



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Standing Committee on Industry, Science and Technology

INDU • NUMBER 001 • 1st SESSION • 41st PARLIAMENT

EVIDENCE

Wednesday, June 15, 2011

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Chair

Mr. David Sweet

Standing Committee on Industry, Science and Technology

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• (1530)

[English]

The Clerk of the Committee (Mr. Jean Michel Roy): My name is Jean Michel Roy. I am the clerk of the committee.

Honourable members of the committee, I see a quorum.

[Translation]

I must inform the members that the clerk of the committee can only receive motions for the election of the chair. The clerk cannot receive other types of motions and cannot entertain points of order nor participate in debate.

[English]

We can now proceed to the election of the chair. Pursuant to Standing Order 106(2), the chair must be a member of the government party.

[Translation]

I am now ready to receive motions for the election of the chair.

[English]

Mr. Rob Anders (Calgary West, CPC): I nominate David Sweet.

The Clerk: Are there any further motions? I see none.

(Motion agreed to)

[Translation]

The Clerk: I declare the motion carried and Mr. Sweet duly elected chair of the committee.

Some hon. members: Hear, hear!

The Clerk: Before I invite Mr. Sweet to take the chair, if the committee is agreed, we will now proceed to the election of vice-chairs.

Pursuant to Standing Order 106(2), the first vice-chair must be a member of the official opposition.

I am now ready to receive motions for the election of the first vice-chair.

[English]

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): I nominate Brian Masse.

The Clerk: Are there any further motions?

[Translation]

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

(Motion agreed to)

The Clerk: I declare the motion carried and Mr. Masse duly elected first vice-chair of the committee.

Some hon. members: Hear, hear!

The Clerk: Let's now proceed with the last election.

[English]

Pursuant to Standing Order 106(2), the second vice-chair must be a member of an opposition party other than the official opposition.

[Translation]

I am now ready to receive a motion for the election of the second vice-chair.

[English]

Mr. Mike Lake (Edmonton—Mill Woods—Beaumont, CPC): I nominate Geoff Regan.

[Translation]

The Clerk: Is it the pleasure of the committee to adopt the motion?

(Motion agreed to)

[English]

The Clerk: I declare the motion carried and Mr. Regan duly elected second vice-chair of the committee.

I now invite Mr. Sweet to take the chair.

• (1535)

The Chair (Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC)): Thank you, colleagues.

I trust that we will continue the great esprit de corps we had in the last session in getting work done for Canadians.

The next job is to deal with routine motions. Committees usually adopt a series of motions to deal with items of day-to-day business called routine motions. These motions may vary from one session of Parliament to the next. We will move to these motions right now and give you an opportunity for your input as well.

These, I believe, are the same as we had in the last session. Is that correct?

The Clerk: These are standard motions. They might be a little bit different from those adopted by the committee in the last Parliament. These are general motions presented to all committees.

The Chair: Hearing from our clerk, what I'll do is go through these motions as models for us and then I'll leave it up to the members for any modifications, additions, or subtractions.

Let's move to the first one: that the committee retain, as needed and at the discretion of the chair, the services of one or more analysts from the Library of Parliament to assist it in its work.

It is moved by Mr. Masse.

(Motion agreed to)

The Chair: The next motion is that the subcommittee on agenda and procedure be established and composed of the chair, the two vice-chairs, and...

Go ahead, Mr. Lake.

Mr. Mike Lake: There is maybe a little bit of length here, but bear with me. I'd like to 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; that a quorum of the subcommittee shall consist of at least three members; that each member of the subcommittee shall be permitted to have one assistant attend any meetings of the subcommittee on agenda and procedure; and that in addition, each party shall be permitted to have one staff member from a House officer attend any meetings.

I think you're probably familiar with the wording of the motion, as you've been through one already.

Mr. Peter Julian (Burnaby—New Westminster, NDP): No, that's not how we've done it on other committees.

The Chair: Go ahead, Mr. Regan.

Hon. Geoff Regan (Halifax West, Lib.): Did he say that the quorum would be three?

I had better wait until Mike hears this.

The Chair: The quorum is three.

Hon. Geoff Regan: The quorum is three, and you're proposing to have three members from the Conservatives on the subcommittee. That's problematic.

An hon. member: It looks bad.

Mr. Mike Lake: Remember that the subcommittee doesn't actually do anything unless it's ratified by the main committee anyway.

Hon. Geoff Regan: Well, I know. This is why I wonder why you need five members.

Mr. Mike Lake: It's because it will be more reflective of the numbers on the main committee in terms of majority and other parties. It's a good way to discuss things and make sure that when we bring them forward they are actually going to be ratified by the main committee.

The Chair: For those who haven't been on this committee, by the way, when we get into issues like this, I allow some crosstalk for clarification, as long as it stays reasonable.

Go ahead, Mr. Julian.

Mr. Peter Julian: Mr. Chair, congratulations, by the way. I look forward to working with you.

This is a bit problematic. We're providing for the parliamentary secretary, which is understandable, and an additional Conservative member as well. I'm the critic for industry, and Mr. Masse is the vice-chair. If we're enlarging the subcommittee, it would make sense to also have the opposition critic. That would still be in keeping with the numbers in the House and would still allow for what Mr. Lake is suggesting. But if the idea is to have a larger subcommittee, as opposed to a subcommittee that's stripped back, it makes sense to have both the parliamentary secretary and the opposition critic.

I understand that Mr. Lake wants to ensure that we're not spending a lot of time at the committee working through the agenda. I certainly agree with that objective; I think we all would on this side. But we need a balanced subcommittee to ensure that.

The Chair: As a point of reference, most of our calendar last time was made up of the entire committee. I think we had one meeting of the subcommittee, but we found it was more efficient to plot our work at the main committee, since we'd often go to the subcommittee and then have to readjust at the main committee anyway.

Mr. Lake, did I see your hand?

Mr. Mike Lake: If we're actually going to accomplish anything as a subcommittee, it makes sense for us to have the same majority as on the committee and in the House. Otherwise, there's no point in having a subcommittee.

As Mr. Sweet mentioned, we didn't actually use the subcommittee last time, because it was a pointless exercise. We were going to come back to the committee and hash out the same battles. But this time it's a little bit of a different circumstance. I think the subcommittee should be able to actually get things done, as long as it's reflective of what we see in the committee. If we wind up going into a three-and-three situation, I don't see it being productive. There is really no point in having a subcommittee at that point.

Surely, as I would have to communicate with a larger number of members on our side who are not going to be in that subcommittee meeting, you could do the same thing. Obviously the Liberals don't have the same problem.

● (1540)

The Chair: Next is Mr. Julian, and then Mr. Regan.

Did you have another comment?

Mr. Peter Julian: Yes, I just wanted to respond.

The idea is to streamline the agenda. To do that at the subcommittee, you need to have the representation that is there. If we end up with what's being proposed, we could end up spending more time at the committee level working through an agenda that was first discussed at the subcommittee.

I'm well aware of the traditions of this committee. Its members work very effectively together, and it tends to be non-partisan. What I'm suggesting is a non-partisan approach on the agenda to streamline the work that we do as a committee when we get together.

The Chair: Mr. Regan.

Hon. Geoff Regan: Mr. Chairman, it's been my experience that, given the opportunity, members of Parliament will speak, and if you have five rather than three, they'll speak more as a result. Really, the purpose of this is to see if we can agree at a steering committee on where you go with things. It isn't, I don't think, to be voting, because obviously the votes can take place here.

A steering committee is not about a majority or whatever; it's about discussion and trying to agree if you can. I frankly don't see what the point is of having it larger.

The Chair: Thank you, Mr. Regan.

Madam Gallant.

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Thank you very much, Mr. Chair.

I haven't sat on this committee in quite a while, but I have sat on other steering committees. My experience was that from time to time there would be a vote in the steering committee as to which order of topics would be presented to the rest of the committee. So I would support Mr. Lake's suggestion that the steering committee reflect the numbers in the House as well.

The Chair: Thank you.

Mr. Masse.

Mr. Brian Masse: If that's the case, then there needs to be an additional New Democrat seat added, because you have seven Conservatives on this committee, with three being on the steering committee, and then four New Democrats, with only one. So using that logic, we would have to increase the steering committee by one.

Perhaps the one thing that gives me concern is that with three members of the Conservative Party—not that we've had a problem in the past—they could meet unilaterally, without the other members, and pass...because they have the clear ability to do so, even without any members of the opposition being available. That concerns me. So maybe one of the vice-chairs should be present for quorum.

We've had a good balance on this committee. I've been here for eight or nine years, and it has been pretty effective. But at the same time, if we set this type of example that's being suggested by the parliamentary secretary and by Ms. Gallant, if it's going to represent the House, then it has to be fixed. We can't have the fact that there are seven Conservative members with three on that committee versus only one New Democrat when there are four of us represented on committee.

The Chair: Mr. Julian.

Mr. Peter Julian: Thanks, Mr. Chair.

I think Mr. Masse is absolutely right. I'm not a senior ranking member the way Mr. Masse is, but the traditions of this committee have been much different from the structure for the public accounts committee, for example, or the finance committee. It's a different structure. There is much more cooperation and there tends to be a

working together on files. As a result, it just makes sense to have a structure that responds in part to what Mr. Lake is suggesting, but also responds in part to the concerns we're raising on this side.

● (1545)

The Chair: Seeing no other discussion, we'll vote.

Mr. Masse.

Mr. Brian Masse: I would like Mr. Lake to respond to the fact that the official opposition is under-represented on the steering committee, as submitted, given the fact that his own members have indicated that the preference would be more reflective of the House.

Mr. Mike Lake: I'll respond to that. The rationale is that the minimum number of members we can have on the steering committee—because the steering committee is just to provide suggestions as to where the committee can go—and still fulfill two principal obligations of the committee, which I would see as having every party represented and having the majority of the committee represent the majority situation we have in the House.... The minimum number we can have is five: one member from each of the NDP and the Liberals and three members from the Conservative Party.

If we want to try to reflect the exact numbers in the House, we would wind up having our whole committee meet as a subcommittee. If that's what we prefer to do, certainly we can, and not have a subcommittee, if that's what we decide. It may be that, if it's like it was last time, the subcommittee won't meet anyway. But remember: nothing the subcommittee decides to do is binding.

The meetings of the subcommittee, should we decide to have them, would be held in a spirit of goodwill and cooperation. That's the whole point of a steering committee in the first place.

So to have each party represented, to have the majority of the members Conservatives so that we can actually move forward, have a point to having the meeting, make decisions that are going to be reflective of having a pretty good chance of passing once we bring them to the main committee to have them ratified, and to minimize the number of members, five is the number that works.

The Chair: Mr. Julian.

Mr. Peter Julian: I would like to move what I hope would be a friendly amendment: that we add at the end of the sentence Mr. Lake has proposed “and a member of the official opposition”. I'll speak to that now, Mr. Chair.

The reality is that the tradition in all committees is that the subcommittees tend to work on consensus basis. That's just the way to approach these kinds of issues. Certainly there's no problem with adding a member or two, as long as it's balanced. That's what we're proposing—a balanced approach that allows for that consensus at the subcommittee level and frees up committee time. In no committee I have been part of—and I've been on the transport, international trade, and social development committees—has there been partisanship at the subcommittee level. The agenda is set up, and it's in the interest of the committee itself, but particularly here with industry.

This committee has a tradition of non-partisanship that makes it one of the most respected committees in the House of Commons. That has been the tradition of the industry committee. It has that representation right across the country. So this is a different kettle of fish from most other committees, in which sometimes, as you know, Mr. Chair, there's partisan wrangling. It doesn't happen here, and I think as we start fresh it would make a lot of sense to have that kind of consensus and continue that tradition.

Mrs. Cheryl Gallant: Point of order, Mr. Chair.

The Chair: Ms. Gallant.

Mrs. Cheryl Gallant: Is there really such a thing as a friendly amendment, or do we vote on all amendments?

The Chair: I believe that dealing with this right now is germane to the business of Mr. Julian moving an amendment. Then we'll go to discussion on the amendment and then the main motion.

Mrs. Cheryl Gallant: Thank you, Mr. Chairman.

The Chair: The clerk didn't kick me under the table, so I think I'm right.

Is there any discussion on Mr. Julian's amendment?

We'll vote on the amendment, which adds to the end of the sentence that Mr. Lake had "and a member of the official opposition".

(Amendment negatived)

The Chair: We'll go to the main motion.

Mr. Lake, would you reread your motion, please?

Mr. Mike Lake: I would 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; that quorum of the subcommittee shall consist of at least three members; that each member of the subcommittee shall be permitted to have one assistant attend any meetings of the subcommittee on agenda and procedure; and in addition that each party shall be permitted to have one staff member from a House officer attend any meetings.

• (1550)

The Chair: Mr. Masse.

Mr. Brian Masse: I'd like to offer a friendly amendment, because it is consistent with what we did last time, Mr. Lake. We had at the end of our previous motions "including one member of the opposition". If you want to have quorum with three, then as long as that includes one member of the opposition, I think that would at least allay some of our concerns, and is also consistent with what we've done in the past on this committee, because we've never had that exception.

I'm hoping that's a friendly amendment.

The Chair: Mr. Lake.

An hon. member: I'm liking it better.

Mr. Mike Lake: Actually we don't.

Could you propose the amendment as it would be reworded?

Mr. Brian Masse: I don't have your thing in front of me.

The Chair: Would you like me to read it as you said it?

Mr. Brian Masse: Yes, thank you, Mr. Chair.

The Chair: It's that quorum of the subcommittee shall consist of at least three members, at least one being from the official opposition.

Mr. Brian Masse: I'd like to speak to that. It has been a healthy environment here, and I hate to set this off to the wrong start. If there is a vote at steering committee, the votes are going to be there for the government no matter what. I hope there won't be, because there hasn't been in the past, and we've actually been able to set that without.... But at the same time, this just provides the assurance that there's going to be no quick meeting held and something taking place you're not in favour of.

Mr. Mike Lake: We're good. Okay.

The Chair: It seems as though there's some consensus.

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

The Chair: Next would be that the chair be authorized to hold meetings and to receive and publish evidence when a quorum is not present, provided that at least three members are present, including one member of the opposition.

Mr. Lake.

Mr. Mike Lake: I'll move it with different wording: 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, including one member of each recognized party; in the case of previously scheduled meetings taking place outside the parliamentary precinct, the committee members in attendance shall only be required to wait for 15 minutes following the designated start of the meeting before they may proceed to hear witnesses and receive evidence, regardless of whether opposition or government members are present.

The Chair: Is there any conversation on this?

Mr. Masse and then Mr. Julian.

Mr. Brian Masse: Can we get a copy of that? That's a very extensive change. It might be fine, but at the same time, we need to see a copy of it.

Mr. Mike Lake: Well, we have it in English, so I can't—

The Chair: Yes, that's right.

Mr. Mike Lake: Under the rules of the House, I can't distribute it. It's not in both official languages.

Mr. Peter Julian: Mr. Chair, through you to Mr. Lake, does this mean that unless we have a member of the Liberal Party present the meeting can't proceed?

Mr. Mike Lake: That's right.

Mr. Peter Julian: Well, I certainly like my colleagues in the Liberal Party, but that does make it much more difficult practically to achieve quorum.

The Chair: Can you read it again, please, Mr. Lake?

Mr. Mike Lake: Yes: 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, including one member from each recognized party; in the case of previously scheduled meetings taking place outside the parliamentary precinct, the committee members in attendance shall only be required to wait for 15 minutes following the designated start of the meeting before they may proceed to hear witnesses and receive evidence, regardless of whether opposition or government members are present.

It allows us to hold a meeting to receive evidence when we don't have a quorum, right? That's the point of this. We just need to have one member from each party here—four members in total.

•(1555)

The Chair: I have a point of clarification, just for everybody's comfort. This is to receive evidence. This isn't for a committee to make a decision on a report or anything like that.

Is there any other discussion on this?

Mr. Mike Lake: In the absence of this, we need to have quorum to receive evidence.

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): If one member of the Liberal Party, let's say, is not there, we don't sit?

Mr. Mike Lake: If we have quorum, we do.

Mr. Peter Julian: No, no, a member from each party—

Ms. Hélène LeBlanc: No. You need to have members of....

Mr. Peter Julian: That's how you've worded it.

Mr. Mike Lake: It says “when a quorum is not present”. It refers to a situation when a quorum is not present.

Mr. Peter Julian: Keep reading, please.

Mr. Mike Lake: It says, “that the Chair be authorized to hold meetings and receive evidence and to have that evidence printed when a quorum is not present...”.

Mr. Peter Julian: If...?

Mr. Mike Lake: It says “provided that at least four members are present, including one member of each recognized party”. This only applies when a quorum is not present.

Mr. Peter Julian: Yes.

Mr. Mike Lake: What's quorum?

The Clerk: Seven.

Mr. Mike Lake: The clerk says seven is a quorum, so if we have seven members, a quorum is present, at which point we would conduct our meeting as we always would.

The Chair: Regardless of....

Mr. Peter Julian: Yes, and I certainly bear no ill regard for my friends from the Liberal Party, but it would mean that a group of seven—

Mr. Mike Lake: No.

Mr. Peter Julian: If a Liberal is not present because they're doing double duty or whatever, and we don't have seven, then automatically a Liberal has to be present at the lower threshold. Do you understand?

The quorum of seven requires some representation from both sides, but you're falling to a lower threshold and making it obligatory that the Liberal Party be present in order to hear evidence.

The Chair: Just on that point, because I want to clear that up, there's no obligation for any opposition members to be present. Currently there are six members on the government side, plus the chair, and we could proceed with the meeting.

Mr. Brian Masse: Yes, that's the problem. That's what I was just saying. It's the same situation that happened at steering committee, so I was going to ask whether the chair counted as quorum.

The Chair: Mr. Julian.

Mr. Peter Julian: We have not yet adopted a quorum requirement in this committee. You're saying that's the way it worked in the previous Parliament?

The Chair: I'm saying that's traditionally how it works, yes: 50% plus one.

Mr. Peter Julian: Well, the committees I've been part of have always included members of the opposition.

Mr. Mike Lake: This really isn't a deal breaker for us. If you want to say one member of the opposition, that's fine.

Mr. Brian Masse: We're looking to avoid the same situation that was in the subcommittee.

Mr. Mike Lake: That's fine. We were trying to just include our Liberal colleagues in the....

The Chair: Just to be clear, Mr. Lake, and so we know what we're voting on, do you want to read that into the record once more as we've agreed amended?

Mr. Mike Lake: Sure: 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, including one member from the opposition.

The Chair: Okay.

And the latter half simply deals with time, right?

Mr. Mike Lake: Yes. Sorry, I do have to clarify that, because it's an important clarification.

The way that we've taken it out, we said “each recognized party”, and of course the government is one of those recognized parties; so it's including at least one member from the opposition and one member from the government.

The Chair: Wait a minute: one member from the government and one from the opposition, right?

Does that...?

Okay, we've captured that now.

•(1600)

The Clerk: There are no changes in that part.

The Chair: So there are no changes in the second paragraph.

Everybody's fine with that timing? Okay, great.

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

The Chair: The next motion is that when the chair and vice-chairs are unable to act as chair at or during a meeting of the committee, the chair shall designate a member of the committee to act as chair at or during the said meeting and that such an acting chair shall be vested with all the powers of the chair at or during the said meeting.

Is there any debate on this? It basically gives the chair the ability, if Mr. Masse and Mr. Regan were in some kind of circumstance, to designate somebody else to chair—my fine motorcycle buddy Mr. Thibeault, maybe.

That's fine?

It's moved by Mr. Masse.

(Motion agreed to)

The Chair: The next one is about timing for witnesses: that witnesses be given—and you can decide the number—minutes to make their opening statement; that, at the discretion of the chair, during the questioning of witnesses, there be allocated whatever number of minutes for the first questioner of each party when a minister appears before the committee and whatever number of minutes for the other meetings and that thereafter whatever minutes be allocated to each subsequent questioner, alternating between government and opposition parties.

Comments or debate?

Mr. Lake.

Mr. Mike Lake: With regard to rounds of questioning, witnesses from any one organization shall be allowed ten minutes to make their opening statement; during the questioning of witnesses, there shall be allocated seven minutes for the first round of questioning; and thereafter, five minutes shall be allocated to each questioner in the second and subsequent rounds of questioning.

Do we deal with speaking order at the same time, or is that separate?

The Chair: If we replace this motion right now with what you just said, then there's no conversation about speaking order.

Mr. Mike Lake: So the speaking order would happen within this?

The Chair: We would have to do that separately.

Mr. Mike Lake: Okay.

The Chair: It includes it now, but your amendment does not.

Mr. Mike Lake: Okay, then I'll just add it as a second paragraph, if that's okay.

The order of questions for the first round of questioning shall be as follows: Conservative, NDP, Conservative, Liberal. Questioning for the second round shall alternate between the government members and opposition members in the following fashion: Conservative, NDP, Conservative, NDP, Conservative, NDP, Conservative, based on the principle that each committee member shall have a full opportunity to question the witnesses. If time permits, further rounds shall repeat the pattern of the first two at the discretion of the chair.

The Chair: Mr. Hsu.

Mr. Ted Hsu (Kingston and the Islands, Lib.): Actually Mike has answered my question.

The Chair: Thank you very much.

Mr. Julian.

Mr. Peter Julian: Mr. Lake, could you go over that again, just so we understand the speaking order and the time allocation in your proposal?

Mr. Mike Lake: Sure. Do you want me to read the whole motion one more time, or do you want me to just explain it?

Mr. Peter Julian: Explain it.

Mr. Mike Lake: Mr. Clerk, if I explain it in a way that isn't consistent with the way I wrote it, please let me know if you can.

There would be four questions for the first round of seven minutes each, and they would go Conservative, NDP, Conservative, Liberal. Then the next round would have seven five-minute questions—

Mr. Peter Julian: Is it seven or five?

Mr. Mike Lake: It's seven five-minute questioning rounds, so seven times five. There are seven members each speaking and each having five minutes, which would go Conservative, NDP, Conservative, NDP, Conservative, NDP, Conservative. That way every member of the committee gets one round to ask questions before anybody gets a second. Of course if you want to transfer your time, you can do so within your own party, or whatever the case is.

• (1605)

The Chair: Mr. Masse.

Mr. Brian Masse: If my memory serves me correctly, the first round was basically seven minutes for each party, and then we moved into the five-minute round. I think that's more in keeping with the traditions of the committee.

Mr. Mike Lake: We had four parties, though, so there were four questions in the first round at that time. This is consistent with that.

Mr. Brian Masse: But it was based on that principle. We sort of adopted a bit more the practice of trying to get every member involved. That was new over the last couple of years. I don't know if it would be a friendly amendment, but we could do Conservative, NDP, Liberal and then move to the five-minute slot of Conservative, NDP, Conservative, NDP, Conservative, NDP, Conservative.

Mr. Mike Lake: No.

Mr. Brian Masse: That's not what has been done in the past.

Mr. Mike Lake: If you want to go back to the NDP getting two rounds, as has been done in the past, we could.

Mr. Brian Masse: We're past that.

Mr. Mike Lake: We're in a different world now, I think.

Mr. Brian Masse: We're past the past.

The Chair: Is there any more conversation?

Sorry, Mr. Julian.

Mr. Peter Julian: That's quite all right.

I think Mr. Masse's friendly amendment is actually an appropriate one, because that is how we've been governed at the committee level. That being said, it looks as though the third round then replicates the first round. If we're looking at a one-minute presentation, we're looking at an hour and a half. We would basically have time for that third round, which would be then Conservative, NDP, Conservative, Liberal.

Mr. Mike Lake: I can't remember the last time we actually got to the end of a third round of questioning in this committee. Typically, if we have had a little bit of extra time it has been just the first two. So it would be Conservative and then NDP, and that would be it.

Mr. Glenn Thibeault (Sudbury, NDP): Could you not put in there "at the discretion of the chair"? Was that a different motion in that motion?

Mr. Mike Lake: Exactly. If time permits, further rounds shall repeat the pattern of the first two at the discretion of the chair. That's sort of the way it's always been.

The Chair: Seeing no further discussion, all in favour?

Mr. Peter Julian: Could you just read the motion one last time?

Mrs. Cheryl Gallant: What are we voting on?

The Chair: We're going to find out right now. Mr. Lake is going to reread it now, and then we'll vote.

Mr. Mike Lake: The motion is follows:

That the witnesses from any one organization shall be allowed ten minutes to make their opening statement. During the questioning of witnesses, there shall be allocated seven minutes for the first round of questioning and thereafter five minutes shall be allocated to each questioner in the second and subsequent rounds of questioning.

The order of questions for the first round of questioning shall be as follows: Conservative, NDP, Conservative, Liberal. Questioning for the second round shall alternate between the government members and opposition members in the following fashion: Conservative, NDP, Conservative, NDP, Conservative, NDP, Conservative, based on the principle that each committee member should have a full opportunity to question the witnesses. If time permits, further rounds shall repeat the pattern of the first two at the discretion of the chair.

The Chair: Mr. Masse.

Mr. Brian Masse: In the spirit of compromise, here's what I'm concerned about, Mr. Lake. When we finish the second round, we will have Conservative and then Conservative again. I don't know whether it will revert back to seven minutes—I'd like clarification on that—or continue as five minutes.

A compromise would be perhaps not to have, in that second round, two Conservatives in a row and move to NDP, Conservative, Liberal. As we get close to that time, I have concerns about the fact that we will be going consistently there, and then we will fall into a different pattern from what has been taking place.

I hope this is acceptable as a small amendment. And I'm assuming we will just continue with five minutes.

• (1610)

Mr. Mike Lake: That's what's in the first paragraph: "thereafter five minutes shall be allocated to each questioner in the second and subsequent rounds".

Mr. Brian Masse: Okay.

Mr. Mike Lake: As for the other part, I think that's just where it falls to the discretion of the chair. In the past we haven't had issues with it. There will probably be, if anything, two extra questioning rounds.

The Chair: Are you saying, Mr. Masse, to start the third round with an NDP member?

Mr. Brian Masse: Yes. That would stop the two Conservatives, especially.... We're at a pattern of switching at that point. And that

would be a compromise we'd hope would be.... It's a small, modest....

The Chair: So it's basically the same allocation but beginning with an NDP member.

Mr. Brian Masse: Exactly. And that would also allow the Liberal member to get in.

The Chair: Okay. I'll let Mr. Lake think about that while I go to Madam Gallant.

Mrs. Cheryl Gallant: Having been on committees before where there were rounds where we had repeated opposition, nearly all the time there has been a situation where every government member of the committee did not have the opportunity to speak.

The motion that Mr. Lake has outlined gives fair time to everyone, rather than going through the meeting where we may have several witnesses with ten minutes each and then half of us, or fewer, do not even have an opportunity to question the witness.

The Chair: Mr. Lake.

Mr. Mike Lake: In answering Brian's question, if you look at this from a logical standpoint, at the end of the second round every member will have spoken once. If any party is going to get an opportunity to speak a second time, it makes sense that the party with the most members would lead that off.

Take yourself off the order for a second, the actual chronological order of who speaks. There are eleven members who are going to be asking questions; six are Conservative, five are opposition members. Everybody gets one shot. Regardless of what the order happened to be in the first and second round, in the next round, if there is time—and rarely is there a situation where there's time—it stands to reason that the party that would lead at that point is the party that has the most members on the committee.

Mr. Brian Masse: But dividing into two rounds is not even a rational way to approach it. That's just a thing we've invented. The meeting goes on. There are not two meetings. The meeting doesn't stop and then restart again. And that's what the proposal is, that all of a sudden we'll get to a certain point because everybody has gotten through.

I like the suggestion of making sure everybody participates. I thought that was a valued thing that was added before. But the meeting doesn't stop with 15 minutes to go. It's a continuum.

To me, the second round is something we invent. It's not something that's real. The meeting is a continuum. That's why I'm suggesting it becomes an anomaly in a meeting in terms of the pattern. And it does become important, because at that point in time, if we do have some time.... The clock is ticking. Then perhaps we should reduce the.... I don't know; that won't work either. I just think it's more balanced if we continue with the pattern that's happening. It's fair. It will then, as well, allow Liberals, if there is extra time, to get a little bit of a spot at the end.

Mr. Mike Lake: I don't agree. We can have a vote on it, but let the record show that I really trust the judgment of the chair and his discretion to allocate fairly the rounds of questioning as we get beyond the second round.

The Chair: Mr. Julian.

Mr. Peter Julian: I agree with Mr. Masse that it makes a lot more sense if all the Conservatives on the committee will have gone through and asked their questions. It just makes sense. In the spirit of compromise and working together, which is what this committee has built its reputation on over the past few years, it makes sense to have that slight tweak at the end of the second round. It's a slight tweak, but I think it's a valid one.

Mr. Masse is absolutely right, that not having the alternance of going to the Conservatives a number of times doesn't allow for the kind of smooth interaction of questions coming from the government, coming from the opposition, which is again part of why the industry committee has had such a stellar reputation.

The Chair: I have this feeling that the blues are going to be crowded with "in the spirit of compromise and working together".

Mr. Lake, did you have any other response?

• (1615)

Mr. Mike Lake: No, Mr. Chair.

The Chair: We will go to the vote then.

The Clerk: Mr. Chair, is there a formal amendment?

The Chair: No, there is not. It was all consensual, and it doesn't look as though we have come to any additional consensus.

Everybody is clear now?

Mr. Lake, do we need it read one more time?

Mr. Mike Lake: No.

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

The Chair: Next we will move on to document distribution: that only the clerk of the committee be authorized to distribute to the members of the committee, and only when the documents are available in both official languages, and that witnesses be advised accordingly.

Is there any discussion on that?

Mr. Mike Lake: I have different wording, but I don't know if it says anything different here. I'll read my wording, and if there's a difference in what I'm saying maybe the clerk can highlight it for me.

The Chair: Okay.

Mr. Mike Lake: My wording is that only the clerk of the committee be authorized to distribute to members of the committee any documents, including motions, and that all documents that are to be distributed among the committee members must be in both official languages. The clerk shall advise all witnesses appearing before committee of this requirement.

The Chair: So it includes the word "motions". Is it substantively the same, other than the part about motions?

The Clerk: Mr. Chair, it doesn't change much: "any documents" includes motions. Everything will be in both official languages, no matter what kind of document.

The Chair: All right.

Is there any discussion on that?

Mr. Masse.

Mr. Brian Masse: I have a question for the clerk.

Does that prohibit then making motions at the meeting?

No? Okay.

The Chair: No, it does not at all, if it's germane to the business at hand.

Mr. Brian Masse: Yes.

The Chair: Do you need it read again, or are you okay with it?

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

The Chair: I think that was unanimous.

Congratulations, Mr. Lake.

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

This happens when we run into circumstances such that we are going over lunchtime and then we end up quickly after that in question period and those kinds of things.

Mr. Julian, did you have a comment?

Mr. Peter Julian: No.

The Chair: Mr. Lake.

Mr. Mike Lake: Again, I note that it is kind of different from what we had adopted last time. I'm not sure why it is, but I'll read what we had last time: that the committee hereby authorize the clerk of the committee, in consultation with the chair, to make the necessary arrangements to provide for working meals, as may be required, and that the cost of these meals be charged to the committee budget.

It sounds like what you read, but for some reason it's different in terms of what we had last time.

Mr. Brian Masse: I think the only difference is "in consultation with the chair".

Mr. Mike Lake: Is that important to you, Mr. Chair?

The Chair: I have found Jean Michel to be extraordinary in these things, and I would certainly cede any authority to him in this case.

Are we okay to go with the original motion here, then?

Mr. Brian Masse: Yes, we will go with the original.

The Chair: It looks as though it's unanimous again. I can see by the nodding heads.

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

The Chair: That's great. Thank you, folks.

Next is "travel, accommodation and living expenses of witnesses": that, if requested, reasonable travel, accommodation, and living expenses be reimbursed to witnesses, not exceeding two representatives per organization; and that, in exceptional circumstances, payment for more representatives be made at the discretion of the chair.

Mr. Brian Masse: I so move.

The Chair: By the way, I think only in extenuating circumstances do you have two people from the organization. We generally are conscious of that when we're dealing with expenses.

Madam Gallant, did you have a...?

Mrs. Cheryl Gallant: I have a question.

Does this committee plan out its budgets for its studies beforehand, or does it just pass a budget after it's already decided how many witnesses it's going to have?

The Chair: I think in the past when we've drawn up a work program the clerk has submitted a budget.

In fact, your budgets have always had enough room so that we're clear on the....

The Clerk: Yes.

Mrs. Cheryl Gallant: Thank you.

The Chair: If anything, the budget has a little bit of a margin so that we make sure we stay within the realm of what we have on hand.

(Motion agreed to)

The Chair: Our next motion deals with access to in camera meetings. This might be of concern to some people. I'll read what's in front of me here, and then, Mr. Lake, you can comment on it: that, unless otherwise ordered, each committee member be allowed to have one staff member present from their office or from their party at in camera meetings.

I'm certain there are amendments to that.

Is that right, Mr. Lake?

• (1620)

Mr. Mike Lake: Yes. It's actually consistent with what we did last time: Each committee member in attendance shall be permitted to have one staff member attend any in camera meeting. In addition, each party shall be permitted to have one staff member from a House officer attend in camera meetings.

Mr. Brian Masse: They don't trust you?

Mr. Mike Lake: I've noticed there seem to be a lot of NDP staff members buzzing around lately, so....

Mr. Peter Julian: They're too busy setting up our offices.

The Chair: Go ahead, Mr. Julian.

Mr. Peter Julian: Thank you, Mr. Chair.

The functioning at previous industry committees has been more in keeping with the motion as originally read, right?

Mr. Mike Lake: Not previously, no; last time, it was the way I read it.

The Chair: We'll certainly consult on that.

I think that was the case—is that right—that we were allowed a party officer as well?

The Clerk: Yes.

The Chair: Okay.

Mr. Lake's motion is consistent with our practice.

Mr. Julian.

Mr. Peter Julian: The only nuance is that each member gets a member from their office and the caucus, or the caucus members as a whole get the member from their party. It's a little less flexible than the motion as originally read.

Mr. Mike Lake: The motion as originally read says that they can have a member present from their office or from the party. So in Ted's case, he could have one person here.

Mr. Peter Julian: Yes.

Mr. Mike Lake: But under the way I've read it, in Ted's case he could have two. He could have his own staff member plus someone from his whip's office. If they needed to come in for something, they could come in.

Mr. Peter Julian: Could you read it again, then? I think I misunderstood.

Mr. Mike Lake: The way I read it was as follows: Each committee member in attendance shall be permitted to have one staff member attend any in camera meeting. In addition, each party shall be permitted to have one staff member from a House officer attend in camera meetings.

The Chair: Agreed? Or at least understood?

Mr. Peter Julian: So you're saying that in addition, each party is entitled to have one there.

Mr. Mike Lake: Each party.

Mr. Peter Julian: Okay.

Mr. Mike Lake: So in your case, each of the four of you could have one staff member, plus there could be someone from your House leader's office or your whip's office come in.

Let's say you need a technical expert to come in and advise you on procedure. You'd have the ability to do that and not have to kick someone out of the room.

The Chair: Mr. Masse.

Mr. Brian Masse: I made this point last time when we talked about this. At one point, parliamentary secretaries weren't even on committees, and then that was introduced. Nothing against Mr. Lake, but it clearly was an intrusion on the independence of the committees. This is a continued erosion of that by allowing the whip's office to be present during the committee.

The whole point of committees is that they're supposed to be independent. They're supposed to give advice to the minister and to the government and to the rest of Parliament. What's happened is that we've seen this drilling down. In the past, the Conservatives used to actually oppose this—the Canadian Alliance at that time, because it was during a Liberal majority government that the actual parliamentary secretary position was introduced to committees.

This element here, I'm.... We obviously don't have the votes to prevent it from happening, but I clearly want to say again that it has been the diminishing of parliamentary committees in general on the Hill. I don't think this committee, to be honest, has suffered too much from that, but it certainly has changed the makeup in relation to how we do business. There is no doubt about that. I have witnessed that enough over the years.

The Chair: Mr. Lake.

Mr. Mike Lake: In fairness, I'm not exactly sure what Brian's talking about, because I think for anybody who's been here in the past and who's been within an in camera meeting, it's completely usual for any of us, from the three parties that are still represented here, to have someone other than just our own office staff come into a meeting of the industry committee.

Again, there are always experts in procedure from the House leader's office or whatever the case might be; I don't know who the other people are who come in on the other side. Clearly, if you go from committee to committee to committee, you see the same people in the rooms advising on what their party's interpretation of things are or whatever, and advising in terms of procedure. That happens on a regular basis.

It has nothing to do with my being a parliamentary secretary, first of all, and it's clearly not unusual, and hasn't been unusual, for the NDP.

Mr. Brian Masse: But it has been the previous... By having support staff come during in camera and then having the PS position, actually the committee was changed, and that's the reality. It wasn't the thing that happened for the history of Parliament. It was changed under the Paul Martin administration. That's when the PS was introduced into the committee system. Prior to that, it was not the practice.

The Chair: I seldom make any comment, but I see that in our various different debates history is sometimes good and sometimes bad. It's kind of interesting how we....

Mr. Julian, did you have a comment?

•(1625)

Mr. Peter Julian: I will just say that if the current government wants to model it on the Paul Martin government, that's up to them, I imagine. But I think the importance of this, and the point that Mr. Masse has made quite effectively, is that this committee should be endeavouring to do its work in a collaborative way and, as much as possible, independently from government direction, which may or may not be different from where the committee may go.

The Chair: Mr. Hsu.

Mr. Ted Hsu: Could I just ask Mr. Julian a question? It seems that the point doesn't apply to a party staff member who might come from an opposition party, because we're not part of the government. We're not bringing in parliamentary secretaries or somebody associated with the government.

You're only opposed to somebody from the government side coming in, right? I mean philosophically.

I would humbly ask the committee to allow every party to bring somebody from the House officers.

The Chair: Okay.

Mr. Julian, you can respond to that.

Mr. Peter Julian: Thank you, Mr. Chair.

There were two different discussions. Mr. Masse raised the issue of independence of the committee generally, but going back specifically to Mr. Lake's proposal, the only concern I had in the direct reading is that it seemed to limit us to one representative for

the party, which is a little bit different from how the original motion was worded.

But I don't have a big difficulty with it either way, and Mr. Masse has raised some very relevant points as to why in a general sense this may not be a good thing. It wasn't intended in any way to eliminate the Liberals' ability to have two staff members, because that of course is a good thing.

Some hon. members: Oh, oh!

The Chair: Okay. That was even tough for me to stay straight as the chair.

It sounds like we now are going to a vote on this. All those in favour of Mr. Lake's addition of an extra staff member from the House officers...?

(Motion agreed to)

The Chair: Do you have the wording for that?

The Clerk: Yes.

Mr. Glenn Thibeault: Now we're having fun.

The Chair: Yes.

Mr. Peter Julian: I hope it's not the last time.

The Chair: Okay. We're going to be dealing with a motion on transcripts of in camera meetings: that one copy of the transcript of each in camera meeting be kept in the committee clerk's office for consultation by members of the committee or by their staff.

Mr. Mike Lake: Again, Mr. Chair, consistent with what we did previously, I'll move a motion that in camera meetings be transcribed and that the transcription be kept with the clerk of the committee for later consultation by members of Parliament.

In the past we didn't include staff in the motion, and I think we should move forward in the same manner this time.

The Chair: Mr. Masse.

Mr. Brian Masse: So this would mean that members who are not committee members would have access to that. Maybe we should say "members of Parliament"—

The Chair: The way that would be worded would be "members of Parliament"—

Mr. Mike Lake: Yes, "members of the committee" would be fine.

Mr. Brian Masse: Okay.

The Chair: So that should be "members of the committee".

The Clerk: Yes.

The Chair: Yes, we did have an occurrence of that this last year. We had to come to your office—

The Clerk: Yes.

The Chair: —and read that. So we know of what we speak in that regard.

Mr. Hsu.

Mr. Ted Hsu: Would this include associate members like me?

A voice: No.

Mr. Ted Hsu: In that case, could I move an amendment to include associate members? It would include “members or associate members of the committee”.

The Chair: I guess we have a broader conversation now, Mr. Hsu, because basically every member of Parliament is an associate member on most committees.

Mr. Julian.

Mr. Peter Julian: We may not have the wording, Mr. Chair, but I think his point is a very valid one. I certainly understand, having been a single member on committee and having often been replaced by other members of the NDP, that this access is important.

I'm not sure “associate member” is the right language, but I certainly agree with the intent. If Mr. Hsu is going to be here often, and he and Mr. Regan are subbing off, it would be very important and appropriate that he have access to those records, because on any given meeting he may well be the representative.

That's an important principle, which I think we can all agree with.

• (1630)

The Chair: Just because we're talking about this specific situation, the clerk has mentioned some wording that might be agreeable: “designated associate member”.

Mr. Brian Masse: But that opens it up again to all members of Parliament.

The Chair: No, “designated” associate member would mean that they would have to be designated by the member who's a member of the committee.

Mr. Brian Masse: Right, but here's the problem we get: they could designate anybody as an associate member. Like, I could designate anybody.

Mr. Mike Lake: It's either all members or what's here.

Mr. Brian Masse: Yes, that's the....

Mr. Mike Lake: There's no middle ground. Everybody on our side is an associate member of this committee.

The Chair: Yes.

Mr. Brian Masse: Exactly. I don't want to exclude anybody, but at the same time, I don't want to open up.... I mean, in committee we have in camera stuff, we have our own things that are moving, things that are finished, things that aren't finished, and I'm not sure whether we want to open it up to every other committee. I don't think every other committee opens up everything to us.

The Chair: Mr. Hsu.

Mr. Ted Hsu: My intent wasn't to open it up to all members of all committees. It's simply for this situation, where Geoff and I would be replacing each other on a regular basis. He'd go to two-thirds of the meetings and I'd go to one-third of them, or something like that.

Maybe we can open it up to anybody who's ever had a voting role on the committee.

The Chair: Madam Gallant.

Mrs. Cheryl Gallant: I'm going to suggest that we say it should be members of Parliament who were present at the specific meeting. That way, if Mr. Hsu had been present at a meeting and he wanted to

look it up, as the official signed-in member he would have access to it.

I was trying to remember in Parliament whether or not there's ever been this situation where something happened in camera with one committee and it was really important that a member from another committee really didn't have access to it at a certain point in time. I cannot recall.

The Chair: Mr. Lake.

Mr. Mike Lake: I think the only way to get around it is just to go back to “members of Parliament”. Like Cheryl, I'm trying to remember at what point that would be an important....

Brian, maybe you have a distinction where that would be important.

If the general suggested wording was going to include staff members, certainly allowing members of Parliament to have access to transcripts wouldn't be a bad thing—as long as they're current members of Parliament.

Mr. Brian Masse: Well, on the surface, it could be; basically what we're doing is we're opening up all of our in camera discussions for any members of Parliament to digest. That's what we're doing.

Mr. Mike Lake: But any member of Parliament could sit on the committee, if they wanted.

Mr. Brian Masse: Right, but they don't.

The committee functions as a body to itself, in that it has some of those contextual elements so that you can understand in camera information. If we want to keep in camera information confidential as well, it's much more complicated when you open up to 308 members of Parliament who don't actually sit on that committee. And that's what we're doing with this.

I mean, I'm okay with it, because you know what? I come from municipal politics, and I actually believe we shouldn't be going in camera for anything, really, aside from personnel issues or conflict of interest related to property. That's the way it works in the province of Ontario.

I actually don't like the fact that we go in camera so much, so you know what? I'll accept it. But what we're doing is we're providing that information basically to all members of Parliament.

The Chair: I have a suggestion that might be comfortable for the committee, depending on the amount of trust you'd like to put in me.

We could say “members of the committee, or members of Parliament at the discretion of the chair”. That way, if we got into a circumstance where another member had to have access, then that could be at the discretion of the chair. It would help us to stem the tide of any unforeseen circumstance that all of us are trying to scratch our heads about right now that could happen, that would give access to information to a broader landscape of people that we wouldn't want at some future date, some consequence that's unforeseen presently.

Madam Gallant.

Mrs. Cheryl Gallant: So if you say “at the chair's discretion”, would that include independent members who are not included as members of committee?

The Chair: My thinking right now, in the sense and spirit of this meeting at the moment, is that the only exception is when we get into a situation where a member has replaced another member and we just don't have specific enough language to keep it narrow. That's why I mentioned that. That would be the spirit in which I would act in that regard.

•(1635)

Mr. Brian Masse: Yes.

The Chair: Of course you can't rely on me being the chair forever, but that's the spirit of the conversation presently—that the only exception is when there's a small number such as the Liberals are dealing with right now and they have to pair off in the meetings.

Mrs. Cheryl Gallant: I find leaving yourself open to this potentially problematic, because there are certain rules we have to uphold within our parties. But an independent member has no rules, and there could be reasons for people wanting to—I don't like to use the word “sabotage”—steer us off course or make things public that are not necessarily so. I would like to add, after “members of Parliament”, “who are present at the committee at the in camera meeting”.

The Chair: Even that is a little bit complex, because the clerk has just mentioned that if a regular member for some reason didn't show up that day because they were ill or something but they wanted to be involved in it, then they wouldn't have access to it so they wouldn't be able to get back up to speed.

Mr. Julian and then Mr. Hsu.

Mr. Peter Julian: How about this: “in consultation by members of the committee or by other members of Parliament who attended the meeting”? So members of the committee have access, and other members who are not permanent members of the committee, when they attend those meetings, have access to that information.

Mr. Brian Masse: That's “attended as a designate”. If you don't add “as a designate” then at least they were in the meeting.

Mr. Peter Julian: Okay. So it's “or by other members of Parliament who...”.

Mr. Brian Masse: You could say “at the specified meeting”.

The Chair: Or you could say “other members who are designated”.

Mr. Brian Masse: Yes. If they were in the room they could then have access.

The Chair: So it's “or other members who were designated that attended the specific meeting”.

Is everybody clear on that? So it will be that one copy of the transcript of each in camera meeting be kept in the committee clerk's office for consultation by members of the committee or other members who were designated who attended the specific meeting.

The Clerk: That didn't use Mr. Lake's wording. I don't know if he agrees.

The Chair: Is that okay with you, Mr. Lake?

Mr. Mike Lake: If it's “other members who were designated that attended a meeting”, what does the designated part mean there? If it was in camera, by definition they had to be designated, right?

The Chair: No, you and I can stroll into an in camera meeting as members.

Mr. Mike Lake: So any member of Parliament can come into the meeting?

Mr. Brian Masse: Yes.

Mr. Mike Lake: I don't understand. If that's the case, then I don't understand why any member of Parliament can't look at the transcripts. If it's the right of any member of Parliament to walk into an in camera meeting, our entire caucus could sit in on an in camera meeting if we wanted to.

Sorry. Someone is saying no. Could we have more than two Liberals sitting in on an in camera meeting? Could one be sitting at the table and one be sitting off to the side?

[Translation]

The Clerk: No.

[English]

Mr. Mike Lake: So you have to switch off? We can't just stroll in, but we can switch off?

The Clerk: It's the acting—

The Chair: So it would cover it if we just said “or other members who attended the specific meeting”? Are you okay with that?

The Clerk: Yes.

The Chair: Is everybody okay with that?

Mr. Mike Lake: Yes.

The Chair: Mr. Hsu, that covers the eventuality you mentioned, and it tightens it up.

I will take it by the nods of the head that all are in favour.

Mr. Hsu.

Mr. Ted Hsu: I would still like to ask—and I may be voted down—whether the staff and permanent members of the committee could see the in camera transcript.

Mr. Mike Lake: Not staff. That is what we're saying.

Mr. Ted Hsu: I'd just like to ask for it.

The Chair: I sense the room wants to limit it, not broaden it, Mr. Hsu.

Is there any appetite for staff to have it?

•(1640)

Mr. Brian Masse: That's fine with me.

The Chair: There is no appetite for that on the government side, so we'll go with the wording the way it is.

Let me read it one more time. The motion is that one copy of the transcript of each in camera meeting be kept in the committee clerk's office for consultation by members of the committee or other members who attended the specific meeting.

(Motion agreed to)

The Chair: Notice of motion: that 48 hours' notice be required for any substantive motion to be considered by the committee, unless the substantive motion relates directly to the business then under consideration; and that the notice of motion be filed with the clerk of the committee by 5 p.m. and distributed to members in both official languages.

I think we had 5 p.m. before.

Mr. Lake.

Mr. Mike Lake: I'll propose this: That 48 hours' notice shall be required for any substantive motion to be considered by the committee, and that the motion shall be filed and distributed to members by the clerk in both official languages. Completed motions that are received by close of business shall be distributed to members the same day.

Are you not sure that you understand "completed"?

The Chair: No, "close of business".

Mr. Mike Lake: Well, that is the end of the business day, I guess by 5 p.m. It would be received by 5 p.m. eastern time, if you want to be specific.

The Chair: Okay, that's 5 p.m. Eastern Standard Time.

Mr. Masse, then Mr. Julian.

Mr. Brian Masse: Just for clarification, Mr. Lake, what specific changes would take place from what we previously had, and what are the reasons for them?

Mr. Mike Lake: The first part is standard. The official languages part is standard.

On the distribution, keep in mind that ours was different from what the proposal is on the sheet today. It didn't include the part at the end about the time.

It would require that when motions are received we actually get them that day so that we know. That has not occurred all the time in every committee.

It does not use the wording "unless a substantive motion relates directly to business then under consideration", but that is common. That's a standing order, isn't it?

The Chair: It is certainly procedural, that if it's germane to the business at hand it can be moved. Is that correct?

The Clerk: Yes, if it is related to the business of a specific meeting, it can be moved at a meeting.

Mr. Mike Lake: That is automatic, and this streamlines it, in a sense.

Mr. Brian Masse: The only change is that we get the motion, but is that viable for the clerk? It seems to me you are suggesting that the clerk has to distribute those motions to the rest of the committee. I want to know if technically the clerk has the capability to do that. That would be the only question I have.

I understand the reasons for it. We all get motions the next morning at 10 o'clock and we're already behind a bit, but maybe we could have the clerk figure out how it's going to affect things.

The Chair: I will need you to comment on that, Mr. Lake, because I'm not certain either, in the way it's worded.

Mr. Mike Lake: What it allows us to do is properly prepare. We'll get the motions at the end of the business day, by 5 p.m., which will allow us to see them and properly prepare.

Mr. Brian Masse: What if there is a technical problem—

Mr. Mike Lake: It's completed motions—

Mr. Brian Masse: —electronically or distribution-wise in the clerk's department? Would those motions no longer be valid the next day? That's why I'm wondering if there would be problems.

The Chair: Hang on. The clerk wants to comment.

The Clerk: I just want to make sure. At 5 p.m. there is no problem to have a motion translated, if there are no electronic glitches. We are talking about motions. There is no problem in having a motion translated and distributed the same day to the members of the committee.

I want to make sure that the time of 5 p.m. applies also to the 48 hours' notice. If the motion is received by 5 o'clock, it is going to be sent to the members of the committee on the same day in both official languages, and the motion can be taken up by the committee not the following day but the day after.

• (1645)

The Chair: Right. Yes.

Mr. Mike Lake: What typically triggers the 48 hours?

The Clerk: For the 48 hours, it's like it is in the House of Commons. It's basically two nights.

Mr. Mike Lake: Yes, but what triggers it? What is the start of the 48 hours?

The Clerk: Well, the 48 hours could be 5 p.m.

Mr. Mike Lake: Okay.

The Clerk: Okay? But for us to respect the time, it would be better if 5 p.m. would be applied to the 48 hours. If I have it by 5 p.m. today, Wednesday, it could be taken on Friday morning. It's two nights.

Mr. Mike Lake: Yes, two sleeps.

The Clerk: I need to have it by 5 p.m. with that wording. If I have it by 5 p.m. today, it's going to be translated and distributed to all members during the night, early in the evening, depending on the length of the motion and if it's not already translated. If it's already translated and I have it by 5 p.m., you'll have it by 5:10.

The Chair: Mr. Julian.

[Translation]

Mr. Peter Julian: Mr. Chair, I have a question for the clerk.

Translation is not done automatically. Are you saying that, if you receive something that is written only in English or in French at 5 p.m., it could still be translated and distributed within a few hours?

The Clerk: Yes.

Mr. Peter Julian: Do such cases require overtime and result in additional costs?

The Clerk: When the House is sitting, translation service staff is always available.

Mr. Peter Julian: Would it not be better to set the deadline for 4 p.m.?

The Clerk: For example, my colleague the Clerk of the Standing Committee on Government Operations and Estimates decided on a 4 p.m. deadline. Other committees did not specify. If a deadline has not been set, it is assumed to be 6 p.m. If it is 6 p.m., the clerk must always ensure that staff is available. In fact, 6 p.m. may be a little late. If the deadline were 5 p.m., it would be workable, but 4 p.m. would be even better.

Mr. Peter Julian: I think that the 4 p.m. deadline is more practical for Mr. Lake.

[English]

Mr. Mike Lake: I've been thinking about the way the days work here, and 4 p.m. is an hour after QP, so I think 5 p.m. is what we're looking at here now. Of course, when we're talking about "completed", maybe it isn't explained enough, but that's completed and translated: the motion is complete and it's ready to go out to members.

The Chair: Mr. Roy.

The Clerk: Yes, but completed by whom? When I receive it from the members or when I receive it from translation? Normally, let's say, I receive it at 5 o'clock from a member in one language. Then it's translated and delivered to all members—

Mr. Mike Lake: Yes, by the end of the day.

The Clerk: —at 6, 6:30, or 7 o'clock.

Mr. Mike Lake: Okay. That's good.

The Chair: So we might want to take "completed" out of there, just so we don't get confused, and say that motions received by 5 p.m. shall be distributed to the members the same day.

The Clerk: Yes.

Mr. Brian Masse: What does that do, though, if there is a technical problem or there's too much translation and they end up missing that window by a couple of hours or by the next day? Does that then make the submitted motions invalid? That's what I'm worried about. If we have a technical breakdown or some problem, does that invalidate those motions? If you have too many motions that come in for translation and you have electronic failure, I guess you could do it through fax. You could walk them over—

The Clerk: No, I—

Mr. Brian Masse: What happens to those motions? If they don't get through to you, for whatever reason, what happens to those motions under this scenario?

The Chair: If they are received by 5 p.m., then it's two sleeps after that. Should any technicality arise...and if we have a power outage for five days or something like that, I think we'll probably have more important things to deal with rather than coming here, because we won't have microphones or translation either.

Do you know what I mean? I don't know if we can craft a motion based on some eventuality that we can't foresee right now.

• (1650)

Mr. Brian Masse: I'm not asking that we craft it. I just want to know what's going to happen if we miss the deadline for whatever reason, because we didn't have this before. We did have the motions that didn't get to us that same day, and that's why you're proposing it.

Mr. Mike Lake: The timelines, yes, the timeline is all thrown off.

Mr. Brian Masse: Yes. That's why it's being proposed to begin with.

Mr. Mike Lake: The point is, when we submit a motion before five o'clock on a Wednesday, then Friday we're good to go. That's the point, and we all know that. It's predictable, and it's not dependent on anything else. If we get our motion in by five o'clock, we're good to go the second day following.

Mr. Brian Masse: And all I'm asking is what is going to be the repercussion if we don't make it? You're proposing it because it wasn't met before, because there was a problem about getting that. Otherwise, you wouldn't even be proposing this to begin with. And now we're getting guarantees that we're not going to miss that window.

The Chair: Mr. Masse, just to clarify, which window are you talking about—the distribution from the clerk on the same day?

Mr. Brian Masse: The distribution, yes. It's the distribution on the same day. It's not the 48 hours; it's the distribution on the same day. We have had technical problems that have stopped e-mail, and other types of service have gone down for a few hours. Does that mean the clerk has somebody stay there until midnight to try to get it through the system, or does it come a different way? I just want to know whether it invalidates those motions, so we don't have a problem—

Mr. Mike Lake: He could personally slide it under our doors.

Mr. Brian Masse: But do you see and understand here? You're proposing something to fix what you perceived as a problem, but we're getting guarantees now that we don't have those problems. I'm looking to find out what happens if we do have that situation, so we don't have a big public argument or spend meetings on whether our motion is valid or not because for technical reasons it couldn't get back to us.

The Chair: I think the clerk is pretty confident about the fact that if it's in by five o'clock, in his experience midnight is quite doable.

Do you want to comment, Jean Michel?

The Clerk: Well, so far, every time we have received motions in the afternoon, they have been translated and sent by e-mail to all members of the committee the same day, and very quickly. If the motion is three lines, it's going to take five minutes to have it translated, and by e-mail it's going to be sent in five minutes.

Mr. Brian Masse: So with this motion we're fixing something that isn't broken.

The Clerk: Well, you have the 48 hours' notice also in your motion.

Mr. Brian Masse: Of course, we've always had that. Either there was a problem or there isn't a problem.

Mr. Mike Lake: This assures us that we have proper notice and certainty that when a motion is presented by five o'clock, you know when you're going to be able to debate it, and nothing is going to throw that off.

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

The Chair: Is there anything else we need on routine motions?

The Clerk: I think we've been through.

The Chair: All right, we've been through our list of routine motions. Are there any other motions or management issues?

Mr. Lake.

Mr. Mike Lake: I'll just make a suggestion that we schedule our Monday meeting for committee business. Is that reasonable?

Just to put on the table one of the things we've talked about—and it won't be a surprise—the previous minister commented about having a study on gas prices. It would be nice to take that up as a committee. So to give a heads-up, if we do committee business on Monday, we'll want to discuss that possibility.

The Chair: This coming Monday?

Mr. Mike Lake: Yes. I think Monday at 3:30 is our next scheduled meeting. Is that correct? We could talk about what that looks like on Monday.

The Chair: From past experience, we can't guarantee the location of the room. There are lots of committees going on. But when you get notice of the meeting you'll get notice of the room, in due course.

Mr. Julian.

Mr. Peter Julian: Mr. Chair, if it's at all possible to keep this room, rather than going to south Ottawa or wherever else.... We have committee rooms scattered throughout downtown Ottawa. This is certainly a prize committee room, if it's possible to keep it.

The Chair: It is, and I should tell you I have some strong feelings about it, because the Standing Committee on Procedure and House Affairs meets here. Also, I used to chair the veterans affairs committee, and this room was actually designed for the veterans affairs committee with these plaques that you see here, so I'd hate to take the time away from them when they come here and honour vets and do their work.

It is very convenient, but we'll have to deal with the House and where the meetings are all distributed. And I also understand the challenges of Wellington Street and Queen Street, believe me.

Is there any other discussion?

Could I have a motion to adjourn?

Mr. Glenn Thibeault: I so move.

• (1655)

The Chair: The meeting is adjourned.

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