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Chair: Mr. Francis Scarpaleggia



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• (1615)

[*Translation*]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)): I call the meeting to order.

We were supposed to meet for four hours. We will continue until 8 p.m., if we have permission to do so, but we cannot go past 8 p.m. So we will not be having a four-hour meeting, but it will be close.

In case you are not aware, Mr. Longfield had some shortness of breath and was not very well at the end of last week. He went to the hospital and stayed there all weekend. He had a coronary stent put in and everything is going well. He was even able to vote earlier. It seems that he will be back at work on Friday. He will not be joining us today. Han Dong will be replacing him.

Welcome, Mr. Dong.

We also have with us, from the Department of the Environment, John Moffet, Assistant Deputy Minister, Environmental Protection Branch, whom we know very well, and Douglas Nevison, Assistant Deputy Minister, Climate Change Branch.

[*English*]

I would like to provide members of the committee with some instructions and a few comments on how the committee will proceed with the clause-by-clause consideration of the bill. As the name indicates, this is an examination of all the clauses in the order in which they appear in the bill. I will call each clause successively, and each clause is subject to debate and a vote.

If there are amendments to the clause in question, I will recognize the member proposing that amendment, who may then explain the amendment. The amendment will then be open for debate. When no further members wish to intervene, the amendment will be voted on. Amendments will be considered in the order in which they appear in the bill or in the package each member received from the clerk. Members should note that amendments must be submitted in writing, as was done, to the clerk of the committee. I'm told that you can actually submit an amendment from the floor.

I'll go slowly to allow members to follow the proceedings properly. Amendments have been given an alphanumeric number. There's no need for a seconder to move an amendment. Once an amendment is moved, unanimous consent is required to withdraw it.

Members are permitted to move subamendments, but they must be submitted in writing to the clerk, who will then distribute them. These subamendments do not require the approval of the mover of

the amendment. Only one subamendment may be considered at a time, and that subamendment cannot be amended.

Once every clause has been voted on, the committee will vote on the title and the bill itself, and then the committee will have to order the chair to report the bill to the House.

That's essentially how we proceed. Since there are a few amendments to clause 2, which is an interpretation clause, I suggest we postpone the study of clause 2 until the end. This allows us to see which amendments are adopted that could have an impact on the definitions that are in clause 2.

As a reminder, the interpretation clause of a bill is not the place to propose a substantive amendment to a bill, unless other amendments have been adopted that would warrant amendments to the interpretation clause.

Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC): Mr. Chair, if you'll permit it, before we actually begin the formal process, I'd like to make a comment. I will be as brief as possible.

The Chair: Yes, Mr Albas.

Mr. Dan Albas: Thank you for that.

Mr. Chair, I have received some feedback, and I think it's important for the committee, as a group, to listen to that feedback. It is my understanding that a large majority of the briefs that were submitted, 62 of 70 briefs, were filed with us yesterday. That was obviously after the cut-off of last Friday for amendments. At least that's the feedback that I've heard.

I just wanted to say that the feedback further said that it almost felt like the committee was not serious in saying, "Please send us your thoughts. If you can't appear as a witness, please, we want to hear from you." The person who contacted me said that they felt that the committee was rushing things and was not legitimately sincere in the process.

I know some might point out that my party is opposed to Bill C-12. That may be true. You can hold me to account for that. My voters will—certainly some of those who feel strongly about it.

Mr. Chair, what I'm talking about here is the process itself. When people talk about cynicism and whatnot, I would simply point out that we raised these concerns very early in the process, when the committee chose to accelerate its study. In that compression, it seems that we've squeezed some people, in their minds, out of the process completely.

I would point this out, not to point the finger and wag it at people, but simply to say that we need to do better next time, Mr. Chair. I would ask all committee members to think about that feedback. Maybe you've heard directly from them, but having the majority of those briefs submitted so late in the process really irked many people, because it felt like we were never serious about listening to them in the first place.

I've raised that in terms of process. We can have debate over the product of this bill, but I think it's important that there's a trust that's given to us and that we honour that public process. Unfortunately, we did not pass that bar.

• (1620)

The Chair: That's noted, Mr. Albas.

Ms. May, is this a point of order?

Ms. Elizabeth May (Saanich—Gulf Islands, GP): No. I wanted to comment on Dan Albas's comment. From a very different perspective, since I want urgent climate action, I also found it very distressing that so many witnesses weren't heard and that we closed out everybody other than the minister. The sum total of our study on this bill is seven and a half hours.

I know I'm not a member of this committee. I'll speak to that point later, Mr. Chair, but I think it really makes a mockery of inviting the public to send comments when amendments are due before the comments are received.

The Chair: That's understood.

We'll proceed now to clause-by-clause consideration.

As I say, we'll do clause 2 at the very end, because it's a clause that has definitions. We'll start with clause 3.

On clause 3, if no one objects, I'll assume unanimous consent.

Mr. Dan Albas: I request a recorded vote, Mr. Chair.

The Chair: May we have a recorded vote, please, Madam Clerk, on clause 3?

(Clause 3 agreed to: yeas 7; nays 4)

(On clause 4)

The Chair: On clause 4, there are some suggested amendments. We'll start with PV-2.

Ms. May, would you like to present the amendment?

Ms. Elizabeth May: Yes, and first I need to put on the record a small reminder to the committee. I'm here because you passed a motion, a motion to which I objected. An identical motion was passed in every committee, so I am coerced to be here. You have probably no personal knowledge of this, because it's not personal to any one of you individually, but this process is one that reduces the rights that I would otherwise have to present amendments at report stage—substantive amendments to which I could speak at length.

The process we are now in is novel. It was created when Stephen Harper was prime minister. It was to punish me for the 432 amendments I brought forward to try to get changes to the omnibus budget, Bill C-38. We won't get into details, because there isn't time, but surprisingly, the same process continues under the Liberals, to

deprive members of smaller parties of rights we would otherwise have.

I need to put that on the record, because no doubt at some point, as I speak to my 37 amendments, you may wish I wasn't here, but I am here because you have created a situation that coerces me to be here, and my amendments are deemed to be put forward because I don't have the right to put them forward myself and I don't have the right to vote on them.

I must speak to them briefly, but I will say that I sent to the clerk of the committee and to committee members a list of witnesses who could have aided this committee, including the Minister for Climate Change from New Zealand, the Hon. James Shaw, who just brought forward a climate accountability act in New Zealand; and the head of the Sabin Center for Climate Change Law at Columbia University's law school.

There was some decision made behind closed doors by other members of this committee to move so quickly that those witnesses could not be heard. There were no indigenous witnesses live before committee, no young people live before committee, and no presentations by climate scientists on the reasons for urgency.

I turn quickly to my amendment here. By the way, Mr. Chair, I think that when the Government of Canada under Stephen Harper looked at the first initial of my party name in English, it decided, "Oh, we can't have a Green G when we have a Government G," so that's why it is "PV" for *Parti vert*.

This amendment is to correct a scientific inaccuracy that is embedded in this legislation. It is embedded in the title of the legislation. It is embedded in the preamble. In other words, it cherry-picks the science from the Intergovernmental Panel on Climate Change in order to focus on net zero by 2050, without focusing on the reality that the Intergovernmental Panel on Climate Change says that to hold to global average temperature increases to 1.5°C—which is the goal of the Paris Agreement—and as far below 2°C as possible, the window on that will close well before 2030.

Again, I'll probably have another opportunity to explain this, but when we say that if we have 1.5°C that will mean we're at net zero by 2050, that's true. It is not scientifically accurate to say that if we can get to net zero by 2050 we will have 1.5°C secured. The IPCC has been very clear that without dramatic reductions immediately, in this decade, the window on 1.5°C will close, and close forever, before we get past 2030.

That's why the purpose of the act, to be consistent with the Paris Agreement, must include the notions of urgency and immediate and ambitious action. That's the purpose of the amendment I suggest for line 13. It would ensure that when we talk about the targets, we talk about near-term targets, not only the one for 2050. I hope this amendment will meet with the approval of the majority of members of this committee.

Thank you, Mr. Chair.

• (1625)

The Chair: Is there anyone who wishes to debate this amendment?

Mr. Bittle.

Mr. Chris Bittle (St. Catharines, Lib.): Very quickly, Mr. Chair, we believe that amendment NDP-1 addresses this same issue and does so in an effective way, and unfortunately we cannot support this amendment.

The Chair: Is there anyone else?

No. Shall we vote on it?

Mr. Dan Albas: I request a recorded vote.

The Chair: Just so that I know, Mr. Albas, is that going to be all the way through?

Mr. Dan Albas: I think so.

The Chair: Okay, that's fine. It's just so I know where we stand.

Can we have a recorded vote on amendment PV-2, please?

Mr. Jacques Maziade (Legislative Clerk): Mr. Chair, before going to the vote, you might want to inform the committee members of the impact on the following amendment.

The Chair: I'm so sorry. I didn't see it. I apologize.

Committee members, we'll get into our groove quickly enough.

If PV-2 is adopted, NDP-1 cannot be moved, as they amend the same line in French.

Thank you very much, Mr. Maziade.

We can do the roll call vote now.

(Amendment negatived: nays 10; yeas 1)

The Chair: That means we move to NDP-1.

• (1630)

Mr. Taylor Bachrach (Skeena—Bulkley Valley, NDP): If I may, Mr. Chair, I would like to present Ms. Collins' motion, NDP-1.

It's in the package. It's very much in the spirit of what Ms. May put forward. We prefer the more concise wording, and I'll leave it at that for now.

Thank you, Mr. Chair.

The Chair: Yes, Mr. Albas.

Mr. Dan Albas: Mr. Chair, I have a question, through you, for the legislative clerk.

I'm sorry. I missed earlier, with PV-2, which consequential amendments that would change. Are there any in NDP-1 that would relate to other parts of the bill?

The Chair: Would somebody like to answer that?

I'm just going amendment by amendment.

Mr. Taylor Bachrach: I can try speaking to it, Mr. Chair.

I believe, Mr. Albas, that the two amendments deal with the same part of the bill in a very similar way, with slightly different wording. We just voted down Ms. May's amendment, and we're now dealing with our version.

Mr. Dan Albas: Okay, so it wasn't consequential. That is what I was asking.

I just got it from somewhere. It was not where I thought I would get it, but thank you. I appreciate it, Taylor.

The Chair: Seeing no other hands up, we'll proceed to a recorded vote on NDP-1.

(Amendment agreed to: yeas 7; nays 4)

The Chair: We now go to PV-3.

Ms. May, would you like to speak to it?

Ms. Elizabeth May: Yes. Thank you.

Again, we're in the same rubric here of clause 4, and again, it's to add a specificity to what our international commitments are.

I appreciate your point, Taylor. Mine was more wordy above, and I hope that the NDP might support this one, in that what our international commitments are in respect of mitigating climate change are very specifically about limiting global average temperature and to try to hold that temperature increase to 1.5°C. Then it goes on to continue with the last bit “and of achieving net-zero...by 2050 and Canada's international commitments”, so it's to bring into sharp focus what we actually committed to do in Paris and embed that in the purpose of the legislation.

Thank you, Mr. Chair.

The Chair: Madame Michaud.

[*Translation*]

Ms. Kristina Michaud (Avignon—La Mitis—Matane—Matapédia, BQ): Thank you, Mr. Chair.

The amendment that Ms. May is proposing is a good one, but I want to point out that the following one, proposed by the Bloc Québécois, is almost the same, with one clarification. This is for the purpose of the bill to state that the objective is not simply to achieve net-zero emissions in 2050, but also to reach the 2030 targets in the Paris Agreement. This will be done through the implementation of accountability mechanisms in the legislation. The amendment is basically the same, with one additional clarification.

So I invite members to consider the following amendment because, as I understand it, if Ms. May's is passed, we will not be able to vote on the following one given that its purpose is to amend the same lines. Is that correct?

• (1635)

The Chair: I understand. That's not what I was told, but it is what I thought. One moment, please.

Ms. Michaud, I have just been told that we can deal with both amendments. There is no conflict between the two. Amendment PV-3 amends line 15 and amendment BQ-4 amends lines 16 to 18. So there is no conflict.

Ms. Kristina Michaud: Thank you for the clarification.

[*English*]

The Chair: Mr. Bittle.

Mr. Chris Bittle: Thank you so much, Mr. Chair.

Very quickly, we oppose this, as the preamble already deals with it. The Canadian net-zero emissions accountability act, or CNZEAA, as some people have suggested to me—I hope that doesn't catch on—already reaffirms the goal of limiting global average temperature increases to well below 2°C above pre-industrial levels while pursuing efforts to limit that increase to 1.5°C.

We see it as redundant.

The Chair: I have Ms. May and Mr. Albas.

Ms. Elizabeth May: Sorry, I left my hand up for what I was going to say to Madame Michaud, which was that we were actually consistent and could adopt both.

To Mr. Bittle, the preambular language does tend to focus on 2050 and not on the immediate, which is why I'm betting that 1.5°C at this point would be wise.

The Chair: Ms. May, can you take your hand down? That would be helpful.

Mr. Albas.

Mr. Dan Albas: Thank you, Mr. Chair.

Briefly, to Mr. Bittle's comments, I wanted to see if we could ask the government officials.... My understanding is that the preamble is really there to kind of set the stage for the bill, but actually has no binding force.

It's much different when you mention something in a preamble than actually in the legislation itself. Could that be confirmed by the officials?

The Chair: Do any of the officials want to address that?

Mr. Moffet.

Mr. John Moffet (Assistant Deputy Minister, Environmental Protection Branch, Department of the Environment): I think that's better addressed by your legislative counsel.

The Chair: I thought so.

Yes, Ms. Thivierge.

Ms. Émilie Thivierge (Legislative Clerk): I'm not sure I can be of much help. It would probably need a legislative counsel to explain it.

Mr. Dan Albas: My understanding is that when the statute is published, the preamble is taken out because it's not seen to have any force of effect to the actual statute.

The argument the government is making is that it's redundant, so I'm asking, is that the case from a legislative viewpoint?

Mr. John Moffet: I can answer that.

Statutes passed with preambles are published with their preambles. Preambles can be used in traditional interpretation, but they have less influence than a purpose provision, which in turn has less influence than a substantive provision that provides an explicit obligation.

Mr. Dan Albas: Is it redundant, then? The government has structured the bill in such a way that there's allusion to it in the preamble, versus in the actual bill itself.

Mr. John Moffet: Clause 4 refers to international commitments. I won't speak for Ms. May, but I don't think the objective is to change those international commitments. It's simply to reinforce them. The way the bill is drafted, it refers to those commitments, which, as the preamble indicates, include joining the international effort to enhance efforts to take immediate action to minimize temperature increase. The amendment would refer to those obligations specifically, but wouldn't actually change them.

• (1640)

Mr. Dan Albas: Okay. I may have other, similar questions, because there are a lot of preambles and I want to make sure we get this bill right. Thank you.

The Chair: Ms. May is next, and then Madame Michaud.

Ms. Elizabeth May: Thank you, Mr. Chair. I just—

Mr. Chris Bittle: Mr. Chair, on point of order, I always enjoy Ms. May's interventions, but with respect to members of the committee and the back and forth, I know there are rules that we agree to. I don't know that the rules permit for the back and forth. I'm just putting that out there.

The Chair: You're talking about the back and forth with Mr. Albas.

Mr. Chris Bittle: I mean in terms of Ms. May and her not being a member of the—

Ms. Elizabeth May: If I'm here because you passed a motion that I object to vehemently and that reduces my rights, then the decision not to allow me to speak to something when I've been asked whether it's redundant or not and whether the preamble has force of law or not.... Chris, honestly.

The Chair: It's Ms. May's amendment, so I think it would be useful if we heard from her to help us understand a bit better.

Go ahead, Ms. May.

Ms. Elizabeth May: Sorry for losing my temper, Mr. Chair, but it's been years of having to run from committee to committee because every committee passes an identical motion under the fiction that the committee is in charge of its own process and the master of its own process. The notion that every committee in the House of Commons simultaneously came up with identical language to reduce my rights doesn't stand up to scrutiny. I apologize, but I've been through almost 10 years of larger parties reducing the rights of a much smaller party. We don't have very many rights.

To speak to this briefly, I want to thank Dan, because again, it isn't redundant to put it in the legislation. John Moffet's summary is correct. In terms of "Statutory Interpretation 101" in any law school in this country, everyone knows the preamble has very little impact and can be used only for statutory interpretation. If the matter goes before a judge, the judge will take note of what's in a preamble, but it doesn't have the impact that putting it in the legislation has.

I would think the Liberals on this committee would be proud to embrace 1.5°C, just as a matter of historical record. During COP21 in Paris, the first minister of environment of an industrialized country to say that the text of the Paris Agreement should include 1.5°C as a goal was Catherine McKenna. She was the first, and everyone else followed. Now we are running to net zero by 2050 instead of saying firmly and clearly that this legislation should be about holding to 1.5°C.

The Chair: Madame Michaud.

[Translation]

Ms. Kristina Michaud: Thank you, Mr. Chair.

I wanted to add that I agree with Ms. May and Mr. Albas; it is not redundant to add this clarification. Clause 4 of Bill C-12 clearly has more force than the preamble. Net-zero emissions and meeting the commitments of the Paris Agreement are at the heart of the bill, so I see no problem in repeating it in this clause.

The Chair: I know that Ms. Thivierge can clarify this, to help our understanding.

Ms. Émilie Thivierge: In the Interpretation Act, section 13, which deals with preambles, reads as follows: "Le préambule fait partie du texte et en constitue l'exposé des motifs." In English, it reads:

[English]

"The preamble of an enactment shall be read as a part of the enactment intended to assist in explaining its purport and object."

That's what the Interpretation Act says about the preamble.

The Chair: I see no more hands up, so we can proceed to a roll call vote on amendment PV-3.

(Amendment negatived: nays 9; yeas 2 [See Minutes of Proceedings])

The Chair: We'll go now to amendment BQ-4.

• (1645)

[Translation]

Ms. Michaud, would you like to tell us about your amendment?

Ms. Kristina Michaud: As I said earlier, I wanted to make it clear in the legislation that the objective is not solely to achieve net-zero emissions by 2050, but also to achieve the 2030 target. Then, in order to ensure that we achieve that target, we need accountability mechanisms. I just wanted to clarify that little addition.

The Chair: Okay.

Any further comments? I see none at the moment.

So we can proceed to the recorded vote, Madam Clerk.

[English]

(Amendment negatived: nays 9; yeas 2 [See Minutes of Proceedings])

The Chair: Does anyone have anything to say about clause 4?

Mr. Albas.

Mr. Dan Albas: Mr. Chair, I'll simply say we're going to be opposing this provision in it, but I do appreciate some of the arguments that were made by other members for examining this clause.

I think some of the illustrations we received from Mr. Moffet, as well as from the legislative clerk, will be helpful for our deliberations in future clauses.

Thank you.

The Chair: Thank you.

I see no other members interested in speaking to this, so we'll go to the vote on clause 4, as amended.

(Clause 4 as amended agreed to: yeas 7; nays 4 [See Minutes of Proceedings])

(On clause 5)

The Chair: There are no amendments to clause 5. Does anyone want to speak to clause 5?

Mr. Dan Albas: Yes. Thank you, Mr. Chair.

We will be opposing it. Simply put, we believe that a whole-of-government approach is required to deal with climate change, but we will be having some specific proposals later on in the bill that will outline what we believe the relationship between the Governor in Council and the minister responsible should be. We don't believe the government got it right in this regard, so certainly Conservatives will be voting in opposition to the clause as it is written.

• (1650)

The Chair: Thank you.

Is there anyone else? Okay, we'll proceed to a vote.

(Clause 5 agreed to: yeas 7; nays 4)

(On clause 6)

The Chair: Clause 6 will get more interesting. We have amendment BQ-5, and if BQ-5 is adopted, BQ-6 and PV-4 cannot be moved, as they amend the same line.

Would Madame Michaud like to speak to BQ-5?

[Translation]

Ms. Kristina Michaud: Thank you, Mr. Chair.

I don't want to speak to amendment BQ-5. I want to move directly to amendment BQ-6.

The Chair: So you are withdrawing your amendment?

Ms. Kristina Michaud: Exactly.

The Chair: Madam Clerk, do we need unanimous consent to withdraw an amendment?

Ms. Émilie Thivierge: That is not necessary, because Ms. Michaud did not introduce her amendment. She referred to it, but she did not introduce it. So it is not necessary to have unanimous consent.

The Chair: That's an important distinction.

[*English*]

Mr. Dan Albas: Mr. Chair, just in regard to this, I know some people are eagerly watching this. I just want to make sure they understand that it's up to members to decide whether or not they want to proceed with a particular motion. I know that in my case, we submitted amendments quite early on and we actually heard testimony that changed our minds on our approach, so we submitted others. Conservatives certainly will be seeking amendments, but we won't actually be putting forward every one of them.

I just thought that would be a helpful little tip for those who are watching the proceedings today.

Thank you, Mr. Chair.

The Chair: Thank you. It is helpful, for sure, to understanding the process.

We'll go now to amendment BQ-6. If BQ-6 is adopted, PV-4 cannot be moved as they amend the same line.

Would Madame Michaud like to speak to BQ-6?

[*Translation*]

Ms. Kristina Michaud: Thank you, Mr. Chair.

We want to specify that the target is net-zero emissions as soon as possible, that 2050 is the final date, but that our objective is to get there quickly.

The Chair: Okay.

Any other comments?

Mr. Bittle, the floor is yours.

[*English*]

Mr. Chris Bittle: Just very quickly, we're opposed, but it's because amendment G-2 addresses the same topic and deals with a similar issue.

The Chair: Okay.

Mr. Albas.

Mr. Dan Albas: Thank you, Mr. Chair.

I was simply going to oppose this amendment, but now that Mr. Bittle has raised amendment G-2, I would like to get a sense from the legislative clerk, or perhaps Mr. Moffet might want to comment—whoever this would be best directed at.

Nothing in this bill specifically designates that net zero cannot happen earlier. It doesn't say you cannot have it before 2050. Is that correct?

The Chair: Who is the question for?

Mr. Dan Albas: Either the legislative clerk or Mr. Moffet can answer, because I think there seems to be an indication that somehow the bill itself precludes that net zero could happen before the time.

The Chair: I have a hunch that Mr. Moffet might be the person to answer that. Is that correct?

Mr. John Moffet: That's correct. Nothing in the bill as it is written currently precludes achieving the goal of net zero before 2050.

Mr. Dan Albas: Okay. Maybe I'll just keep that in mind, Mr. Chair, because when we get to amendment G-2, I think the question I have on my mind is whether anything precludes it, but we'll ask those questions when we get to that part of the bill.

Thank you for your help, Mr. Moffet.

The Chair: Okay. Thanks.

We were at amendment BQ-6.

• (1655)

[*Translation*]

Ms. Michaud, you spoke to your amendment BQ-6, did you not?

Ms. Kristina Michaud: Yes, I did.

The Chair: Okay.

As I see no other speakers, we can proceed to the recorded vote, Madam Clerk.

[*English*]

(Amendment negated: nays 10; yeas 1 [*See Minutes of Proceedings*])

The Chair: It's defeated. That means PV-4 can be moved.

Madam May, do you wish to move it?

Ms. Elizabeth May: I would love to, but I'm not allowed to under the terms of the motion the committee passed—not to split hairs. All of my motions are deemed moved by others. I'm here at your sufferance once again.

The Chair: You're right. You can't move it, but it is deemed moved by others. I guess what I wanted to ask was, would you like to speak to it?

Ms. Elizabeth May: Yes. Thank you. Again, under the terms of the committee's motion, I'm invited to speak to my amendment.

This one is to deal with and basically to remind members of the expert evidence we had from West Coast Environmental Law and their staff counsel, Andrew Gage. Unlike some of my other amendments, I scrambled to get this one ready after hearing his evidence.

Of course, when we talk about “net zero”, this is a different concept from the one Madame Michaud brought forward—oh, I'm not even on any channel for interpretation. I'm sorry. Madame Michaud mentioned that “as quickly as possible” was the goal of her amendment that was just defeated.

This one speaks to a different issue: not the timeliness, but the concept of absolute versus net. I note that she too will use the word “absolute” at different points, but the absolute greenhouse gas emissions are different from net, with net meaning where you end up once you've had all the sequestration activity of green leafy things, or maybe there's some new technology that sucks carbon out of the air. Net zero doesn't imply absolute zero.

The amendment I've brought forward here comes from West Coast Environmental Law and their suggestion that net zero be coupled with absolute greenhouse gas emission reductions of at least 90% below 2005 levels over the same period, such that we, for instance, don't buy large amounts of credits from other countries as opposed to doing the work at home to reduce our emissions.

Thank you, Mr. Chair.

The Chair: I've been told that this amendment is problematic, and that leads me to make the following ruling that it's not admissible. I will tell everyone why.

Bill C-12 requires that national targets for the reduction of greenhouse gas emissions in Canada be set with the objective of attaining net-zero emissions by 2050. The bill establishes that “net-zero emissions” means that anthropogenic emissions of greenhouse gases into the atmosphere are balanced by anthropogenic removals of greenhouse gases from the atmosphere over a specified period.

Amendment PV-4 seeks to achieve net-zero emissions through an absolute greenhouse gas emissions reduction of at least 90% below 2005 levels, which is not foreseen in the bill.

The *House of Commons Procedure and Practice* book, third edition, states on page 770:

An amendment to a bill that was referred to a committee after second reading is out of order if it is beyond the scope and principle of the bill.

In my opinion, PV-4 introduces a new concept that is beyond the scope of the bill. Therefore, I must rule the amendment inadmissible.

Ms. Elizabeth May: Mr. Chair?

The Chair: Yes, Madam May.

Ms. Elizabeth May: I understand putting forward amendments that are outside the scope of the bill, and I certainly wouldn't do that. I wonder if in any way.... It is certainly within the scope of the bill to meet our Paris commitments, and to say that an absolute reduction by 90% by 2050 is outside the scope of the bill.... I must say, Mr. Chair, I'll register that this is a surprise.

• (1700)

The Chair: Okay. Wait one moment, and I'll get back to you on how you can challenge this decision.

Apparently, Madam May, to challenge the chair's ruling, one has to be a member of the committee. Unfortunately that's not the case, so you won't be able to challenge it. I imagine someone else can challenge it.

Mr. Albas.

Mr. Dan Albas: Yes. Before I go through—because I really view a challenge to the chair as something you don't do every day, Mr.

Chair—I just have a question. The term “absolute zero” would mean 100%.

By the way, I don't agree with this motion, but I do believe people should be heard. If she's given the right to come to committee to table this, I think that at least she deserves an up-or-down vote so we can be accountable and then we can say there was a fair hearing.

My question, Mr. Chair, is that “absolute” would mean 100%, but she's simply qualifying a proportion of net zero being 90%. At least that's my take on it. Maybe Ms. May might have a different version of it.

The Chair: It's clever math, but I don't know if that's really what the rule addresses—

Mr. Dan Albas: Mr. Chair, 90% of something is not 100% of a thing. That's pretty clear. It's not absolute. Absolute usually is 100%, or absolute zero.

The Chair: I think “absolute” here means that you can't balance it with something else. Ms. May did get a chance to address the committee to say why she disagreed. If you would like to challenge the chair, Mr. Albas, you can do so but without debate, so we would go straight to a vote.

Is that correct, Ms. Thivierge?

Mr. Dan Albas: With regard to that, Mr. Chair, we might want to hear from Mr. Redekopp first, and then I'll make my argument, because—

The Chair: I'm not sure we can do that.

Mr. Dan Albas: Chair, how can we have a challenge to the chair if we don't even understand your process?

The Chair: This is what I'm going to check on, and I'll get right back to you. This is going to be slow moving for a while, until we hit our stride.

Ms. Thivierge confirms my understanding, which is that if you're challenging the ruling, we will go straight to a vote. There's no debate. Mr. Redekopp can speak later about something else if he wishes to, but there's no debate around your challenge.

We'll go to a vote.

Mr. Han Dong (Don Valley North, Lib.): On a point of order, Chair, I just want to understand what's going on here. Ms. May is moved to challenge the chair, but she cannot do that—

The Chair: She cannot do that, so Mr. Albas is kindly taking it up for her.

Ms. Elizabeth May: I didn't challenge the chair. I said the ruling was a surprise. I would not challenge the chair, even if I were a member of this committee, because, as Dan says, that's a very unusual move. I was surprised by the legal interpretation. I'm sorry for taking more time. I didn't plan to intervene again, but I don't want it on the record that I moved to challenge the chair. I didn't. I didn't try to, even if I could have.

The Chair: Fair enough, but I think Mr. Albas, nonetheless, wants to—

Mr. Dan Albas: Just to be clear as to whether I moved to challenge the chair, that is something that has not come out of my lips, Mr. Chair. I was simply asking you a question so I could understand your reasoning and so I could leave with that.

If other members have questions about your reasoning, perhaps you might want to acknowledge them first, but I have not made that motion. I'm not persuaded yet, but it sounds as though other members have questions.

• (1705)

The Chair: Okay, fair enough. I've got it. I'm glad no one is challenging the chair.

We'll go to Mr. Redekopp.

Mr. Brad Redekopp (Saskatoon West, CPC): Thank you.

In the spirit of there being no such thing as a dumb question, I'm going to ask this question.

Mr. Chair, you said the bill says anthropogenic emissions are balanced...that the pluses and minuses balance out. Where does it actually say that in the bill? That's why I say I hope this isn't too dumb a question, because I'm not sure I saw that. Maybe I just missed it.

Mr. John Moffet: I can answer that, Mr. Chair.

The Chair: Thank you, Mr. Moffet.

Mr. John Moffet: In clause 2, the last definition is the definition of net-zero emissions, which is defined to mean that anthropogenic emissions of GHGs are balanced by anthropogenic removals over a specified period of time. The chair was correct in his interpretation of net zero, and Ms. May's motion would simply say that net zero has to be achieved by, at a minimum, 90% removals. Then, by consequence, up to—but only up to—10% could continue to be emitted, but would be balanced by removals.

Mr. Brad Redekopp: Thank you. That would explain why it's always good to read the definitions.

The Chair: Yes. That's right.

PV-4 is inadmissible.

Mr. Albas, is your hand up again?

Mr. Dan Albas: Yes, it is up again. I wanted to ask Mr. Moffet a question.

I'm trying to understand this definition of absolute zero. Obviously this is your job, your full-time job, to understand these terms. Is what is being suggested by Madam May absolute, as in 100%, or would you interpret it to say that it is something other than absolute and therefore would be within the scope of the bill?

The Chair: My understanding—correct me if I'm wrong, Mr. Moffet—is that we're talking about two different things. One is the definition of basically.... Well, it has to do with whether we have offsets or we don't, and then we're talking about, even without offsets, that we're at 90% of 2005 levels.... Is my understanding correct, under PV-4? I mean, it's really about whether offsets—

Mr. John Moffet: That's my interpretation. The amendment would require 90% reductions—

The Chair: Yes. It's non-net-zero.

Mr. John Moffet: Then, in order to achieve net-zero, there would be a remaining 10%, which could be either reduced or offset.

The Chair: Oh, I see. It could be offset.

Does that answer your question?

Mr. Dan Albas: It does, but it is not consistent with your ruling.

That being said, Mr. Chair, I know that being chair is a difficult job. I wouldn't want it unless I were forced into your chair position because you had to step out of the room, and then I expect 100% that I would be challenged immediately by someone, probably even from my own party.

Thank you, everyone. I appreciate the intervention by Mr. Moffet.

The Chair: Thank you.

Mr. Brad Redekopp: Mr. Chair, can I ask one more question? I want to point out that we didn't actually approve the definitions yet. They theoretically could be adjusted to fit with this one, could they not?

The Chair: Yes, I guess they could, but I don't know about that particular definition because it was.... That's a good question. Let me ask Madame Thivierge. I'll get back to you, Mr. Redekopp, but my sense is that we've adopted the bill at second reading, where "net zero" includes offsets. Maybe that particular definition cannot really be changed, but I'll get back to you.

Apparently, my understanding is correct. This substantive definition of net-zero emissions was adopted at second reading, so Ms. May's amendment changes the scope of the bill—it goes right to the heart of the bill—and that is essentially why it is not admissible.

Does that answer your question, Mr. Redekopp?

• (1710)

Mr. Brad Redekopp: Yes, I think so. I'm okay with that. I'm not going to hold this up any longer.

The Chair: Okay. Where were we? We're on PV-5.

Ms. May.

Ms. Elizabeth May: Thank you, Mr. Chair.

I think this discussion shows the benefit, in hindsight, of having a longer time for the committee members to hear different witnesses.

At this point, I want to quote Andrew Gage, who is an expert in climate law. He is a lawyer, and he understands legislation. Here's what he points out. This is, again, one of his amendments, which I've put forward from West Coast Environmental Law, and it says that the minister may set additional targets. As opposed to the one that was mandatory last time, I hope this one will meet with the approval of the legislative clerk and advisers and that this proposed added wording is within the scope:

The Minister may set additional targets with respect to absolute greenhouse gas emissions reductions.

I just want to quote Andrew Gage on this point in terms of accountability. He says:

Accountability, in both the climate and financial realms, can...be undermined through weak rules that allow for accounting tricks that create the appearance of responsibility. Legislation should require efforts to meet these targets to maximize absolute reductions as opposed to relying on less certain measures like offsets and unproven technologies.

There's the difference between what's absolute and what's net. Certainly, net zero by 2050 is a fine target, as long as there are absolute reductions all along the way that meet the only pathway the Intergovernmental Panel on Climate Change has identified that actually allows us to hold to a hospitable climate and a survivable planet, which is to say that we need steep reductions sooner rather than later in order to hold to 1.5°C.

That threshold for it being the point of no return, when we lose 1.5°C forever, is actually 2030. Absolute emission reduction targets may be required, and the minister would be in a position, with this amendment, to make such decisions and to make such determinations. It's not inconsistent at all, but completely consistent with the goals of this act.

Thank you.

The Chair: Thank you.

No one has flagged to me that it is not admissible, so it is admissible.

Mr. Albas.

• (1715)

Mr. Dan Albas: Thank you, Mr. Chair.

The Conservatives have reviewed this. We won't be supporting it. We think it's important for all parties, particularly given that COP26 will include what I'm sure will be a robust discussion around the use of non-anthropogenic storage, sequestration, nature-based climate solutions and so on. Even the government, I'm sure, would probably take some issue...as it's put out some regulatory guidance as to what entails an offset—for example, the planting of trees that won't be cut down for a hundred years.

I note that there are some industry stakeholders who believe their sequestration activities are also valid. I grant that there are some people who would like to see a greater amount of those natural offsets included, and I can see where some would be opposed to it. Again, though, if we are going to expect significant capital investments, I think government and Parliament should be giving some specific guidance as well as some regulatory certainty as to what the rules of the game are. I think it's perfectly legitimate, though, to question those rules or ask for them to be tighter.

Mr. Chair, we will not be supporting this amendment. Every Liberal target that has been put forward has never been met. I think this would just create more regulatory uncertainty, as well as more cynicism if the target wasn't attained.

Thank you.

The Chair: Thank you.

Anyone else?

Mr. Redekopp.

Mr. Brad Redekopp: I just want to point out, because I can't help it, that in the space of a week we went from 36% to 45%. I don't think the government has any problem setting additional targets, as required.

The Chair: Does that mean you're supporting this?

Mr. Brad Redekopp: That means I think this is redundant and unnecessary.

The Chair: Okay. Madam Clerk, we'll go to a vote on PV-5.

(Amendment negated: nays 10; yeas 1 [*See Minutes of Proceedings*])

The Chair: We'll do a roll call vote on whether clause 6 shall carry.

(Clause 6 agreed to: yeas 7; nays 4)

The Chair: Now we turn to amendment G-2, which would introduce a new clause 6.1.

Mr. Saini, I believe you're proposing this.

Mr. Raj Saini (Kitchener Centre, Lib.): Yes.

Basically, I am proposing this just to provide greater certainty. Although there's nothing clearly written in the bill, I want to make sure that people understand that if we achieve net zero before 2050, then that's fine. I think we all hope that we can do that. I just want to put that in there for greater certainty and for greater clarity.

Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC): Thank you, Chair.

I sort of look at this as a high-jumping competition. The bar is set so high, and if you exceed there are no issues.

I would ask this of the legislative clerks. Are there any legislative reasons why you would ever worry that if you achieve your goal ahead of time it would be against your legislative commitments? It's just a very odd thing, from my perspective, and completely unnecessary, I would presume.

The Chair: Ms. McLeod.

• (1720)

The Chair: Would that be a question for the officials? Would that be a question for Mr. Moffet or Mr. Nevison?

Mrs. Cathy McLeod: Well, it could be for either. It's making a legislative amendment, but I don't think there is anything in the legislation that has ever precluded anyone from outperforming their goals.

The Chair: Maître Thivierge, would you like to address that?

Ms. Émilie Thivierge: Actually, it's more a question for the officials—

The Chair: Yes, that's what I figured.

Mr. Moffet.

Mr. John Moffet: I would agree with the interpretation of the act that there's nothing in this act that precludes the government or any government from jumping higher than the bar is set, to continue with Ms. McLeod's analogy. This would add greater legal certainty, but it doesn't change the legal provisions in the act as they're written.

The Chair: Okay. Thank you, Mr. Moffet.

Mr. Albas.

Mr. Dan Albas: Thank you.

I just want to ask this of the legislative clerk, though. If this particular amendment is not made, what changes in the bill?

Pardon me. Maybe I'll reverse the questioning here. If this is added in, does this in effect change the bill in any way? Does it compel the government to act in a different way?

Ms. Émilie Thivierge: Once again, Mr. Chair, since it's not a procedural question, I think one of the officials could answer that.

Mr. John Moffet: I'll jump in again and say no. There would be no new legal obligation placed on the government of the day as a result of this amendment. This amendment would serve to signify to the public, to Parliament, that urgent early action and achievement of net zero is desired, but it would not have any specific legal implications for decision-making or for the government in implementing any of the provisions in the act.

The Chair: It would have communications value—more communications value, maybe, than legal value.

Mr. John Moffet: That's well said.

Mr. Dan Albas: That was going to be my question, Mr. Chair. Is this just a rhetorical exercise, or does this actually meaningfully tackle the issue in a different way?

Conservatives are committed to acting on climate. My leader has been very clear on his commitment to the ESGI principles and towards working with industry. This seems to be more billing for the government in terms of communications than actual substantiveness. Conservatives will be opposing. I'm sure Mr. Saini will not take that personally.

Thank you.

The Chair: Mr. Bachrach.

Mr. Taylor Bachrach: At the risk of belabouring this, I think the intention here is just to make it clear that the goal isn't getting to net zero in 2050. It's acting in an immediate and dramatic way to reduce emissions. We heard testimony that expressed some concern about the way the deadline was being framed.

To Mr. Albas's point, absolutely, it's a point of communication around the intent, more than it is something that's binding, but it's still something I'll support for clarity.

The Chair: Can we go to a vote, then, Madam Clerk?

Mr. Yvan Baker: Madam Clerk, we're voting on Mr. Saini's amendment. Is that correct?

The Clerk of the Committee (Ms. Angela Crandall): It's new clause 6.1, I believe.

Mr. Yvan Baker: We're voting on G-2. Is that correct?

The Chair: G-2 is creating a new 6.1.

(Amendment agreed to: yeas 7; nays 4 [*See Minutes of Proceedings*])

(On clause 7)

The Chair: We'll go now to clause 7 and CPC-1.

Before Mr. Albas moves it, I would just mention to the committee that if this amendment is adopted, I believe it will have to... There are other CPC amendments seeking the same goal of changing the word "Minister" to "Governor in Council", so this will run through the bill, as I understand it.

Go ahead, Mr. Albas.

• (1725)

Mr. Dan Albas: Thank you, Mr. Chair.

I appreciate the members of the committee for their consideration of CPC-1. Obviously the goal of tackling climate change requires a whole-of-government response, which means buy-in from the Governor in Council, or to those who may be unaware of the term "Governor in Council", the cabinet, as it makes decisions. The minister would set a national greenhouse gas target and submit that to the Governor in Council. The Governor in Council would debate it.

Now, we've heard today that there are some who would like to see more action, some who may want to see the same, and some who may even just want a change in direction because technology is constantly changing. Obviously this is a great country, and provinces and their governments change. Perhaps new information comes up. We think that by approaching it from a Governor in Council point of view, with the cabinet itself endorsing any change, this will be a stronger piece of legislation. There will be further buy-in from different departments, given that the respective cabinet ministers would have been involved in ratifying that decision.

I would ask all members if they believe that if there is an informed target that is set and given to cabinet—so that cabinet then deliberates, comes to a conclusion and rallies behind that—then we would have a much better bill.

Perhaps there might be some further debate where I might need to jump in to clarify it, but the idea, Mr. Chair, on this one, is again that you have a whole-of-government response to deal with these issues.

Thank you.

The Chair: Seeing that no one else wishes to speak to this, we will go to a vote on CPC-1.

(Amendment negated: nays 7; yeas 4)

The Chair: Thank you.

We go now to PV-6, which has been deemed moved, but I invite Ms. May to speak to it.

Ms. May, before we go to your comments, I'm told that if PV-6 is adopted, PV-7 and PV-8 become moot, as they would be inconsistent with the decision on PV-6.

Go ahead, Ms. May.

Ms. Elizabeth May: Thank you, Mr. Chair.

There have been a number of consistent points raised by most of the witnesses from whom we've heard, from those who have submitted written briefs, and in public discussion of the weakness of the bill. The first thing, of course, is that the first milestone year should be 2025, not 2030.

I'm just going to explain the thinking process behind putting forward three amendments with declining ambition. As the act is constructed, if we were to simply put in a milestone year at 2025 without embedding what that target would be, we would be creating a very, very steep hill to climb for the process of consultation that's embedded in the act. I think that's what created the impression for many within the government that somehow or other we couldn't actually have a milestone year before 2030, although the U.K. did immediately on passing their bill in 2008; their first milestone year was 2013. It was the same with New Zealand, who just passed their act, as I mentioned, in 2020. Their first milestone year is 2025. They've chosen a different route, with an expert scientific group to tell them what the target would be in five years' time; the milestone years.

Actually, the Liberal platform led me to believe that this was what we would see—a first milestone year in 2025, and subsequent ones every five years thereafter. That's what is embedded in the COP21 decision document, that we would upgrade. Countries were certainly encouraged to improve their targets, their nationally determined contributions, in 2020 and, in the language of the COP21 decision document, every five years thereafter.

In light of the structure of the whole act to make it somewhat process-heavy to deliver a new target for a first milestone year in 2025, I want to suggest in these amendments, starting with PV-6, Green Party amendment 6, that the target be embedded in the legislation. There's even more support for this now than there was at first reading, because now we have the government accepting, as I understand it, that the target for 2030 is to be embedded in the legislation. The target for 2025 being embedded in the legislation is certainly a help.

I want to stress this point to members of the committee. We've already accepted, in article 14 of the Paris Agreement, an obligation for a global progress report, called a global stock-take, in 2023. If we had a 2025 milestone year, as this amendment proposes, we would then be triggering the two years in advance. We'd have a progress report ready. That would fall in 2023, and then every five years thereafter we would be right in sync with what we've agreed to do under the Paris Agreement, with global stock-taking at five-year increments, starting in 2023.

Again, the first one of these starts with the notion that we would embed in legislation right now that by 2025 we would accept a tar-

get of 25% reductions below 2005 levels to be achieved by 2025. That's steep, because we now know that the government is committing to somewhere between 40% and 45% below 2005 levels in 2030, but as a first attempt....

I'll speak to all three at once, Mr. Chair, just to avoid repetition.

In my first amendment, I propose that we do the right thing. The United States is aiming for 50% reductions below 2005 by 2030. Let's do a mid-decade checkpoint with teeth. It's more than what the NDP is proposing. It's not just a progress report, but an actual milestone year for 2025, at 25% reductions.

Feeling that there should be some room for flexibility here on what that target should be, my second amendment in this series, GP-7, says, okay, let's make it half of what you aim to do by 2030. The Prime Minister's improvement in our target is certainly welcome. It's not enough to meet the IPCC science, but it's far better to say that by 2030 we'll be 40% to 45% below 2005 levels.

Well, if we have any hope of getting there—40% to 45% below 2005 levels by 2030—surely we should be prepared to say that our first milestone is 2025, and let's see if we've gotten to 20% below 2005 levels by 2025.

• (1730)

That's the kind of heavy lifting we're going to need to do to meet the demands of this crisis. It's an emergency. In COVID, we didn't say to Theresa Tam, "I know you're telling us that the science says to stand six feet apart, but we'll give you three feet and that should be good for you—that's our political interpretation of the science."

No. We actually have to adhere to the science, and we should be going much steeper than 40% to 45% below 2005 levels if we're serious about holding to 1.5°C. A 20% milestone, a 20% reduction against 2005 by 2025, is the second amendment.

If you want to go easy and think, "Let's start slow and let's just make sure we can hold our feet to the fire; let's see if this act is working and see if we're reducing emissions," there is a third amendment. So far, it's not just that we haven't ever met a target in Canada. It's that we have gone directionally in the wrong direction against every target we've set. That's the more serious problem, so the third amendment calls for 15% below 2005 levels by 2025.

These three amendments, any one of them, will strengthen this act enormously. The best one, of course, is to go to 25% below 2005 levels, with a milestone year in 2025. Again, this will be consistent with commitments we've already made for a global stock-take in 2023 that will alert us as to whether we're on the right track in 2023 to hold to our targets or not. The milestone year brings with it accountability. It brings with it a review two years in advance. It brings with it the possibility of the minister's saying, "Okay, what we're doing isn't working, so let's get on it."

I urge this committee to consider any one of these three amendments—PV-6, PV-7 or PV-8—but clearly, PV-6 is the one that your children would vote for if they were around this table.

• (1735)

The Chair: Thank you, Ms. May.

Madame Michaud.

[*Translation*]

Ms. Kristina Michaud: Thank you, Mr. Chair.

I want to make it clear that I agree with Ms. May in using 2025 as a milestone year in the bill. I am going to have to vote against amendment PV-6 because we are ready to let the Minister establish a 2025 target in his plan by himself.

I also want to specify that we want the reference year to be 1990, as is the case in Quebec and the European Union, and to no longer use 2005 as a reference year. That is why will be voting against this amendment.

The Chair: Thank you, Ms. Michaud.

Mr. Albas, the floor is yours.

[*English*]

Mr. Dan Albas: Thank you, Mr. Chair.

I certainly want to reply to MP May's suggestion here.

I believe that there is a huge value in accountability, but the fact remains that this number has been picked, and again, we can agree...is the number too high or too low? We can have discussions over that. Ultimately, for the government, if we simply give it a target that is not within reason and cannot be attained, then I think we are setting ourselves up for more failure and more cynicism.

I'd much rather have it so the government can, through, as I said earlier, a whole-of-government approach—which may not be possible given that one of our amendments was rejected—discuss with the expert panel and with Canadians and post the target, and then be held accountable because it's something they did in discussion with so many.

I think that for us to be picking a number and then saying “here's the number” outside of what has been committed to.... For example, Mr. Chair, you were there when Mr. Harper worked with his provincial counterparts and asked for their input as to what targets should be taken to the Paris accord. What was taken to Paris, sir, was the result of government discussions between 10 provinces, three territories and the federal government to come up with a national target. That is what was taken there. For us to simply put in our own best guess as to how things will merit that, I don't believe would be helpful.

That being said, once the government announces it, it should work a hundred per cent towards those targets—something we just have not seen from this government yet.

While I'm not going to be supporting this, I hope my colleague Ms. May understands that I think it's just a disagreement about the number itself, and not that the government should not be taking action to work with industry, to work with other governments, to work with different stakeholders and to work with first nations on an achievable number that Canadians can count on. Then, as parliamentarians, we can hold them accountable for it.

Thank you.

The Chair: Thank you, Mr. Albas.

Seeing no further speakers, we can vote now on PV-6.

(Amendment negated: nays 11; yeas 0 [*See Minutes of Proceedings*])

• (1740)

[*Translation*]

The Chair: We now move to amendment PV-7.

Ms. May, you have already discussed your amendment. Do you have anything to add?

Ms. Elizabeth May: No, I have already made my arguments for amendments PV-6, PV-7 and PV-8, in order to help the committee in its work.

The Chair: Okay, so we will go to the recorded vote.

(Amendment negated: nays 11; yeas 0 [*See Minutes of Proceedings*])

The Chair: We will now go to the recorded vote on amendment PV-8.

(Amendment negated: nays 11; yeas 0 [*See Minutes of Proceedings*])

The Chair: We are now at amendment CPC-2. I must point out that, if we pass amendment CPC-2, amendments BQ-7 and G-3 cannot be introduced because they seek to amend the same line.

Mr. Albas, the floor is yours to discuss your amendment.

[*English*]

Mr. Dan Albas: Thank you, Mr. Chair.

I appreciate the opportunity to put this forward, to have it debated and to see where other individuals on this committee are coming from. Similar to what I said earlier, climate change is a very real phenomenon, one that requires everyone to do their part, from the individual to their community to their province, all the way up to the federal government, and everything in between. This is one of the reasons we believe the Governor in Council or cabinet should ratify before these targets go out, so that they are subject to...

As we know, Mr. Chair, cabinets are not all equal, but one thing I think every Canadian government, from the founding of this country on, has strived to do is make sure there is a wide variety of voices, whether that be regional or other criteria. That's why we think there is more buy-in when there is a whole-of-government approach. When the Governor in Council or cabinet ratifies something, it is meaningful. Everyone around that table has their hand in it and will do their part to work towards it.

Mr. Chair, beyond that, again, this is something that my leader has talked about—the need for action and the need to have individuals around the table who are informed and working together. That's something we don't always see, and it's something I think Canadians would like to see more of.

I would ask all members on the committee to consider this and to vote in favour.

Thank you.

• (1745)

[*Translation*]

The Chair: Thank you, Mr. Albas.

I see no further speakers.

[*English*]

Mr. Dan Albas: Just give them a little time, Mr. Chair. They're just digesting all of the—

The Chair: Okay, I'll give everyone some time to digest Mr. Albas's pitch.

I still don't see any speakers, Mr. Albas. I'll call the vote.

(Amendment negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

The Chair: That means we can discuss amendment BQ-7, if I'm not mistaken.

[*Translation*]

Ms. Michaud, would you like to introduce your amendment?

Ms. Kristina Michaud: With pleasure. Thank you, Mr. Chair.

With this amendment, we are proposing the Bloc Québécois' new target. This is the proposal we want to make to the government. As I said a little earlier, we want 1990, not 2005, to be used as the reference year. That is what the 27 countries of the European Union are doing, and so is Quebec.

We feel that the government's recent announcement of a reduction of greenhouse gas emissions by 40% to 45% by 2030 is not ambitious enough. It is actually misleading, given that 2005 is being used as the reference year, rather than 1990.

Let me be specific: the European Union is targeting a GHG emissions reduction of 55% below 1990 levels. In our view, 1990 must be used as the reference year in this legislation. Canada's target must be at least as ambitious as Quebec's, which aims for a reduction of 37.5% of GHG emissions below 1990 levels.

The Chair: Thank you, Ms. Michaud.

Mr. Albas, the floor is yours.

[*English*]

Mr. Dan Albas: Thank you, Mr. Chair.

I have just a question and then a comment for the member. Perhaps she might want to answer the question first, just because I want to understand this.

First of all, I raised earlier the challenge that many are having in terms of regulatory certainty, the ongoing dance, it seems, in which governments keep changing and keep moving the goalposts, and how difficult that can be, particularly for industry. Obviously there's more to Canadian society than industry, but it is an important part, because it employs so many. As I mentioned earlier, the process to Paris was long and arduous, and the Province of Quebec, like every other province, presented its goals and what it felt was doable.

Has the member sought the advice of the Government of Quebec in regard to setting this goal that she's wanting us to embed in legislation?

[*Translation*]

The Chair: Ms. Michaud, do you want to answer that question?

Ms. Kristina Michaud: When we discussed the target with witnesses and with the Minister, he said that, for additional clarity, transparency and collaboration with other signatories of the Paris agreement, he was perfectly agreeable to using 1990 as the reference year. That argument alone seems valid to me. As the European Union is committing to reduce its GHG emissions by 55%, it seems quite reasonable to ask Canada to reduce its own by 37.5%. This is what Quebec is doing. Quebec is doing well in reducing GHGs and Canada should follow its example.

It seems perfectly reasonable to us to adopt that target.

The Chair: Does that answer your question, Mr. Albas? Mr. Bachrach.

[*English*]

Mr. Dan Albas: May I respond?

I appreciate that this member has done a lot in sharing her views in the House of Commons. She's presented a bill on it, so I respect her work and her sincerity on this, but I did specifically ask about the Province of Quebec. I have respect for all provinces, but if we're expecting there to be a whole-of-government approach federally but also that the provinces have their part, then I think we should be talking to them, because I imagine they would be included when we set these national targets.

• (1750)

The Chair: Thank you.

Mr. Bachrach.

Mr. Taylor Bachrach: I appreciate the amendment. I can't support it, mostly because I think that putting the target itself into the language of the bill would mean that in order to change the target, the bill would have to be amended, which I think adds a certain amount of uncertainty and, obviously, time to that process.

I note that the 2030 target is intended to be reviewed in 2025. I think the intention is to create the framework within the bill for the setting of the target, but not to embed the target itself in the language of the bill.

[*Translation*]

The Chair: Thank you.

Mr. Redekopp, the floor is yours.

[*English*]

Mr. Brad Redekopp: Thank you, Mr. Chair.

Further along those lines, if we as parliamentarians are going to embed a number in the bill, I'd like to know if it's achievable.

To the witnesses, perhaps to you, Mr. Moffet, could you inform the committee on that? Is 37.5% attainable? Do you have any studies or any knowledge to suggest that's too low, too high or right where it should be? What does the department have to say about that?

Mr. John Moffet: The government released modelling with a strengthened climate plan in December, which showed that the measures in the strengthened climate plan, on top of the already implemented measures, would achieve 31%. That is without any additional provincial-territorial or business action.

Then, in the 2021 budget, additional programmatic and tax measures were announced. The government indicated that with the addition of those measures, and based on ongoing discussions with the United States, existing measures would achieve 36%. Therefore, as Minister Wilkinson explained in his testimony to this committee, it's the government's view that a target well above 36%—in the range of 40% to 45%—would be attainable, given the opportunity for innovation and the development of additional policy measures over the next decade.

Mr. Brad Redekopp: Mr. Moffet, just to clarify, are you talking about 2005 as the baseline, or 1990? The specific question here is about 1990. That's where I'm trying to put those two numbers together. To use the 36% number, for example, I believe that was on 2005 as the baseline. If we were to adjust that to a 1990 baseline, what would be the equivalent number? Do you have that information?

Mr. John Moffet: I didn't address that issue, and I don't know that I have it right now. I apologize.

Mr. Brad Redekopp: For the benefit of the committee, do you have any idea, any approximation, of what the difference is from 1990 to 2005?

Mr. John Moffet: I'd rather not speculate. I apologize.

[*Translation*]

The Chair: Ms. Michaud, I see your hand is up. Do you have anything to add?

Ms. Kristina Michaud: Yes, I want to answer the question.

In my opinion, the target is clearly attainable if Canada stops contributing to the increase in greenhouse gas emissions. It does so by continuing to subsidize the most polluting industries, like the oil and gas industries.

To respond to Mr. Bachrach's comment, I mean that the very essence of this legislation is to include a greenhouse gas reduction target for 2030, which is our principle target. The government has committed to include its target in the legislation. As I glance over the amendments that are coming, I gather that they are not going to do so. They are not keeping their word, unfortunately.

I feel that, for a country like Canada to have decent climate legislation, we need to include a decent, attainable target in this bill. That is why I feel that it's perfectly feasible to include the target in the act.

• (1755)

The Chair: Thank you.

As there are no further speakers, we can proceed to the vote.

I must point out that, if we pass amendment BQ-7, we cannot deal with amendment G-3. As I mentioned earlier, those two amendments refer to the same line.

We can proceed to the recorded vote, Madam Clerk.

The vote is on amendment BQ-7.

(Amendment negatived: nays 10; yeas 1)

[*English*]

The Chair: Thank you, Madam Clerk.

I thought we could break for a good, say, seven minutes. That would take us to 6:03 p.m.

In the interim, Madam Clerk, have you been able to find out whether we can make it to 8:00 p.m. or not? If not, perhaps during the break we could check.

The Clerk: I haven't had a response to my request in the negative or the positive, so I will confirm.

Mr. Brad Redekopp: Mr. Chair, could we round it up to a nice, even 10 minutes, please?

The Chair: Sure. Would 6:07 p.m. be good?

Okay. We'll be right back.

• (1755)

(Pause)

• (1805)

[*Translation*]

The Chair: We are back.

I am informing you that we hope that we can continue until 8 p.m., if all goes well. If we have to adjourn earlier, we will do so. But I think will be able to continue until 8 p.m.

We have reached amendment G-3.

Mr. Saini, do you want to introduce the amendment?

[*English*]

Mr. Raj Saini: Yes, Mr. Chair. I am pleased to introduce an amendment to add new subclauses 7(1.1), 7(2) and 7(3) for the Canadian net-zero emissions accountability act.

On April 22, 2021, during the leaders summit on climate organized by President Biden, Prime Minister Justin Trudeau announced that Canada will enhance its emissions-reduction target under the Paris Agreement, known as a nationally determined contribution, to a 40% to 45% reduction of greenhouse gas emissions below 2005 levels by 2030.

This amendment strengthens the act by codifying the target announced in May of reducing Canada's GHG emissions to 40% to 45% below 2005 levels by 2030. Also of importance is that this amendment also prevents backsliding from Canada's greenhouse gas emissions targets by providing that a target for a specific milestone year must represent a progression beyond the previous one and be as ambitious as Canada's most recent nationally determined contribution.

[Translation]

The Chair: Thank you, Mr. Saini.

Let me remind committee members that, if we pass amendment G-3, we will have to drop amendment BQ-8, because both amendments seek to amend the same line.

Who wishes to discuss amendment G-3?

Mr. Albas, the floor is yours.

• (1810)

[English]

Mr. Dan Albas: I think Madam Michaud actually had her hand up first.

The Chair: Okay.

Madam Michaud.

[Translation]

Ms. Kristina Michaud: Thank you, Mr. Chair.

I just want to mention that, in response to a question I asked the Minister of Canadian Heritage in the House of Commons, he replied that the government was going to include its new target in the legislation. When this committee met last week, in response to a question I asked the Minister of Environment and Climate Change, he replied that the government would include its new target in the legislation. I see that the government is not doing that.

Today the government refused when the Bloc Québécois extended a hand to include a target in the legislation using a 1990 base year. We have taken note of that. We have also noted that the NDP has said that there's no point including a target in this legislation. Given that Canada has to provide its nationally determined contribution, NDC, the amendment carries no added value. I believe this is a way the government has found to not include its own target in its own legislation, and that is distressing.

I wanted to get that on the record for this committee. All it does is replace a clause in which the government was going to set an unknown target within six months of the law going into effect with a clause stating that the government will set a target by November 2021, regardless of what the target is.

I find it extremely distressing that the government is not keeping its word. They committed to it twice in public. This is the way they have found to get out of it.

The Chair: Thank you, Ms. Michaud.

Mr. Albas, you have the floor.

[English]

Mr. Dan Albas: Thank you, Mr. Chair.

I'm going to take a slightly different perspective from that of Madam Michaud, but I do appreciate her input on the subject.

Let me first start with a question for Mr. Moffet. The first part of this amendment reads:

(1.1) Each greenhouse gas emissions target must represent a progression beyond the previous one.

Usually, when we say we're going to reduce something by a certain time, one would expect that there would be a logical progression. Is there anything specific in this particular part of the amendment that is not redundant?

Mr. John Moffet: It's argued that the amendment is not redundant in the sense that the bill requires setting multiple targets en route to 2050, but there is nothing in the bill, without this amendment, that requires that each successive target be more ambitious than the previous one.

Mr. Dan Albas: Yes, but the only kinds of spikes that I would imagine we would see would be from a technological shift, where suddenly you would have a major drop. Is the government anticipating that there could be a sudden spike the other way?

Mr. John Moffet: I'd remind members that the bill is primarily focused on political accountability and speaks to the obligations of future governments, which would have discretion to set whatever interim target they chose. This provision would require that each such target be more ambitious than the previous one, notwithstanding technology or production levels.

Mr. Dan Albas: Again, Mr. Chair, I would simply say that I think most people would consider that if we're looking at net zero as being a fruitful goal, there would be step-by-step processes, whether they be through technology or through some sort of regulatory tool, that would encourage those emissions to move on a downward slope. Quite honestly, going back to my earlier discussion, Madam Michaud mentioned the desire to have specific targets put into place here. That is one method of certainty, but I would simply suggest that instead of picking one particular target, there does seem to be, in this particular motion, more room given for the government to keep moving the goalposts.

For example, we've seen this minister under [Technical difficulty—Editor] three different versions of the carbon tax. Originally, under the previous Minister of the Environment, Catherine McKenna, it was, no, no, we're not going to be raising our carbon tax past 2019. It was going to stay at the \$50 level that was agreed to by all provinces. Well, it was not all provinces, as one province opposed it from the beginning and then others dropped out of the program. Then there was a switch in the announcement of last year, a switch again in the budget, and then a switch again. Our targets and our approach on carbon pricing are sure sending shock waves of uncertainty.

We won't be supporting this amendment, but we agree that there should be some solid deliberation. Everyone should know what those targets are, instead of there being a constantly moving target. That seems to be what this government continually does, and I'm not sure why. Maybe it's to please some sort of electoral vote that the Liberals are seeking, rather than trying to get everyone to work together toward some common goals.

Mr. Chair, I hope you're not shocked, but Conservatives will not be supporting this one. Quite honestly, we think a lot of this is just prescriptive and gives the government more room to move around.

• (1815)

[Translation]

The Chair: Thank you.

Ms. Michaud, do you want to add something?

Ms. Kristina Michaud: Yes, I would like a clarification.

You said that if G-3 passed, we would not be able to go to a vote on BQ-8. Is that correct?

The Chair: Yes, that's right.

[*English*]

Mr. Bachrach.

Mr. Taylor Bachrach: Thank you, Mr. Chair.

If I understand correctly the spirit of this amendment, in the unfortunate scenario that the government were to miss one of its targets, it would not lower its sights. It would commit to working harder and getting back on track towards the various targets it set. The intention is that the pace of change accelerates over time, and doesn't decelerate, so that we're in good shape to hit those targets and get to where we need to be by 2050.

That's my interpretation of the progression beyond the previous one's language. Maybe I would ask Mr. Saini if that was the intention behind the amendment. That was my understanding.

Mr. Raj Saini: Yes. It's to prevent backsliding, but we've also seen the same type of language used in other cases—in Norway's climate change act, in the U.K.'s climate change act and in New Zealand's climate change act. There is this progression to make sure we're continually doing better and being more ambitious than we were before.

The Chair: Thank you.

Mr. Redekopp.

Mr. Brad Redekopp: I want to talk a bit more about what Mr. Albas spoke of. I want to remind you of Dr. Henry from the Canadian Chamber of Commerce and of our discussion about moving goalposts and changing goalposts. It's very important that businesses have some certainty in the emissions targets we have. My concern here is that this will allow the government and future governments to play around with those targets and move them around, which will cause great stress for businesses as they're trying to plan. He talked about the ripple effects. We also spoke about that with Pulse Canada, as well as about how it affects our export markets as well.

That would be my concern here, that we're just opening up the door for additional targets and changes to the targets, which will create uncertainty. It will make it difficult for businesses as they try to invest, if they're aiming at this goal and all of a sudden it changes again. That's my concern with this part of the change.

The Chair: Let's vote on G-3.

(Amendment agreed to: yeas 6; nays 5 [*See Minutes of Proceedings*])

The Chair: BQ-8 is off the table, so we'll now go to CPC-3. If CPC-3 is adopted, BQ-9 cannot be moved, as they amend the same line.

Mr. Albas, would you like to move CPC-3?

• (1820)

Mr. Dan Albas: We are striving to make the process better. We believe that by having more views at cabinet, so that everyone takes a turn discussing, deliberating and then, perhaps, modifying, there will be a better result. I think this would improve the process greatly, so I would ask all members to support having all hands on deck in our federal cabinet when it comes to achieving net zero.

The Chair: Is there anyone else?

Seeing no one else, we'll go to the vote.

(Amendment negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

The Chair: We'll now go to BQ-9. If BQ-9 is adopted, PV-9 and G-4 cannot be moved, as they amend the same line.

[*Translation*]

Ms. Pauzé, it's your amendment. Would you like to introduce it?

Ms. Monique Pauzé: Actually, I am introducing BQ-9. We're asking that the target be set once every five years. It needs to be after the 2025 target, because to set the target five years before 2025, we would have had to set it last year. That's why we're proposing that it be after 2025. Unlike other amendments, we're proposing that it be set every five years.

The Chair: Any further conversation?

Mr. Albas, you have the floor.

[*English*]

Mr. Dan Albas: I have a question for the clerk with regard to this. I think I have the idea, but I want some confirmation.

When you have a duelling banjo of amendments, like these two in particular, and they're both seeking to amend the same thing, how do you choose? Is it by which amendment was submitted first?

The Chair: That's a good question.

Mr. Dan Albas: One would have an advantage, since if we adopt one, the other one isn't necessary.

Ms. Émilie Thivierge: Yes. It's first-come, first-served.

Mr. Dan Albas: Okay, thank you. I appreciate that.

The Chair: Let's proceed to a vote.

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

The Chair: We'll now go to PV-9. It's already been deemed moved, so I'm asking Ms. May if she would like to speak to it.

• (1825)

Ms. Elizabeth May: Yes, Mr. Chair. Thank you.

Just parenthetically, because I didn't speak to the others, Mr. Saini's amendment, by the way, is consistent with the Paris Agreement, which already requires that any time we put forward a new target, it ratchets up from the previous one. I'm certainly happy to see it in the act, but I wanted to note that the Paris Agreement already does that.

On changing targets and certainty and uncertainty, I just reflect on our history. When Stephen Harper was prime minister, he changed our target in 2006, in 2009 and in 2015. None of those occasions involved any parliamentary input or public consultation. Also, it was Canada's unique contribution to undermining the comparability of different targets that Canada, in 2006, stopped using 1990 and interjected 2006 and then 2005, undermining the entire scheme of what was under development since I had started working on the negotiations of the United Nations Framework Convention on Climate Change in 1990. It was the intention that we would always use a 1990 base year. I've heard that come up a few times, so I just throw that out there.

I'm speaking briefly to this one because I'm so pleased to see that there is G-4, a government amendment. It will achieve the same thing that was recommended by West Coast Environmental Law and many other environmental law groups that appeared before the committee, which was to say that if we're looking at immediate ambitions, net-zero legislation should provide enough certainty and clarity regarding our mid- and long-term targets that we plan ahead, and planning ahead would be to set greenhouse gas emissions targets at least 10 years beforehand. That's what PV-9 achieves.

Thank you, Mr. Chair.

The Chair: I should mention that if PV-9 is adopted, G-4 can't be moved because, as you said, they're identical. If PV-9 is negatived, so is G-4, for the same reason.

Yes, Mr. Albas.

Mr. Dan Albas: Thank you, Mr. Chair.

Unfortunately, I wasn't quick enough on the uptake to talk about BQ-9, but I will speak in regard to it as well as PV-9.

We believe quite honestly that there needs to be a whole-of-government approach. Instead, here, both of these amendments would be set in place by the minister. We believe the minister plays a key role but not the only role, and that's why Conservatives will not be supporting this particular amendment or the previous one.

Thank you very much.

The Chair: Thank you.

Seeing no further hands, I will go to a vote.

(Amendment negatived: nays 10; yeas 1 [*See Minutes of Proceedings*])

The Chair: That means we skip over G-4. Is that correct?

Mr. Taylor Bachrach: I don't believe so, Mr. Chair.

The Chair: If PV-9 is adopted, G-4 cannot be moved, but PV-9 is defeated....

Ms. Elizabeth May: That's even though it's identical to the one you're about to pass.

Mr. Dan Albas: Mr. Chair, on a point of order, the committee has already decided it would not change to 10 years, so to me it doesn't seem that we can now have the committee argue or debate over the exact same extension of time.

The Chair: That's right. It says that if PV-9 is negatived, so is G-4, for the same reason, so am I correct, Madame Thivierge, that we now go straight to G-5?

Ms. Émilie Thivierge: Yes, you are.

The Chair: Thank you.

Mr. Taylor Bachrach: Mr. Chair, that was not my understanding at all. Maybe we can just tap the brakes here.

The Chair: Sure.

Mr. Taylor Bachrach: We have two amendments that have identical wording. My intention was to vote in favour of G-4, assuming that if this one failed, that one would come forward.

I don't know if, by unanimous consent, we can go back and have another crack at it, or if we can bring G-4 forward, but I'll look to you for direction.

The Chair: I'll ask the clerk, but do you not need unanimous consent to reverse a vote?

• (1830)

Ms. Émilie Thivierge: Yes, you do.

Ms. Elizabeth May: Mr. Chair, may I have the floor to speak to my amendment after it's been defeated?

The Chair: I have Mr. Baker first and then you and then Mr. Saini, just to maintain the order.

Mr. Baker.

Mr. Yvan Baker: Chair, you know I respect you very much, but I didn't hear you say that if we voted down amendment PV-9, we couldn't consider amendment G-4.

The Chair: Didn't I say that? Generally, I read what's in front of me, but is that—

Mr. Brad Redekopp: I heard that.

The Chair: Ms. May.

Ms. Elizabeth May: Mr. Chair, I think legitimately there's some confusion around the table.

My assumption in watching all of my colleagues vote against a motion that is identical to the one that the NDP and Liberals intended to vote for... Obviously a certain amount of conversation happened to which I have not been privy since I'm not a member of the committee, but it seems clear to me that the government's intention, with enough support from people around the table, is to change clause 7 to make it at least 10 years before, and I think there was confusion as they voted down my amendment which was identical. I was getting very concerned because I think the intention here is to pass amendment G-4.

G-4 hasn't come to a vote yet, and I think we should ask the clerks to reconsider whether the confusion around my amendment.... It's certainly not my intention, at all, ever, to get the Green Party logo on an amendment. I don't care, but the point of this motion and the point of the effort of the committee is to improve the bill. G-4, like PV-9, will improve the bill.

The Chair: Yes. I was getting a sense that there was some confusion and that people were voting the opposite of what I expected them to vote, but I will perhaps have to ask the legislative clerk. Is it an ironclad rule that because we've negated amendment PV-9 we cannot vote for amendment G-4?

Ms. Émilie Thivierge: It is, because the committee has made the decision on an amendment that is identical to another one.

The Chair: We would need unanimous consent to—

Ms. Émilie Thivierge: Yes.

Mr. Taylor Bachrach: Mr. Chair.

The Chair: I'm sorry, but I have Mr. Saini, Ms. McLeod and then Mr. Bachrach.

Mr. Raj Saini: Mr. Chair, I appreciate the words of Ms. May and Mr. Baker. I think I was confused also. I didn't realize that voting down one would negate the other. I don't know what we can do in this situation, but it certainly wasn't my intent to, in any way, blunt the sort of focus or spirit of what was happening. I was confused. I thought we were voting down amendment PV-9 but that we would then have the opportunity to vote for G-4, but I was confused.

The Chair: Ms. McLeod.

Mrs. Cathy McLeod: Thank you, Chair.

I believe you did outline what would happen if we voted one down. I'm wondering how long it would take to check transcripts to make sure your instructions were clear, but certainly I recall some fairly specific instructions.

Thank you.

The Chair: Madam Clerk, is there any way to check this on short notice? Is there any way to check it after the meeting and to come back to this?

The Clerk: I was going to say the committee could have stood the clause, but now they've voted on it. They've made a decision. We can review the blues, but they won't be available until at least some time tomorrow.

The Chair: If we find that I didn't read that second part, would we be able to come back and vote on G-4?

The Clerk: I would have to defer to the legislative clerks to see if this clause is consequential to other clauses.

The Chair: Madam Thivierge.

Ms. Émilie Thivierge: I'm sorry, but what was the question?

The Chair: Let's say that it was found, upon looking at the blues, that I did not read the second part, which says, "If PV-9 is negated, so is G-4 for the same reason." Can we come back and say, "Well, we can now vote on G-4"? This would be something we would do at the next meeting, because we don't know what's in the blues.

• (1835)

Ms. Émilie Thivierge: I might have a suggestion. If we could suspend for a few minutes, we could have a look at ParlVU and we would have the answer.

The Chair: Okay. Let me get through Mr. Bachrach, Mr. Redekopp and Madame Pausé, and then we can break and look at ParlVU.

Mr. Taylor Bachrach: Thank you, Mr. Chair.

I don't think the issue was that you didn't mention it. It was more that we assumed it was similar to the previous instructions, and we glossed over it in an effort to get to the vote. People just missed it and didn't flag that it seems contrary to our understanding of how things were going to move forward.

If we can't have unanimous consent to redo the vote and we can't move a motion with the same wording, I wonder if you would accept a motion from the floor with slightly different wording. Would that be in order?

The Chair: We'll ask the legislative clerk.

Madame Thivierge, is that possible?

Ms. Émilie Thivierge: Yes. It's possible, but we will have to see the motion.

Mr. Taylor Bachrach: Perhaps we could recess while I provide the wording, but my intention then would be to bring forward a motion that replaces line 5 on page 4 with the following: "greenhouse gas emissions target at least 3,650 days before". I had to get out a calculator, but I think that's 10 years.

Mrs. Cathy McLeod: It's still the same.

Mr. Taylor Bachrach: Okay, then it would be "nine years and 364 days".

The will of the majority of the committee is clear in this case, and the will is being held back by somewhat esoteric procedure. My sense is that we should find some way to have the will of the committee reflected in the legislation.

The Chair: Is that the wording you're submitting while we break? Is that correct?

Mr. Taylor Bachrach: My question for you, Mr. Chair, and through you, to the legislative experts, would be, if we replace "10 years" with "3,650 days", is that substantively different enough to qualify as a different motion? If it is not deemed to be different enough, then I would move that we use the words "at least nine years, 364 days".

The Chair: Okay. Let's break. I'm going to consult the legislative clerk.

Mr. Dan Albas: Mr. Chair, before you do that, I think it's important that you hear from all viewpoints before you decide, because eventually you're going to come to a ruling.

The Chair: Yes, but Ms. McLeod has already spoken, no?

Is your hand up?

Mr. Dan Albas: My hand has been up, sir.

The Chair: No, I mean Ms. McLeod's. Yes? Okay? Good.

Mr. Han Dong: On a point of order, Chair, I wonder if we can go on and suspend the committee for a few minutes.

The Chair: I just want to regroup.

Sorry, Mr. Dong.

Mr. Han Dong: I also have a couple of suggestions, but I can hold off until we come back.

The Chair: Yes. Then we can break again. There's no problem.

Okay. I'm just going to recess for a second. Thanks.

• (1835) _____ (Pause) _____

• (1845)

The Chair: They checked ParlVU. In fact, I did say that. I did read out that if amendment PV-9 was negated, then so would be amendment G-4, for the same reason.

However, there are two ways of proceeding. It can be fixed. One is to propose nine years, 364 days. That could be reversed to 10 years at report stage in the House. Or we can just move on and, again at report stage, we can reinstate 10 years.

I'll go through the speakers list.

[*Translation*]

Ms. Monique Pauzé: When will I be able to speak?

The Chair: I'm getting there. I have a lot of names on the list. Everyone will get their turn. I had to consult the legislative clerk.

[*English*]

Mr. Albas.

Mr. Dan Albas: Thank you, Mr. Chair.

I have a few things.

Regardless of whether or not you had said it, as parliamentarians, we all understand the need to follow parliamentary procedure. It's very easy at committee for anyone to assert their rights, but when they do not, when they choose not—in this case, the committee chose clearly, in majority, to vote against the previous one.

We have had occasions—I know I have—whether they be at this committee or in other committees, where exactly the same thing has happened. The idea is to stop vexatious, dog-chasing-its-own-tail arguments, in which someone says, “Well, you don't like nine years? Great, we'll put forward eight years and 364 days. Oh, you don't like that? Well, we'll do nine years and one day.” That eats up committee time.

The committee clearly made a decision. All of us have our rights. We have a right to raise our concerns if we didn't use it, but it's on us; it's not on you as the chair.

My suggestion would be, Mr. Chair, that we move along. Again, members can assert their rights in the House of Commons. If a majority of the House of Commons chooses to do that, then that's a conversation members can make known. There can be debate around that, but, Mr. Chair, let's work well.

I have to say that I've served on some committees in which we did not strike off well. This committee, even though the issues can be very tough and divisive, has been very productive, and we've directed ideas and policies. We've gotten political around ideas but not around personalities.

Please, Mr. Chair, I would implore members to take this as a learning experience and to move forward, assert their rights in the House of Commons and to work with other members to correct what they think is wrong but not to subject the committee, because it cuts both ways. If this happens again in the future, the shoe might be on the other foot, and I might want to move a motion to get around the spirit of a previous vote. I hope that each one of you would remind me and say that there's a reason we have these rules. Partly it's to protect the process from, again, becoming a dog-chasing-its-own-tail scenario, Mr. Chair, in which it is more vexatious and spinning around and around.

Thank you.

• (1850)

The Chair: The rules allow for a vote to change with unanimous consent.

Mr. Dan Albas: Again, though, no one has asked for that. I would say it's probably not going to be coming. By the same token, Mr. Chair, you've already deliberated on other ideas. This is how we work as a committee, by discussing options and then moving forward.

The Chair: Mr. Bachrach.

Mr. Taylor Bachrach: I think it's about trying to move forward in the spirit—

[*Translation*]

Ms. Monique Pauzé: I'm sorry, Mr. Chair.

The Chair: You will have the floor next, Ms. Pauzé.

[*English*]

Mr. Taylor Bachrach: I believe Madam Pauzé was first.

The Chair: My system shows a different order, but if Madam Pauzé is next, then by all means. It's my system. I don't know what it is.

Mr. Taylor Bachrach: I'm fine with her going first. I believe she had her hand up.

[*Translation*]

The Chair: You have the floor, Ms. Pauzé.

Ms. Monique Pauzé: Thank you, Mr. Chair.

Thank you, Mr. Bachrach.

I also wanted to point out that, before the break, Mr. Bachrach was able to speak while I was waiting for my turn.

First, I have to say that I'm surprised at the vote on PV-9, given that it says the same thing. They didn't want to vote on the Green Party one, but they were willing to vote on the government one. Is it for ideological reasons? I wonder.

If you read the amendment carefully, you see that it proposes that the Minister set the national target at least 10 years before the beginning of the milestone year. However, in the definitions on page 2, we see that the milestone year is 2030. In other words, since it says that this must be done 10 years before the beginning of the milestone year, it should have been voted on in 2020. However, it is now 2021. It doesn't make sense.

Earlier, you voted against BQ-9, when the solution was there. They are proposing 2025, but BQ-9 says "subsequent to that of 2025", because if it says it has to be done at least five years before the beginning of the milestone year, it has to be after 2025.

As things currently stand, it doesn't make sense. PV-9 and G-4 did not make sense. Targets would have had to be set in 2020. We want to see a reference in the definitions to a milestone year in 2025. Otherwise, the way things are going, nothing will happen until 2025.

The Chair: Ms. Pauzé, you can turn off the raised hand.

[*English*]

Mr. Bachrach.

Mr. Taylor Bachrach: I agree with some of what Madam Pauzé just said. I think our goal at this point is to move forward together in the spirit of co-operation, recognizing that we still have a lot of amendments to get through. I believe, in reference to Mr. Albas's point, that there's a difference between obstructing a committee's work using the rules of procedure and people making an honest misinterpretation of the procedure, and that we should have the will of the committee heard. The alternative is that we amend it at report stage, which will take the time of everyone in the House. I think it would be much more efficient for us to simply deal with it here.

I will move an amendment from the floor that Bill C-12, in clause 7, be amended by replacing line 5 on page 4 with "green-house gas emissions target at least nine years, 366 days, before".

The Chair: Just a moment, please.

• (1855)

Mr. Han Dong: On a point of order, Chair, since we're waiting, I wonder if I can talk to Mr. Bachrach, with your permission. It's something very simple.

Instead of nine years and 366, would he consider making it 10 years plus one day? That would be easier for the public to consume.

Mr. Taylor Bachrach: Well, I guess if I had thought about that, then that would have achieved the same thing, but I worry now that we're starting to split hairs. Maybe "starting" isn't the right word.

The Vice-Chair (Mr. Dan Albas): As the chair's away, I'm assuming the chair. I would just ask all members to wait until the chair returns.

Mr. Taylor Bachrach: Thank you, Mr. Albas—or Chair Albas, rather.

The Vice-Chair (Mr. Dan Albas): Thank you.

We'll just let the chair wait before we go.

The Chair: I'm told that if we want to get it back to 10 years, at report stage, we have to adopt something like nine years, 364 days. In other words, we have to have something that we can amend back to 10 years.

Mr. Bachrach, that's your proposal, I believe.

Mr. Taylor Bachrach: That's correct. I've now moved that amendment. It's nine years, 366 days.

The Chair: We'll debate the amendment and vote on it. Then we'll continue with the speakers list.

Does anyone want to speak to Mr. Bachrach's amendment?

Mr. Baker, do you want to speak to the amendment? Go ahead.

Mr. Yvan Baker: Thanks, Chair.

I think this is a really important issue. I'm glad we're spending time on it to ensure that the bill reflects the will of the committee. To ultimately reach net zero by 2050, this and I think future governments will need to take action to reduce emissions urgently in the short term but also take steps many years in advance to allow us to achieve the necessary emissions reductions in the medium and long term.

The G-4 amendment—or what Mr. Bachrach has now proposed, which changes the time period by a day—would ensure that greenhouse gas emissions targets after 2030 have to be set at least 10 years, or in this case 10 years and one day, in advance, instead of five years in advance as is currently provided by the bill. This would ensure that the government starts planning for future targets and taking action further in advance. It would provide greater certainty for others who also need to plan. It also aligns with Canada's current practice under the United Nations Framework Convention on Climate Change.

I support what Mr. Bachrach is proposing, and I hope the committee members—

The Chair: Ms. May, do you want to speak to this particular amendment? If it's to something else, we'll have to come back to you.

Ms. Elizabeth May: I wouldn't try to speak to anything else. Because my amendment was identical, I think I'm within the ambit of the motion this committee passed to point out that neither my amendment, nor Mr. Baker's amendment, nor Mr. Bachrach's amended version has the problem that my friend Monique Pauzé suggested they might have.

You need to look at the previous sections to realize that in talking about subsequent national greenhouse gas targets, we're referring to subsequent to the 2030 target. It does not have the problem of creating a pretty historical imperative to do something that can't be done because of timing. Starting with subsection 4, we're talking specifically about subsequent milestone years. Milestone years are defined not in a hypothetical way, but specifically from 2030, so we're now talking subsequent, in 2035, 2040 and 2045.

I'm not trying to amend Mr. Bachrach's motion. I would have done it differently. I would have said the subsequent milestone year must be defined in 2025, etc. However, it's good enough to go ahead procedurally. I just didn't want people to worry that we were creating an impossibility by passing a motion now and fixing it at report stage, which would require the government to have access to a *Back to the Future* kind of time machine.

● (1900)

The Chair: Thanks for that clarification, Ms. May.

[Translation]

Ms. Pauzé, do you have anything to add?

Ms. Monique Pauzé: I wanted to speak, but Ms. May explained the issue well.

I felt I had been misunderstood. We're voting on a target for the year 2030, which is already in the bill. If the target has to be set 10 years earlier, it would have to have been set in 2020.

The Chair: Ms. May provided a clarification.

Ms. Monique Pauzé: I'd like to thank Ms. May.

The Chair: Mr. Albas, would you like to speak to Mr. Bachrach's amendment?

[English]

Mr. Dan Albas: First of all, look, putting this in order, which is substantially the same business that went on prior... I'm not casting stones that I don't believe are warranted, but I can't believe we're entertaining this, for two reasons. First of all, there's the premise of it. The rules are done this way so there's certainty that everyone will have process, ensuring that if you fail on one measure, another party can't steal the same measure and then vote for it. Ms. May put in her amendment prior to the government. She was organized. She put it forward, and the government obviously thought at one point that it was a good idea. Again, that's how the process is.

I don't know if the NDP and the Liberals had some sort of plan here that they would vote it down. However, if they did side together to vote it down and they're playing the game, this is the natural result and they should know better.

Mr. Chair, you've already said to everyone that we'll have to do this in the House of Commons later and hand over this—

The Chair: It can be done. It's not up to me, but it can be done. It can be done only if Mr. Bachrach's present motion, which is nine years and 364 days, is adopted. Then that could be changed to 10 years. However, if we don't adopt Mr. Bachrach's motion, we can't add 10 years at report stage.

Mr. Dan Albas: We're going to have the same amount of work, but I would just say, Mr. Chair, that this cuts both ways and confus-

es things. I'm not in opposition of democratic principles, but I believe that if you have some, you have to maintain them and show respect for all sides. The rules must be maintained.

Mr. Bachrach might find that it's just inconvenient, but if the dog eats your homework and you can simply ask to have that revised and do a do-over... I guess that's something that can be done, but I don't believe this is the proper process, Mr. Chair.

I believe that if Liberal members and the NDP had wanted to see 10 years, they would have supported Elizabeth May's motion on this. They would simply have said, "Hey, let's get it in the bill. Who cares who gets the credit?" I don't think Ms. May would have substantially run around saying, "Look at me. Look at me. Look at what I did." I think she would understand quite clearly that the committee decided to make an amendment to the bill regardless of how my party or others voted.

Mr. Chair, I have to say that I'm deeply disappointed in today's process. I will try to get over it. Believe me, I will not be going home and brooding over this, but I think that members, by being cute... Look, three lefts may make a right, but it doesn't mean that it is the right thing to do. I would say instead, next time, vote for the first amendment that supports what you think is important for the bill, rather than going along partisan lines.

● (1905)

The Chair: Noted.

Mr. Redekopp, is it on the amendment?

Mr. Brad Redekopp: Yes, it is.

To my friend, Mr. Albas, it's two rights that make a left, or two lefts that make a right—whatever.

I'd like a process explanation for my benefit. I'm sure there's something in the rules that talks about something being substantially the same. If you say nine years and 365 or 366 days, that's substantially the same as saying 10 years. Is that just something that the clerks have to recommend, or would you, as chair, make that call? That's something I'm not really clear on.

The Chair: The legislative clerks advised me that someone can make an amendment that is nine years, 366 days—or 364 days or whatever—and that can be considered as an amendment and voted on. At report stage, the House can decide, "Well, you know, that doesn't really make a lot of sense, so we're going to bring it back to 10 years." That's what I've been told by the legislative clerks.

Mr. Brad Redekopp: Would the clerks confirm that it is not substantially the same?

The Chair: They confirmed that it can be done. You can ask them if you want, but that's what they've told me every time we paused to discuss it.

I'll ask Mr. Bachrach, because I want to make sure I'm not confused about whether it's 364 or 366. Mr. Bachrach, could you read—

Mr. Taylor Bachrach: It's 366, as I read it.

If I may, Mr. Chair, I think Mr. Albas's point is well taken, and I stand properly chagrined for not having hit the brakes and clarified the rules. I think all of us have learned something about a fairly esoteric aspect of this procedure, but the goal here really is to not let the procedure stand in the way of the will of the committee, and it does feel that if we were simply to move on....

I would point out that G-5 requires us to vote on G-4. If we don't adopt G-4, or something along those lines, then G-5 no longer makes any sense, so it is important that we deal with this, and I appreciate the time that the other members of the committee have given to this. I think the majority of the committee feels that this is an important aspect of the bill and would like to see it adopted.

The Chair: Can you just read the amendment you're proposing?

Mr. Taylor Bachrach: Sure. It would read, "greenhouse gas emissions target of at least nine years, 366 days before".

The Chair: Okay, so we're all on the same page.

We'll go now to a vote.

(Amendment agreed to: yeas 6; nays 5)

The Chair: It's adopted.

We'll go now to G-5.

Mr. Baker.

Mr. Yvan Baker: Thank you very much, Chair.

I'm introducing this motion to add new subclause 7(5). It's complementary to the one that requires targets to be set, the one we just passed that requires targets to be set 10 years in advance or, now, 10 years and a day in advance.

It requires the minister of the environment to publish, within a year of setting the target for the 2035, 2040 or 2045 years, a high-level description of the key emissions reduction measures to achieve that target, as well as the latest projections of greenhouse gas emissions. This will, for example, ensure that the target set for 2035 in 2025 is accompanied by a high-level description of the measures and projections to reach the 2035 target.

Basically, this would ensure that future governments not only set targets in advance but publish plans so that they can be held accountable for achieving those targets.

• (1910)

The Chair: Would anyone else like to speak to this amendment?

Mr. Albas.

Mr. Dan Albas: Thank you, Mr. Chair. I'd like to ask Mr. Moffet a question.

Isn't a lot of this material already made public through other reporting mechanisms?

Mr. John Moffet: It's correct that we have obligations under the UNFCCC and under the Canadian Environmental Protection Act that result in various reports. There are no such regular requirements for plans as contemplated by this provision or the bill as a whole, however.

Mr. Dan Albas: Ultimately, would you say that most of the material that would be captured by this is already publicly available but would be packaged so that the average Canadian would be able to see it in one source? Does this substantially increase the transparency? Are we talking about 90% of this being publicly available? Or 80%...?

Mr. John Moffet: At the moment, we don't have anything like this particular provision, where there would be an obligation nine years in advance of a target to publish a high-level description of the overall approach the government intends to take to achieve that next target.

Mr. Dan Albas: How much description—how much prescription—is at a "high level"? What does "high level" mean?

Mr. John Moffet: Well, the amendment that's been proposed describes "high level" as something that is similar to Canada's nationally determined contributions.

There is guidance under the United Nations framework convention about what a nationally determined contribution submission should include, so it's considerably more than a number. I can't recall the exact number of pages, but our most recent nationally determined contribution—maybe Mr. Nevison will correct me—was in the five- to 10-page range of information.

Mr. Dan Albas: It seems to me, Mr. Chair, that a lot of this information is already publicly reported. I'll leave it to individual members to decide if there's actual value in this. I get the sense, though, that this is the government trying to.... As MP Jeneroux noted a number of times, people just didn't seem to be responding to the bill, so I think the government is trying to say, "Look—we're beefing it up."

I don't know. I'll leave it to the individual groups and individuals across Canada to decide if this is actually a meaningful measure or not. The Conservatives will be voting against this, because we don't think there's a great deal of extra value being generated by this amendment.

The Chair: Thank you.

We will call the vote on amendment G-5.

(Amendment agreed to: yeas 7; nays 4)

The Chair: Now we will go to clause 7 as amended.

(Clause 7 as amended agreed to: yeas 6; nays 5 [*See Minutes of Proceedings*])

(On clause 8)

• (1915)

[*Translation*]

I just noticed that Mr. Drouin has joined us.

Mr. Drouin, Welcome to the Standing Committee on Environment and Sustainable Development.

We will proceed with clause 8 and amendment CPC-4, introduced by the Conservatives. I would like to point out that if CPC-4 passes, we won't be able to consider PV-10 and G-6 because they seek to amend the same line as CPC-4 does.

I believe Mr. Albas will be introducing CPC-4.

Mr. Albas, you have the floor.

[*English*]

Ms. Elizabeth May: Mr. Chair, I have a procedural point. Under the terms of the motion the committee passed, I just want to make it clear that the custom in other committees is that I'm allowed to speak to my amendment, even though it would be negated if something was passed in advance.

Thank you.

The Chair: I'm sorry. I'm not sure I follow. After clause 7 is adopted, you're saying you have—

Ms. Elizabeth May: I have an affirmative right to speak to every amendment in a way that other committee members aren't, because I'm required to be here by the motion passed by committee, and I have a right to speak to each one of my amendments, even if they are out of order.

The Chair: Are you talking about this going forward? You've been speaking on your amendments, haven't you?

Ms. Elizabeth May: Yes. It's just as we get to PV-10. That's all.

Thank you, Mr. Chair.

Mr. Raj Saini: Mr. Chair, on a point of order, when you were describing all the things that were happening, there was something wrong with my earphone. It was very fuzzy. I'm wondering if you could just say that again so I can be clear on it.

The Chair: Sure. I'm having a lot of trouble with this technology.

I don't know who is next, but anyway—

Mr. Dan Albas: It's whoever you say should go next, Mr. Chair.

The Chair: Yes, but I'm trying to be fair.

To go back to what I said, Mr. Saini, if CPC-4 is adopted, PV-10 and G-6 cannot be moved, as they amend the same line.

Does that clarify things? Okay.

The speaking order I have here is Mr. Albas and Ms. Saks. If that's not correct, let me know.

Go ahead, Mr. Albas.

Mr. Dan Albas: Thank you. I'm sure if MP Saks has a point of order, she will simply voice that, and then I would let her assume the floor.

CPC-4 is a short amendment. It just says that the Governor in Council must take into account the best scientific information. Again, this is just a different approach to what is offered in Bill C-12 thus far. The cabinet itself must take into account the information that one minister.... As important as the minister of the environment and climate change is, I would also remind you that the government has created flexibility. It can appoint a different minis-

ter if it wants. The Liberal members might want to speak to exactly why they might switch that.

Ultimately, we believe that in order to best tackle climate change, it's important to have all hands on deck. Having the cabinet itself—the Governor in Council being its formal name—take into account the best scientific information when it is going about what is envisioned in clause 8, I think, would be a very good approach. I would encourage all honourable members to support this approach—even just once. Just once, say “yes”.

The Chair: Ms. Saks.

Ms. Ya'ara Saks (York Centre, Lib.): Thank you, Mr. Chair.

I will speak to Mr. Albas's amendment in an attempt to ensure that we don't have the inside baseball situation we had the last time. My understanding is that on one hand, if we were to vote in favour of amendment CPC-4, it would then take out PV-10 and G-6. However, if we opposed it and then went on to amendment PV-10 and opposed PV-10, what would happen to G-6?

I'm a chess player—I'll admit it. I just don't want us getting into the same difficulty that we had before, and I want to make sure there is absolute clarity among all the members of the committee regarding the consequences of each step going forward. They are interrelated.

• (1920)

The Chair: That's right, so if CPC-4 is adopted, PV-10 and G-6 cannot be moved.

Let's say CPC-4 is not adopted. Then we would go to PV-10. If PV-10 was adopted, G-6 and CPC-5 could not be moved, as they amend the same line.

Ms. Ya'ara Saks: Thank you, Mr. Chair, for the clarity.

The Chair: Madam Paupé.

[*Translation*]

Ms. Monique Paupé: I don't agree with your interpretation. I feel that, if we pass CPC-4, we could also vote on PV-10 because it does not seek to replace the word “minister”, but rather to replace the verb “take into account” with “base”.

If we pass CPC-4, the subject of the verb “take into account” would therefore be “Governor in Council”, but then we would have to be in favour of the verb “base” or retain the verb “take into account”, which is already in the bill. I don't believe that passing CPC-4 cancels out PV-10.

The Chair: Ms. Thivierge, can you speak to this?

Ms. Émilie Thivierge: Actually, a line cannot be changed more than once. Even if you are wanting to change a different word, once a line has been changed, it can no longer be changed.

The Chair: Thank you, Ms. Thivierge.

I hope that answers your question, Ms. Paupé.

I see no further conversation. We can therefore go to a vote on CPC-4.

So I would ask Madam Clerk to proceed to the recorded vote.

[*English*]

(Amendment negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

The Chair: We can now consider PV-10. I'll just repeat that if PV-10 is adopted, G-6 and CPC-5 cannot be moved.

Go ahead, Ms. May.

Ms. Elizabeth May: Thank you, Mr. Chair.

With all due respect to all members, I'm going to repeat again that this is an issue unlike others. If it's like anything, it's more like COVID: the science has to dictate our actions. The political targets aren't political. Failure is not an option. If we fail to achieve what we committed to do, which is to hold on to a livable world, humans.... This is not rhetorical language. It is a scientific reality that this is an existential threat to our civilization. If we get it wrong, there are no do-overs. If we get it wrong, there'll be nobody around to write the history books to tell us how badly we've done here. We actually have to adhere to the science. The notion that in setting a target, the minister must only "take into account" the best scientific information available is an abomination. The minister must base the target on the best scientific information available.

As I said, we didn't say to Theresa Tam, "Sorry, Doc, you want us to stand six feet apart; we'll give you three, and that's more than the Conservatives would give you." That's not an answer—and sorry for the little jab to my friend Dan and others—but that seems to be the prevailing approach: that that is the bar and we have to do this for the purpose of an election.

No. We have to get this right under the terms of the science, and I can promise you that the atmosphere is not interested in negotiating with humanity. We are not in the driver's seat here, except to control our own actions. We know very clearly that holding to 1.5°C is not easy. It will require much more of us than we currently are contemplating, but to have a target that is taking into account the best scientific information available was found by many of our witnesses.... We didn't have that many, but certainly the climate action groups and specifically West Coast Environmental Law said that to best ensure that targets and plans are based on science and independent expert advice, climate accountability legislation should ensure that "targets and plans are based on the best available scientific information".

I recognize that there is a line conflict, and this has been noticed by other members of the committee. It is possible at this point, but not later, to amend PV-10 such that it can be very easily folded into G-6, but that would require someone other than me. I'm not allowed to amend my own amendments, but someone else could. It would certainly make sense to say the minister must "base the target on" the best scientific information available" in G-6 and then, for paragraphs 8(b), 8(c) and 8(d), that the minister must "take into account" the other factors. Clearly, our targets must be based on what science demands we do, not just on factors out there that must be taken into account.

Thank you, Mr. Chair.

• (1925)

The Chair: Thank you.

Mr. Bachrach.

Mr. Taylor Bachrach: Thanks, Mr. Chair.

I think, following on what Ms. May has said, and I take her point, the advantage of G-6 is the inclusion of indigenous knowledge and the importance of that. I think that as a committee we all appreciate how important it is that the bill include reference to that in a meaningful way. I certainly take her point, and I'm a bit worried that we would end up in some of the procedural weeds that we just got out of if we mix and match. I'm going to support G-6, and for that reason, I regrettably won't be supporting this amendment.

Thank you.

The Chair: I see no more speakers, so we'll vote on PV-10.

(Amendment negatived: nays 10; yeas 1 [*See Minutes of Proceedings*])

The Chair: We go now to amendment G-6.

Before I ask Mr. Saini if he wants to move the amendment, I'll let the committee know that if G-6 is adopted, CPC-5 cannot be moved, as they amend the same line.

Mr. Saini, do you want to move G-6?

Mr. Raj Saini: Yes, I'd like to move G-6, please.

The Chair: The floor is yours.

Mr. Raj Saini: This amendment would ensure that the minister takes into account other factors, including indigenous knowledge and submissions and advice provided by the advisory body, when setting the greenhouse gas emissions targets. It would strengthen the act by requiring the minister to consider additional factors, with the best scientific information available, and international commitments with respect to climate change.

• (1930)

The Chair: Thank you.

Ms. McLeod.

Mrs. Cathy McLeod: Thank you.

I suspect that this will pass and I won't get an opportunity to speak to how we could have made this section more comprehensive. A lot of the witnesses supported that particular position.

I find it interesting that the government has put indigenous knowledge into this section, as it had no conversations prior to tabling this legislation. No indigenous witnesses came here to represent the different groups. Again, the continued symbolism, as opposed to having a real process, is a concern.

Certainly we believe that better decisions would be made in this section if we included understanding the impacts. This doesn't mean you don't move forward with the best scientific advice, but this section will lack an understanding that even your minister said was important. We learned with the plastics ban that there was no assessment of what the impact was going to be.

Part of this addition is okay, but part of it was done without appropriate consultation. It's missing a lot of things that might be important, so we will not be supporting it—or at least I won't be.

The Chair: Seeing that no more members would like to speak to this, we'll go to the vote.

(Amendment agreed to: yeas 7; nays 4 [*See Minutes of Proceedings*])

Mr. Dan Albas: Mr. Chair, given that G-6 passed and now CPC-5 is no longer movable—

The Chair: That's right, yes.

Mr. Dan Albas: —can I ask what the rules are regarding when amendments have not been read? Does it violate parliamentary privilege to show those things? Again, we work quite hard to present these things. This was one of the first amendments we put in, and we want to be able to say that we actually did the work. Is this protected by parliamentary privilege?

I'd like you or the clerk to please let us know. We want to honour parliamentary privilege, if it is considered privileged.

The Chair: That's an interesting question. My gut tells me that you're free to share it, but I could be wrong.

Madam Clerk.

The Clerk: Since it hasn't been moved, it doesn't belong to the committee at this point, so the member is free to do what he wishes with it.

Mr. Dan Albas: Thank you. I appreciate the clarity.

The Chair: Does anyone want to speak to clause 8 as amended?

Mr. Albas.

Mr. Dan Albas: I simply want to say we're going to be opposing it as amended. It's unfortunate that the government did not seem to deem it important to include different factors, for example economic factors and some of the social factors. If you can watch any talk show or podcast that talks about these issues, there will be impacts and I think the onus is on the government, when it proposes a new rule or new regime, that there should be some factors in it.

Look, I have nothing against indigenous knowledge, although I will say that when we get to the definition of indigenous knowledge I might ask a few questions around that, but I go back to what MP McLeod said, that there wasn't a lot of work done to consult with first nations. There's not a lot in this particular clause that talks about social impacts, economic impacts or even national unity, and we think it's important that the government, when it's making these

decisions, say to the people exactly what it means to them, because there will be some areas of this country that will be more affected than others. That's why Conservatives don't believe that the government or this committee has gotten this right.

I wish we had the ability to have a full debate on this, because our amendment, I think, would have at least allowed for those things to come forward. However, I respect the committee and we'll just leave it there.

• (1935)

The Chair: Thank you.

I just want to make sure I'm not making an error here. My script asks me to ask the committee if clause 8 as amended should carry, but then after that decision, we go to a potential new clause 8.1. Is that the proper logic?

Ms. Elizabeth May: I would think not, Mr. Chair.

The Chair: It caught my eye.

Could Maître Thivierge tell me if we need to go to PV-11 before I ask the committee if they want to adopt clause 8?

Ms. Émilie Thivierge: No. You need to vote on clause 8, and then PV-9 would create a new clause.

The Chair: I stand corrected.

(Clause 8 as amended agreed to: yeas 7; nays 4 [*See Minutes of Proceedings*])

The Chair: Now we'll go to Ms. May's PV-11 to see if we add clause 8.1.

Ms. May.

Ms. Elizabeth May: Thank you, Mr. Chair. I'm sorry for speaking without your recognizing me but I was in violent agreement with you, so I thought it would be all right.

The Chair: Whenever you're in violent agreement with me, you can speak up any time.

Ms. Elizabeth May: It seems like we were both wrong.

This amendment is to ensure that there actually is accountability in the legislation and it speaks to ensuring that the minister is ultimately accountable for coordinating the actions relating to the climate goals. You'll note the important use of the minister "must". The amendment is:

The Minister must ensure that all measures and strategies within federal authority are implemented to ensure that the national greenhouse gas emissions target for each milestone year is met and that the national greenhouse gas emissions target for 2050 is met.

There are two important elements to this: ensuring that the minister has a responsibility for coordinating the various pieces that are required to achieve the goals of climate accountability and, by using obligatory language, the minister “must”.

Again, the amendment itself came forward in evidence from West Coast Environmental Law, but I also put it to one of our other witnesses, Professor Wright, from the Faculty of Law at the University of Calgary. You may recall that I asked him if it wouldn't improve the legislation if we had more language such as “the minister must”. You will recall the conversation about justiciability and the best way to ensure that we had some accountability and some potential for citizen enforcement in the act.

It's not likely this would ever get to a court—courts hate this kind of thing. However, that's why the language is as forceful as it is and includes things that I'm sure any minister will want to be sure they are coordinating: all measures and strategies within federal authority implemented to ensure that the national targets are met.

That's as briefly as I can put it, Mr. Chair, and I think it does a lot to strengthen the act.

The Chair: Thank you.

Mr. Albas.

Mr. Dan Albas: Thank you, Mr. Chair.

I'd like to thank my colleague from British Columbia for putting this forward.

Again, we have consistently tried to strengthen this bill by not putting the onus on one minister but to have the onus on cabinet. We believe that it takes an “all hands on deck” approach and a whole-of-government approach. Unfortunately, putting a minister such as Minister Wilkinson or future ministers of the environment and climate change on the hook for the actions of Crown corporations that report to other ministers, as well as the general departments that he or she is not responsible for, I don't think is a good approach.

I sincerely appreciate that the member is trying to raise accountability, but again, to be fair to that individual, they are not necessarily accountable. The Prime Minister and his or her cabinet are the ones who should be bearing the most responsibility. That is why Conservatives have continually said that if there is an action that's brought forward, it could be brought forward by an individual minister on the recommendation to cabinet, but it should be the cabinet itself that endorses, debates, deliberates and puts in place those mechanisms.

We will not be supporting this, but I applaud her thoughtfulness in trying to make sure there is accountability. Oftentimes, I do not see this government being accountable. It seems that it is more about putting out the announcements than necessarily seeing that what is implemented is done well and competently.

• (1940)

The Chair: Mr. Redekopp, you had your hand up.

Mr. Brad Redekopp: This is a question for the witnesses, for either Mr. Moffet or Mr. Nevison. Is this even doable? Can you have this?

Essentially, in my mind, this creates a super minister, because he's now responsible for everything within federal authority. As Mr. Albas just pointed out, whatever the jurisdiction, finance and transport and everything would come under this. Is it reasonable for this to even be implemented? Is there a precedent for this in other measures?

The Chair: This is for Mr. Moffet.

Mr. John Moffet: That's a good question.

I'm not sure how the term “ensure” would be interpreted. As members are aware, there's an obligation in the act on the Minister of Environment and Climate Change to consult with other ministers in order to ensure a whole-of-government approach.

Whether this would give the environment minister some extraordinary powers, I am not able to opine on, but I think the underlying objective here is clear that the minister needs to take as broad a suite of actions as possible.

Mr. Brad Redekopp: Are you aware of any other legislation or departments where this type of wording has been effectively implemented?

Mr. John Moffet: I'm not personally, no, but I can't assure this committee that I've done a thorough review of federal legislation.

The Chair: Okay.

Madame Pauzé.

[*Translation*]

Ms. Monique Pauzé: Thank you.

We will vote in favour of this amendment.

First, I'd like to remind everyone that several witnesses appeared before the committee and asked that Bill C-12 be reinforced. However, so far, the amendments we have passed don't do much to reinforce anything. I'm thinking that maybe now we have a chance to finally hear what the witnesses came before the committee to say. Partisanship aside, I feel this amendment can do just what it was meant to do, which is to reinforce this legislation so that it achieves the goals that were set.

I'd like to add that, in any event, the Minister of the Environment does not work alone. He also works with all the provincial environment ministers, who consult each other a lot too. That's why I'm not concerned about this giving powers to a “Superminister”.

The Chair: Thank you.

Seeing no further conversation, we now go to a vote on amendment PV-11, which proposes a new clause 8.1.

(Amendment negatived: nays 9; yeas 2. [*See Minutes of Proceedings*])

(Clause 9)

• (1945)

[English]

The Chair: We'll move on now to clause 9 and CPC-6.

Mr. Albas.

Mr. Dan Albas: Mr. Chair, it will come as no surprise that we want to make sure there is a whole-of-government approach. Again, we've heard a few things that Mr. Moffet has said with regard to how the minister must consult. That doesn't necessarily mean the minister has authority or accountability when it comes to other departments. That's where we think the bill gets it wrong—by putting the focus on just one minister in terms of it—and we would all be better off if clause 9 included, “The Governor in Council must, on the advice of the Minister, establish a greenhouse gas”.

Again, this changes the model, and I would hope that members might be coming around, because sometimes you have to keep punching through, Mr. Chair. As you know from your time in politics, sometimes you have to keep saying it over and over before people tune in and suddenly say, “Yes, I'm for this.” Therefore, I'm really hopeful that I will see maybe Mr. Bachrach or someone else—maybe Mr. Baker, who keeps teasing his support—respond and vote in favour of this amendment. Quite honestly, the more collaborative we are and the more focused cabinet is on it, the more I think we'll end up with a better result.

The Chair: Okay. You're free to speak to CPC-7 separately, but your comments seem to apply to CPC-7, too.

Anyway, we'll vote on CPC-6, Madam Clerk.

(Amendment negatived: nays 7; yeas 4)

The Chair: Okay, so we go to CPC-7.

Mr. Albas, do you need to intervene on that?

Mr. Dan Albas: Yes, I do. Thank you very much, Mr. Chair.

Again, in keeping with a whole-of-government, all-hands-on-deck approach, this would say, “The Governor in Council must establish an emissions reduction”.

Again, this strengthens the bill and increases the accountability of the government for its efforts, and every cabinet minister, when they ratify this, would then become part of the solution rather than hanging back. I don't know if you've ever heard of this before, Mr. Chair, but sometimes people tell me that the government works in silos. The idea of these amendments is to break those silos down, to have ministers talking about ideas and coming around to a consensus at cabinet, and then standing behind those ideas in their different departments.

Right now, leaving it to just one minister to administer all plans... Look, I know from my own personal experience—in my previous business experience or even working as an MP—that when I bring my team together with some of my ideas, they often improve them and sometimes massively so. Most people would say that “massively” is an understatement.

I would just simply, again, encourage all members to vote in favour of this, because if you want to see better things, then you

have to change the way you do it. I think making the Governor in Council more responsible and more accountable would do that.

The Chair: Okay, so you're seeking a holistic approach.

Let's vote on CPC-7.

(Amendment negatived: nays 7; yeas 4)

The Chair: We will go now to PV-12.

I would note that if PV-12 is adopted, PV-13 cannot be moved, as they amend the same line.

Ms. May.

• (1950)

Ms. Elizabeth May: Thank you, Mr. Chair.

This is, again, to clarify... Although it uses the year 2025 for a reference point, it is not another attempt to my several previous amendments, which were defeated, to create a 2025 milestone year.

In amending clause 9, if you go to the relevant section of the current draft, it states:

The Minister must establish an emissions reduction plan for 2030 within six months after the day on which this Act comes into force.

My amendment would require a plan for 2025 and 2030. Without creating a milestone year at 2025, it would require a plan for 2025 within six months, in tandem with the plan for 2030. It can only improve the chances that we're actually going to be on track, to have a plan for 2025 within six months of when this act comes into force.

I'm feeling fairly despairing at this point, Mr. Chair, but you never know. I hope that the committee will vote for this motion.

The Chair: Thank you.

Seeing no other hands up, can we proceed to the vote on PV-12?

(Amendment negatived: nays 10; yeas 1 [See *Minutes of Proceedings*])

The Chair: We will move on to PV-13.

Ms. May.

Ms. Elizabeth May: Thank you, Mr. Chair.

This is similar to the one that the committee just defeated, but I think it would be well worth mentioning some of the other witnesses and those who did not get to testify in person.

As Cathy McLeod mentioned, there were no indigenous witnesses present before committee, but in a written brief from the Tsleil-Waututh Nation, they definitely called for the 2025 year, as did, of course, the Canadian Climate Action Network. Generation Squeeze is another witness that called for this, and so is Eco-elders for Climate Action, the 2025 plan being essential if we're going to see early action.

To keep everybody on the right page, this is PV-13, amending that same line, but this time stressing the need for a plan for 2025 within six months from the day this act comes into force.

Thank you, Mr. Chair.

The Chair: I don't see any hands up. Going once, twice....

Mr. Bachrach.

Mr. Taylor Bachrach: I take Ms. May's point.

I heard the same testimony, as did every member of this committee. I believe that the need for a near-term accountability measure is very well established and well founded. As we go through these amendments, I think it will become clear that in order to gain enough support for that near-term accountability measure, it's going to have to be something other than 2025.

Regrettably, that's why I'll be voting against these amendments. I believe that the spirit of these amendments, which is that we need that near-term accountability measure and we need planning that reflects that measure, will be reflected in future amendments.

• (1955)

The Chair: Seeing no more hands, we'll vote.

Ms. Elizabeth May: I'm sorry, Mr. Chair. May I respond briefly to Mr. Bachrach?

The Chair: Sure.

Ms. Elizabeth May: I won't be able to speak to the next amendment that comes up, which is being moved by the NDP and which does talk about something sooner than 2030. It's half a loaf; I'll just say that. It's an interim objective, which is not the same as a plan, a target or a milestone year. I regret very much that this is the most the NDP could get out of negotiations with the government. Obviously, that's how they feel their chances were to improve the act.

I wouldn't have accepted half a loaf—not with so much at stake.

Thank you, Mr. Chair.

The Chair: Mr. Albas.

Mr. Dan Albas: Thank you, Mr. Chair.

Mr. Moffet, obviously, there is the emissions reduction plan, and PV-13 is calling for one to be done for 2025. Given that there's been some contrast already made with the next one, NDP-2, which

talks about an interim greenhouse emissions objective, what is the difference? Are they the same thing?

Mr. John Moffet: No.

I apologize if I sound like I am splitting hairs. The short answer is that the act makes a fairly significant distinction between targets and plans. This particular amendment has to do with establishing a 2025 plan, whereas the subsequent NDP amendment that you referred to would require that the 2030 plan include a GHG emission objective, which introduces a third term. The objective would be for 2026. It would be an element of the 2030 plan that would need to be published within six months of the bill coming into force.

I hope that's clear.

Mr. Dan Albas: Is there no set criteria for an interim greenhouse gas emission objective? Is it just something the government is promising to do as part of the 2030 plan?

Mr. John Moffet: If NDP-2 is passed, it would be more than a promise. It would be a legal obligation.

Mr. Dan Albas: There's no granularity on what would be included in that, is there?

Mr. John Moffet: No, you're correct. At the moment it is simply described as a interim greenhouse gas emission objective.

Mr. Dan Albas: Thank you.

The Chair: I'm told that we were lucky to keep going to 8 o'clock. It's 7:58 or 7:59, and 8 o'clock is a hard stop.

We made quite a bit of progress. I think we're at least a third through. We'll carry on next time, starting off with NDP-2.

The Clerk: Mr. Chair, I don't believe we took the vote on PV-13.

The Chair: I'm so sorry. Boy, it's been a long day.

Thank you, Madam Clerk.

(Amendment negated: nays 10; yeas 1 [*See Minutes of Proceedings*])

The Chair: Can I have a motion to adjourn?

We'll stop there and we'll pick up with NDP-2.

Mr. Dan Albas: I so move.

Ms. Elizabeth May: When is the next time the committee is meeting?

• (2000)

The Chair: This is our only meeting this week, which is why we doubled up and went for four hours. It will be Monday.

Ms. Elizabeth May: Thank you, Mr. Chair.

The Chair: On that, the meeting is adjourned. We'll see everyone on Monday.

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