would like to have three members at subcommittee. We have a mechanism here to deal with a quorum for subcommittee, and furthermore, the parliamentary secretary would have a vote since we will be talking over what will effectively be the agenda. That's my submission, if we can gain consensus.

I was on the right track. I'm sorry. When I was talking about the subcommittee on agenda, there were just a couple of details. We should have a quorum of the subcommittee consisting of at least three members, and each member should be permitted to have one assistant attend any meetings of the subcommittee on agenda and procedure. In addition, Mr. Chair, each party would be permitted to have one staff member from a House officer attend the meetings.

• (1145)

The Chair: So this is an amendment to the motion that was brought forward.

Mr. Greg Rickford: I'm not sure. I'm sorry, I'm lost.

The Chair: No, that's—

Mr. Greg Rickford: What motion are we...?

The Chair: We have a motion that has been brought forward by Ms. Duncan. It is basically the text with the fourth party purposely omitted. There was consensus surrounding the necessity to drop that.

Now you have added to the text of that, so I would suspect you're bringing that forward as an amendment to the motion.

Mr. Greg Rickford: I am, in an effort to gain some consensus.

The Chair: So first, if you would allow me, Ms. Duncan would you consider that a friendly amendment?

Ms. Linda Duncan: No, I would not consider that a friendly amendment.

The Chair: That's fine. I think we'll move into debate on this then.

Ms. Bennett.

Hon. Carolyn Bennett: I think, if I am correct, that staff at in camera meetings and those things are covered in motions 7 and 8.

The Chair: Those deal with in camera meetings, not subcommittee meetings. I think there's a specification relating to the subcommittee.

Mr. Rickford, I'm wondering if, for the benefit of committee members, you would now read the text of the motion including the amendment you brought forward.

Mr. Greg Rickford: You mean the one being brought forward now?

The Chair: Yes.

Mr. Greg Rickford: Do you mean starting from the beginning?

The Chair: Yes.

Mr. Greg Rickford: I move that the subcommittee on agenda and procedure be composed of five members, including the chair, the two vice-chairs, the parliamentary secretary, and a member of the Conservative Party. Quorum of the subcommittee shall consist of at least three members, including one member of the opposition. Each member of the subcommittee shall be permitted to have one assistant attend any meetings of the subcommittee on agenda and procedure. In addition, each party shall be permitted to have one staff member from a House officer attend any meetings.

The Chair: Okay.

Mr. Rafferty, you're first.

Mr. John Rafferty: Thank you, Chair.

I wonder, Mr. Rickford, if maybe you misspoke there. You were talking about the chair, two vice-chairs, and a member of the Conservative Party.

Did you mean to say opposition there, or did you mean to say Conservative at the beginning of your re-read of this motion?

Mr. Greg Rickford: You're talking about the composition?

Mr. John Rafferty: Yes, that it be composed of the chair, two vice-chairs—

Mr. Greg Rickford: So it would be five members, two from here, including the parliamentary secretary, right?

Mr. John Rafferty: Okay, so it would be the chair, two vice-chairs, and another member from the Conservative Party—

Mr. Greg Rickford: Right.

Mr. John Rafferty: That is what you said. Is that what you meant to say?

Mr. Greg Rickford: Yes.

Mr. John Rafferty: Okay, I'm just clarifying that.

The Chair: Mr. Masse.

Ms. Linda Duncan: I think we need some clarification—

Mr. Brian Masse (Windsor West, NDP): I just want to suggest that if Mr. Rickford has documents that can be distributed when we have motions that are being substantially changed like this, it might be helpful to moving things along if he does distribute them.

I don't know if you do have them available in both official languages, but it would be helpful.

To the motion, I'm just a little concerned, in the sense that although this is not my committee—I sit on another committee, so I'm just here as a substitute—you will have nearly 40% of the committee meeting as a subcommittee. You're almost defeating the purpose of a subcommittee, in my opinion. But that's just what I think.

• (1150)

The Chair: Ms. Duncan.

Ms. Linda Duncan: Maybe we need to backtrack a bit for some clarification. Maybe that's where the confusion is.

I'm wondering if Mr. Rickford is presuming that the vice-chairs include a representative of the New Democrats and a representative of the Liberals.

The Chair: Yes.

Pardon me. We already solidified that at the first meeting of this committee, that you are a vice-chair, as is Mr. Bevington.

Ms. Linda Duncan: Okay. So in fact, then, Mr. Rafferty's point was correct.

I'm still confused about what exactly was proposed. It's the chair, the two-vice chairs, the parliamentary secretary, and you're proposing an additional Conservative, and then you said another member of the opposition. Is that what you said?

Mr. Greg Rickford: No, another member of the Conservatives.

Ms. Linda Duncan: So that was a mistake. It was an additional Conservative. That's one, two, three, four, five members.

Mr. Greg Rickford: That would be five members of the subcommittee.

Sorry. I'm talking out of turn here, but that's—

The Chair: Well, Mr. Rickford, you are next on the speaking list.

Maybe for the benefit of all committee members—

Ms. Linda Duncan: I'm not finished yet. Okay?

The Chair: Oh, pardon me.

Ms. Linda Duncan: I would like a rationale from Mr. Rickford as to why he is varying from the previous procedural rule, which was that the parliamentary secretary would not have a vote. Why is he now proposing that the parliamentary secretary have a vote?

The Chair: Mr. Rickford.

Mr. Greg Rickford: That's a good question and the answer lies in the composition of the subcommittee.

First of all, respectfully, the proposal of these routine motions that I'm reading from was given to the critic for the NDP before the summer.

A voice: It was not. No.

Mr. Greg Rickford: Okay, but we discussed this.

I'm sorry. I thought maybe you had a copy of it.

There would be the parliamentary secretary and the Conservative member at subcommittee. We would not hold vice positions; they would go to the opposition. So there's four plus the chair, which is five members.

Hon. Carolyn Bennett: Excuse me.

The Chair: Dr. Bennett.

Hon. Carolyn Bennett: Okay, so—

Ms. Linda Duncan: Nobody answered my second question.

Hon. Carolyn Bennett: Go ahead.

The Chair: I'd like to keep to the speaking list, if we can.

Were you finished?

Ms. Linda Duncan: My second question was about why the parliamentary secretary would be given a vote.

Mr. Greg Rickford: For voting purposes the subcommittee is tasked with crystallizing, if you will, the agenda for the committee as a whole, so we—

Hon. Carolyn Bennett: Sixty percent of the steering committee is Conservative. Does that seem right?

Mr. Greg Rickford: Well, I'm sorry, Dr. Bennett, but the position of the chair, *res ipsa loquitur*, is a Conservative member, but he doesn't necessarily act in that partisan piece. We've seen—

Hon. Carolyn Bennett: If it's a tie, he votes.

Mr. Greg Rickford: If there's a tie, he votes.

Hon. Carolyn Bennett: So it's 60% of the committee.

My intervention will be—

The Chair: Are you finished, Mr. Rickford?

Mr. Greg Rickford: Yes.

The Chair: Dr. Bennett.

Hon. Carolyn Bennett: Parliamentary secretaries have traditionally not had a vote, and there has been a composition of the committee that actually had a preponderance, actually, of opposition.

This is a subcommittee that's only supposed to be looking, and not a decision-making body at all. It's a steering committee, and actually then anything decided by the steering committee gets ratified by the whole committee.

I have to say that in any sort of examination of the arithmetic of this Parliament, having 60% of the members of a steering committee to be from the government side is really unacceptable to anybody looking at that.

Parliamentary secretaries never used to even sit on committees. They are technically members of the government. In holding the government to account, which is the job of every single member of this committee, it really was always that the parliamentary secretary was allowed to come to a steering committee meeting, not allowed to vote, because it didn't seem appropriate that this voice of government could have a sway on steering committees in terms of what is brought forward to the committee.

So I have to say, Mr. Chair, that in the spirit of collegiality, it will become very uncollegial if this goes forward with 60% Conservatives on a steering committee, and it will not stay within this room. This is extraordinarily damaging to the parliamentary procedure of all committee work for this to be strong-armed through. I would suggest to the parliamentary secretary that he rethink this, take away his own vote, and that we can work very well in a three-person steering committee to sort out what needs to be brought back to this committee.

If necessary, if you need to put another person on the steering committee, then I still am not very happy with it, in that it's not the purpose of parliamentary committees to actually do the work of government. The purpose of parliamentary committees is to call government to account. When I chaired many committees when I was a government backbench MP, we did our job of holding our Liberal government to account.

So this is really explosive, actually, in terms of this attempt to hijack parliamentary committees.

•(1155)

The Chair: Mr. Rickford.

Mr. Greg Rickford: Dr. Bennett's intervention has been somewhat persuasive. I think there's always a refreshing new opportunity to do things somewhat differently.

I would seek consensus, then, that while we would maintain a five-member subcommittee, there was a submission I made about a quorum subcommittee, and that, Mr. Chair, at subcommittee, to the extent that something would have to come to a vote, you would not vote.

Hon. Carolyn Bennett: You don't vote. He never votes unless it's a tie. You don't have a vote.

The Chair: I think it's important, Mr. Rickford, that you clarify just for the committee's sake what your amendment to your amendment is, so that there will be full clarity.

Committee members, it may be useful at some point to bring this to a vote, but let's see if there is a way to come to a consensus. I'm sensing that there may be a necessity to go to a vote.

Maybe clarify your amendment to your amendment.

Mr. Greg Rickford: I'm saying that to a certain extent I agree that the subcommittee's function is to do planning, but we have seen scenarios, certainly in the previous session, where a subcommittee

has perhaps unfortunately had to come to a vote due to an inability to agree on things.

I think the five-member composition gives us an opportunity to continue to have robust discussions around what we would ultimately study, but if there are scenarios where a vote may arise out of the subcommittee, I think we have to have a mechanism for that. That's why, under the three-member subcommittee, with just those, with the chair holding the vote, we can't accomplish anything if we ultimately get to a point where we don't agree. These are those scenarios that we hope won't arise.

I certainly take Mr. Masse's point, that we can lay out that language very clearly, that we have a five-member panel, two Conservative members, and vice-chairs of the opposition parties, and then in the event that the subcommittee actually required a vote for something, your vote would obviously be determinate.

I would submit that I'm very hopeful that this kind of scenario won't arise, but I don't think we should put ourselves in a position where we're not able to address that.

To answer Linda's question....

Hon. Carolyn Bennett: I don't believe that Ms. Duncan's question was answered.

Mr. Greg Rickford: I was just about to get there.

Hon. Carolyn Bennett: Okay. Why reverse the tradition of this committee and give the parliamentary secretary a vote?

•(1200)

Mr. Greg Rickford: At subcommittee.

Hon. Carolyn Bennett: It's right here in what we had last year: "the parliamentary secretary, who will not have a vote". It says right here. Your proposal is reversing that tradition in this committee. Ms. Duncan asked you why, and I don't think you've explained.

Mr. Greg Rickford: I was actually saying that during my intervention I would give an explanation. That was a good segue, but it was her turn.

The Chair: Mr. Rickford, I want you to be sure that you complete your time. I was uncertain if Ms. Bennett was coming forward with a point of order. It wasn't a point of order.

Please, complete your point. Dr. Bennett is the only one left on the speaking list after you've completed.

Mr. Greg Rickford: Sure. Thank you.

The reason for the parliamentary secretary vote is nothing more than a safeguard for the interests of this committee in its current composition, as is reflected in the House. I don't anticipate, and I'm hopeful that this sort of scenario will never arise.

I'm not interested, respectfully, in traditions, particularly when the frame of reference is from the 40th legislature, where other parties are mentioned. It has very little to do with reflecting the conditions we all served under in the last Parliament. That's pretty straightforward.

I think I may have gotten my wires crossed with Linda to the extent that the frame of reference for discussions on routine motions was not the Standing Orders as they existed from the last session. They could never be that, because they reflected a minority government and minorities at every committee.

Ms. Linda Duncan: This is the first I've heard of your proposal.

The Chair: Thank you, Mr. Rickford.

Ms. Bennett.

Hon. Carolyn Bennett: In the last Parliament there were three members of the opposition and two members of the government, neither of whom really voted at the beginning. The chair didn't really have a vote and the parliamentary secretary didn't really have a vote. There was an approach by consensus.

We now are having proposed that on the steering committee the government have 60% of the membership, and they have 40% of the Parliament. It just makes no sense at all.

It's a very bad beginning to this committee, Mr. Chair. The parliamentary secretary has still not explained why he needs a vote. He never had one before. Why does he need it now that you're actually in a majority position?

The Chair: Committee members, we are masters—

Hon. Carolyn Bennett: The arithmetic is in your favour now.

The Chair: As committees, we are masters of our own destiny.

As you know, Ms. Bennett, committees vary, in some cases significantly, with regard to routine motions. Just to speak frankly from my experience in the last Parliament, the parliamentary secretary did receive a vote on the committee of which I was a vice-chair in the last Parliament.

It varies from committee to committee. This committee can decide its own destiny, but I'm hoping we can get through at least one routine motion today. I would like to complete them today, if there's any way we can do that.

Mr. Masse, you're next on the speaking list.

Mr. Brian Masse: When I arrived here in 2002, there was a Liberal majority government and there were no parliamentary secretaries at all involved in committees. They were independent.

Mr. Rickford is privy to information the rest of us are not. That taints the discussions and also the makeup of what you do at committee, because for sometimes really good reasons and sometimes unintentional reasons, sometimes there is motivation....

In 2004 it was the Martin administration that first introduced the parliamentary secretary to committees. That departed from Canadian historical traditions. From that, what we've seen—and I think what we're seeing here as a sensitivity—is that it has become further entrenched, to the point where it's even subcommittee business that we're arguing over. This reminds me of my city council days, when you're arguing on a four-way stop for two or three hours versus a deal of a couple of million dollars. The reality at the end of the day is that the subcommittee reports to the main committee, and the main committee makes the decisions.

But I just wanted to put this on the record. I know that Mr. Rickford has to do his job. At the same time, this is where the problem is emerging. Committees were independent of the PS position. No offence to the individual PS, but it did have an effect upon what takes place and how things take place.

I would suggest that you remove that element of it. They're still ultimately decisions of the main committee. You'll find some consensus I think at that point, and hopefully other stuff can move forward.

• (1205)

The Chair: Ms. Duncan.

Ms. Linda Duncan: I want to echo what Mr. Masse said and as I suggested, which is that we stay with the parliamentary secretary being a member of the subcommittee but not having a vote. I would propose a friendly amendment—

The Chair: Okay. I should just jump in—and I do apologize—because it was I who started suggesting we should have friendly amendments. I've been told that in our structure we don't have such a thing as a friendly amendment.

Ms. Linda Duncan: Okay. Well, you can have an unfriendly amendment. It's an amendment.

The Chair: So it's simply an amendment. I do apologize. It was I who was leading you down the garden path.

Ms. Linda Duncan: I'm hoping it's a friendly amendment and that decisions can be pursued on a consensus basis. Let me explain. What happened in our environment committee was that if we could not reach consensus, we simply reported back, and the committee then discussed and voted on the agenda item.

I think that's the best way to resolve it. That would be my suggestion as the compromise.

The Chair: What we have now is the motion. We have an amendment. We have an amendment on the amendment by the amender. Now we have yet a third amender. So I suspect what you're doing is striking significant portions of the amendment that.... I think what we had best do is dispose of some of these amendments before we start amending...so we can come back to the main motion. I don't—

Ms. Linda Duncan: I'm not sure that we don't still have the main motion.

The Chair: We do have the main motion. There has been an amendment suggested by Mr. Rickford, subsequently amended yet again. What would be helpful, and if I can—

Ms. Linda Duncan: Read where we're at....

The Chair: Can we dispose of the amendment that was brought forward to the main motion first before we bring substantive amendments that are headed in a different direction?

Ms. Linda Duncan: The rest of us are at disadvantage because we don't have the motion—

The Chair: Yes. We have to do the subamendments first. The motion was...the text that Ms. Duncan read.... The subamendment and the amendment we would have to now vote on. Then, when we get back to the main motion again, we can entertain additional amendments. You're no longer discussing amendments to the subamendment; you're talking now about amendments to the main motion.

Ms. Linda Duncan: So someone else has to amend it. We're on my motion, but you amend it. All right.

The Chair: We can continue the debate, but my preference, committee members, is to at least dispose of the subamendment first.

Hon. Carolyn Bennett: Mr. Chair, I don't know if this is a point or order or what, but perhaps we could step back and have a decision that the steering committee is the advisory committee; that it advises; that you don't vote at a steering committee or then all of this is moot; that it is just an advisory committee that comes together to try to come up with a menu of things to bring to the main committee; then we don't have to vote and we don't have to worry about whether the parliamentary secretary has a vote or not.

The Chair: Based on the motions and the amendments that have been brought forward, the only way to get to that point in the discussion is actually to defeat the amendment and the subamendment to the motion.

What I would like to do, if it is the will of the committee, is to dispose of the amendments and the subamendments first.

Hon. Carolyn Bennett: Just in terms of working together, I think what Ms. Duncan and I think....

My experience over the years, as Brian was saying, is that—

The Chair: Ms. Bennett, I do apologize.

Hon. Carolyn Bennett: No, but—

The Chair: I recognized you in the spirit that it was a point of order, but we do have a speaking list if we're going to continue debate.

Hon. Carolyn Bennett: I just think it's fair to everybody to understand this. I don't like votes at committees, because going by consensus is the way.

The Chair: Ms. Bennett, I have to shut you down. I have to honour the speaking order. I do appreciate it, but it wasn't a point of order. I'll make sure that you are on the speaking list.

Mr. Rickford.

Mr. Greg Rickford: Thank you, Mr. Chair.

I have a couple of points here.

First of all, I certainly hope and intend that the role of subcommittee will be what it has traditionally been: to plan an agenda. I don't anticipate scenarios where they vote, although I have been a parliamentary secretary and voted at subcommittee in the modern day. I completely appreciate and understand Brian's earlier intervention that this has been an evolution of the parliamentary secretary position becoming more entrenched in the committee process. I take those points, and I appreciate them very much.

Just peremptorily, I'm saying that it's my belief...and it's certainly been my effort and the effort of this side of the table that we never get into a situation in subcommittee where there's voting. But I can say respectfully to my friends across the way that under the previous conditions we were in, in the 40th legislature, we consistently actually did vote at subcommittee because so often there seemed to be so many differences. So this is really just a mechanism, if you will, to deal with those kinds of scenarios.

Ultimately, Mr. Chair, I share the prevailing concern that we're in motion, amendment, subamendment. There are a couple of things, in my mind, that deal with this. One, if we can't come to the consensus on the subamendments, then we can vote on the main motion, and it will not be consistent with the side of this table.

• (1210)

The Chair: Colleagues, this is where we're at, as far as I can understand as the chair, and this is what I am going to now enforce.

We've had a motion that was brought forward to the table by Ms. Duncan. Then there was an amendment brought forward by Mr. Rickford, and then subsequently a subamendment to that amendment by Mr. Rickford again.

I am going to now enforce that any conversation at this table only deal with the subamendment. We will then dispose of that. I'm going to enforce that we no longer speak to the broader issues but simply to the subamendment.

Once people have completed their discussions, we will go to a vote with regard to the subamendment, get back to the amendment, and then hopefully the main motion, or subsequent amendments if necessary.

Mr. Seeback....

Oh, pardon me. Ms. Bennett was on the list first.

Again, we're speaking to the subamendment only.

An hon. member: What was it again?

The Chair: I believe the suggestion by Mr. Rickford was that at subcommittee, the chair would not have a vote.

Mr. Greg Rickford: Oh. If I said that, I misspoke.

The Chair: Okay.

So there is no subamendment. We're then at the amendment. The amendment is the text that Mr. Rickford added to Ms. Duncan's main motion.

Mr. Greg Rickford: That's right.

The Chair: Okay.

Ms. Bennett.

Hon. Carolyn Bennett: The context of my concern is literally the devolution of Parliament. What Mr. Masse is describing, I think...I was in this room for the defence committee, and to see a parliamentary secretary arrive with a work plan for a committee, which the committee is supposed to vote on, is unacceptable, I think, in our parliamentary system. Therefore, all my concerns, whether we're talking about an amendment or a subamendment, are about making sure that is not possible and not part of the culture of this committee.

That's where I'm coming from. That's all I have to say.

The Chair: I just want to steer everybody to the amendment.

If people have comments, we'll get back to the main motion, and depending on how it's amended or not amended, we'll have those broader discussions.

Are there committee members who would like to speak to the amendment? The next people on the speaking list are Mr. Seeback and then Mr. Masse. I would just ask that if members have comments to make that they be with regard to the amendment.

Mr. Kyle Seeback (Brampton West, CPC): The subcommittee is supposed to be a steering committee, and in order to be that, it actually has to get work done and make decisions. If the subcommittee operates only by consent and there isn't consent on something and it has to be brought back to the main committee, that's just a waste of time.

We're here to try to expeditiously move through things. We have to have a subcommittee that can make decisions so that the whole committee can get work done. To me that's why the amendment makes sense: we can have decisions at the subcommittee and we don't have to continuously come back to the committee and say we couldn't reach a decision, and chew up more committee time trying to make a decision about a decision.

I think this amendment makes an enormous amount of sense.

•(1215)

The Chair: Mr. Masse.

Mr. Brian Masse: Trying to find some consensus, I wonder whether Mr. Rickford would consider adding the extra Conservative member but not having them vote. That allows four members to be there, two Conservatives, the two vice-chairs, and then obviously the chair could make the decision at the end of the day. That would allow some type of compromise, and the parliamentary secretary could attend but wouldn't have the vote. That would be the one additional Conservative.

The Chair: Are there any other comments before we move to a vote on the amendment?

Mr. Rickford.

Mr. Greg Rickford: I actually appreciate that, Brian. I think I should make it clear that I don't necessarily want to shift that onus onto the chair. I think that mathematically it gives rise to a lingering contention that one Conservative and the chair vote, but it doesn't "majoralize", if you will, a final decision-making mechanism. That would be my only critique of it, but I think it is a good effort to seek some consensus.

The Chair: Mr. Masse.

Mr. Brian Masse: I appreciate that, and you're right. The only thing is that this committee reports back to the main committee, which has ultimate authority. That's the only reason I suggested that as a compromise, and I understand your counter-argument. That was a concern when I was proposing it, but I'm trying to find some common ground.

The Chair: Are committee members ready for a vote on the amendment to the main motion?

Mr. Rickford.

Mr. Greg Rickford: Just to be clear, Mr. Chair, I take it the subamendments include those other administrative pieces, including the quorum mechanism that permits each member to have an assistant at the meeting and the permission for each party to have one staff member from a House officer attend a subcommittee meeting?

The Chair: That is the way it has been documented.

Ms. Duncan.

Ms. Linda Duncan: I have a few questions on that before we vote.

I guess we're going to have to amend the motion after, to vote on whether or not we will add my recommendation that the subcommittee pursue its decisions based on consensus.

The Chair: We're speaking only to the amendment to the motion at this point in time.

Can we go to the vote?

Ms. Linda Duncan: We don't usually do the subamendment of the amendment before the amendment?

The Chair: Apparently I was mistaken. There was not a subamendment to the amendment. It was simply the amendment.

Ms. Linda Duncan: Well, there was, but I made it, so one of my colleagues could make it instead—

The Chair: Pardon me. Was that a—

Ms. Linda Duncan: I was putting it forward as a change, but it's probably more appropriate under the rules that one of my colleagues...

The Chair: It's totally within the scope of your role.

Ms. Linda Duncan: I can amend my own motion...? It seems a little odd to me.

Some hon. members: Oh, oh!

The Chair: Give me one second here. My understanding is that you would be amending the amendment, but if you're going to amend the main motion, then I think it's better that we deal with the amendment first.

Ms. Linda Duncan: I can amend the amendment. It doesn't make any difference to me—

The Chair: Okay. If you're fine to make it to the main motion, we will wait until we're back to the main motion.

All those in favour of the amendment to the main motion?

Mr. Greg Rickford: Mr. Chair, if I may just caution...I think it's worth, as the clerk understands it, reading what—

The Chair: Yes, absolutely. Let's read it.

The Clerk of the Committee (Mr. Jean-Marie David): The motion may be somewhat modified grammatically, but right now what I have is that the subcommittee on agenda and procedure be established and be composed of five members, including the chair, the two vice-chairs, the parliamentary secretary, and another government member, quorum consisting of three members. Each member is allowed one staffer and one representative for each party.

The Chair: Can we go to the vote?

Mr. Payne.

•(1220)

Mr. LaVar Payne (Medicine Hat, CPC): Thank you, Chair.

I have a question in terms of the vote for the PS. That should be included in your amendment. I think that's what your amendment included: a vote for the PS—

Mr. Greg Rickford: It's the exclusion of that line as it reads in the previous session of Parliament. In other words, that's a good point, Mr. Chair: that the parliamentary secretary will have a vote.

The Chair: I think that's clear from the way it was read.

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

The Chair: That motion is carried, so we're back to the main motion as it now reads. Is there any discussion on the main motion?

Ms. Duncan.

Ms. Linda Duncan: I would like to propose...well, what's the point? It should have been done the other way around, but I'll propose the amendment anyway: that decisions be by consensus.

The Chair: So that text would tag onto the final...?

Ms. Linda Duncan: Yes.

The Chair: Seeing no debate on the matter, we will vote on this new amendment by Ms. Duncan.

(Amendment negated)

The Chair: The amendment is defeated, so we go back to the main motion. Are members prepared to vote on the main motion? We are now on the main motion as it was amended by Mr. Rickford. Not seeing anybody intervening....

Mr. Rickford.

Mr. Greg Rickford: Just to be sure here, the main motion as it was amended is what we voted on.

The Chair: What we heard, that was essentially...there were so many amendments to the main motion that, yes, the text that was read is now what the main motion reads as, the amended main motion. That is now what we're voting on.

Mr. Masse.

Mr. Brian Masse: I've been through enough committees that... We're on point number 2 here and what we're talking about is a subcommittee on agenda and procedure, which then actually reports to the ultimate authority, that being this committee. I would suggest to the government members that if you want to work together in a more positive environment, this is a pretty heavy hammer over a vote, a single individual vote, and no loss of control.

So as we go down this road, I don't know... I've worked on other committees. I've been on the industry committee for, jeez, nine years, and we've had times when we didn't agree, but there was always an attempt to reach out to try to build that spirit. This is a pretty heavy hammer for a subcommittee procedure.

Thank you.

The Chair: Are we prepared for the vote? I'm not seeing any interventions. All those in favour of the motion as it has been amended?

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

The Chair: I'll be seeking somebody to move the third motion.

Mr. Seeback.

Mr. Kyle Seeback: I'm happy to move, on reduced quorum, 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 one member of the opposition and one member of the government.

The Chair: Seeing no intervention....

Ms. Duncan.

Ms. Linda Duncan: I frankly find that kind of provision very offensive. I mean, the whole role of the committee is to review legislation, to review any policies or matters referred by the government to this committee, and to review other matters that this committee agrees are substantive matters that should be reviewed, open to the public.

I find it appalling that there could be one opposition member and one Conservative member, and the chair presumably, to hear witnesses. To me that's not the process. I mean, I certainly wouldn't want to be a witness coming in and testifying on a significant matter implicating aboriginal Canadians, or opportunities in Canada's north, heard by two members and a chair.

Maybe this provision has been common within the committee, but I just find it really inappropriate to the whole idea of members of the public, experts, representatives of the civil service coming in and presenting to the committee when that committee could at any time consist of a meeting called where there is one Conservative member, one opposition member, and the chair.

I don't know how other committee members feel, but I just find it very bizarre.

•(1225)

The Chair: I may be able to offer some clarity on the reason it is in existence. This is a standard motion. It's a long-standing motion. It's very clear that it's simply to hear testimony.

Apparently, long before I showed up here, there were circumstances, either inclement weather or something else, that restricted people's mobility to get to a committee meeting where, in some cases, people had flown in at their own expense to provide testimony. This was a way for committee members to at least have that information on the record and be able to provide the courtesy actually to the witnesses in unfortunate circumstances where that may need to take place.

So it is the authorization simply to receive evidence, not to make any decisions.

Ms. Linda Duncan: May I respond to that?

The Chair: Yes.

Ms. Linda Duncan: In this modern day and age, where we are actually telecasting and teleprompting testimony from many witnesses, I find it really outdated and just frankly inappropriate. Just as important as hearing the testimony of the witnesses is the opportunity to cross-examine the witnesses.

I'm putting my own fellow members on the spot, but I just frankly find it inappropriate. At least it should say that it's only when absolutely no other means is available to hear that testimony and make available the opportunity to ask questions.

I just think it's really outdated in this day and age when technologically we can bring in the testimony of witnesses.

The Chair: Mr. Rickford.

Mr. Greg Rickford: In the original text of the reduced quorum motion for the 40th Parliament, the reason that the travel is.... I'm not sure it could be seen as offensive, but we can agree to disagree about that. We're just saying that certainly we have six members, and when a witness is here, a member of the opposition should be here and a member of the government should be here to listen to the witness and to cross-examine.

I think there's a matter of substance there that when we're hearing a witness, and we're hearing your questions, they can often have an impact on the questions that we'll subsequently ask. I don't see this as anything more than actually procedure that we would like to follow, and that is, if a witness is going to be presented, and if travel arises, we want at least one member of the government and one member of the official opposition present—always.

The Chair: Mr. Wilks.

Mr. David Wilks (Kootenay—Columbia, CPC): Thank you, Mr. Chair.

I concur with the three members being present, specifically because if a person comes to provide testimony to us and we don't have that quorum, then of course that evidence can't be received. It's a bare minimum. It's not to say that this is the way we want it to be, but it provides for a bare minimum.

The Chair: Ms. Duncan, and then Mr. Clarke.

Ms. Linda Duncan: I was going to propose amendments qualifying that, something along the lines of adding—and I'm open to somebody wording it more appropriately—"provided that no other means of hearing and review of that testimony is available".

That puts the onus on us to consider seeking another way to do that, because I feel very strongly that due process allows that we don't make decisions except based on the process that we all hear common testimony and that all members of the committee have the opportunity to cross-examine a witness.

That's my bigger problem with it. Yes, we can send a camera out and somebody can record the testimony and so forth, but an equally important role of this committee is to ask questions of our witnesses, no matter where they come from.

I would prefer that this be added in. I think it's a modernization amendment. We now have a lot of ways of receiving testimony and asking questions.

• (1230)

The Chair: Committee members, we do have an amendment now. I don't want to intervene, but I just want to suggest that the breadth of the amendment may encumber our clerk in ways that maybe weren't intended. Because it would be his responsibility to be dreaming up possible.... There is always a way to have different circumstances, but it sometimes may delay things and it may cost an exorbitant amount. I just want you to be aware that you may be encumbering our committee.

Ms. Linda Duncan: That's if no other reasonable means of hearing and reviewing that testimony is available.

The Chair: There may be issues of interpretation on that, but I'm not in a position to speak.

Mr. Clarke.

Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC): Thank you, Mr. Chairman.

Some of us have experienced a reduced quorum on another committee. When a committee travels, we've had instances of the committee members, in order to make a flight or travel...instances where two government members and one opposition member and the chair were present. That's when the Liberals were acting in the chair position. With the reduced quorum, there were no problems. The only problem was that the members could not be present because they had to make their flights or travel arrangements on a Thursday or Friday night just to get home.

Really, I don't see this reduced quorum as an issue here. For one thing, if the committee does have to travel, sometimes a reduced quorum will be necessary.

The Chair: Mr. Rickford.

Again, we are speaking to the amendment now, not the main motion. It is Ms. Duncan's amendment.

Mr. Greg Rickford: Which was the...?

The Chair: It was with regard to the—

Ms. Linda Duncan: It was "provided no other reasonable means of hearing and reviewing that testimony is available".

The Chair: Yes. It's not that anybody was going off... I just wanted to remind members that this is what we were discussing.

Mr. Rickford.

Mr. Greg Rickford: I guess I've lost an understanding of how that adds anything to this particular item. The changes that have been proposed were to accommodate, as a standard, all three political parties that sit on this committee, in the event that travel arises or to the extent that it becomes an issue. Simply, it is that there would always be a member of the government and a member of the official opposition and that there would be no other basis or ability for a reduced quorum to hear testimony from witnesses.

It's simple. We'd like to play fair and we'd like to ensure that in a worst-case scenario—which I think, not to digress, is really what these motions are talking about, particularly the last one—this would be built in.

The standard would be to make sufficient arrangements so that everybody could be there, all three members, a member from each party—I'm sorry, Linda—but in the event that travel occurred and gave rise to an issue outside the parliamentary precinct, we would not proceed unless there were a member from the NDP and a member from this government.

The Chair: Ms. Bennett.

Hon. Carolyn Bennett: I think Rob has raised a very important point about committee travel. I've been on certain committees that have split up so that half the committee has gone east and the other half has gone west, and then both have come back together.

I agree with Ms. Duncan that having three people is a bit paltry, but I think this standing order allows us the flexibility to divide up and go many places if we have to and still be able to hear witnesses. All of us can then review the testimony that was heard in the other places.

I would probably feel more comfortable if it were five or something like that, but I think, Mr. Chair, as long as you promise we'll travel, I'll go along with it this time.

Some hon. members: Oh, oh!

• (1235)

The Chair: Let's make this absolutely clear: Committee members are entitled to attend every single committee hearing. If there's a decision by the committee to reduce the quorum, that will be the committee's decision. But this is just ensuring that there is a bare minimum, a worst-circumstance threshold below which testimony would never be heard. This is the bare minimum, and I don't think anybody would suggest that we would have to go into this type of situation. However, this is the bare minimum at which testimony would ever be heard. This is the worst-case scenario in which testimony could be heard.

Ms. Duncan, and then Mr. Rickford.

Ms. Linda Duncan: The problem is this can be read two ways. I can understand where the government is saying, "Well, we want to make sure we're represented if there's going to be a quorum of just three". But it works the other way too. Given that the government is now determining the entire agenda of this committee, it's fully possible that sessions could be held for which none of us was available or only one person was. So you have to be careful, because this can be read both ways. It is now fully authorized that every meeting can be two members and the chair. That's why I wanted to add that provision in. It doesn't take away from the quorum. It simply—

The Chair: I'd like to just jump in here. Just to be absolutely clear for your benefit, there seems to be a misunderstanding. This is only to receive testimony. There is no ability under a reduced quorum to make any decision whatsoever. This is simply to intake testimony that would be provided by witnesses. This is a long-standing motion of the House of Commons, and I don't believe this has been modified by anybody.

This is one of the simple motions, folks. We have to get through these. If there's any way we could expedite this, it would be—

Ms. Linda Duncan: I made the amendment in good faith—

The Chair: I do apologize. I've been...

Mr. Rickford.

Mr. Greg Rickford: Again, I agree. This is very simple. It is saying that as the standard where a reduced quorum prevails, every member of a party is reflected to take that witness, to take the information. In a worst-case travel scenario outside of the parliamentary precinct when, for example, we go to Yellowknife and we have scheduled hearings, and people coming from different parts of the country can't all get there, there would be a guarantee that we could never proceed with hearing a witness unless there was one member of the government and one member—and this actually says, as it stands, of the "opposition". We're suggesting "official opposition", so the *de minimis*—

Ms. Linda Duncan: It doesn't say that, does it?

Mr. Greg Rickford: Well, no, it doesn't, but we were not in a position to vote on that. The chair directed us to talk about your amendment, which we—

The Chair: We are speaking to just the amendment, folks. Are we ready to proceed to a vote on the amendment?

Ms. Bennett, I do have your name on my speaking list.

Can we proceed to a vote on the amendment? It is Ms. Duncan's amendment.

Mr. Payne.

Mr. LaVar Payne: Could you please read the amendment so it's clear?

The Chair: Mr. Clerk.

The Clerk: At the end of the motion, you would add "provided no other reasonable means of hearing and reviewing the testimony is available".

The Chair: Are we prepared to go to a vote on the amendment?

Seeing no interventions, all those in favour of the amendment?

(Amendment negated)

The Chair: Now we go back to the main motion.

Mr. Rickford.

• (1240)

Mr. Greg Rickford: Mr. Chair, if you'll indulge me, is it the case that I can't propose an amendment? Is that what I can't do, or do I have to—

The Chair: You can, as we're back to the main motion now. If you do want to bring forward amendments to the main motion, it would be the time to do it.

Mr. Greg Rickford: Okay.

So under the motion on reduced quorum, I move 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 members are present—those being the chair and a member from each party that sits at this table—including one member from each recognized party. And then on the matter of travel, if scheduled hearings occur outside the parliamentary precinct, that is, to take in witness information, at least one member of the official opposition be present and one member of the government.

The Chair: I am simply asking a technical question, but the burden of this is now far greater than quorum in general, only because it puts the onus on the Liberal member always to be in her seat, because there is only one Liberal member?

An hon. member: [*Inaudible—Editor*]

The Chair: No, no, I'm just asking this because that is what is being suggested, and I just want clarity.

The burden now is far greater, and Ms. Bennett would actually be in a position where she would have to attend or have a replacement for absolutely every meeting, otherwise we wouldn't be able to proceed with the hearing of testimony. We'd be able to do other things because we'd have quorum, but not necessarily to hear witnesses.

Hon. Carolyn Bennett: It would be very difficult in a situation where the committee were split going east and west. It would be very difficult for me to have a replacement when I'd already be there.

The Chair: That's why I'm asking the question, because I think there was maybe an unintended prescription there.

Ms. Bennett.

Hon. Carolyn Bennett: It would mean that you couldn't split a committee and that the other half of the committee would never get to hear witnesses. The Liberals are only entitled to one seat, so if the committee split, we couldn't have half a person in both places, right?

The Chair: I identify with that. I think what's happening here is there's been a prescription that would mean that as soon as you were to leave your seat, witnesses would be excused from the table—under the amendment that's being proposed by Mr. Rickford.

I don't think that's what you intended to do. I just point that out, because it seems odd that we would place such an onus on a single member of our committee.

Ms. Duncan.

Ms. Linda Duncan: In fact, Mr. Rickford's amendment doesn't prescribe that. It simply says four members, and it specifies the official opposition. So it doesn't require that any one of those persons be a representative of the Liberal Party. If it did, it would have protected their interests, but it doesn't prescribe that at all.

The Chair: I misunderstood it, then, and I do apologize.

The way I heard it, and I think there were others who maybe heard it the same way, was that the prescription for on-precinct hearings was that a member of every party be present.

An hon. member: Yes.

The Chair: So if Ms. Bennett were to leave her chair during a hearing, she would be considered absent and therefore we wouldn't be able to continue to hear from witnesses.

I think we're maybe becoming too prescriptive and that it's going to make it increasingly difficult, specifically for a party where there is only a single member representing it.

Mr. Masse, then Ms. Duncan, and then Mr. Rickford.

• (1245)

Mr. Brian Masse: I'll just revisit that a bit.

I have concerns over “recognized party”, because we have a situation in the House that could spill over into committees. Right now the Bloc is getting up and voting as the Bloc and they're not an official recognized party. They don't have that volume or stature that gives them official party status in the House of Commons. Yet there has been a tendency to allow them to take votes as a group that is different.... They're actually individual members who have been identified. Having been there before in that environment.... I'm a little concerned about the specifics of a recognized party and how that interpretation could lead to a House ruling on the committee at some point in time.

Keep “official opposition” in and drop “recognized party”. It's just a suggestion.

The Chair: So now we're talking about a subamendment to the amendment on the main motion.

Seeing no additional intervention on the subamendment to the amendment on the main motion, can we go to a vote? All those in favour of—

A voice: Are you going to say what it is?

The Chair: Mr. Masse's suggestion, as I understood it, was to remove your reference to officially recognized party.

Mr. Brian Masse: Just put “official opposition”.

The Chair: You have the text, Mr. Rickford. Do you see in the text where that would be removed?

Mr. Greg Rickford: Yes. If I understood Mr. Masse, my submission, Brian, on the official opposition was a safeguard for off-precinct hearings, and that would guarantee that.

With respect to on-precinct hearings, you're saying provided that at least four members are present.

Mr. Brian Masse: Yes, three or four. I don't know the—

Mr. Greg Rickford: I think the assumption is that that fourth position is the chair.

Ms. Linda Duncan: No, the chair is already there. The assumption was that it would be the Liberals—

Mr. Greg Rickford: Oh, the chair would be authorized...yes, so that should be three, sorry. Did I say four?

Mr. Brian Masse: I'm not opposed to four, but I was just more concerned about getting out “recognized party”.

Mr. Greg Rickford: Yes. In other words, if I understand, Brian, you're suggesting that it provide that at least three members are present, including one member of the opposition—

Ms. Linda Duncan: Official opposition.

Mr. Greg Rickford: Official opposition. That's fine.

The only thing we've added is the travel scenario, where things went wonky.

Ms. Linda Duncan: Taking away that thing about recognized parties?

Mr. Greg Rickford: Yes.

The Chair: I understand there's been a consensus developed here, so I'm not going to proceed on a vote of the subamendment to the amendment of the main motion.

Would somebody read, for committee members' benefit, including my own, what the amendment now reads to the main motion?

Mr. Greg Rickford: If I may, it reads 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.

That would be on-precinct; off-precinct.... You're still good? You're giving me looks.

Mr. Brian Masse: We still need "including one member of the official opposition".

Mr. Greg Rickford: Including one member of the opposition.

Ms. Linda Duncan: Official opposition.

Mr. Greg Rickford: Official opposition, sorry.

The Chair: And one of the government.

•(1250)

Mr. Greg Rickford: And one of the government. And then for off-precinct, one member of the government and one member of the official opposition.

Ms. Linda Duncan: Is it exactly the same?

Mr. Greg Rickford: It's just for off-precinct. The first part refers to here, and the other sentence is just to deal with a scenario in which we're taking testimony off the Hill.

Ms. Linda Duncan: If they aren't exactly the same, why—

The Chair: I think what we have now is an exact scenario. You have prescribed the same situation for both on-precinct and off-precinct hearings. So I think we're back to having a lot more words saying the same thing the original motion said.

Ms. Linda Duncan: They're not different.

Mr. Greg Rickford: So they deal with both prima facie. Okay, that's fine.

The Chair: So what—

Mr. Greg Rickford: There's no need to talk to this.

The Chair: Mr. Rickford, we do still have your amendment on the table. You can retract it or we can vote on it.

Mr. Greg Rickford: No, I'm happy to retract it, and the motion—

The Chair: So we're now on the main motion, folks, as it was originally read.

Mr. Payne.

Mr. LaVar Payne: If it's on the main motion, I think—

The Chair: It's the main motion as amended. Pardon me.

Mr. LaVar Payne: Thank you. That's all I wanted to point out.

The Chair: I do apologize. I don't want to be part of the problem. That was a consensus. We have completed that. It's now in place.

Mr. Rafferty.

Mr. John Rafferty: Mr. Chair, if we're finished with that one now, I'd like to make a motion that we accept routine motions 4 through 9, as written. Can we do that?

Ms. Linda Duncan: No, we won't. You mean 4 through 8?

The Chair: We can do that, but there is one on which you may want to seek consensus, at least from your own side.

Mr. John Rafferty: Well, if you want to do each of them separately, okay.

The Chair: No, I'm here to—

Mr. John Rafferty: We're on routine motions 4 through 8.

I would like to move that we accept routine motions 4 through 8 as they are written.

The Chair: Is there debate?

Mr. Rickford.

Mr. Greg Rickford: On number 6, I believe—

The Chair: The motion is to accept them in their entirety from 4 through 8. Are there questions with regard to that motion?

Mr. Greg Rickford: Sorry, no there aren't.

The Chair: Can we move to a vote with regard to accepting routine motions 4 through 8 as they're written?

Some hon. members: Agreed.

The Chair: Ms. Bennett.

Hon. Carolyn Bennett: Regarding number 6, maybe for clarification from the clerk, in terms of the two, if somebody needs an attendant because they have a disability, is that included? Is that a call you can make yourself without it being in the standing orders?

A voice: Yes.

Hon. Carolyn Bennett: Okay, thank you.

The Chair: So we have conceded routine motions through to number 8.

On number 9, does somebody want to move a motion?

Ms. Duncan.

Ms. Linda Duncan: Yes, I would like to move a motion on notice of motions, that 24 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.

If I may speak to that, Mr. Chair, it was my experience—and as I recall it might even have been my error—that in my previous committee I suggested a longer period of notice. It ended up greatly inconveniencing the business of the committee.

There may well be many occasions on which all the committee members would like to move more expeditiously on a matter. Say, for example, a motion is tabled to hear from the minister on the estimates and nobody has brought to the attention of the chair that the timeline is almost up. We would not be able to consider and vote on that motion in a timely enough fashion to actually hear the minister. There may be a case involving officials from the department and so forth regarding a matter that suddenly comes upon us.

My guess is that in most cases the committee will agree to refer a matter to the steering committee if the motion relates to a substantive matter anyway. But I think we should allow ourselves the 24 hours, which, I understand, is not a day, right? It's until the next meeting. Am I correct in the calculation?

I just think that I unnecessarily and in an uninformed way actually recommended that there be a longer time period, and we've discovered in our committee that requiring a longer time period for consideration of a motion can sometimes be a disadvantage to the workings of the committee.

• (1255)

The Chair: I would just seek clarification—

Ms. Linda Duncan: Of the 48 hours as previously.

The Chair: You then read.... You said “24 hours”.

Ms. Linda Duncan: It's exactly the same motion, but I switched 48 to 24.

The Chair: So 24 hours is what you would like it to read?

Ms. Linda Duncan: That's correct.

The Chair: Mr. Rickford.

Mr. Greg Rickford: I can appreciate what Ms. Duncan is saying, but I don't think it fairly reflects the ebb and flow and the reasonability of people's availability during this regularly scheduled business week. My only addition—I realize I'm straying from these strict rules—is Monday and clarifying what the business hours actually are, but the 48 hours, interestingly, is I think one of the standardized motions in here that has worked and fairly reflects the reasonability of everyone's schedules, whether it's a minister or... whatever is being implicated.

The Chair: I'm going to jump in here and additionally muddy the waters. The tradition has been that the 48 hours in fact was considered two sleeps; I think we often get into this discussion of what 48 hours means.

In addition, there's some consideration of the fact that our staff don't work all weekend. They often do, but we don't want to impose upon them. So if in fact there were an intention to bring forward a motion to be distributed to committee members, I think it would be out of respect to our clerk that anything being brought forward on a Friday would be brought forward by three o'clock in the afternoon if we intended to have it distributed before the weekend.

Now, the tradition has always been that it would be consideration of two sleeps rather than the countdown of exactly 48 hours, but that's not been prescribed in the past. I just throw that out there for the benefit of our staff for additional consideration by committee members in this deliberation.

Ms. Duncan.

Ms. Linda Duncan: I just have to reiterate my concern that in my experience there are matters that slip through the cracks in committee. If this committee absolutely agrees at the outset that we will hear the minister on supplementary estimates (A) and (B) and agrees in advance that we will hear the minister on the budget and so forth, then there's no need for a motion. But those deadlines come up and it has been my experience on the committee that 1,001 excuses come up for why the minister is not available. We are very often faced with a very tight time crunch. This committee then would not be able to even consider for a whole week the request that the minister come forward, which is one of the very purposes of the committee: to consider estimates and government bills.

There's no reason why we can't adopt a protocol that unless absolutely necessary we don't have 24 hours' notice, but where is the leeway for us to agree? Can we agree on that without a motion? There has to be some way between this. Otherwise, we potentially will be precluded from carrying out some of our duties as a committee.

The Chair: Okay. As it now stands, Ms. Duncan, we are still debating the main motion because no one has brought forward an amendment to amend your 24 hours.

Ms. Linda Duncan: Well, I'm speaking to that.

The Chair: All I think you did was to reiterate.

Just so committee members know, nobody has brought forward an amendment to that 24 hours. If people want to debate that number, then I think it would be appropriate to bring forward an amendment to that.

Mr. Rickford.

• (1300)

Mr. Greg Rickford: So in other words, you're going to a vote on the amendment of 24 hours?

The Chair: There is no amendment because it was read in the original.... When she tabled the motion, she read “24 hours”.

Mr. Greg Rickford: Okay.

The Chair: That is the main motion. So if people are seeking 48 hours, they would have to amend the motion.

Mr. Greg Rickford: So we're voting on the main motion as 24 hours.

The Chair: I'm going to call a vote or seek some consensus as soon as people are finished talking, but if somebody seeks to amend this motion, the time to do it would be now. Otherwise, it is 24 hours.

Mr. Greg Rickford: Then I seek to amend it to 48 hours.

The Chair: Okay.

Now we're debating the amendment. Does anybody have a comment with regard to the amendment?

Seeing no interjections, let's go to a vote on the amendment.

An hon. member: To be clear, what is it?

The Chair: The amendment is to have the number of 48 hours now included to replace what was read as 24 hours.

All those in favour?

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

The Chair: The amendment is carried.

The motion now reads as it originally showed up in the text that was distributed.

Ms. Linda Duncan: On a point of order, Mr. Chair, this is simply for information. There is nothing that's tabled before a committee. So "the motion as amended passed" is more correct.

The Chair: Yes, but I just wanted to be absolutely clear that where it now stands is in resemblance to what was distributed in terms of the text, just for people's point of reference.

We'll vote on the motion as it now reads. We voted on the amendment, so now, all those in favour of the amended motion?

An hon. member: [*Inaudible—Editor*]

An hon. member: It's your motion.

The Chair: It's your motion. You just amended it.

As I just said, it's exactly as the text that was distributed to members: it's 48 hours.

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

The Chair: We will now adjourn the meeting.

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