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Chair

Mr. Joe Preston

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• (1140)

[English]

The Chair (Mr. Joe Preston (Elgin—Middlesex—London, CPC)): Let's call our meeting to order. We are here studying the fair elections act.

I want to do a quick piece of committee business. We've been chosen as the next committee to go paperless, and so you will all be getting a letter about how that functions and how that will work. When I was handed a whole binder full of stuff, I thought, "This was a good move, let's see if we can do it." So your chair is working off his iPad today. David will not be going paperless today, but we will get there, and so you will be getting a note on that.

We are resuming debate on Mr. Christopherson's motion now, and he still has the floor.

Yes, Mr. Lukiwski.

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): I have a point of order. Let me deal with this now, because I know that probably all my colleagues on the opposite side have been anticipating this anyway. Just to put all speculation to rest, I would like to inform the committee and you, Chair, that our side will not be giving consent to adjourn at 1:00 p.m. today. We can continue to listen to David, with the proviso of course that he continues his filibuster. If in fact he wants to dispense with that and get on to my motion, if my motion carried, then we could go on with entertaining witnesses, but in light of the filibuster, which appears will continue for some time in the future, we'll attend to hear Mr. Christopherson and others on a 24/7 basis if need be.

The Chair: You're up, Mr. Christopherson.

Mr. David Christopherson (Hamilton Centre, NDP): Thank you, Chair.

The Chair: I did not bring my pyjamas but....

Mr. David Christopherson: The honourable member just broke the hearts of an awful lot of Canadians who thought they would only have to listen to me for a maximum of two hours. So be it. We are where we are. Good thing I made a pit stop on my way, and we'll see where we end up.

We last left off, Chair, talking about of course our motion. I had assured you that I was very much aware of your mandate as the chair to ensure that my comments remain within the parameters of the motion. I've had some people over the last few days ask why I am not talking more about the bill, and the answer to that is, the second I start talking about the content of the bill, you're going to be all over

me, Chair, because at that point I would no longer be talking about the actual motion that's in front of us and would have sort of slid into debate.

Being respectful of your mandate and knowing that you want to keep us all on track, I will endeavour...and have laid out my thoughts in a way that I think continues to respect the rules and the boundaries upon which we can speak to any given motion.

So, where to begin. Such an embarrassment of riches in terms of things to talk about. I think the first thing I'd like to do maybe is talk a little bit about the mandate of the committee, because the motion, of course, is always predicated on the work of the committee.

An understanding of the mandate and the rules of the committee is an important part of understanding the essence of what we're trying to do with our motion. And I remind everybody that our motion is actually very straightforward, and the part of it that is giving the government the greatest amount of trouble is the part where we talk about talking to Canadians, going out into the communities and giving people a chance to have a say about their election law in a way that's meaningful. We believe, in the NDP, in the opposition, that we should be getting out of the safety and security of the Ottawa bubble, and that we should be giving Canadians an opportunity to voice their concerns. And many concerns there are, and I'll get to that part later.

I will be speaking about some of the roles of the committee chair. I will also be talking about what took place not long ago in Yellowknife, where there was another piece of legislation. The discussion, in some ways, Chair, is that the House of Commons, as a rule, normal procedure, doesn't necessarily travel on every bill. It's more commonplace when we do studies.

But the fact remains that although it may not be the usual process, it is not unusual to the extent of being rare or an extreme stretch of the rules that a committee would travel on an actual bill. Of course, we have the evidence of Bill C-15. Just at the end of January, on January 27, specifically, they were in Yellowknife holding hearings—wait for it—on a bill. So any argument that what we're suggesting is an extreme aberration or is stretching the rules or the credulity of members in terms of what's normal is specious. It is in fact a permitted, useful, important tool for committees to travel on certain bills when it's necessary.

I remind the members of the government, through you, Chair, that we already tried to do this in a way that was amicable, that would involve everybody with the least amount of politics, and the government refused. What I'm referring to is when we asked that the bill be sent directly to committee after first reading, and the government—again, you know the kinds of games they play—got up and made speeches: “Well, clearly, the NDP doesn't want to debate the bill because they've already made a motion, or indicated they wanted to send it off to committee.”

Once again it's the government playing fast and loose with the truth.

The reality is that it is a mechanism that is in place to permit members of the House of Commons, through their committees, to start discussing a bill without as much politics. Here's why.

Normally what happens is that the first reading, as a rule, is pretty perfunctory; you stand up, read the bill, it's accepted, there are a couple of formalities, and boom, it's in the system. The second reading is where we're voting in principle; it's at second reading where the parties tend to start locking in. The government stands behind their bill; they're not going to stand up at second reading and start talking about problems with the bill or things that need to be changed, that will happen at committee. They're not about to start that kind of a discussion on a bill without recognizing that they have to stand behind the integrity of their bill. After the second reading, that's when it goes to committee. The problem is that we've already locked in politically; the opposition parties have been pressed by the media about whether they are in favour of this. People get asked if they're in favour of a bill sometimes before it's even finished being introduced to the House. Are you in favour of it, or are you opposed to it? It's the nature of politics in the modern-day communications era.

What happens is parties move quickly, oftentimes without the opportunity to do the kind of in-depth research that one would like to, especially if it has you going, later on, that the position we took in the beginning now that we understand it a little better we have to massage it, and so on. There's a whole political thing around that, and it's the normal way of doing things, and it serves us well in most cases. There are times, however, and this should have been one of them, when...much like we finally are doing on Ukraine, after the embarrassment for the government of being so petty last week as to send a non-unity delegation to a country that needs to be united. We will not let them forget that; it was a sad moment in this government.

I hear you, Chair. Thank you.

We're past that now and we're working together. That's my point; now we're where we should be as a House on the question of Ukraine. Whether we stay there or not depends on how we go forward. But I know that we're all going to do everything we can to stay united around that. Why? Isn't it political? Of course, it's political, it's hugely political, it's arguably the most political question on the planet right now. But the fact remains that some things are so important that we have an obligation, as difficult as that is—it seems easy from the outside—and we need to get above that. From time to time, we have to have the ability to rise above the politics of the moment for a bigger cause. In this case, the cause is the freedom that

Ukrainians are fighting for in terms of their country. In this case, what we're talking about is revamping all of our election laws.

Chair, it seems to me that if ever there was a useful time for the House of Commons and the members to act in a unified way, and to try to find a set of rules that everyone can live with.... I use the example of the Olympics, and I think it's a perfect example. No one country set the rules for the games at the Olympics. It wasn't the host country, it wasn't the biggest—being the United States—it wasn't those that won the most medals, it was everybody, and everybody got a say and everybody knew the rules were fair when they went into it. It's clear, not only from the bill...and we see that now, and we'll see it more as we get into it, but we also see it in the way the government acted, Chair. The first chance they had in the House of Commons on this bill after they neglected to consult with any of the political parties and even the Chief Electoral Officer... How outrageous to bring in an election law. It's insulting to bring in a new election law, and the Chief Electoral Officer was not even consulted. It was pretty clear to us from the get-go that this government was not interested in trying to rise above politics, in trying to have a fair, level playing field for everybody.

• (1145)

They talk about that when they talk about trade issues. They don't want to talk like that when we talk about our election laws.

So it was pretty clear to us, Chair, right from the beginning, that this government's only intent is that by Canada Day they want this law. Quite frankly, they're prepared to take any criticism that I can give, that my colleagues can give, that the public might give, that the media may bring down on them. They are prepared to pay that price in exchange for an election law that tilts the rules in their favour. That's where we are.

Our attempt to bring us back to where we should be, if that can be done this late in the game, was to use a mechanism...in fact, the mechanism was so effective federally that when I was at Queen's Park we brought in a similar rule to have that tool available to us. I can remember specifically that we were dealing with mental health reform. We used that mechanism. It was the first time ever. Norm Sterling, a good Progressive Conservative from Ontario, deserves credit. For the longest time he liked this rule, and when he finally became the House leader he brought it in. He adopted it from the rule that we have here. Again, that rule is that once the bill has been introduced at first reading, rather than then moving to second reading—and as I said people start putting political skin in the game—and having to vote, that you send it off to committee before anybody's locked in on anything. Why? Because it gives everybody the latitude to talk about going in any direction because they haven't pre-locked themselves into a position, either deliberately or inadvertently, by virtue of the words that are chosen at the time.

Councillor Brad Clark in Hamilton was the minister responsible. He wasn't minister then, he was parliamentary assistant, but he did such a good job that in the next round of promotions he was promoted from a parliamentary assistant—as they are called at Queen's Park as opposed to parliamentary secretaries here—to a full minister, the Minister of Labour. He did a great job. The process worked. It de-fanged all the politics. It neutralized everything and then when the bill landed, clearly the government was saying by virtue of their words and their actions that they wanted to see if they could build collectively as good a bill as possible, given the issue: it was mental health. There was no desire to play politics with mental health. There was a need to make things better, to fix some things. Everybody felt that commitment, and it was good work.

I still think one of the reasons Brad got into cabinet was because I, and my good friend the late Dominic Agostino, an absolutely outstanding elected representative, were so good at praising him that we convinced the premier. To be fair, part of it was we wanted a regional minister. We didn't have one in Hamilton. The closest was Burlington, and we didn't consider that to be hometown, and we really wanted and needed a minister from the area, so we had an ulterior purpose. Nonetheless, we still couldn't have done it if councillor Clark, then parliamentary assistant Clark, hadn't done such an outstanding job. So we thought this was a great opportunity for this bill. That was our attempt to get the government to agree to send it here after first reading.

That would mean, Chair, that rather than getting all caught up in the politics, where we are right now—we're into the politics of things—rather than that, we would have gotten right into the issues. Why? Because we still had, if we needed them politically, the tools available when you eventually report back to the House, and you still have a second reading debate.

● (1150)

You still have a second reading vote, and you can still send it back to the committee if you want, with instructions, or you can accept the report and forward it to the minister. All of the options that were available before are still there. You don't give up any of them, but what you do is, you send it to a committee without all the politics, in the hope that making a good law would be the priority.

So how should this have been done? There should have been consultations with the opposition parties. There would have been, if it were a minority, I guarantee you. There should have been consultations, as there were in the past, Chair. This is not something new.

In the past when these kinds of changes were considered, the first step would be to talk to the opposition parties and let them know what you're planning, let them know that this is what you're going to do, and make it a collaborative effort. The second thing you would do, one would think, is ask the Chief Electoral Officer and Elections Canada to come in and give you a briefing on what they think. Remember, still no politics.

I know that work can be done, because we've done it before. In fact, I just happen to have with me some of my notes from that work. You'll remember this, Chair. This is like a blast from the past. You probably have one yourself, framed on the wall as a souvenir of all those years when you chaired this. Remember these?

Remember this? This is a spreadsheet. What's fascinating about this is that it's headed up as "Mapping of the Chief Electoral Officer's Recommendations". That report was on political financing. This gives you—you can see how it's laid out—what it's about. For the value, it says "trust" and then the subject matter, the current status of the law, the recommendations, and the desired outcome.

● (1155)

The Chair: Mr. Christopherson—

Mr. David Christopherson: I was just sharing it with my friends—

The Chair: I understand that.

Mr. David Christopherson: —or I can hold it up like this and share it with everybody.

The Chair: But you're to be sharing with all of us—

Mr. David Christopherson: Oh, okay. I can do that.

The Chair: —your thoughts on your motion.

Mr. David Christopherson: Yes, well, it's related to my motion, because what I'm pointing out—

The Chair: I'll let you bring it back.

Mr. David Christopherson: —is why it's necessary to have our motion: because the government has gone down such a wrong path. So of course it's important for me to give you, sir, legitimate reasons why this motion deserves the consideration that it's getting.

Again, this was the kind of work we did last time. So what happens? The Chief Electoral Officer, after an election, they review—duh—they make recommendations for changes—duh—and they hope that those changes will make things better—duh. And they came in with this. Here are all the arguments, the concerns.... My good friend Mr. Lukiwski knows what hours we spent not in being partisan, but in working through these, as people who are part of the electoral process and who are engaged in it. We worked it through.

I will say again that it was one of the most stimulating, enjoyable, and fulfilling exercises that I have done since I've been here, because after 30 years of politics, same old same old doesn't carry the same cachet, meaning government in one corner and the opposition in other corners. But when we come together and set aside those politics, now that's exciting, and that's a challenge, and I think that's when Canadians are most pleased. They know there are times we have to go in the ditch on issues, and they want us to, but at the end of the day, they also look at overall Parliament and hope that Parliament is giving them good governance. This is not good governance, by any definition.

So pages and pages.... For instance.... Let's do a "for instance", Chair, so I can show the relevancy of it.

The Chair: You keep digging that hole.

Mr. David Christopherson: I'm just trying to pick one here that would be.... Here's one, just for the heck of it; and really, I didn't pre-set these.

The value, and the term that Elections Canada has put here, is "efficiency". So under efficiencies, for examples, they suggest some changes. They list things under subject, current status, recommendation, and then desired outcome.

This was our bible. This was what we used to work our way through this.

Now, under the subject "Extensions of time for filing financial returns", the current status states: "The existing regime for seeking an extension to the filing deadline for a financial return is costly, cumbersome for regulated political entities and does not promote timely reporting." The recommendation is to extend the period during which the Chief Electoral Officer may grant an extension by two weeks and lighten the approval criteria, both for the Chief Electoral Officer and the courts. As well, candidates who file late should forfeit half of their nomination deposit.

The desired outcome is that it would allow extension requests to be processed more efficiently and reduce recourse to the courts. It would also encourage greater compliance with the statutory deadlines.

Well, that's the foundation for a good discussion, especially among people who understand this stuff—meaning the people who are elected, because we've all been candidates. That's the kind of work we did, Chair, based on the recommendations of Elections Canada.

Canadians are fair-minded people. They're also pretty smart. But I don't think you need a degree in political science to understand that if you're going to change something as complicated as the election laws for a country like Canada.... Ours is a complex country, in many

ways, just because of our geography for starters; the size of us, and our neighbourhood. Yet we find ourselves with a government not only not allowing this kind of documentation to be the basis of our work; they didn't even consult. They didn't even ask.

In fact it was so absurd that the minister, whom I know quite well.... We got here at the same time. I served on the public accounts committee with him for a couple of years. I know the minister very, very well. He's a very smart fellow. But I have to tell you that it was a riot to hear the minister say that his one-hour nice-to-meet-you with the Chief Electoral Officer somehow constituted and was equivalent to an in-depth discussion about proposed changes to Canada's election laws.

What a joke. What a joke. If it weren't so serious, it would be downright hilarious. But it's scary. It's scary that in a modern democracy like this, the government would bring in a complete revamping of the election laws, not consult with the opposition parties, and not even consult with Elections Canada.

Come along. Who believes for one moment that this government is interested in a fair elections act that would make it equal for everybody to have a fair shot at winning? Come along. That is just patently absurd.

To add insult to injury, at the first opportunity the government shuts down debate in the House of Commons. Let's follow the bouncing ball. The government brings in sweeping changes to our election laws. They did not consult with the other parties. They did not consult with Elections Canada. They shut down debate on the floor of the House of Commons on the bill. And they somehow expect that Canadians will believe that this is a fair-minded bill, meant to be fair to everybody—really.

● (1200)

I mean, really. In fact, the only conversation that we're aware of between the Minister for Democratic Reform and the Chief Electoral Officer was a howdy-do meeting, and that's it. That's all he needed. I would love to know—we'll never know for sure—how many outside legal people and experts did get a say and did get a word in this.

Let's remember, there was an attempt to bring in another bill, quite some time ago now, and it got bounced by the Chief Electoral Officer...no, they don't have that power, by the opposition parties...no, they don't have that power, by House of Commons...no, it never got there. Who bounced it? The Conservative caucus put up so much resistance that they sent the minister packing. Now, they didn't go back to the consultation mode. They didn't go all the way back there. All they did was go back internally, and who knows who had a say? What law firms, consultants were hired? I'm not saying that was illegitimate, but what I am saying is that it's inappropriate that only Conservative insiders get a say on the development of an election reform law.

That's wrong, and the only way to counter that, Chair, because the government can consult with who they wish, is through the House the Commons and through the committee, where we force democracy into the situation. That's how a parliamentary system works. It's very different than a U.S. congressional system.

So everybody seems to get their say except people who aren't Conservatives. If you're a Conservative, you have a say—either a caucus member, or lobby groups, who knows? If you're a Conservative insider, then you had a shot at having some input into the election law reform. But if you're the Chief Electoral Officer of Canada, you did not. If you're a Conservative backbencher, you got a say; in fact you got a veto, because the bill didn't make it to the House.

The minister had to stand up and mumble something—I forget what he said, that was the point so he must have done it well. He mumbled through the moment, pulled it back, shut the doors closed, and then the consultation started. But the consultations all took place behind closed doors, with a label on the door that said, “Conservatives only.” No one else need knock, because no one else is coming in.

So is it any wonder that at the very least, Chair, we're trying to provide some counterweight to the strength of the government majority? What's the best strength? What's the best power that you can bring against a majority government in Canada, legally, constitutionally? Just use words. I guess in appropriate places, you could have a protest sign, as long as it's not near a Conservative, because apparently that just freaks them out. But, really, you don't get any kind of a say, except public opinion.

Now, I accept that Canadians aren't exactly storming Parliament Hill, and that's the calculation, Chair, on the part of the government. The calculation is that we will take whatever hits there are, whatever the hits are, as long as we have our law in place by Canada Day, because we have now rejigged the election in such a way that we have the advantage we want.

● (1205)

So rather than worrying about today or tomorrow and anything the media might say or anything the public might do one-off is more than worth it if, on election day, the choices are made using Conservative election laws not Canadian election laws.

Make no mistake, Chair, if they ram this bill through.... At the end of the day, they're a majority government and they are determined to get it, so they will get it. It may be a long day coming, but that day will arrive at some point and they will get to make it law. I guarantee you, Chair, there are going to be major, major problems after the next election, regardless of who wins, because Canadians don't have faith that they have a fair process. Canadians are very, very fair minded. That's why our hope is that if enough Canadians find out what's going on, they will use their collective voices and they will use the influence and authority—I'm going to use that word a little advisedly—of the court of public opinion.

Now, the government's gamble is that long before that could ever reach critical mass it will be law. That's the calculation. There are a lot of people out there. Leadnow was here not that long ago and did a fantastic news conference. I came in and sat through some of the hearings. They are putting advertisements out there. They are trying to get the.... They are not at this point arguing the bill per se or pointing out areas they have concerns about. What they want right now is an opportunity to have their say, and they'd like to have their say in the communities where they live.

● (1210)

The Chair: I'm going to stop you just for a minute. I'm paying closer attention today because it looks like we're going to go for a while. So the interest of the story is very good. It is your motion that we're debating. If you would like to refer to groups that could come here and give evidence, then we could vote on your motion and we could start having those groups here giving evidence. In the interim, could you keep your talk to the motion, your motion, and not about what could be happening. We'd all love to have witnesses here actually giving testimony.

Back to the motion, please.

Mr. David Christopherson: Thank you very much, Chair, I appreciate that.

So I would say to you, Chair, that what we could be doing is relevant, and I would say, with the greatest respect, that it is germane because that is my motion. I am putting out one direction. In the motion I am giving some reasons that we've had to do this, Chair. Everything I'm arguing right now is to say why that motion had to be here. We didn't do it because we wanted to be obstructionist. We know there needs to be changes. You, sir, and I, and Mr. Lukiwski, and Mr. Reid, and a number of other people literally spent years—actually I have it here.

We were seized of this on October 7, 2010, and the study was the report of the Chief Electoral Officer of Canada entitled *Responding to Changing Needs—Recommendations from the Chief Electoral Officer of Canada Following the 40th General Election*. We were seized of that on October 7, 2010, and we didn't finish until February 9, 2012. It was tabled in the House on February 27. In total, we had 24 meetings. There were 11 in the 40th Parliament and 13 in the 41st Parliament. That's the way it came, with the recommendations from the Chief Electoral Officer of Canada. It was a whole report spelled out in just the way I outlined. That makes sense. If Canadians saw that's what we were doing, dealing with the recommendations from the Chief Electoral Officer, we wouldn't be having the politics we're having right now. We would not. There would be no need.

The Chair: I'll suggest to you again—off topic on your motion—that the Chief Electoral Officer could be sitting at that end of the table and you could be having that discussion with him. But at this moment the committee is prevented from doing that.

Mr. David Christopherson: Do you want to do that Thursday?

The Chair: There is one way to get there.

Mr. David Christopherson: There are lots of ways to get there. That's the problem, Chair. There are other ways of getting to places than the government just using its majority, the tyranny of the majority.

That's what they're doing now. Here's the trick. They're going to probably play some kind of game that will get the committee to sit past one o'clock, and the whole idea is that I can only sit here for so long and then eventually I will have to physically collapse or give up, and at some point that does happen. I'm only human, and being elected isn't supposed to be a physical endurance test, but here we are. The government is going to use the tyranny of the majority to shut this down too. That's what's going on.

Chair, I believe, since there's about to be an attempt to push me off the floor, that I should be given the latitude to explain why it was necessary for us to bring this motion. It is not obstructionist and it's not meant to delay things, at least it's not meant to delay for the sake of delaying. It's meant to delay for the purpose of giving Canadians a chance to see what's going on.

We have also shut down all the travel of the committee. We're using the tools that we have. This is important, and the government is not giving one inch.

I've said they don't care. They've done the political calculation. They will take the hit. They'll take whatever headline might come out of their using their majority today or tomorrow, whenever they use it. They'll take that hit because they're betting—and, unfortunately, it's probably a pretty good bet—that by Labour Day no one will be thinking about election laws because it will all be over before the summer. Then it won't be mentioned again in any meaningful way until after the next election, and by that time all the changes that the Conservatives want that give them advantages in the next election will have been allowed to do their job.

Chair, you know the respect I have for you, and I accept that, at the end of the day, I can only maintain this battle for so long, but until such time as I can't, I am going to battle because this is wrong, and it's wrong because I can point you to a process that we already used—you, me, Mr. Lukiwski, Mr. Reid, and others—that was fair. Never once through that whole process did I or anybody else say, "This is unfair".

Why did we have that fairness, by the way? Was it the generosity of the government of the day? No. It was because we had minority, and the government didn't have a majority at their disposal to tyrannize with—is that the word? I'm not sure it is...

• (1215)

The Chair: Let's [*Inaudible—Editor*]

Mr. David Christopherson: I'm fine with that, Chair. I'll do a little research and we can come back.

All the evidence is that the government has no interest in letting anybody have a say for one minute longer than they have to because they want this law.

It's funny, Chair, think about it. Why would they want this law rather than just a good law?

They'll argue, ours is a good law. But how do we know what they were intending with any certainty other than they didn't want anybody involved because they had nobody involved? I would be shocked, absolutely shocked, to hear that at the Conservative government caucus meeting where the minister said, "I'm about to introduce the bill and explain what it is", the reason that the

Conservative backbenchers sent the minister packing was because the bill wasn't democratic enough. I guarantee you that was not the reason it was sent back.

It was not because somebody said, "Wait a minute now, that might be a little bit unfair because it seems to advantage those who have a lot of money and we tend to have most of the political money, and this is not fair so let's send it back". No! And that bill was also the product of no consultation with the opposition, no consultation with the Chief Electoral Officer, no consultation with the public, but there was consultation with the Conservative caucus and they got a veto. They sent it back because it didn't skew the election rules enough. Or maybe it didn't go after the Chief Electoral Officer enough. Because they've got a personal vendetta going on against this public servant just like they have against every single public servant who dares disagree with them or who they don't particularly like. We can point to all kinds of them starting with the nuclear safety appointment, the PBO, and it goes on and on.

For those of us who are here every day, it really is heartbreaking because there is a process that would have gotten us some good work. That process could have taken many different forms. That's why, Chair, I say to you, that there are different ways whereby we can arrive at what our witness list is and how long we will meet and where we will go. There is an opportunity to do that in a fair way. But the Conservative government using the tyranny of their majority to shut down anything the opposition has to say is not it. That is not fair. It's the rules. I accept that. I don't accept that it's fair. It's not my feelings that are at risk here and how upset we might be. It's Canadians' law. It's Canadians' elections. Yet the only Canadians who get a say are Conservative ones. And even then it's limited to the real insiders.

I suspect that there are a good number of Conservatives, good-minded people, patriotic Canadians, and loyal Conservatives, loyal to their party, and you have to respect that. But I bet there are an awful lot of those Conservatives who are just a little uncomfortable with this because they like to win and they want their party in power, but not winning at any cost, because that's not Canada. That's not the way we do things. They might be expressing some things but they are not going to hurt the government that they support. I get that.

But I think it's fair to assume that there are an awful lot of them who are very uncomfortable with the undemocratic ways of this government. The list is growing. That's why it was necessary, Chair, for us to bring in a motion that attempted to provide that counterbalance to the tyranny of the majority. The only place we can tap into that's a greater power than that is Canadian public opinion. That's why the motion's here and that's why we are holding things up.

• (1220)

We think this bill is so important and that the process the government has followed has been so unfair and so undemocratic as to require us to use all of the—grant you—limited tools available to us to try to bring about positive change. Positive change would be giving Canadians their say.

I did digress a bit because I started talking about the committee's mandate. I want to come back to that, but I couldn't wait to get to the juicy stuff of showing Canadians that it's not just an academic debate about how we could maybe do this.

A voice: You need paperless.

Mr. David Christopherson: I need paperless, yes. I also need a fair process, Chair. That's all I ask. Fair process, and that's what we're not getting. That's why we're here. That's why we'll stay here as long as I can, which won't be forever but it won't be right away either.

That's how we did do it. Real democratic work in a minority government, where the government didn't have all the say and they had to find at least one partner around the table to support them to move any motion. Once you remove that politics from it, guess what happened? We actually started to work together. And I'll tell you, for all intents and purposes, Chair, there weren't NDP, Conservatives, Liberals, Bloc at the time. There were elected MPs. And there wasn't a "Conservative" chair, there was "a" chair, from among us. We did good work. There's no reason on earth, other than the government wanting to advantage itself in the next election, why we couldn't have followed some process that was similar, some process that would have forced or had the government talk to the Chief Electoral Officer about what they think. Ask the opposition parties what they think. Put together a process that's fair-minded. It's so distressing—really it is—to see the lengths at which this government is prepared to go to maintain power.

I've been around in politics a long time, and it's not always the most genteel area of society, but it doesn't always have to be politically ugly. Just like last night, when there was a motion passed unanimously with regard to Ukraine, I suspect there were an awful lot of Canadians—

• (1225)

Mr. Craig Scott (Toronto—Danforth, NDP): Moved by our colleague.

Mr. David Christopherson: Thank you.

It was moved by Mr. Opitz, who is here at the meeting today. I complimented him before. He's an active leader on this file. I, myself, have talked to him in terms of getting up to speed on things, even in the ensuing years since '04 when I first got here.

If we were playing the kind of politics the government played, first of all with the lack of a unity delegation that went over, if we were going to play that kind of politics, or if we were going to play the kind of politics they're now playing here, where they're trying to ram through an election law, then we would never have done that last night. But the opposition, the government, and the independents concluded that this was one of those times when we climb above our partisanship, that we take the party membership in our pocket and set

it aside and we act as the 308 Canadians who are privileged and lucky enough to be elected to take a seat in our House of Commons.

I was proud of the fact that we were able to do that. Every time we do anything like that, where we can overcome our partisan differences and speak on issues that are important, I feel even better about being a Canadian MP. I felt the same way, Chair, about the previous process that we had engaged in when we last reviewed the Elections Act.

There is honour in politics, and there can be honour in law-making. Sometimes, oftentimes, that honour route is found by just stopping the partisanship. Don't look at the election law and ask, "How can I get an advantage?" That's not what we did when we met, Chair, and went through all these things. We can check the blues, but I don't remember anybody ever saying anything personally, except as a reference or as an example.

There was nobody looking at that and saying they were going to get this and that changed because it would work for them or their party. Or if we did talk about that, we did it in an open way. We would put it on the table and say that kind of thing might be an advantage to the NDP, or it could be to the Liberals or the Bloc. But everything was on the table. It was above board. We weren't playing games. I thought Canadians were well-served by all of us working together.

Did we do a perfect job? No. There's already some stuff in there that... Either we've evolved in our thinking or things have changed, or they need another look. But remember the process we were in. That report was supposed to form the foundation of the bill. Nothing of the sort happened. The government couldn't care less about what our report was, about what we agreed on, about what went on. Think about if that bill had come in, based on what we had all agreed on, where we'd be right now.

There are a couple of changes that I would want to make. I'm sure the government members would find things they'd like to change, even since then. For instance, one of the things I've learned... And by the way, at the appropriate time we will move a motion to correct it. Just like with the border, the work that was done around the riding boundaries, where independents were allowed representational status here... That should be happening. They should be here for this. We will move a motion at the appropriate time to bring them in, with the same rules we had for the boundaries, because it's the same thing. The boundaries are so important.

Look at the nightmare in the States, with all the gerrymandering going on. It's crazy—an abuse of power, so far from fairness....

To make sure the riding boundaries were done in a fair process, unlike the process we're in now, the first thing that happened was that independents were brought in. One of the concerns we read about in the media was the independents saying they had some problems with the bill, because they believed it was skewed in favour of those who are in parties. You don't have to have a conspiracy plot to see how that might happen. It happens because it's just the nature of politics. It just happens.

• (1230)

That doesn't mean, however, that the whole process is skewed.

So I was talking about the mandate of the committee, and if I may, the first mandate of this committee is that when a bill is referred to a committee, the order of reference is understood exclusively as a mandate to examine the bill and to report it to the House with or without amendments.

If the bill has already received second reading the committee is bound by the decision of the House and may not amend it contrary to its principle. This is not the case when a committee considers a bill that has not yet been read the second time.

That's what I was talking about, getting it from the House to committee without political parties having political skin in the game. If you haven't declared a position around a bill or any part of it, then you have all the political flexibility in the world to say yes, you agree, no, you don't, to suggest it be amended, to talk about it, and you don't lose face. You haven't given up any political ground, because we all know in a healthy democracy you have a strong, healthy, independent media and they're watching for those things. Part of their job is to see when we're being consistent and when we aren't. So obviously parties try to be as consistent as possible, and we've all seen politicians and some of us turn ourselves into pretzels trying to find a logical explanation as to why we were once over there and now we're over here.

All of that gets eliminated, Chair. That's the beauty of using the rule, the tool, the technique of sending a bill directly to committee after first reading. So think about what could be going on right now, Chair, and I say that because where we are is the context in which I moved my motion and why. So where are we? Where could we be? We could have taken the report that all the parties agreed on and they could have incorporated that into the bill. They could have consulted with the opposition ahead of time to let us know...they already would have if they had put the bill in place based on the foundation of the work we did in the report. That is the consultation. That's what was going on. And if they had taken all those things that we agreed on unanimously, and we agreed on the overwhelming majority of the report, why wouldn't we? The purpose was to find rules that we could all live with, so we did. Based on the recommendations of the Chief Electoral Officer we found a whole set of changes we could live with and the government of the day could live with and the other parties could live with and the independents, well, the independents weren't there. So that was a flaw in that process. It could be improved. We're going to improve this as a result of that.

But everyone there agreed. Now why would that not be a good starting point on a law that affects all of us, that the government shouldn't have stamped Conservative on the front of it? Why wouldn't that be a great place to start to take all the areas where we

had unanimous agreement, which was the overwhelming majority of the recommendations of the Chief Electoral Officer and put those in the bill as a starting point? Had the government done that and then sent it to committee right from first reading as we requested, quite frankly, we would be reviewing those aspects to make sure that the law as we saw it was consistent with the findings of the report. But if you handed the legislative crafters the document and asked them to give us a bill that reflects the principles contained in this report, they would have given us that, and then we would have reviewed it to see whether or not it did that, and make improvements.

But for the most part there wouldn't be great debates. There certainly wouldn't be what's going on now, which is wide suspicion across the country that the government's trying to rig the election by getting rules in place that favour them, especially favour those who have money, and by watering down the ability of Elections Canada to hold people to account.

Do you know right now under the law that no party has to show a receipt when they make their claim? Candidates do. Ridings do. Parties don't. Where's the authority? That was what the motion was about way back when. It was a motion to give the Chief Electoral Officer the authority to do the things that, in this case, he needed to do to keep everybody honest.

So what has the government done?

• (1235)

They've watered down the powers and authority of the Chief Electoral Officer. They've refused to give anybody a say in the process. They kept it secret. Conservatives only got a say in what the bill was. They rammed it through the House, and they want to ram it through the committee.

We could be focusing on those things that we do disagree on, and we did, but there were only two or three items. I stand to be corrected, but there were only two or three items. All those months of work where we failed to come to an agreement.... That speaks to the health of our democracy, that there were still areas where we could not see eye to eye, so it wasn't just a big love-in, and everybody was trying to pad things to make sure that they, and only they, could return here. But nonetheless, an improvement could have been having reps there from independents in the House.

So that's what we'd be focusing on. The only political skin that would be in the game would be the political skin we all put into that report, and if the bill reflected that report, I wouldn't have to move this motion. We would still be talking. We would have started, and we'd be well on our way to talking about the various pieces, especially the ones that we didn't agree on, or, if the government brought in changes that weren't reflected in the original report, we would be spending serious time on that.

But Chair, the vast majority of the bill would already have the support of the opposition parties, because of the work we did at committee, the non-partisan work that we did at committee. And instead, this is the Kafka existence that we find ourselves in where the government is bringing in changes to the election laws and they haven't consulted anybody except Conservatives.

As part of the Canada-Africa Parliamentary Association, I've been to an awful lot of struggling, emerging democracies throughout Africa. This kind of process would fit right in in some places. That's not a compliment. In fact, this government could learn a lot about democracy from some of those emerging democracies where they really do understand what the idea of fairness is, and respect, and non-partisanship.

So I continue to make the case that my motion is necessary because it attempts to provide some kind of a counterbalance or something to just slow the government down. Because under this process, by Labour Day, no Canadian will be thinking about this, the media will have moved on, the political bouncing ball will have moved on, and it will not rear its ugly head again until after the next election. That suits the government just fine. They look at that and say, "Wow, that'd be a big problem, we'd sure like to be the government to have that big problem." That's why not doing this now would leave us regretting it.

When it hits the fan after the next election, that's when an awful lot of Canadians would turn and say, "Wait a minute, we have an official opposition there whose job it is—the loyal opposition, loyal to the crown, loyal to the country—to oppose the government, hold their feet to the fire, make them answer the tough questions, point out when they're wrong, and provide alternatives and options to Canadians." That's our role, and if we weren't doing this, given what's going to happen under this bill, Canadians would be right in asking after the process, "Where were you? Where was the official opposition while the government was ramming through these changes? Why didn't you stand up and fight them?"

"Well, because it made me unpopular with some of the other members, and the chair looked at me so disappointingly, it made everybody feel uncomfortable, so we just thought we'd go along to get along. Hope you understand."

• (1240)

No. No, they're not going to understand, because more and more Canadians who find out what's going on here are angry, and first thing they want to know is, who's doing something about this outrageous situation? Who's doing something and what are they doing?

So here we be. We're doing what we can. Is it ideal? No. Is this how we'd like to be spending our time? No. I don't like to force these

long-winded speeches on anybody. It's kind of fun for a little while, but I'll tell you, after a while it's like anything else, it gets to be work.

Chair, you keep me on the dime, and I have to keep colouring within those lines, so there's no great joy here—at all. In fact, I speak much more in sorrow than in anger that we are here.

However, we believe that we have an obligation to use whatever tools and procedures we might have to slow this process down, in the hope that if there's enough pressure from the Canadian public, the government will change course. We're not asking for a lot here. It's not like we're asking for our version of the election law to be brought in, that we should scrap yours and take ours—which is just about as stupid as where we are, as silly as where we are—but that's not what we're asking.

What are we asking for in the motion? Let's give Canadians a chance to have a say.

Somehow, the government is trying, as best they can, to make that out to be obstructionist. You yourself, Chair, have said, "Well, we could be listening to those witnesses if you weren't talking." All of those things are absolutely true, but it's not a fair process, and we do have an obligation to hold the government to account, and we will hold the government to account for as long as we can, at every step of the way. Because if the government thinks that this is the one and only chance that we have to do something, then the government is misreading this.

You've already seen, Chair, one action that we have taken that has affected matters outside this committee. We have refused our unanimous consent to the usual housekeeping motion that approves the travel of committees. You and I both sit on the Liaison Committee. I'm actually the vice-chair. That's where we consider the proposals from committees for travel. Then what happens is that we make a decision, and if it's to agree, then it still has to go through the whips. Our process has the Liaison Committee approve it or not. When it is okayed, then it goes on to the whips. The whips have to give their agreement. Then when they agree, because this has to be a motion—committees can't spend money and travel without a motion of the House—a recommendation goes to the House.

But quite frankly, this is where House leaders have their meetings, and Mr. Lukiwski, being on the BOIE and being parliamentary secretary to the government House leader, would know all of this very well. I was a former House leader at Queen's Park myself. That's when you'd be having your quick discussions about things that you can agree on, the things that let the wheels of our process move forward. There would be an understanding at some point during the day that people would say, "Oh, by the way, we'll do that unanimous consent motion." And others would say, "Yes, okay, we'll do it at the same time as we do this or before that." Nobody thinks about it. It's routine by then.

Well, since the government is refusing to be fair on our election law changes, then we're going to be unfair in places that affect them. We don't have a lot of those kinds of tools, but we have some. One of the first actions we took was to say that we're not giving that unanimous consent. Now, the government can still get their way—

A voice: [*Inaudible—Editor*]

Mr. David Christopherson: The government can still get their way, but they have to go through a very, very long procedure to do it, and that's why we do unanimous consent. It's to make it nice and easy.

• (1245)

The government right now should be taking a look at all the areas where they need cooperation from us going forward, because they're going to find it a cold reception. There are things that we still have available, even at this committee, that if necessary we can utilize and we will consider those.

But all this is just such a waste, with so much energy, so much effort, to get us nowhere, to chase our tail. That's why I've said over and over, Chair, this is not the fight we want. It's not the process. This is really not what we want to fight about. I see you saying with your gestures, correct me if I'm wrong, you can do something about that. Fair enough, I hear you, but I think—and I know you can't because you're still a Conservative—any fair-minded Canadian would say that it's just totally unfair to suggest changing our election laws in this way where there is no consultation with the opposition parties, no consultation with Elections Canada. Really, it is such a joke. There's no consultation with Elections Canada. Ram it through the House, put closure on the reform bill as quick as they can, and then get to committee and there they tell us they also don't want Canadians to have a say.

The government will do as they are doing. They'll read their iPads, have lunch, read their notes, think about life, and they'll just take these hits and the macro government, if there's a hole, will take all these hits. Because it's worth it to them. I keep coming back to that because it's so key to understand what's going on here.

Most governments would not want, and would do everything they could to avoid, the kind of negative publicity that this government has gotten and that they're going to continue to get as long as they follow this path. It defies political gravity, until you understand that it's just the price of getting an advantage in the next election. It's like when there are health and safety law violations and the fines are not big enough to really jar the organization. They're really just the cost of doing business. You plan to break the laws, and build into your costs what the fines are going to be if you get caught. Because they're small enough they then become just the cost of doing business, and it's, by the way, we need to a line item that also talks about how much it costs us to pay the fines that we'll pay when we break all these rules.

This is the same thing. The price the government pays in terms of the criticism now is more than worth the price of getting a customized election act that gives you a leg up, and an advantage, going into an election. That's the political calculation, that's the political equation. Take the hit, but gain at the other end.

Conversely, be fair-minded, and they might not get an election law that's skewed in their favour. Imagine that, the Conservatives having to live with rules that are fair to everybody. It's a strange concept to them. They talk a great game about democracy. There's the way they treat our veterans. They're all right there saluting them when the bands are going and they're going off to do their duty for Canada. But when they come back, all broken, suddenly there's not enough money, suddenly there aren't enough experts to help them. Suddenly they're not as important as they were. This is no different. The government talks a great democratic game, they do not live it.

So here we sit. Here we sit with the government still just saying nothing. It's better not say anything, Chair. I know the cameras can't show that, and I can't speak about who's here or not here, but there's nothing in the rules that says I can't describe what they're doing.

• (1250)

They're really not doing anything. They're having lunch, reading their iPads, reading a book, doing a little work; somebody has a little music going. It's exactly what I'd be doing, by the way. I'm not faulting them at all—not at all. That's exactly what I'd be doing, especially if I had to listen to me. I get that. I get it.

However, it is symbolic of what's going on, that is, tough it out. Tough it out. It's only spring 2014. The elections are sometime in 2015. I don't trust them on the election law anymore than I did the first time around. But wait. Wait it out. That's what this is. The waiting game. Take the hits. Do what you can to mitigate them. But take the hits. Whatever the hit is, it's still worth it if you get an election law that's skewed in your favour.

That's exactly what they're all thinking. These poor members are the ones who are actually here and having to physically be the ones, but the rest of their colleagues are of the same mindset, and that is, they will take whatever hit there is. I have my little talking points. If they talk about this, I'll say that; if they talk about that, I'll say this. All I have to do is get through the moment.

All they have to do is get through the process. When the process is in their favour—and that's why we bring in our motion, to try to change that course, so that there's more fairness—they just go quiet.

The government goes quiet because they know this is undemocratic. They know this is unfair. They know that the average Canadian would not approve if they fully understood what was going on. They also know there's a good chance that no one will be talking about this come Labour Day. Who talks about the prorogation stuff anymore? Who talks about violating your own election law in the same Parliament that you introduced it? Who talks about that? Who talks about the omnibus budget bills? Who talks about what was done to the PBO? Who talks about what was done to the chair of the safety and security...? Nobody talks about it because the process is that they don't want anyone to talk about this.

That's why my motion is here, to make sure Canadians do get a chance to talk about it.

The Chair: Thank you for bringing it back.

Mr. David Christopherson: Yes.

The Chair: If you wanted to know who was talking about it, it was you, and it isn't on topic.

Mr. David Christopherson: Oh. Yes. Thank you. I appreciate the nudge back, because you know I want to stay within the lines. Otherwise, I lose the floor. That would be counterproductive.

Again, the process that we want, that we're trying to introduce, jars what they're trying to do, and I am pointing out, Chair, that the reason it jars that is because their game plan is just "take the hit; we get the law".

It's no different than going into court and hiring a high-priced lawyer because that would up the chance of winning, because I got one of the best—cost me a fortune, but I got one of the best lawyers there is. Is it worth it? Yes, if I win the case, it's worth it. Well, that's what's going on here. The government is willing to pay the price of political criticism to get to the law that they want, which gives them an unfair advantage in the next election.

We're not just going to sit back and let them steamroller that through. That's why we're in this moment. That's why my motion is there. That's why my motion is meant to do something so very simple, that you would think that it would almost be un-Canadian to not vote for it. It says let's listen to Canadians, where they live, and give them a say on their election law.

I pointed out the last time, Chair—and I won't repeat my arguments. But the point I will make again is that voting and election laws are very different in Iqaluit in terms of the way they work than in downtown Toronto or my hometown of Hamilton.

Some of these changes have people living in certain geographical areas, representing certain demographics within our population, who are very concerned that they are going to be disenfranchised, that they will be denied the right to vote. And what could be a greater abridgement of one's rights than the right to vote? I suppose the only thing greater would be to be innocent and locked up. I would imagine that...

A voice: Abrogation. That's another word.

Mr. David Christopherson: Abrogation. Thank you. I appreciate the help.

I imagine that would leave you feeling pretty angry with the world and your government and your justice system.

Given that my motion, Chair, speaks to travel, I thought what I might do is enlighten the committee on exactly how my motion can work, give an example of why it's relevant, and why it's not in any way out of order or to be considered anything other than a legitimate means of looking at this bill.

The government introduced Bill C-15. I'm raising this, Chair, because I am showing that my motion is reasonable, and I am showing that within this year, in the last couple of months, this Parliament has already approved exactly what I'm asking for in my motion. The relevancy is clear.

There is government bill C-15, An Act to replace the Northwest Territories Act to implement certain provisions of the Northwest Territories Lands and Resources Devolution Agreement and to repeal or make amendments to the Territorial Lands Act, the Northwest Territories Waters Act, the Mackenzie Valley Resource Management Act, other Acts and certain orders and regulations. The short title of that bill is the Northwest Territories Devolution Act.

On December 3, 2013, the Minister of Aboriginal and Northern Affairs introduced Bill C-15, An Act to replace the Northwest Territories Act to implement certain provisions of the Northwest Territories Lands and Resources Devolution Agreement and to repeal or make amendments to the Territorial Lands Act, the Northwest Territories Waters Act, the Mackenzie Valley Resource Management Act, other Acts and certain orders and regulations in the House of Commons, and it was given first reading.

● (1255)

What's interesting is that at various times the government has said about our motion that committees don't travel on bills, that committees travel on studies. For the most part, that is accurate—for the most part. Committees of the House of Commons don't travel as much as I was accustomed to do at Queen's Park, where committees, at least in my day—

Mr. Craig Scott: I have a point of order.

I'm sorry, but I'm having a hard time hearing my colleague because of the discussion going on in the room. I understand that there are reasons for drifting and everything else, but if it would be possible to have discussions somewhere else, that would be very helpful.

The Chair: I will mention that. Thank you, Mr. Scott.

Go ahead.

Mr. David Christopherson: Thank you, Chair.

You are right; it was a pretty good diversion. It was well done. Thank you, colleague.

The Chair: Thank you.

Mr. David Christopherson: On Monday, January 27 of this year, the Standing Committee on Aboriginal Affairs and Northern Development—wait for it—met at 8:35 in the morning in the Katimavik Room of the Explorer Hotel in Yellowknife, Northwest Territories. That's pretty interesting, given the government's argument that committees don't travel on bills but just travel on studies.

Here we go. I didn't even have to go back to the last year; I could stay within the last two months and point to an example that is entirely consistent with the motion that I have in front of this committee, which underscores the relevancy and the appropriateness of making such a request.

The minutes of the meeting show that there were members present from the committee and others. Dennis Bevington was there, and Kyle Seebach, Mark Strahland Chris Warkentin; as an acting member present, Yvonne Jones was there for the Hon. Carolyn Bennett; an associate member present was Ryan Leef; the Library of Parliament was there; and the witness list was quite extensive.

•(1300)

The Chair: There is a point of order.

Go ahead.

Mr. Craig Scott: Mr. Chair, I know we've been put on some sort of notice about what might happen, so I'm waiting to double-check. It is now 1:01 p.m., and so I'm wondering whether we could have direction from you about how we're going to proceed; whether you'll entertain a motion to adjourn or...

The Chair: I took it that Mr. Lukiwski, from what he said, would not be saying yes to any motion to adjourn, so I have not attempted to adjourn. If you're moving adjournment, we could certainly have the vote and see where the minds stood on it.

Mr. Craig Scott: I just want to make sure that the mind of our colleague, Mr. Lukiwski, hasn't changed on that point. I'm delighted to hear that he's been learning so much from our colleague. He's attentively listening.

Mr. Tom Lukiwski: —not nearly enough, though.

Mr. Craig Scott: I've noticed that at every stage the ears are perking up and that he has a big smile at the right moments. I'm delighted to know that he wants to hear from my colleague a bit longer.

Thank you, Mr. Chair.

The Chair: All right, thank you.

Mr. Christopherson, we are back to you.

Mr. David Christopherson: Thank you, Chair.

I'm seeing one o'clock showing, so can you give me some guidance, Chair, as to how we're proceeding?

The Chair: Well, we will proceed.

Mr. David Christopherson: Okay, but we all thought we were going from 11:00 to 1:00.

The Chair: Right.

I had a recognition earlier that we would not adjourn today—

Mr. Tom Lukiwski: —because we want to hear more.

The Chair: —so we will not adjourn.

Mr. David Christopherson: Why would we not adjourn, Chair?

The Chair: It's because one of the parties has asked for that.

As you often say, Mr. Christopherson, I can do the math, but if you'd like, we could...

Mr. David Christopherson: Well, here is my concern at this point, Chair. The meeting was scheduled from 11:00 to 1:00. Like you, I am a committee chair. If we want to stay past the allotted time, it takes unanimous consent. I haven't heard a request for unanimous consent. The government does not have the floor to place a motion that we go past one o'clock.

I would suggest to you Chair, that this meeting should be finished.

The Chair: I think I will go the opposite way, Mr. Christopherson, and suggest—I'm only guessing the thoughts of my colleagues, of course—that if the chair were to rule for adjournment, he'd be overruled.

Mr. David Christopherson: How could you be overruled for calling a meeting over when it was scheduled to be over?

The Chair: Well, it's because they suggested it's not.

Mr. David Christopherson: They can suggest what they want, Chair. I want to know the rules.

Mr. Tom Lukiwski: On a point of order, procedurally I'm quite correct, David. I think your procedural experts sitting behind you will confirm that. I had given notice that our side, the government, will not consent to adjournment at one o'clock, which is the normal adjournment time. It's quite common in filibusters, as you know, to go around the clock, and that's what we're going to do here.

Mr. David Christopherson: This is interesting. We're going to apply this at my committee too.

Hon. Geoff Regan (Halifax West, Lib.): Mr. Chair, did you say that if you had declared the meeting adjourned, they could then challenge it? It is of course adjourned at that point.

The Chair: When a chair adjourns, there is implied consent from the group to do so. But we've had stated earlier today a removal of that implied consent to adjourn, and so the chair did not call for adjournment, because the consent to adjourn has been removed.

•(1305)

Mr. David Christopherson: Now, if I might, Chair—

The Chair: Are we done with that point of order?

Mr. David Christopherson: No, we are not, not by a long shot.

The way we look at it at the public accounts committee is that people set their schedules from, let's say 11 o'clock to one o'clock. If we want to go past one o'clock—and sometimes we do because we want to finish up a quick piece of business—there has to be unanimous consent. There has to be unanimous consent either expressed or implied, and if there's one person who says no, then that meeting can't continue.

Now, the government can move a motion to adjourn, but they have to have the floor. They don't have the floor; I do. So I am not understanding at all how the government unilaterally can decide to extend a meeting that was scheduled to begin at 11 o'clock and end at one o'clock. We have tools for doing that, Chair.

There are two ways we make decisions in a parliamentary democracy: by unanimous consent or by a motion passed by a clear majority. Neither one of those things has happened, and it's five after one. This meeting should be over, Chair.

The Chair: Well, the meeting should have been to plan for the study of our piece of legislation—

Mr. David Christopherson: But that's not my point of order.

The Chair: —so what should have been has gone south, and the answer here is that the appropriate ruling has been made—

Mr. David Christopherson: No, I—

The Chair: —and so we will carry on with the meeting.

Mr. Christopherson, would you like to speak to your motion?

Mr. David Christopherson: No, I'd like to speak to the point of order, Chair.

The Chair: Well, I've ruled on it.

Mr. David Christopherson: So how long...? Chair, when do we end?

The Chair: I guess it is at such time as you give us the opportunity to vote on your motion.

Mr. David Christopherson: These are interesting rules.

So this committee just continues to sit as long as the government says—with your support—and we just have no say in it, even though we all agreed that this meeting was supposed to be over at one o'clock and there are other, legitimate ways to extend the meeting, none of which has been done.

Sir, my rights are being denied. You are extending a meeting inappropriately. There is no authority to continue this meeting past one o'clock. There is no motion passed by a clear majority and there is no unanimous consent. This meeting should be over. There are no legitimate means to keep this meeting going.

This is hugely precedent-setting, Chair. If this rule stands, the government can expect blowback. You will regret this, if you use this method.

Mr. Tom Lukiwski: Mr. Chair, I would like to speak on a point of order.

The Chair: Well, obviously it's a point of order. Mr. Lamoureux was next and you're after him, but if you'd like, I could read some of the fine information that will tell you what we're doing.

Mr. David Christopherson: Please.

The Chair: All right. As stated in O'Brien and Bosc on page 1087:

A committee... is normally adjourned by the adoption of a motion to that effect. However, most meetings are adjourned more informally, when the Chair receives the implied consent of members to adjourn. The committee Chair cannot adjourn the meeting without the consent of a majority of the members, unless the Chair decides that a case of disorder or misconduct is so serious

that he adjourns for that reason.

So the chair needs the consent of a majority to adjourn.

I'll hear Mr. Lamoureux on the same topic, and we need to get back to the reason we're here.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Absolutely.

Mr. Chair, I had the opportunity to serve on the citizenship and immigration committee as a vice-chair and it became somewhat of a controversial issue for us.

Mr. Tilson was our committee chair and he was over in Europe at the time and we were having some issues, some members actually might recall, I know Mr. Shory was a part of it. The chair was in Europe and we had a situation where the chair, herself, in this case, made the decision to adjourn the meeting. I think if I reflect back on much of the dialogue that had taken place.... You have the rules, the procedural rules, and then you have traditions, or customs, or

conventions, however one might want to look at it. When I reflect back on what took place there, and I want to summarize because I realize time is of essence here, the way I would summarize it is that the chair does have fairly wide scope in terms of ability to adjourn a meeting.

My experience, somewhat limited, has been that when you go into a committee, like we have today, it's for a defined period of time. That's done for a reason. Primarily it's because you have many members who are actually on the committee and those members quite often have a wide variety of other agenda items that they have to get to. For example, normally today, if it wasn't for a motion inside the House, we would actually be in the House doing SO31s. I'm sure you, as the chair, wouldn't want to disrupt SO31s or even potentially take this thing through question period. Not only would it be questionable in terms of behaviour, but we might find our whips, from all political parties, getting fairly upset.

The Chair: Mr. Lamoureux, I understand. I'm already in the middle of a very long dissertation from Mr. Christopherson on his motion.

Mr. Kevin Lamoureux: And you've been very patient on that one.

● (1310)

The Chair: I don't think I need one this long on the point of order. I think I've explained my point and why I've made the ruling.

Mr. Lukiwski, you have one last shot on the point of order.

We'll get back to Mr. Christopherson on his motion.

Mr. Tom Lukiwski: I don't think I need to go on. As I said earlier, David's procedural people would have been on the ball. I would have known exactly what I said was in order, and we'll continue.

Mr. Kevin Lamoureux: On a new point of order...

The Chair: A new point of order...?

Mr. Kevin Lamoureux: A new point of order.

The Chair: Brevity is a virtue.

Mr. Kevin Lamoureux: I can appreciate that, Mr. Chairperson.

I guess it's more a question of—

The Chair: Is it a point of order?

Mr. Kevin Lamoureux: Yes. It's a question on a point of order, in terms of procedure.

The Chair: I'm toying with you, but go ahead.

Mr. Kevin Lamoureux: That's okay, you can toy with me. I don't have a problem with that.

Having said that, the issue for me then is that if you're assuming the responsibility of allowing the committee to sit indefinitely, as an opposition member—I shouldn't even say an opposition member—as a member of the committee, am I now responsible to ensure that I am virtually on call and I shouldn't be making any arrangements? How do I know that there is not special consideration being given to some MPs because I have to literally be on call 24/7?

I don't have any sense in terms of when the committee is going to be sitting.

The Chair: Enough.

Thank you.

I understand your point of order, but it's not one. The answer to your question lies to your right in Mr. Christopherson. He has the floor.

We're not moving from that until he is done with it.

Mr. Christopherson, on your motion, please....

Mr. Kevin Lamoureux: I have another point of order then, Mr. Chairperson.

The Chair: Make sure it is one.

Mr. Kevin Lamoureux: I always do my best at trying to make sure it is one, Mr. Chair.

When do you anticipate...are we going to be sitting through question period today? Can you give us some indication as to when it is that we would be adjourning, because I do have...with all seriousness, this is an important issue, there's no doubt about it, I'm prepared to talk at great length. I've been very...and you as the chair have been very patient listening to David, very patient. I have a lot of thoughts on the issue too, that I'd like to be able to share with committee members.

The Chair: Thank you.

Mr. Kevin Lamoureux: Are we going to continue this through question period?

The Chair: Yes. It looks like we'll give you all the time that we can today.

Mr. Christopherson, of course, controls that destiny also. He's the one who has the floor. There are certainly speakers on my list, I think you're second down. When Mr. Christopherson is finished, after another speaker after him will be you.

I have a speakers list and you could come up and look if you wanted.

Mr. Kevin Lamoureux: Not to frustrate you at all, Mr. Chair, because that's not my purpose.

After Mr. Christopherson is done speaking, then I think it's Mr. Lukiwski.

The Chair: That's a really good guess.

Mr. Kevin Lamoureux: Then it would be me, so I should anticipate I should hang around until I have at least been afforded the opportunity to speak because then we're not going to adjourn.

The last thing I want to do is hang around for three hours, and then finally get my turn to speak, and then the gavel comes down, and we're adjourned. Do you know what I mean?

If I'm going to be speaking, I'm game. I'm happy to speak. It's a little out of the normal, but I'm more than happy to speak.

The Chair: Your chair has no crystal ball on that. Mr. Christopherson is the one controlling the destiny on that right now. He has the floor. When he chooses to give the floor to others, then that would be fine.

Mr. Kevin Lamoureux: Then, Mr. Chair, would it be appropriate if I were to ask leave of the committee to ask Mr. Christopherson a couple of questions?

●(1315)

The Chair: You would have to ask Mr. Christopherson.

Mr. Kevin Lamoureux: Would that be okay then?

Mr. David Christopherson: Sure. As long as I still have the floor, Chair, I'll be glad to allow an intervention of a question.

The Chair: You're really beyond....

Mr. Tom Lukiwski: I have a point of order on Mr. Lamoureux's point of order.

Can Mr. Lamoureux or anyone else show me the procedural guidelines to permit that sort of thing? We're in the midst of a filibuster. We're asking for David to continue. We're not giving concurrence. We're not giving agreement to adjourn the meeting at one o'clock. That's been established. We've already cited the precedent for that.

I know no such precedent that allows interruption of a filibuster to entertain questions.

The Chair: In the goodwill of this committee, that would often happen during debate, and it would carry forward, but this committee seems to have lost a large element of its goodwill and is moving forward on a time-consuming discussion on a motion.

So we'll let Mr. Christopherson get back to that, and we'll again hope for a complete lack of repetition and some relevance in his discussion.

Mr. Christopherson, you're up.

Mr. David Christopherson: Thanks, Chair.

The first thing I would like to do is take you up on your offer to see the speakers list.

The Chair: Sure.

Mr. David Christopherson: I still have the floor when I get out of my chair?

The Chair: It's you, then Mr. Lukiwski, and then Mr. Lamoureux.

Mr. David Christopherson: There we go.

The Chair: ... then Mr. Scott, and whoever else adds his name to it.

Mr. David Christopherson: I didn't know why that was a national secret because you deliberately went out of your way to tell us who was the third, fourth, and fifth.

You didn't want to tell us that the government has the floor next because that's the game plan isn't it, Chair?

The game plan is to force me eventually to let go of the floor mostly through exhaustion or other pressures, and then they get the floor next. Then they are going to move a motion that effectively shuts everything down. That's the game plan isn't it, Chair?

Are you going to tell me you don't know that's the game plan, Chair?

The Chair: Are you questioning?

Mr. David Christopherson: I'm asking, Chair. Do you know the government's game plan?

The Chair: I'd be happy to move the floor that way because of your questioning being off topic on relevance.

Mr. David Christopherson: No. I think you answered it so it's fine. I think we got the answer we were looking for, Chair. That's the game plan here. This is what's been set up.

No, Mr. Shory, I defer to all your experience on this matter, but I do have the floor, sir.

The fact of the matter is this is all set up just like the bloody bill itself. The fix is in that the chair knew exactly what Mr. Lukiwski was going to ask, in my opinion, who knew this was going to happen, and—

—Mr. Lukiwski had... Hey, it's my opinion. I'm entitled to it. You can't outlaw that yet.

Mr. Tom Lukiwski: I have a point of order.

The Chair: Mr. Christopherson, he can ask for a point of order.

Mr. David Christopherson: Yes, he may.

The Chair: And I'll rule whether it is one or not.

Mr. Lukiwski.

Mr. Tom Lukiwski: Out of courtesy to David, I'll tell you exactly what the game plan is. No, the chair was not aware. I'll tell you exactly what's going to happen.

Yes. When you're finally done speaking, then it comes to me. I have a motion on the table. That will be open for debate. You can go right back into what you have just been doing. That's what we're doing.

Eventually, as you have said many times before, we'll get to the point where we start to entertain witnesses because this charade will be over. We will start to hear witnesses who have wanted to be here for the last week. You keep mentioning groups like Leadnow. They were here. They could have participated, but you said no because you wanted to filibuster to make a political point.

That's the game plan. I don't appreciate it. I'm sure the chair doesn't either when you have accused the chair of being complicit in some sort of conspiracy. I have laid it out for you. You know exactly what our game plan is.

Mr. David Christopherson: Yes. Now that you got caught out you had to do that was the right thing to do.

Come on. The chair deliberately overlooked your name. We've all been around here for a while. So that's the game plan.

The Chair: Gentlemen.

Mr. David Christopherson: But it's not the issue.

Mr. Tom Lukiwski: My name was on the speakers list from day one.

Mr. David Christopherson: I'm going to drop that part, Chair.

The Chair: I wish you would because you and I have a fairly good relationship, but it's eroding at the moment.

Mr. David Christopherson: I agree. You're right.

The Chair: Mr. Lamoureux, did you have a point?

Mr. Kevin Lamoureux: Yes, and it's related to the list.

Mr. Lukiwski made reference to the fact that he was next on the list, and it goes back to a few days ago. You actually made a ruling, if I could put it that way, a few days ago, Mr. Chairperson. You indicated that it is actually a new list whenever we reconvene.

The Chair: It turned out that I was incorrect. I apologized to Mr. Christopherson, and let him still be at the top of the list after that. We have changed the piece of paper—I see new writing today—but it's the same list. We've maintained it for the three different meetings now, as Mr. Christopherson—

• (1320)

Mr. Kevin Lamoureux: It's just out of fear. You can appreciate that my fear is that...

I've rarely gotten the chance to speak here in the last few days. Mr. Lukiwski has now indicated that he has a motion that he's going to bring forward. I'd love it if we could provide that motion. But my fear is that the moment he brings forward that motion, somehow I'm going to get bumped again. Or I shouldn't say "again", but it's not going to be me following Mr. Lukiwski.

I just want to make sure there's a consensus that after Mr. Lukiwski does whatever it is that he does, I will be afforded the opportunity, given the fact that I've been, as you have, Mr. Chair, very patient in going through this whole process. That assurance would be wonderful.

If Mr. Lukiwski could share the motion with the committee, that would be very helpful.

The Chair: Have we not shared Mr. Lukiwski's motion?

Mr. Tom Lukiwski: Mr. Chair, I've already given notice of the motion. That was presented last week.

Mr. Kevin Lamoureux: Do we actually have a copy of it?

Voices: Yes.

Mr. Kevin Lamoureux: Good. I like that.

The Chair: You'll like it. Don't be afraid.

Mr. Kevin Lamoureux: And I will follow after Mr. Lukiwski.

The Chair: Please don't be afraid. We'll follow the procedures. This is the procedure and House affairs committee.

Mr. Christopherson.

Mr. David Christopherson: You might speak on another motion, but you won't speak on this one. They'll move a motion that denies that, don't worry.

Again, consistent with the process that we've followed so far, once again we see the tyranny of the majority. There is a reason that this expression exists. This is an example of it: when the majority, who gets to decide things, completely disregards the minority and just runs roughshod over them, standing behind the fig leaf of "well, we have a majority". In a democracy, that's not the same as being given the position of king or ruler. There is an obligation in a democracy for the majority to be respectful of the minority. That's what this country is predicated on. This country is predicated on that. The government...most of the backbenchers really don't know what's going on anyway, and those who do are just tickled that they get to be part of steamrolling over people they don't like. That would be us and, in this case, the Canadian people.

Because we had an agenda today. I'm not raising the point; I'm in debate. But I'm talking about the fact that the notice we had read "11:00 to 1:00". I have said all along that the government will get their way because they have a majority and they're prepared to use it as a tyranny and just ram whatever they want, no matter what anybody says. That's the tyranny of the majority, and that's where we are right now.

We all get notices. There's the notice of the agenda. It's very straightforward, and it says that right on there: "11:00 a.m. to 1:00 p.m." We've respected that at every meeting, but it's now being used as a game, and that's my point. It's being used as a game to counter the motion.

Remember the evil motion that I have before us, Chair. It's to do that horrible, unbelievable thing, that irresponsible thing, of asking Canadians if they'd like to have a say on their election law where they live. That's the outrageousness of the motion that the government is prepared to use every technical advantage they can on, every hairsplitting ruling they can. Then, when necessary, when they can't win on that, they just swoop in with their majority and shut everything down. That's what's going to happen. The government will give no more consideration for the concerns of the minority—in this case, the opposition members—than they will for Canadians, who they're also giving the back of their hand to.

All of it could be avoided. That's the thing of it, Chair. It could have been avoided. It could still be avoided. The government could still push the reset button if they said to us, "Look, we're into a heck of a mess here, and we'd like to start over if we can and see if we can't approach this differently." There's still time to do that. If the government came to us and said, for instance—I don't know—that we'll go into the House, we'll seek unanimous consent, and with the unanimous consent of the House we will revert to first reading, and at first reading we will do what we should have done in the first place, which was to have referred it directly to the committee without a second reading. We can just null and void it all. We can do anything with unanimous consent. Not only could the government have done the right thing from the beginning, but they still could. They have no intention of that, none.

Before the government rolled in with their latest abuse of majority power, I made the case in saying that they were going to utilize that majority to ram, ram, ram, and that the criticism they get is worth it, because it's the price that they will pay to get an election law that favours them and favours those who have money. It takes powers away from the Chief Electoral Officer, who has been going after this

government for things they have been doing in violation of the current election law. That's what's going on.

So is it any wonder that we're getting a little angry over here? Oh, yes. Oh yes, no one should be surprised that this is happening. Then, just to add insult to injury, because they just don't care.

• (1325)

That's the point: they don't care. And the ones who do care over there are just keeping their heads down low. Why? Because they're also thinking, "This advantages me because I'm part of the majority. I'm with the Conservatives. I may not really understand everything that's going on, but I do understand that my chances of getting re-elected just went up."

This they understand. When the whip cracks that whip—

A voice: [*Inaudible—Editor*]

Mr. David Christopherson: Yes, and they don't have to crack too hard, because they just love doing this. They love this kind of stuff: crack down; tough; show you're gr, gr, gr.

They love that stuff. That's who they are.

The Chair: Are you getting back to your motion, please?

Mr. David Christopherson: Oh, I am, because I'm pointing out why my motion bothers them so much.

The Chair: Well, keep trying.

Mr. David Christopherson: It explains why it's a long speech—

Mr. Tom Lukiwski: Can you say it again? I kind of got into that woof, woof, woof.

Mr. David Christopherson: —because there are so many reasons why the government is opposed to this motion. I'm just scratching the surface.

Mr. Tom Lukiwski: I liked that woof, woof, woof.

Mr. David Christopherson: I probably won't even get through all the good arguments I could give as much as I'd like, because I'll eventually just run out of time and be exhausted or whatever.

Nonetheless, my point remains. My point is still valid. It still points directly to this motion. The government is prepared to do anything they can to get the Conservative election law passed. That's it. And the only thing that could change it hasn't happened so far.

Is it going to happen? We're trying to buy as much time in the hopes that it might, and the government is doing everything they can to shut that down.

I say again to my fellow Canadians that the only power in this country that can stop this law from being rammed through is the collective voices of Canadians, who don't even have to pass judgment on the subject matter, on the details of the law; they can voice an expression and an opinion on the process and the lack of fairness.

If enough Canadians did that, they would think about changing. They would think about changing if enough Canadians told especially those backbenchers, the ones who are keeping their heads down low.... They don't always know what's going on. They listen to the whips when they tell them. They understand that this is an advantage to them. But if they start finding out that some of their constituents have found out what's going on and are upset about the process and the unfairness and the lack of the application of Canadian values, which is fairness.... If they find out that enough of their constituents will hold them to account, that's when you'll get another special caucus meeting—only something different happens this time. What happens is just as what happened with the income-splitting—

The Chair: Excuse me, Mr. Christopherson, but we have bells going now.

Mr. David Christopherson: Oh, I was just getting into a good roll here.

A voice: I know. I was just getting really into it too.

The Chair: I'll ask the committee to resume immediately after the vote, so within five or ten minutes tops. If there's a....

We'll keep with the speaking list we have.

Mr. David Christopherson: Okay.

• (1425)

The Chair: I call the meeting back to order. Again we're here with the study of the fair elections act, Mr. Christopherson's motion. Mr. Christopherson still has the floor. We will move forward. We can only hope.

Mr. David Christopherson: I consider that everything said is moving us forward, but I also accept that not everyone would see it that way, and that's fine.

I don't know exactly where I left off. I'm not sure that it matters all that much that I have clear, succinct continuity, given the context of making the remarks. However, I know that, at some point prior to our suspending to go up and vote in the House on a motion, I was talking about Bill C-15.

There are a number of reasons why I've raised Bill C-15 in the context of my motion and why, Chair, I believe that talking about Bill C-15 is germane to my motion. That is because, first of all, the government has made arguments that there's something extraordinary about our request, that committees only travel to do studies and, for the most part, don't travel when we're considering actual pieces of legislation. For the most part is correct, but it is for the most part, not that this is the only way, or it must be this way. That's just the way that the tradition of this place has been.

I suspect, Chair, that the reason for that is the size of the country and having people constantly moving around on every bill would create problems.

Although I have to say, Chair, again in talking about my motion and its relationship to what they did on Bill C-15 up in Yellowknife, that was the opportunity for the government to make its case is clear. They've said that there is no reason for us to go there as another reason. Why would we? Yet Bill C-15 to me is a perfect example of why we would. First of all, it's about the Northwest Territories. So

did they stay in Ottawa and talk about it in the safe and secure bubble here under the guise of not travelling, only doing studies, and rarely sending committees? No, they didn't.

I imagine it's because of the backlash they likely would have gotten, especially after we saw how many witnesses they had and how much interest, how much media interest there was. I would imagine those folks would have been pretty upset if they had been told that the only way they could comment on this was to make the trek to Ottawa. Given the fact that devolution of power from Ottawa to the Northwest Territories is what it's about, having them goose-stepped across the country all the way from Yellowknife to come to Ottawa sort of belies the point of what the bill was, which is devolution, less control Ottawa, more control Northwest Territories, and so consistent with that thinking—surprise, surprise—the committee made the decision to go to Yellowknife.

That's why in my motion I'm saying that we should go to various places. I outlined some of the geographical areas. I realize we can't go everywhere. I also acknowledge that we weren't even married to everything that's in our motion when we were offering compromise. We were offering cooperation to try to get us past this process issue and into the substance of the bill. We offered, and that was rejected, so we were left with no choice but to include it in the motion and leave it there. It still stands. If the government says.... It's clear they're not, but I make the statement anyway for the public to hear the truth of what the process is. We are still interested in talking with the government about reaching a number of communities that we would travel to that we can agree on.

Would we get everything we asked for? No. Would the government get what they want, which is only in Ottawa? No. Somewhere in between we'd find a compromise. But that was rejected too.

• (1430)

Every single attempt to plead, to scream, to stamp our feet, to ask nicely, to ask respectfully, everything humanly possible we have done in an attempt to get the government to realize that they may have the legal right to do this but they don't have the moral right. They don't have the moral authority to ram through a Conservative election law that has no input from the opposition and no input from Elections Canada. They don't have that right, that moral right. They saw that—

Mr. Tom Lukiwski: I have a point of order. I know you've mentioned this several times and want to stay on relevancy. I admit, though, he's certainly speaking to the motion. However, it seems that I've heard the very points he's making several times before in the last number of days. I'm wondering whether repetition is enough, or whether we need to hear new information because I certainly haven't heard anything new in the last number of hours.

The Chair: That's an excellent point of order, Mr. Lukiwski. I'm giving some leeway but I have reminded Mr. Christopherson himself to watch for repetition and ensure he's being relevant. Mr. Lukiwski has pointed it out. I was being pretty lenient but let's try to keep it tighter.

Mr. David Christopherson: Fair enough, Chair.

I'll pull the crane back in so I'm clearly inside that line and Mr. Lukiwski doesn't have to get all upset.

Mr. Tom Lukiwski: Those good lines are always in vogue.

• (1435)

Mr. David Christopherson: It's hard to come up with new material. However, I have some. I know you were worried for a moment, but through the chair, I want you to know that I have ample material that's clearly within the lines. But as an insurance policy, anything more I can use to fill the time that I have in front of me, obviously, I would do that.

But your point's well taken, and the point of order was in order. I accept your comments, Chair, and I will obviously continue to respect them. So I'll try to keep it tighter, sir.

In doing that, I am talking about Bill C-15, which I didn't talk about much before, other than to make some reference to it. Now I'm talking about it specifically, because I believe the details of what happened on Bill C-15 bear direct relationship to the motion that I have in front of us, and that is: should the committee travel to other places outside Ottawa to hear Canadians on the bill in front of us?

That, sir, is exactly the same question that was in front of the... I'm trying to find the committee that sponsored that. It was the Minister of Aboriginal and Northern Affairs...probably the same committee. Anyway, the committee was faced with the same thing that we are faced with. They could have made the same decision. They could have said that no, they don't normally do that, so why would they. I wasn't there, but I can only presume, based on what happened, that there was a common-sense discussion about "Gee, it concerns the Northwest Territories. Do you think we maybe should drop by and see if anybody there has something to say about an act that's only about them?"

It's the same thing with this bill. It's about the election laws, and those election laws apply exactly the same to the richest Canadian as they do to the poorest Canadian. Those rights apply to the most important Canadians as they do to every other Canadian, because we're talking about our vote, and the procedures of whether or not our vote matters.

And as we see in Ukraine, when they fight for democracy, built into that word for them is the right to vote and the right to a—wait for it—fair election process. That's why countries like Canada spend tens of thousands of dollars to send MPs, in certain cases, to other countries to be election observers. We spend tens of thousands of dollars. And fellow Canadian citizens, through CANADEM, they coordinate citizens going. Remember, the Government of Canada leased an entire plane because there were over 500 Canadians—MPs and citizens—who went to Ukraine in 2004 during the orange revolution to monitor the election to ensure that the process was fair and transparent.

Yet we live with the hypocrisy of this government saying how great democracy is everywhere else and how hard they're willing to fight for it everywhere else. They're willing to spend bags of taxpayers' money to fight for it everywhere else and make all kinds of speeches about it, even create a whole ministry of democratic reform. But when the crunch comes, they don't really believe in democracy. No, they really don't.

They accept that they have to live by certain rules, and when that becomes a problem, what do they do? They change the rules. They believe in the rule of law, as long as it's their law. It's easy to follow the rule of law when it's your law. My motion is an attempt to make sure that it's not just the government's law, that we give Canadians themselves—whose election this belongs to—a say in this.

We actually saw, Chair, the intent of my motion played out less than two months ago in Yellowknife. My motion speaks to the kinds of witnesses. It's not limited.

• (1440)

It's not an exhaustive list, but it gives an example of the kinds of people we'd like to be hearing from. The motion, I think, contains examples of some of those witnesses who are very appropriate to the bill before us, just like, Chair, they did with C-15. My motion says these are some of the witnesses we should bring in—on C-15, they had witnesses.

Mr. Craig Scott: I have a point of order, Mr. Chair.

Now my colleague has come back to one of the examples—we mentioned two examples in the past, C-15 and C-10—that, I think, is the most important feature of our argument, in terms of the history of this place, that committees in fact do go on tour sometimes for bills. What I'm wondering is—this is a point of order—assuming my colleague is going to be speaking for a while, whether or not there's any provision in the rules, or just common practice, for a request from the committee for any quick research from the Library on whether there have been other bills that have gone on tour, to help inform our debate, and whether there's any precedent for doing that in the middle of discussion.

The Chair: I don't think that's appropriate, Mr. Scott, for where we are. Certainly, if we're at studying the bill, we can ask for people to do work on studying the bill. Asking the researchers in the middle of a long dissertation, which might otherwise be called a filibuster, to do research on it is probably not correct. So I will say no.

Mr. Craig Scott: So we should stick with what we know, on our own steam.

The Chair: I think you should stick to what you know or what your own crack research staff, I'm sure, could do for you.

Mr. Craig Scott: Thank you.

The Chair: Pardon?

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): On the same point of order. We're just down the hall from the Library of Parliament and they could probably get that answer for any member who wanted to step away and ask that question, on fairly short notice. They might not get an exhaustive list, but they can get some examples for us, and for any individual who has the interest.

The Chair: Okay, Mr. Christopherson can run down the hall, apparently.

David, you're back.

Mr. David Christopherson: Thank you, Chair.

I was mentioning the importance of witnesses in my motion as it relates to the bill in front of us, and comparing it to the witnesses to C-15, and to give an example of a relevancy that they saw for these witnesses to come, vis-à-vis Bill C-15.

Now, remember, this is in Yellowknife.

Have you been to Yellowknife, Chair?

The Chair: Yes. You have mentioned Yellowknife a number of times.

Mr. David Christopherson: Actually, I got to Yellowknife when I was at Queen's Park, before I came here. It's a very beautiful city and it would be a great place for this committee to go because we now know that if my motion was adopted, this could be one of the places we go to. I want the members of the government to know that it looks like a pretty secure place. I know they were very frightened of going out on the road and having Canadians say impolite things on their placards outside of a meeting. And remember, this is the government that considered the input of Canadians to be a gong show and a circus. I just wanted to mention this, specifically. That's why C-15 provides a great opportunity for me to show direct comparisons between what my motion is requesting this committee do, and exactly what another committee did in the same situation not more than two months ago.

I'm talking about the witnesses. Who did they have, relative to C-15, so that we can be sure the people I've listed in my motion are important and relative to our bill, C-23, in the same way these witnesses were? Right off the bat, as much as it makes no sense for us to be dealing with this without the input of the Chief Electoral Officer, the very first person that the committee.... By the way, the proper name, Chair, is the Standing Committee on Aboriginal Affairs and Northern Development, and I apologize to that committee for not having it at the tip of my fingers.

The first witness for the government was the Hon. Bob McLeod, who is the premier of the Northwest Territories. He brought legal counsel, James Fulford, and Shaleen Woodward was the assistant deputy minister. There were representatives there: the Hon. Ethel Blondin-Andrew, former member, chairperson; Frank Andrew, the grand chief; and Daryn Leas was there as his legal counsel. You can

see the kinds of people they invited, Chair, are directly related to Bill C-15, and that's why my motion—

• (1445)

The Chair: So it's not related to your motion.

Mr. David Christopherson: It is by comparison, though, Chair. It is about the comparison because my motion is to have us do what Aboriginal Affairs and Northern Development did with their bill. I'm not reaching back to 1891, not even to the 1900s. I'm talking about just a couple months ago, so the relevancy is that my motion calls for witnesses and I believe that the witnesses are germane to the bill at hand, just as the witnesses were on Bill C-15. That's why I'm making sure that we understand this point and I'm trying to make it as clearly as I can.

Mr. Scott Reid: Chair, I have a point of order.

My understanding of the rules is that a member is required to be both relevant and also to be actually making new points, as opposed to restating the same point over and over again. It seems to me when it comes to Bill C-15, a bill that has now been discussed through several different meetings over a period of a number of hours, the same point is being made, the point being that there is a precedent for a committee to travel out of Ottawa on a bill. This is not an unprecedented point. I accept that is a point that is germane to the argument, but it's one point and it's not many points. It's certainly not sufficient material to be repeated over and over again and still be in order. I suggest to you, Mr. Chair, that this means in effect that when a member returns to the subject he is effectively out of order and ought to be superseded so that we can move on with actual debate on actual points.

The Chair: Thank you, Mr. Reid. You are correct. As I've stated before, I'm trying to watch for both repetition and relevance so that we don't spend more time than we need to on the speech on Mr. Christopherson's motion. I'm trying to be as tolerant and free as I can with that, but you have brought up two good points again.

We'll go back to Mr. Christopherson and ask for him to stay relevant and quit repeating.

Mr. David Christopherson: Thank you, Chair.

So they spent the whole day talking about Bill C-15 in Yellowknife, which is exactly the kind of thing I'm asking in my motion. Yes, I feel the noose tightening and I hope people are watching and understanding the kind of abuse—my word—of the majority that we're seeing. It's on the big stuff and it's on the small stuff, up to and including they've now got a play in motion to end my speaking. My job is to continue to push this as far as I can.

I would just point out to you, Chair, that there is a fine line between what someone else considers to be going on and on versus someone else's ability to make a point that they think is important. I appreciate that—

The Chair: And I will be the judge of that fine line.

Mr. David Christopherson: Yes, you will. Notwithstanding our little...earlier today, in the crunch I do believe that you will be honour-bound by the rules and will be fair-minded where it's your discretion. I'm trying not to abuse that flexibility, sir. But we are in a bit of a tight spot here and I know you've been giving me some latitude. I'm just saying that what others consider to be things that they don't want to hear.... We all understand what's going on.

I was at a committee, Chair, not that long ago, if I might, about process, where they passed a rule and the chair accepted it that you couldn't say anything that anyone else had said. Talk about getting pretty far away from the rights of democracy. That never should have been accepted, and yet it was.

But here we are, the government's doing everything they can to limit my speaking just as they've done to the rest of Canadians. We get that. I will continue to struggle to stay in between the lines of where I can talk.

Right now I'm talking about something that is an example, a perfect example, that happened less than two months ago, of exactly what we're asking for. I know the government doesn't want to hear the details about that because it shores up our argument. But the rules don't allow—

• (1450)

Mr. Scott Reid: On a point of order, Mr. Chair.

Several minutes have gone by and the member has spoken at considerable length about how—essentially an editorial—he feels that debate has been hastened along too much, which isn't really a new introduction of facts. Now he's about to return to Bill C-15, which is also not new. Could you encourage him to stick to actual new information as a way of being respectful of both the rules of the committee and also of the sensibilities of the rest of us who are actually hoping to have a substantive debate?

The Chair: Mr. Christopherson, the member is not incorrect. Please make it relevant.

Mr. David Christopherson: I agree, Chair, however, I would assume that doesn't extend to the point that every time I say the words "Bill C-15" I'm out of order because it's already been mentioned. I accept that—

The Chair: There will be a limit to that.

Mr. David Christopherson: I accept that there are limits to that, but I do have the right to bring in other details about Bill C-15 and not have it shut down because they don't want to hear any more about Bill C-15, and the fact that I say the letter and the two numbers, C-15, does not mean that I am making repetitive arguments. It means that I am referring to subject matter.

Mr. Scott Reid: Are you referring to something on a point of order or are you back on debate?

Mr. David Christopherson: If I could be given a chance, I'd be glad to go on, but please, use up my time. It helps.

The Chair: Go ahead.

Mr. Scott Reid: The member talks about bringing other details relevant to Bill C-15. I'll just point out that only one detail relative to Bill C-15 is actually relevant to this committee and that is the fact that the committee studying Bill C-15 travelled to different cities.

Everything else about it actually is irrelevant and ought to be viewed as inadmissible in this committee because it is not on question of travel of this committee, which was the motion in debate.

The Chair: Thank you.

Mr. Scott, on the same point of order.

Mr. Craig Scott: Yes, I think what my colleague, Mr. Reid, has said is probably going a bit too far. What we're trying to do, what my colleague has been trying to do, is a combination of persuading folks about why this committee should go on cross-country hearings and speak to Canadians about that—

The Chair: That, Mr. Scott, has been said a number of times.

Mr. Craig Scott: Yes, but the facts on how the Bill C-15 committee went about its job—the benefits from that, the kinds of folks who showed up and why it was beneficial, why they decided to do it in the first place—that is completely germane to why we should be doing it. The simple fact, if Mr. Reid's argument were taken at face value, is all of our arguments would be of four or five words. We have this sentence. That's all you need; that sentence. That's all you need.

I think you understand that the leeway we are asking for is actually completely fair. We need to understand—

The Chair: We are into the fifth hour of leeway so—

Mr. Craig Scott: —but I have to insist that the idea that the only relevant point is that that committee went cannot be accepted—

The Chair: I suggested after Mr. Reid made that point I was giving some leeway. Then I got a lecture on giving more leeway—

Mr. Craig Scott: —as long as we're on the same page. Thank you.

The Chair: Let's get to the motion, because that's where we are, and we are in a number of hours of it, and I am hearing a significant amount of repetition and what I might consider non-relevance. I'm keeping a bit of a scorecard. Obviously, when I decide I've heard—

Mr. David Christopherson: It hurts when you say that, you know, and I mean to the teeth—

The Chair: I know, but when I have heard enough, I will be able to prove my point.

Mr. David Christopherson: —said the little guy from Hamilton, and here you are now hurting all he's doing—and I'm trying the best I can.

The Chair: It is true, I have been doing the reading, and I see that my able clerk has brought out the section on relevance and repetition, and I did some reading on it myself, knowing we were getting there.

I'll let you know, but please try to keep it tight, or I'll certainly let you know.

Mr. David Christopherson: I understand, Chair, but I would ask you to keep in mind that just because of the length of time that I have taken—and we all know what's going on and what the dynamics are.... I'm not trying to kid anybody here, but that doesn't deny me, at any time, my rights. Just because the government is tired of hearing about Bill C-15 or about the meeting that happened, in and of itself it should not deny me the right. It's just as if I had just got the floor. There is nothing in the rules that says my rights to speak are less when I'm five hours in than two minutes in. They don't.

I know that you know that, sir, and we'll probably continue to have this little dance all the way along, and that's fine. Somewhere between my doing what I need to do and the government doing what it needs to do, and your trying to be fair-minded, we'll get there, but I am asking for you to, even though it seems like a long time—it has been a long time—but the length of time, sir, in my view, should not change the perception of you giving that latitude just because personally you've been hearing it over and over or other members have—

● (1455)

The Chair: That's specifically it. If I've been hearing it over and over, that is specifically the argument, but carry on with your motion, not about what the chair is thinking.

Mr. David Christopherson: Yes, thank you.

One of the other reasons I mentioned Bill C-15 is because of the reaction of the....

Well, you check your little marks there, Chair, and that's fine.

But the fact remains that I said at the outset when I mentioned Bill C-15 that I had a number of different aspects of why it was relevant and I think I have done that and I am going to continue to try to do that.

Why do we want the meeting outside of Ottawa? Well, we also want to make sure that the local media have a chance to be present here and talk about how it relates to the particular community that the newspaper or radio station or TV station would cover. I have examples of that.

The *Northern Journal* wrote this about the meeting, and I think it's germane because this is the sort of thing we're looking for when we travel on Bill C-23. There is nothing in the rules that says I have to give a fascinating speech. It just says that I have to be relevant and I believe I am being relevant when I talk about the media coverage of that meeting and its importance to the work of the committee on Bill C-15 and its relevance to us because we would like to see that same kind of coverage and that same kind of local analysis of how this bill affects every Canadian, even those who live outside of Ottawa.

For instance—and I am quoting from the *Northern Journal*—about that meeting they wrote, “The GNWT and Aboriginal governments will have their final say on the Devolution Bill during next week's hearings”. It's nice that they're getting their say. Continuing the quote:

A packed agenda of divergent Northern interests promises a long day of hearings for the federal standing committee on Aboriginal Affairs and Northern Development on the NWT Devolution Act, or Bill C-15, next week in

Yellowknife.... Kicking off the meeting will be the Aboriginal parties to the devolution deal, including Tlicho and Sahtu and Gwich'in governments, some of which have expressed their unhappiness with the federal government's move to lump changes to the NWT's regulatory system with devolution. Apart from devolving powers over lands, water and resources to the territory, Bill C-15 also proposes amendments to the Mackenzie Valley Resource Management Act, MVRMA, which include amalgamating the existing regional land and water boards established through land claims into one overarching superboard.

That's the kind of coverage they got beforehand. What's interesting is that the follow-up media was just as intensive. I'm going to have to come back to that because I don't have it right at my fingertips. I will come back to that point, Chair, because I know you want to hear the end of that story. I'll ask my staff for some assistance in getting the news articles from Yellowknife for me, please.

I will move along to continue talking about witnesses. We have outlined a number of witnesses in our motion because there are certain people we do need to hear from. As we saw with Bill C-15, these things are best handled in a democratic way when everybody who should be there, is. One of the witnesses we would like to call is National Chief Shawn Atleo, because we believe the bill could have a negative impact on aboriginal people. That speaks to my comments that I have made earlier about how voting is different in different parts of the country.

● (1500)

Certainly, the first nations—

Mr. Scott Reid: I have a point of order. I just wonder if Mr. Christopherson could share with us the information he has indicating why Mr. Atleo would be unavailable by video conference, or by coming to Ottawa, which is, I believe, where his organization is headquartered.

The Chair: That's not really a point of order; it's debate. We'll let Mr. Christopherson carry on.

Thank you.

Mr. David Christopherson: I appreciate the intervention because it gave my crack staff.... Actually it's Craig Scott's crack staff, a former staffer of mine. She went on to bigger and better things. What she was able to remind me is that the Assembly of First Nations have said publicly that they “agree that the committee should travel—that democracy exists and is exercised where people live, not in secure rooms on parliament hill.” So we're hearing from Canadians, leaders of Canadians, who are saying, “Come to our communities”.

Why should we listen to this voice? Chief Atleo was re-elected in July 2012 to a second consecutive three-year mandate as national chief of the Assembly of First Nations. I think if I'm going to read a quote and ask for it to have impact then it makes sense that I would give the credentials of the person, who also happens to be somebody we've asked to appear. And I would answer Mr. Reid, if I can. I didn't say that Chief Atleo would be heard only somewhere outside of Ottawa. Those are two different points, and they are two different points in my motion. One speaks to travel, and the other one speaks to witnesses. I don't know how I could possibly be more germane to the point than in talking about who those witnesses might be.

Remember, Chair, notwithstanding that this has gone on for quite a while, and will go on for quite a while yet, these are still relevant points if a member wants to make them, and I do.

Previously Chief Atleo served two terms as the regional chief of the British Columbia Assembly of First Nations. In 2008 Chief Atleo's commitment to education was recognized in his appointment as chancellor of Vancouver Island University, becoming British Columbia's first indigenous chancellor.

The Chair: Mr. Christopherson, before I get it from anyone else, you're edging out of relevance again. I understand that your motion mentions that there will be witnesses, but giving biographical information on those witnesses may be beyond here. When we get to actually inviting those witnesses, or have a steering committee of this group deciding why we would have that witness, we might want to look at the biographical information. But I think for your motion it's a bit beyond.

Mr. Kevin Lamoureux: Chair, on a point of order—

The Chair: There wasn't a point of order.

Mr. Kevin Lamoureux: No, on a new point of order—

• (1505)

The Chair: So you'd like to have one. Okay.

Mr. Kevin Lamoureux: I have a point of order, Mr. Chair.

I noticed you made mention that the steering committee is supposed to make some sort of determination in terms of witnesses coming forth, and I'm looking forward to that, I really and truly am. Having said that, on the list that's been circulated, I have not submitted my list as of yet, and I'm wondering if there is any direction you can provide us, one of the stakeholders around the table being a party, on when you would like to have those? Is there a deadline for those?

For example, I think there's some merit in terms of having Elections Manitoba or Elections Ontario come before the committee. Is there a time that we should be submitting them? I'm just anticipating, in case things wind up.

The Chair: When indeed we get to the steering committee, and Mr. Christopherson gets to a vote on his motion, we will then move through the process to eventually come up with the steering committee's having a conversation about who's inviting whom, and who's gathering lists at what time. As you can see there are some lists already coming in, but until we get beyond this impasse, we can't get to that positive outlook.

Mr. Kevin Lamoureux: Would you advise me to provide some lists in advance? This is what's happened here.

The Chair: Nudge, nudge, wink, wink. Sure it won't ever hurt you to send in a witness list.

Mr. Christopherson.

Mr. David Christopherson: I have to say though, I tend to think that my having the floor is something other than an impasse, but I don't want to split hairs.

The Chair: I could have chosen a different word. I'll search for it while you continue.

Mr. David Christopherson: All right, I'll make sure you have lots of time to do that, Chair.

It seems maybe it's important at this time to read my motion because we're getting points of order about things I'm raising, which as far as I'm concerned any commonsensical, practical, fair-minded approach would say that while I may be giving an awful lot of detail, as I said earlier, there's nothing in the rules that says you have to give a fascinating speech or that you have to be riveting. It has to be relevant, but if it's relevant to the actual motion then it's in order. Even if it's *x* number of hours.

Again to remind colleagues, a motion can never be out of order, I wouldn't think. To read my own motion:

That the Committee, upon receiving an Order of Reference from the House concerning C-23, An Act to amend the Canada Elections Act and other Acts and to make consequential amendments to certain Acts, initiate a study on this legislation....

I guess we could even have gotten cute and said we'll travel as a study, rather than as a bill. Maybe that would have kept us out of some hot water, I don't know, probably not. "...which will include the following". And there are three points: three, just three, but three. One: "That the Committee hear witnesses from, but not limited to," and then we go on to mention them and I shall. But right away anything to do with witnesses should be in order. I'm not talking about how to make a widget and I wouldn't be talking about last summer's vacation. I'd be talking about witnesses. And that's the motion. So again, "That the Committee hear witnesses from, but not limited to, Elections Canada, Political parties as defined under the Canada Elections Act, the Minister of State who introduced the bill..."

And it's interesting, Chair, that the government can be oh so ever cooperative when it suits them, i.e., they wanted to get their minister here and we agreed when they said they were going to give some consideration to holding public hearings. We agreed to allow the minister to come without any problems, no procedural things, and that's exactly what happened. The minister came in—

A voice: But we didn't believe him.

Mr. David Christopherson:—and was given due respect and every opportunity to make his case. And there was not one incident of any disrespect or questions of disrespect. It turns out the good faith was rather short-lived because three hours later negotiations shut down, but we still had the minister come.

The Chair: In the period of time you had to do that, you have mentioned that more than once.

That would be repetition. I can only go on my interpretation of repetition. Reading your bill would be—

• (1510)

Mr. Peter Julian (Burnaby—New Westminster, NDP): I have a point of order.

The Chair: I'm in the middle of speaking, Mr. Julian, so you can do a point of order when there's a bit of a gap.

So when we are talking about your motion for as long as we've talked about it, you will be careful that the repetition doesn't continue.

Mr. Julian had a point of order, Mr. Christopherson. I don't mean to interrupt you.

Mr. David Christopherson: Oh no, please interrupt all you want.

The Chair: Mr. Julian, you may speak on a point of order.

Mr. Peter Julian: Thank you, Mr. Chair. It's a pleasure to be back here.

You did interrupt Mr. Christopherson in the middle of a very valid point he was making. I would request, Mr. Chair, that you respect his right to continue to speak on this important issue, certainly raising questions that I've heard repeatedly in my hometown of Burnaby—New Westminster, where folks have felt very strongly that this process is not legitimate. So interrupting Mr. Christopherson as you did I think is inappropriate, and I'd request that you refrain from doing that.

The Chair: You may very well have heard information in your hometown repeatedly.

But what I can't do as a chair is hear that same repetitiveness during the same dissertation from a member. You have not been here to hear a lot of conversations today on repetition and relevance. And we'll carry on now with Mr. Christopherson's speech on his motion.

Mr. David Christopherson: Thank you very much, Chair. I appreciate that.

The Chair: Of course, without repetition or irrelevance.

Mr. David Christopherson: Right.

I would again point out that the rules for repetition and relevance should be the same for a member at the fifth hour of having the floor as in the first five minutes, and that the time is not a factor. What matters is that if I was speaking in the first five minutes, would it be allowed and—

The Chair: Well, the relevance issue may have that type of flexibility, but the repetition piece is not a time-related piece. If you keep repeating yourself, I'm going to say you're repeating yourself, and there's a ruling that the chair will make saying you're repeating yourself. That may not happen in the first five minutes because it's the first minutes, right? Five hours later, it may be a bit different.

Carry on.

Mr. David Christopherson: Fair enough. Point taken. I might just suggest, with great respect, that you maybe leave it to the government to be the one to tell me.... That's just a thought, but anyway, I hear you, and I respect what you said.

No, I just.... If you're going to keep interrupting me on relevance, you're doing their job. We are in a political process here—

The Chair: Well, I find I'm doing my job, because the procedures tell me that I'm not supposed to let you do that, but carry on.

Mr. Peter Julian: Point of order, Mr. Chair.

The Chair: Sure, Mr. Julian.

Mr. Peter Julian: Thank you very much.

I think Mr. Christopherson is absolutely right. Normally as chair, your role is that if government members raise concerns.... Hopefully they wouldn't, because they certainly understand that the public is on our side on this issue, but if they do raise concerns, your role as chair is then to step forward and adjudicate somewhat.

I don't believe your role is—and I will repeat this—I don't believe your role is to interrupt a member who is speaking, especially one with as much experience as Mr. Christopherson.

The Chair: Well, thank you, Mr. Julian. Had you been here earlier....members from the government side had brought forward points of order on repetition and relevance. I recognized them when they did so. I shared with them that, yes, we were getting there and I would keep a watch on it. That's what I'm doing.

Mr. Christopherson—

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

The Chair: On the same point of order, Mr. Reid? Sure.

Mr. Scott Reid: It is.

Mr. Chair, I've moved a number of points of order relating to relevance and repetition and so on, and I have to admit that I've been so taken aback by the aggressive responses from the other side, and the way in which they treat every attempt to adhere to the norms and practices of this House as being an outrageous abuse of democracy, that I've been more reluctant and reticent than I would normally be.

But if now the mood is changing over there and they're no longer going to use this attitude of intimidation and trying to attack people on this side when we try to bring attention to the rules, then we will do so with greater frequency, and certainly when they're justified. Because we certainly have not been doing so when these points have been justified, as much, perhaps, as we should have been doing.

The Chair: Thank you, Mr. Reid.

Although I may agree with what you've said, it wasn't a point of order, so thank you very much.

Mr. Christopherson.

Mr. David Christopherson: Thank you.

Poor Goliath feels like they're under attack. Boo hoo.

So the motion—

Mr. Scott Reid: This is the sort of name-calling I'm talking about.

Mr. David Christopherson: I didn't call anybody—

A voice: It's a metaphor—

Mr. David Christopherson: Yes.

Mr. Peter Julian: Point of order, Mr. Chair.

The Chair: Very quickly, Mr. Julian.

Mr. Peter Julian: Well, thank you, Mr. Chair, I'll take the time I need to express my concerns.

I believe Mr. Reid, when he referred to.... I believe the term he used was "intimidation". I find that highly inappropriate in a committee that—

The Chair: That's not a point of order.

Mr. Christopherson, carry on, please.

• (1515)

Mr. David Christopherson: Thank you, Chair.

As I was saying, the first point in my motion is that we hear witnesses from, but not limited to, Elections Canada, political parties as defined, the Minister of State—and I made some comments about that—and representatives of first nations. Again, this is where we come to relevancy. I was talking about the grand chief. That's the kind of person we should call. Then I was backing up my argument by reading his qualifications.

Now, the government may not want to hear all that. I accept that. But there is nothing untoward when we make the case that we think representatives of the first nations should be there and then, in another breath, we describe the biography and the qualifications of that person or those kinds of representatives. I'm shoring up my argument, because if I were on the other side, you could ask the question, why would we invite him? So that's—

The Chair: I did suggest that while we were picking witnesses that might be the case, and I believe it was I who suggested that relevance was not in order when you were reading his biography. So let's carry on and go back to relevance.

Mr. Peter Julian: On a point of order, Mr. Chair, I hate to belabour this, but again I must insist. When we have a member who is speaking, it's not the role of the chair to regularly interrupt the person who is speaking, and I would request that you not do so. That's not the role—

The Chair: Thank you for the request, Mr. Julian.

Mr. Christopherson, let's get back to your motion, please.

Mr. David Christopherson: Thank you.

I will continue: representatives of first nations, anti-poverty groups, groups representing persons with disabilities, groups representing youth advocates and students, as well as specific groups, which have been active in society on election rules, including Fair Vote Canada, Samara, Democracy Watch, and the BC

Civil Liberties Association. I think one that we would obviously want to add now because of their involvement would be Leadnow. They would want an opportunity, and those are exactly the sorts of folks we like to hear from.

So I believe that talking about Mr. Atleo's qualifications is entirely in order, because I'm trying to convince colleagues to accept my motion. My motion calls for representatives like this, and in order to shore up that argument, I'm reading their credentials. Otherwise one could argue from the other side, "Why would we invite them? We'll invite...". I was going to say, "Joe Blow down the street", but I wouldn't do that.

Mr. Scott Reid: On a point of order, there's no objection from this side to inviting Shawn Atleo to be a witness. I think he'd be an excellent witness with a lot of germane things to say, and he could do so either in person in this room, or by video link.

The Chair: Thank you. That's not really a point of order, but it's helpful.

Mr. David Christopherson: No, but it's an interesting point to talk about, because I have made the case a couple of times to Mr. Reid, and I'm not understanding why he's not grasping it, and if I'm wrong I'd like to be made right. The point is that the witnesses are in one bullet point in the motion. The travelling is a separate bullet point in the motion. Mr. Reid insists on combining the two by saying, "Well, we could invite Chief Atleo to be here, or to come by video conferencing." I'm not disagreeing, because I'm not combining the two, as the honourable member is.

There is a bullet point about witnesses. I just finished reading it. I could read it again, but even I don't want to hear it again. But if I have to, well, you know, we could make it a little more interesting with a little more flexibility. So I won't at this moment read it, but I may have to return because it's not getting through. So that's about the witnesses, a separate bullet point.

The other bullet point takes me right to the motion. So Mr. Reid was very helpful in allowing me to segue from the first bullet point to the second bullet point of my motion, because there seems to be so much consternation about whether I'm relevant or not. I want to come back to the original motion to make my argument that what I'm saying is relevant. It may be bothersome. It may be boring, but it is relevant in my view.

So the second part is, Chair, and this is where I believe Mr. Reid is uncharacteristically confused:

That the Committee request to travel to all regions of Canada, (Atlantic Canada, Quebec, Ontario, Northern Ontario, the Prairies, British Columbia and the North), as well as downtown urban settings (such as the Downtown Eastside of Vancouver) and rural and remote settings, and that the Committee request that this travel take place in March and April 2014;

These are two separate things.

The third one, because it's separate again, is:

That the Committee shall only proceed to clause-by-clause consideration of this bill after these hearings have been completed, with a goal to commence clause-by-clause consideration for Thursday, May 1, 2014.

You can see, Chair, that there are three distinct points. When I'm talking about witnesses I'm giving examples of the kind of people we would invite and why they're relevant to this study.

Then, when I return, which I shall, to travel, that's a separate subject. And so we need not combine the reference to National Chief Atleo and the desire for the committee to travel and blur them into one because they aren't. They are two different points.

On the first point I'm in the process now of explaining why having representatives like the ones mentioned in the motion are yet one more good reason why the government should support my good motion. Even though they don't want to hear the details, it's relevant because it's the argument I'm making about why you should pass my motion. I'm still at the point of theoretically—nobody's conned by what's going on, we all know—but theoretically the premise is, I'm trying to convince enough colleagues to win my motion.

So if I have a part of my motion that speaks to the number of witnesses we want and gives descriptors of what part of society they would come from, and I tend to expand on that to a level of detail that the government doesn't want to hear, does not automatically, in my respectful submission, put me out of order or not relevant to the point.

So staying just with witnesses and who we asked for... For instance, Chair, relevancy, I'll give you relevancy. One of the groups we've asked for to come before the committee because we believe we should hear from them are anti-poverty groups. We believe—and the government, and we'll see what happens in hearings—that the new bill disadvantages people of low income, the poor, especially the homeless. We give a reference in another part to the Vancouver east side, which my good friend Peter Julian knows all too well because he's from that part of our great country.

When we want to bring in an anti-poverty group we will be thinking of someone like this.

• (1520)

This is why this part of our motion is important, in our view. Now I realize the government may not think it's important. They may think it's boring and they may think it's a whole lot of things, but we believe, and that's why we put it in the motion, that we should specifically have representatives from at least these demographic groups within Canada, and it's a logical question to then ask who.

Well, like Leilani Farha, who's the executive director of Canada Without Poverty. I apologize if I have mispronounced her name again. Luckily I have a hard name to pronounce so I think people give me a little latitude when I mispronounce theirs, given some of the variations on my name that I've heard. Some of them are even printable. She's the executive director and she's a leading expert and advocate on economic and social human rights, especially for women. It wasn't that long ago women got the vote, by the way, and I wonder who resisted that along the way.

She has a long history of promoting the right to adequate housing, equality, and non-discrimination in housing in Canada and internationally. Prior, she was also the executive director of the Centre for Equality Rights in Accommodation for 12 years. So again, she's an expert in the field of people who live in poverty, an expert in the field of programs that affect people—

Welcome, leader. I didn't know who was coming there beside me.

• (1525)

The Chair: You didn't come to interrupt him, did you?

Mr. David Christopherson: If he tells me I'm out of order, watch how fast I bounce.

The Chair: Oh, okay, don't listen to Joe.

Mr. David Christopherson: Oh, I listen to the chair. You're still the chair, but he's my leader.

The reason we would bring in someone like that is to not only speak about their experience with these kinds of laws, but most specifically about how they affect people who are in poverty, and because of her background, she'd be able to speak to how that may even affect women in poverty differently than men. I think that's a pretty important point of view to bring.

I'm sorry, it seems we have a new speaker. Somebody has a point of order over here, I think.

Hon. Deepak Obhrai (Calgary East, CPC): No, I didn't say anything.

Mr. David Christopherson: You don't want the point of order. Oh, okay, I saw you talking. I wanted to hear it, that's all. I couldn't hear you.

So that would be why we would invite that kind of a witness.

Now we've also mentioned in our motion that we should have representatives from.... Oh, I read that one. I wouldn't want to repeat myself so I'll turn that one over, Chair, because I read that one and I don't want to get into any more trouble here. Let's go with.... Here we go, I have a good one. See, if you remember, Chair, I just mentioned that one of the groups that we need to hear from is youth, someone representing youth advocates and students. I think there has been some discussion in the House during Q and A because it's already been punted out of the House and away from the eyes of the public there and sent down here. One of the things that we called for was those representatives. One of those people, for example, would be Joanne Champagne.

See, it even highlights where it says this is new. They're helping me help you, Chair, so we're all trying to live in Joe's world.

The Chair: We have new information. Carry on.

Mr. David Christopherson: An example of a representative of that group would be—I'm sorry, I said Joanne, and I apologize—Jonathan Champagne, who is the national director. Jonathan completed his undergraduate education in business administration at Wilfrid Laurier University. Throughout his academic career he was heavily involved in student government and student representation. There is a good chance that he probably ran for a local election, maybe on the student council, and probably has a good understanding of some of the basics of fairness—which is our issue—including one year as chair and chief governance officer. Clearly, here is somebody who understands youth issues and student issues but also understands administrative matters and governance. He sounds like a perfect kind of person to come to talk to us about how Bill C-23 will either help or hinder students in voting. How could that be a bad thing? That's why we put it in our motion. We said that this is the kind of witness we should hear from. In my view, this just adds more strength to the argument that my motion should be carried. I'm making the case that it's a good idea.

We also make reference to specific groups that have been active in society on election rules and groups representing persons with disabilities.

We mention Samara specifically. The executive director of Samara—this is new news, so I hope Mr. Reid is writing this down—Alison, previously worked at McKinsey & Company and co-founded Canada25, an organization that successfully involved thousands of Canadians under the age of 35 in the development of public policy. For her public service work with Canada25, Alison was chosen as one of “Canada's Top 25 under 30”.

Do you remember those days, Joe?

• (1530)

The Chair: They all look alike to me, David.

Mr. David Christopherson: It's by *Maclean's* magazine.

In 2005 she received the Public Policy Forum young leaders award. She's a graduate of Queen's University and the Harvard Kennedy School of government. She's also an associate fellow and instructor at the School of Public Policy and Governance at the University of Toronto.

The Chair: As much as I hate to interrupt, you're doing a biography again.

The last time you were doing someone's biography I suggested to you that it would be great for us when we're in the steering committee format to talk about people we're inviting. I know that's what you're doing, but the answer here is that we're supposed to be talking about your motion. So let's talk to the motion.

Mr. Peter Julian: I have a point of order, Mr. Chair.

An hon. member: On a point of order—

The Chair: I have Mr. Julian first, but do you want to supercede?

Hon. Thomas Mulcair (Outremont, NDP): No, it's fine. Never.

Mr. Peter Julian: I will pass it on to my leader.

The Chair: I thought you might.

Mr. Mulcair.

Hon. Thomas Mulcair: Mr. Chairman, we're supposed to be looking at these things as a continuum. The speaker continues to go back to his original motion. He keeps explaining why it would be important to be able to hear from Canadians. This is the fundamental law of our democracy.

If we were to simply say that we should hear from this group and not tell you why, no one would get the argument. If he were to say we should hear from this group because the group does such and such, people might or might not think it valid. If he says to you, “We should hear from this group; they do this” and “Here are some of the people working for that group; they have actually worked on the issue. Did you know that fully 65%, two out of three young people aged 18 to 25 didn't bother to vote in the last election?”.... That's what he's talking about here. That's in the biography he's reading to you.

This is a specific concern for anyone who is worried about democracy in our society. That's precisely why he's doing this. He's explaining to you why it would be relevant to go across Canada: because this is the type of person we could hear from.

Samara has been doing great work on this. There are specific people involved in Samara. Instead of saying, “I know this person who can do a great job”, he's telling you chapter and verse why it would be a good job.

So I put it to you, and it's quite obvious, that this is directly related to the motion before us. He has said why we should be listening to different groups across Canada on the fundamental changes that would be wrought by this bill. We think this is entirely pertinent and we consider that he should be allowed to continue to present the people that he would like to hear from, not just give their names or the groups that they're with.

The Chair: I will make the decision—and I thank you for the information—on the relevance of the information.

In the long periods of time before you joined us today, we have covered a lot of ground. All I continue to do with Mr. Christopherson is share with him the thoughts on relevance and repetition, and I will do so.

Mr. Christopherson.

Hon. Thomas Mulcair: On the point of order, Mr. Chair, just so that we understand each other, there is a provision in the rules governing this committee with regard to relevance. There's no problem with that. But as we've just demonstrated, this is directly relevant to the motion being discussed.

With regard to whether or not you find it too long, that's a personal evaluation, and I understand that you find it difficult to have the continuing failure of your government put before you—their failure to consult, their failure to work with other parties, their failure to listen to Canadians—but unfortunately, that part of it is not in the orders that govern the functioning of this committee.

Whether you like it or not, these are the rules that we're governed by. Relevance is proven. It is directly relevant. He hasn't spoken about this individual before; he explained to you that this was new.

I put it to you that, following the rules that govern our Parliament—and you're asked to apply them on behalf of all of us—he's allowed to continue.

The Chair: Thank you.

Mr. Julian.

Mr. Peter Julian: Thank you, Mr. Chair. I'd like to continue on the same point.

The reality is that there is nothing in procedure that allows the chair to say that a particular comment about a particular witness is something that is not permitted in the committee; that it needs to go to some other body within the committee structure. That's simply not part of the process.

As you know, Mr. Chair, I have been here 10 years. I've never seen a chair rule in that way either. It's obviously relevant to—

• (1535)

The Chair: I'll let you know when I'm ruling on it, Mr. Julian. I'm simply bringing up relevance and repetition because it is my role as the chair to keep the debate tight in that way.

Mr. Christopherson, let's go back to your debate on the motion, please.

Mr. David Christopherson: Thank you very much, Chair. I appreciate the opportunity.

As I mentioned, Samara and the other groups I've mentioned so far are part of my trying to make the case to my colleagues to pass this motion. It's a good motion.

The first point also makes reference to Democracy Watch. Many here will know Duff Conacher, the director.

The Chair: He has visited our committee.

Mr. David Christopherson: Yes, he has visited our committee. He is considered to be an expert on democracy and has strong opinions, like most activists in this field. In fact, he is an internationally recognized leader in the area of democratic reform and government accountability.

I won't read the whole thing, sir. I won't try your patience. But I'm hoping that I can at least reference it and we can have a meeting of the minds here, sir. I really am not trying to try your patience, nor further stress my own.

Duff Conacher is a former Ralph Nader “Raider”, and worked as a researcher, a community organizer, an educator, a legal intern, and a consultant. Democracy Watch obtains national Canadian media coverage on an average of ten times each month. Their website receives more than 1.4 million hits annually. It's considered by many to be the number one citizen group website in Canada whenever the Internet is searched using words like “democracy”, “government ethics”, “honesty in policy”—they're going to have to put their hands over their ears, they can't hear these words—“corporate responsibility”, and “bank accountability”.

That would be an example, Chair, of wanting to bring in a group of experts who could help inform our work.

I always have to go back to the way we did it before. When we were inviting witnesses then, it was because we were doing work. We would receive witnesses and then we would do the work. Sometimes we'd call them back. A lot of those folks practically needed an office here, because they were coming back and forth.

In this motion we've tried to capture at least the starting point of the individuals and organizations that would help us do a good job. Remember, the job would be a lot better if there had already been some consultation, but in the absence of that, we're going to have to fight, it would seem, fight and kick and scream, for every minute and every opportunity to bring in experts to speak to us. That's why we've listed them.

We also made mention of the BC Civil Liberties Association. I think Josh Paterson is the executive director, although it doesn't say that here; I'll just go on that assumption. Josh Paterson is the representative from that organization, the BC Civil Liberties Association, that I'm speaking about. His legal career has focused on protecting some of the most marginalized people in Canada from human rights violations, civil liberties restrictions, discrimination, and environmental injustice.

The reason we want Josh Paterson and others from the BC Civil Liberties Association is that we remain concerned that this bill will take away rights from Canadians, from whole groups of Canadians. It's a bad bill. We want to bring in the experts we believe will point out not only why this bill is wrong, I suspect you'll hear from an awful lot of them about the process.

I have raised the issue, as you've noted I have—

• (1540)

Mr. Tom Lukiwski: A point of order, Mr. Chair.

The Chair: Excuse me, Mr. Christopherson.

Mr. Lukiwski.

Mr. Tom Lukiwski: This is just as much to give David and his tonsils a break as anything else, but I would point out again for the record, Mr. Chair, that we have not denied the inclusion of any witness. In fact we have encouraged it. We've said that from the outset.

Many of the witnesses he referenced in the last three or four minutes have appeared before committees in Ottawa before. They do not find it inconvenient to come here. In fact they seem to be able to present the same testimony, relevant testimony, to these committees whether they're here or perhaps in the comfort of their home province.

The motion is speaking about travel, not about which witnesses should be allowed to come here. We have not denied the inclusion of any witnesses who have been suggested by any member of this committee.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Chair, on the same point of order.

The Chair: Thank you, Mr. Lukiwski.

On the same point of order, Mr. Martin, go ahead.

It's nice to have you here, Pat.

Mr. Pat Martin: Thank you. It's a pleasure to be here, sir.

On the same point of order, though, Tom, you have to admit....

Well, I guess I'm adding to his point, Chair, in hopes that you will find that it's in fact not a point of order. If you'll allow me to—

The Chair: I'm leaning towards that way right now.

Mr. Pat Martin:—expand a little bit on this, the point that Mr. Lukiwski is making is that anybody who's interested or has a contribution to make in the analysis of this bill can make their way to Ottawa. Well, he knows that the agriculture committee—

Mr. Tom Lukiwski: Not at all. It's not a point of order, but that's not my point.

Mr. Pat Martin:—if we really want to solicit and encourage the participation of Canadians in this most important, fundamental cornerstone of our democracy, the right to be able to cast your ballot free of interference or coercion or manipulation by people, etc., then we would want to go to those communities and make it as simple as possible. We bring the court to them, as we did with aboriginal affairs, as we've done with the agriculture committee, as we've done on issues of far less importance, so—

The Chair: Mr. Christopherson really doesn't need any help on the debate side of this.

Mr. Pat Martin: No. No, but I—

The Chair: I will suggest you're not on a point of order and—

Mr. Pat Martin: Well—

The Chair:—let David get back to—

Hon. Thomas Mulcair: On the same point of order, Mr. Chair.

The Chair: Sure.

Hon. Thomas Mulcair: Mr. Lukiwski has just raised a point that I think all of us should consider when contemplating this motion. He is under the mistaken belief that this is about whether or not we can get the experts here to Ottawa. As he correctly points out, many of those experts are regularly consulted here. But his argument simply belabours the point. He's arguing his own position precisely because people across Canada want to be heard from on this.

The Chair: With all due respect, I'm going to do the same thing to you as I did to the other two.

Let's go back to where we were on discussing the motion instead of the validity of it.

Hon. Thomas Mulcair: We wouldn't want to discuss the validity of it, you're right.

The Chair: Mr. Christopherson is debating his motion right now and he gets to do that.

Mr. Pat Martin: Do you want to rule on Mr. Lukiwski's point of order?

The Chair: Yes, I suggested it wasn't one. I suggested yours wasn't one. With all due respect, I suggested that Mr. Mulcair's part of it wasn't either.

Let's get back to the debate. Mr. Christopherson has been doing a great job of doing that debate.

Mr. David Christopherson: Thank you, Chair. I appreciate that.

But once again, if I may, before we leave the point, it's important we understand the motion, and the government members don't seem to. It's kind of like the starting point.

There are three different points in the motion. One speaks to witnesses—not travel, not the day to start clause-by-clause; those are the other two points. It's about the witnesses. The second point is about travel. The two are not the same. I've made that point. My leader has now made that point. The fact is that it's not the same thing. Right now I am restricting myself to comments in the first bullet point in my motion.

I realize you haven't ruled me out of order. I'm just trying to assist Mr. Lukiwski, who, by the way, said that he pretty much agrees with that bullet point. It would seem, Chair, that the longer I work at this, the more I gain support. Now I have one government member onside with one of my points.

An hon. member: Hear, hear!

Mr. David Christopherson: That's more than I had when I came in. So, I mean, success, this is working.

Some hon. members: Hear, hear!

Mr. David Christopherson: It must be relevant. It must be relevant, it's moving votes.

Get ready, Peter. Get ready. You're going to feel the movement.

Mr. Peter Braid (Kitchener—Waterloo, CPC): I'm on the edge of my seat.

• (1545)

Hon. Deepak Obhrai: Mr. Chair, a point of order.

I would like to tell the honourable member the government's position hasn't changed.

Voices: Oh, oh!

The Chair: Not really a point of order there either, but I was expecting it.

Mr. David Christopherson: Mr. Lukiwski, do you now feel the tyranny of the majority? Look how quickly they turned on you. They just threw you right under the bus, and they said, "That's not where the government is."

Mr. Tom Lukiwski: Actually, I think we're fine on this one, David.

Mr. David Christopherson: Yes? Okay. Well, I'm just worried about your career, you know? You've been stuck in that same position for how long now?

Mr. Tom Lukiwski: Oh, I appreciate that. I appreciate your concern.

Mr. David Christopherson: You deserve a promotion. That's why I'm raising it. He deserves a promotion.

So I was starting to mention—

Hon. Thomas Mulcair: I have a point of order. Mr. Obhrai has just intervened to tell us that the government's position hasn't changed. I think that bespeaks a certain confusion between the different orders of government. Of course here we're sitting as legislators. He's referring, of course, to the executive branch, which might have its own position, but normally it's legislators who are sitting here in parliamentary committee.

Mr. Tom Lukiwski: That's not a point of order.

Hon. Thomas Mulcair: I think that shows the extent to which we have a challenge.

We've just started the information and education process. We're just scratching the surface so far, we're on the first paragraph, but we've already won over Mr. Lukiwski and we'll go to work now on the rest of it.

The Chair: Mr. Mulcair, of course, showing all due respect, it wasn't a point of order, and I think you probably knew it going in.

Mr. Christopherson, your turn.

Hon. Thomas Mulcair: It doesn't mean it wasn't right.

Mr. David Christopherson: It does speak to the education that's required. Oh, oh, who's being muzzled in terms of educating Canadians about our electoral system? Ah, the Chief Electoral Officer. And how is that being done? Bill C-23. And how is that being dealt with? Rammed through the House, rammed through the committee. The tyranny of the majority, that's what's going on here.

We're going to keep repeating that over and over, as much as I can, as many different ways as I can find to allow it to be said, because this is a bad bill and it hurts Canadians. We believe it affects the rights of some Canadians to vote. That's why, as annoying as all this is—and trust me, nobody is more annoyed at hearing me than me—

The Chair: Oh, I doubt that.

Mr. David Christopherson: —it's necessary.

I won't argue the point. You're probably right. There are probably people at home right now who, a long time ago, flipped the channel.

I was starting to talk about the credentials of Mr. Paterson, and how his background and his experience would be important to this committee, notwithstanding the government keeps wanting to jump in and say that we don't have to travel to go and see Mr. Paterson. Not once in any of my remarks did I say we needed to, because it's a separate bullet point.

This one is just about the witnesses we would hear. They might be by video conference, or they might be here. That's not the issue. That's not the travel part. We can do all of that. In fact, I still suspect that if were to do a public consultation, if the government suddenly were to go democratic on us and were willing to let Canadians have a say about their own election law, most of those hearings would be here. Even though some of them should be out across the country, the majority would likely still be here.

Would Mr. Paterson come here personally? Would we have him by video link? I don't know. That's not the point. We're not saying we have to travel to see him, per se. Now, it might be that wisdom would prevail. If we set up a series of meetings, most of which would be here in Ottawa, but some of which would be out in the rest of the country, it may very well be that we would meet Mr. Paterson in B.C. But it is not the motion, and it is not our argument. We think Mr. Paterson should be invited because of his expertise in the area of rights. He knows and understands many of the communities we're most concerned about in terms of losing their franchise, their precious right to vote in a Canadian election.

It's interesting. He also holds a law degree and a master's. And he worked at the Ontario Superior Court of Justice.

I can see why Mr. Lukiwski has run up the white flag on the first point. Clearly, we do have good arguments there.

I'll work my way across, hopefully, and pick up the others. Some might say, well, that's not going to happen. But I can tell you that there are many who said, "You'll never even get a piece of Lukiwski. It will never happen." But we already did. We already got him. He loves the first point, that it invites all the witnesses. And he agrees. But I don't have a majority yet, Mr. Chair. So it's really important for me to continue to make these points and to help educate my colleagues and help them understand—just as Mr. Lukiwski understands the first bullet point—why this is a good motion that makes sense and should be adopted.

Quite frankly, the members opposite talk about the fact that my talking is what's preventing us from getting on with it, but it's actually the recalcitrance of the government. Otherwise, we would have negotiated a deal three weeks ago and would be well under way, studying the bill, with plans to go out into the country and into various communities, having negotiated that number and where they would be. We'd be well on our way if the government would just say, "We agree with your motion, and we'll vote for it." That is, theoretically, Chair, just as likely an outcome as my eventually collapsing because I just can't keep going any more.

My speaking is not the only way we can start getting down to work. Quite frankly, if the government would be more flexible and offer just a little bit of democracy in the process, we could wrap this up.

● (1550)

I said it before, and it still deserves to be said, because it's timely. I believe that if there was will on both sides, we could negotiate a travel plan in 30 minutes. I really do.

The Chair: I just want to point out that you pointed out your own repetition there. Carry on.

Mr. David Christopherson: Do I get part of your pay or...?

The Chair: It's nice of you to save me. I can have a little sip of coffee and I'll be okay then.

Mr. David Christopherson: Yes, I did. You're right. So I'll move on.

What I'll move on to is, again, that I had mentioned making sure that there were anti-poverty groups. We mentioned some of the homelessness issues that exist across our country. Unfortunately I have much too high a concentration in Vancouver east side. We believe that we should hear about how this bill will affect the homeless. They don't tend to vote much, so I'm not sure they go into the government's calculation as much as one would hope.

I'll be honest, too. I'm not sure how many people.... That would bother Canadians and they'd be concerned, but I don't know if that's enough to move them. The point is that any one of these things may not be enough, but taken in their totality we think and hope that they will move a lot of Canadians to at least type out a little email and send it to the government and to their backbenchers to tell them how unhappy they are that the government is doing this.

We want to make sure that every Canadian's vote is a matter of concern for this committee, not just that of the Conservative caucus. That's about the only list I can give, because they're the only ones who had any input. That leaves everybody else out. So we want to have experts who can speak with some authority on how Bill C-23 may directly or even indirectly affect their ability and their right to vote, not so much by an exclusionary clause in the bill. That's not there. You couldn't do that.

But clever people—and no one ever accused the government of being stupid. They're a lot of things, but not stupid. You can't do it through directly and explicitly saying, "You can't vote." That's unconstitutional. However, you could put in place a whole lot of rules that in and of themselves seem to be okay, even though there may be some questions. But when you add them all up in the whole process, you end up with identifiable groups, demographics within our society, who will lose their right to vote, through frustration, lack of clarity, or lack of information. That's why it matters who wrote this bill, because it wasn't the Chief Electoral Officer.

• (1555)

Mr. Tom Lukiwski: I have a point of order, Chair.

I haven't often cited a point of order on relevancy. I do now. We're not talking about the bill; we're talking about the motion. I hear nothing but continuous repetition on that, but this is the first time I really have issues on the relevancy, because if he wishes to debate the bill, we'll have ample opportunity once we start bringing witnesses into the committee, which is all we are trying to do. So let's stick to the motion if we may.

The Chair: I agree with Mr. Lukiwski on that.

On the same point of order, Madam Latendresse.

[Translation]

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Thank you, Mr. Chair.

I would simply like to repeat something.

We all agree that the motion deals directly with how these public hearings to consult the people about the bill would be held. We need to refer to the bill to indicate why these public hearings are necessary and why we think they are very important.

Obviously, I believe that there is an extremely clear link. We can't just say that there is no link between the bill and why we think it is so important to have public hearings.

[English]

Mr. Pat Martin: On the same point of order—Mr. Lukiwski opened the door here—there's an inexorable link between the merits of the bill and the importance that Canadians have good access to having input into the bill. We've had this debate at the liaison committee when talking about funding committee travel. Personal presentation at a committee weighs far more than a teleconference or a mail-it-in. So even for those who may be offered the opportunity to teleconference, on something as important as this bill.... I think my colleague is trying to demonstrate just how terribly important this bill is and how it weighs more than other bills do in that it deals with such a fundamental cornerstone of our democracy. It's all the more important that people should be able to make their case in person before warm bodies.

The Chair: Mr. Martin, you're debating on behalf of your colleague, and I'll thank you for it, but we'll go back to the motion.

Mr. Christopherson, speak on your motion.

Mr. David Christopherson: Thank you, Chair.

I was giving in a roundabout way—relevant, but roundabout, I admit—the importance of expert testimony, particularly as it relates to the potential for certain Canadians to effectively lose their right to vote. That's why one of the groups we would consider bringing in would be the London Homeless Coalition and the London Community Advocates Network. They represent a broad range of individuals and organizations concerned about poverty in London in Middlesex. They wrote—it's a letter—to us to express their desire that the committee.... I'll read it, "We are writing to express our desire that the Standing Committee on Procedure and House Affairs (PROC) hold cross-country hearings in order to adequately consult with Canadians on the impact of Bill C-23".

We will be asking experts like this to give testimony as to how it would impact on groups of Canadians they work with. But they also go out of their way—as experts in the field of governance and civil society and having the opportunity to say something—to ask this committee to hold hearings. This is not just an opposition idea. This is something that Canadians want.

The London Homeless Coalition have taken the time and the effort to write to us. They would be prepared to make submissions, I'm sure, and they're putting their reputation on the line calling for this committee to travel, to get outside the bubble. If I may, Chair, in finishing with this I would just note that it's signed by Mike Laliberte and Jacqueline Thompson, who are the co-chairs of the London Community Advocates Network, and Abe Oudshoorn, who is the chair of the London Homeless Coalition, who is also an assistant professor at the school of nursing. That's the kind of group, Chair, we would want to bring in when we make reference in our first bullet point to hearing from witnesses. I think it's interesting to note that in their expert opinion it was worth their mentioning that they think the committee should travel too. That's what it's coming down to, but I'll get to that part in a moment.

We know that Leadnow is a strong advocate for reform of our election laws. They were here. I will not repeat any of that. However, I do have the—I'm being handed the same thing but with grammatical changes just to make it... That's all that was. So I will not repeat the 54,000 signatures they had, the news conference they had, and everything I said about that, and they're running ads and everything. I won't mention any of that anymore.

But what I do want to mention is that they have issued a new statement dated March 4. This is a statement from Adam Shedletzky. You will remember Mr. Shedletzky was here. He chaired the news conference that Leadnow held just before we had one of our meetings. This is his statement on the necessity of a cross-country tour to give Canadians an adequate opportunity to learn about the bill. It includes statements from real Canadians. I'm going to read that in just one moment.

But I wanted to underscore the fact that with so many experts available to us we are not necessarily confined to Tuesdays and Thursdays in terms of when we meet. The committee is master of its own destiny and we could easily be meeting every day. Some committees have. I know Finance got into a couple of situations where I think they were meeting day and night for two weeks straight. Time is running and when we started we were in February and now we're in March. I get all of that. We still have ample time to do everything that's necessary if the committee really wants to do it.

● (1600)

That's the question. Is there the political will? There is in the minority opposition benches. We don't think so much in the government benches. That's why it's so important because my motion right now, as I do the math, I'm likely going to lose. I think there's a chance I could lose this motion. My friend from Winnipeg Centre has trouble believing that such a good motion wouldn't pass, but I have a hunch, notwithstanding the gain made with Mr. Lukiwski on our first point, I still sense a long way to go before I can get a majority vote. Ergo, I need to work harder at trying to convince my colleagues of the importance of my motion and its worthiness of their vote. I commit to try to do that, Chair, to help them see the light and understand why this motion should be passed.

So we're still on the first bullet point of me reviewing this again. Mr. Shedletzky, on behalf of Leadnow, has made this statement. I'd like to read it into the record. It relates to the second bullet point, the statement on the need for cross-country hearings:

Over 57,000 Canadians—including Preston Manning—are already calling for changes to the Fair Elections Act. Yet far too many Canadians are still unaware of this Act which makes it harder for Canadians to vote, removes the ability of Elections Canada to conduct important voter engagement efforts, and does not adequately address the core problem of mass voter fraud conducted by political operatives. According to an Angus Reid poll conducted online with 1,511 Canadians of voting age on Feb. 21, with a margin of error of plus or minus 2.5 percentage points, only 20% of Canadians are "very" or "fairly" familiar with this bill. On the other hand, 38% had never even heard of the bill, while 42% have heard of it but are not familiar with its contents.

If I might, Chair, that's exactly the way the government likes it, and that's why they want to ram it through, and that's why they don't want to leave the bubble because it will generate even more attention out there in the country, and they don't want that. This is exactly where they want to be.

Mr. Tom Lukiwski: Point of order, Chair....

The Chair: Continuing with the quote...

Mr. Lukiwski.

Mr. Tom Lukiwski: Yes, just to reinforce or perhaps underscore my point on repetition, I think "travelling outside the Ottawa bubble" has been repeated certainly ad nauseum, but I'm counting at least 30 or 40 times, so repetition, please.

● (1605)

The Chair: I don't disagree.

Mr. David Christopherson: Oh, wait a minute. You're going to slice this down smaller and smaller and smaller until we get to what, if I've used the word "the"? I can't say "the" again. What if Bill Clinton couldn't use the word "is"? Everything would have collapsed.

Some hon. members: Oh, oh!

Mr. David Christopherson: I mean, come on. There comes a point...I get the point, but an expression is not allowed anymore because they don't like it?

Mr. Tom Lukiwski: If I may, Mr. Chair, respond to that—

The Chair: I'd like to introduce the people who get to speak.

Mr. Tom Lukiwski: —his criticism of us "not travelling outside the bubble" is more than just a phrase, and more than just a word. It's a concept. It's a position he's taken which he's reinforced time and time and time and time again. It's repetition. All he's doing here, Mr. Chair, is quite obvious. He's filibustering. We appreciate that. He's doing a fairly good job of it, by the way. I know it's not an easy thing to do. But all he's trying to do, and we all understand that, is try to delay, delay, delay it and eventually he's trying to kill the bill, but he's not bringing anything new to the table.

Mr. Pat Martin: May I have the floor?

Mr. Tom Lukiwski: He's not bringing anything new to the table, Mr. Chair, and that's my point.

The Chair: Thank you. I don't disagree with the repetition pieces that you made, Mr. Lukiwski. However—

I'll recognize some others here. Go ahead.

Sorry, but I think Mr. Martin had his hand and mouth open before you.

Mr. Pat Martin: I just want to ask what the rules of the game are, then, Mr. Chairman? If the point of order has been made about repetition, then I think my colleague has a valid point. Just how fine is this line going to go?

For instance, this is the first time that I've heard him state categorically that the 41st federal election was decided by widespread electoral fraud, and that, to my mind, is something we should all be horrified by. Perhaps, in and of itself, it's justification for taking this—

The Chair: We'd love to get on points of order and carry on with the debate, but try to stick to what the point is. The point is repetition.

Mr. Pat Martin: Well, I'm going to ask you, then, where—

The Chair: I'm recognizing your colleague, Madame Latendresse.

[Translation]

Ms. Alexandrine Latendresse: Mr. Chair, I would like to say something about Mr. Lukiwski's point of order.

You said that you agree with Mr. Lukiwski's point of order. He spoke about the repetition of three or four words. I would like you to be very clear here. If it is determined that repeating three or four words in the same order is repetition, that will create a problematic precedent.

[English]

The Chair: Yes, I think I'll go along with the fact that repeating three words may not be it, but the gist of what Mr. Christopherson has said.... I'm not going to repeat all of the phrases of fear of being outside the bubble, that type of thing, but he has repeated it a fair bit, so I'm going to go along with that as being an element of repetition.

Mr. Christopherson, back to—what are we on—your motion.

Mr. David Christopherson: Getting better. Last time it was an impasse. I'm back to a motion, so I'm gaining ground, gaining ground. I've got the lead spokesperson on the government side supporting my first bullet point. I'm back to having a real motion and not being considered just an impasse. I'm making great gains here, great gains. Well worth keeping going.

Okay, speaking of keeping going, Chair, I know you want to run a tight ship, so I will continue with my quote and get on with it.

By the way, Chair, just for reference, this again is Mr. Adam Shedletzky. He's a co-founder of Leadnow and he has issued this public statement. I'm just in the process of reading it so I'll continue:

This is a completely unacceptable level of public awareness for a bill that is so fundamental to our democracy. A bill that changes the voting rules so that 120,000 Canadians would not be able to vote in 2015 the way they voted in 2011. A bill that does not give Elections Canada the most significant power they requested to address voter fraud—the power to compel testimony. A bill with a loophole that allows political parties to spend millions more during an election campaign. A bill that empowers the winner of the past election to appoint the

polling supervisor. A bill that restricts Elections Canada from conducting innovative experiments without securing prior approval, or communicating instances of possible voter fraud or the results of investigations, publicly.

Canadians are acting through Leadnow.ca to have their voice heard, since they are not able to engage directly with this Committee through a cross-country tour. They badly want to have further consultations, and to not rush this fundamental bill through Parliament without adequate study or debate across the country.

Here is what a few Canadians have to say about how this Act is being rapidly shepherded through Parliament. These are real people, leaving real comments on Leadnow's petition site: Sharon C. The more I read about this legislation, the more concerned I become. Beverley C. Do not rush us.

● (1610)

The Chair: Mr. Christopherson, I'm going to stop you there as I did the last time we were talking about the group you were talking about and suggest that, when we have them as witnesses, we certainly can get all of this evidence from them. I don't think anyone has suggested that we wouldn't have them as a witness when it was time. So please go back to speaking to your motion rather than potential evidence that's available to us.

Mr. David Christopherson: Okay, Chair. Thank you. I appreciate that.

I did think, though, when we started to talk about the bill a little bit, that I was half expecting to hear your voice, and fair enough. But these comments, the ones I'm reading.... I'm specifically reading ones that speak to process, which does speak to my motion and stays away from content.

The Chair: I understand that, but again it's from a group who has been in this room once, not able to speak in this room but was in this room once, and certainly when we get to the motion—sorry, when we get to the legislation—I'm certain they'll be invited by yourself or other parties to come and give their whole thoughts.

Mr. David Christopherson: No, I appreciate that, Chair.

Again, I am theoretically trying to convince colleagues to support my motion; therefore, I need to show why it's a good motion, but I take your point, Chair.

The Chair: More?

Mr. David Christopherson: No, I'm putting that one aside. I'm respecting what you said and I'm trying to stay relevant. I do hope that there isn't this continuing tightness of the rules where my rights to speak are different at hour five than they were at hour one, but I digress, and I don't want—

Mr. Pat Martin: Point of order.

The Chair: Mr. Martin, if it's not a speech, I'll hear a point of order.

Mr. Pat Martin: No, no, it isn't. I want a point of clarification in the way that you're conducting the order of this. I'm hoping to be on this speakers list and I'd like to perhaps speak after Mr. Lukiwski on this, so I need to know—

The Chair: There are a few others on the list, Mr. Martin.

Mr. Tom Lukiwski: You won't get there—

The Chair: There are about five or six there. We'll put your name at the bottom.

Mr. Pat Martin: Okay. I'll pack a lunch and I'll wait my turn.

The Chair: Yes, and maybe your pyjamas.

Mr. Pat Martin: Fair enough, but I just want to know.... You're saying that because David is reading from emails sent in by people who may belong to Leadnow.... Even though they're individual representations from individual Canadian voters, because they belong to that umbrella organization, you're not allowing that to be entered into the—

The Chair: No. I'm suggesting that the method in this committee has always been to, through a steering committee, pick who our witnesses will be, and we're certain that's the case, and the legislation calls for those people to come, and we'll hear that evidence.... I'm suggesting that now we're on a motion about the study, and the motion will be what Mr. Christopherson will speak to. And so—

Mr. Pat Martin: Okay, but if I could, just for clarification, because I'm going to run into the same problem if there's going to be a ruling.... If I intend to use, as justification for support for the motion, language sent in by email from a Canadian individual who happens to be a member of the Leadnow organization, you won't entertain that, you'll rule that out of order. What if that person is a member of another organization, like the carpenters' union?

The Chair: Thank you.

Mr. Pat Martin: Are you going to—

Mr. Tom Lukiwski: It's not a point of order.

Mr. Pat Martin: Well, it's a point of clarification.

Mr. Tom Lukiwski: It's not a point of order.

Mr. Pat Martin: It's a point of clarification that I'm—

The Chair: Thank you very much, Mr. Martin—

Mr. Tom Lukiwski: Do you understand the difference between a point of clarification and a point of order?

The Chair: I have ruled on this already, and I've already given this guidance to Mr. Christopherson, a day earlier or a couple of days earlier.

We'll carry on.

Mr. Christopherson on the motion, please.

Mr. David Christopherson: There's no rush. I'm not going far.

Thank you, Chair.

As I said, I listened to what you said, and you were good enough to allow me to read the parts of it that I did, but you said that I had reached the limit on that one. You saw me take it and put it aside. I'm done that one.

But I would like to pursue the notion of—

The Chair: Did you say “motion”?

Voices: Oh, oh!

Mr. David Christopherson: The notion—

•(1615)

The Chair: Oh. Okay.

Mr. David Christopherson: The notion of allowing some latitude to allow Canadians to speak, especially since the motion is meant to countervail the government's deliberate attempt to prevent Canadians from speaking, and not only is it relevant, it's practically live, given how long ago these came in. I'm just going to make sure that I'm talking about this thing.... Here we go.

Emma Pullman.... I'm assuming these are public? Okay. I should have asked that before I said the name.

From Emma Pullman, this came in 19 minutes ago:

All Canadians deserve a voice in these hearings about how the Elections Act changes will affect them and their most basic right to vote. Having hearings across the country is reasonable and will make sure that groups without travel budgets and with limited resources can have their voices heard!

An hon. member: Well put.

Mr. David Christopherson: That's what I thought.

I just want to make sure I'm reading the ones about....

The Chair: You're not going to read the whole stack...?

Mr. David Christopherson: No, I'm not. I'm making sure that I'm reading things that don't upset you, sir. It's not easy.

The Chair: That's a moving target.

Voices: Oh, oh!

Mr. David Christopherson: It's not easy.

Matthew Carroll said:

The radical changes being promoted by the bill to strip Elections Canada's right to even promote voting are absolutely outrageous. ...It's simply unacceptable in a democracy for the current government to be trying to stack the deck like this. Canadians have a right to be consulted, and this bill should be put on hold until hearings have been held all across Canada.

An hon. member: A right.

Mr. David Christopherson: A right....

Here's a nice complimentary one about me, but I won't read that. That's too self-serving.

The Chair: Anything good about the chair in there?

Mr. David Christopherson: I could give you something. I still have the floor, so you and I are still good.

Voices: Oh, oh!

Mr. David Christopherson: I do want to stay relevant, so I'm going to set that aside for now. I thank you kindly.

I'm going to mix it up a little because this is.... I think people are getting a little tired of some of that stuff.

Some of it was getting repetitive, wasn't it, Chair? Yes?

The Chair: Yes.

Mr. David Christopherson: Yes. I hear your point.

I've given examples of other committees here in our House of Commons that are exercising their right to travel and allow Canadians to be heard. I mentioned Bill C-15 in the Northwest Territories. But what is also interesting, Chair, and I think relevant to consider with regard to having these kinds of witnesses and having the kind of travel that we're doing is this: what have some other democracies done, in a brief, brief description.

Is what's being suggested here the norm for mature democracies or not? Interestingly, New Zealand has amended several of their election laws over the last few years. For their electoral amendment bill they went around the country. In fact— isn't this interesting— they actually asked their national electoral commission to lead discussions around changes to an election law. What a concept.

A voice: What a great idea.

Mr. David Christopherson: What a concept, that an arm's-length group, there solely to run elections, would lead the discussion for changes to Canada's election laws. It's a pretty novel idea. What a great democracy New Zealand is. Boy, New Zealand has good democracy.

At any rate, their electoral commission undertook the first stage of the public consultation. They had stages of consultations, I say to my colleagues on the committee, not just one stage; they had stages of consultations. The commission received more than 4,600 submissions. They held public hearings in Auckland, Christchurch, Hamilton—you've got to love that one—and Wellington to hear from those people who wanted to present their submissions in person. That's four different places, and....

What's the population of New Zealand?

Mr. Craig Scott: Three million.

Mr. David Christopherson: Thank you.

Three million, four cities. We have 35 million. We're going to none.

It seems to me that in New Zealand they've got a better idea of what real democracy is, rather than the rhetorical speeches of the Government in Canada. They went to those places to hear from those people who wanted to present their submissions in person. Did they have an armed revolution to get that much democracy? No. It just evolved. It's just goodwill. Goodwill. We've got to get some of that.

Drawing on the information material presented in the submissions and the advice received, the commission developed a number of proposals.

Let's get this straight. The Government of New Zealand, like Canada, was looking at amending its election laws. We have a government that brought in a bill that did not consult with anybody, including Elections Canada. I still can't believe I say that statement and it's true. It just blows me away that the government wouldn't have covered that off some way, and leave it so blatant, but they did.

So they had their commission do the first report. Then they released a proposal paper. That's not that far from what we did, Chair, if you recall. I need to make this point, but somebody took that book. There it is. I knew it was handy. I'm looking forward to that paperless day too, Mr. Chair. They released a proposal paper on August 13, 2012, and then they invited the public to again comment on the proposal.

We had it a bit like that back when we were in minority, before we were living under this circumstance, this regime, and they brought forward proposals and we met as a committee and dealt with them. In New Zealand they actually are the lead on the whole process. They came out with these proposals, after consultation released a proposal paper. Then guess what they did? You won't believe the insanity of what they did then. You won't believe it. More consultation. Where does it end there? It never ends. They asked for more input after they already asked for input the first time around. Remember, we're not even at the bill yet. This is just the consultation process. Talk about respecting your own citizens. Talk about respecting democracy. Talk about actually caring about whether we have a bill that we can be proud of or whether we pretend we're some kind of third-rate banana republic. That's impressive. That's very impressive. It's also new, I should mention.

I wonder what they do in some of the other G-7 countries in terms of electoral.... It would be interesting to know what they do in other countries for the electoral process.

Moving on. Moving, moving, moving. We've got so much more to go here. It's worth at least mentioning, because my leader has mentioned this, that the Senate travelled 25 times. Committees travelled 25 times.

• (1620)

Ms. Alexandrine Latendresse: I move to adjourn the meeting. That's it.

The Chair: And I'll sit back down and call the meeting back to order.

Mr. David Christopherson: We could do this for quite a while, unless somebody wants to bring him a bottle.

The Chair: We've got five minutes. Great. I can go to the bathroom.

Mr. David Christopherson: Have we got five minutes? Are we adjourned?

The Chair: We have to do an official notice. We'll be right back.

Mr. David Christopherson: I'm sorry, clerk, where are we right now? Chair? Somebody tell me.

The Chair: We are adjourned.

Mr. David Christopherson: Adjourned or suspended? We are adjourned. Thank you.

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