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Standing Committee on Natural Resources

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Wednesday, October 14, 2020

Chair: Mr. James Maloney



Standing Committee on Natural Resources

Wednesday, October 14, 2020

• (1535)

[*English*]

The Clerk of the Committee (Mr. Marc-Olivier Girard): Honourable members of the committee, I see a quorum.

I must inform you that the clerk of the committee can only receive motions for the election of the chair. The clerk cannot receive at this point other types of motions, cannot entertain points of order nor participate in the debate.

The first item of business is to proceed with the election of the chair. Therefore, pursuant to the Standing Orders, the chair must be a member of the governing party.

I'm now ready to receive motions for the chair.

Mr. Bryan May (Cambridge, Lib.): Mr. Clerk, it would be my honour to nominate James Maloney for the chair.

[*Translation*]

The Clerk: It has been moved by Mr. May that Mr. Maloney be elected as chair of the committee.

Are there any further motions?

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

(Motion agreed to)

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

Congratulations, Mr. Maloney.

[*English*]

Before you take your chair, Mr. Chair, and make your welcoming speech, if the committee is willing, I will proceed with the election of both vice-chairs, the first and second vice-chairs. Is that all right with everyone? Yes.

The first vice-chair, as you know, pursuant to the Standing Orders, must belong to the official opposition. I'm now ready to receive motions to that effect.

Do we have any nominations for the position of first vice-chair?

Mr. Jeremy Patzer (Cypress Hills—Grasslands, CPC): Mr. Clerk, I will nominate Greg McLean to be the first vice-chair.

[*Translation*]

The Clerk: It has been moved by Mr. Patzer that Mr. McLean be elected as first vice-chair.

Are there any further motions?

Mr. Paul Lefebvre (Sudbury, Lib.): Yes.

Mr. Clerk, I nominate Mr. Mario Simard as vice-chair also.

The Clerk: You are giving advance notice of the nomination.

Mr. Simard will be eligible for the position of second vice-chair. For the moment, we are electing the first vice-chair.

Mr. Paul Lefebvre: That's fine.

The Clerk: Are there any further motions for the position of first vice-chair?

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

(Motion agreed to)

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

Congratulations, Mr. McLean.

Mr. Greg McLean (Calgary Centre, CPC): Thank you very much.

[*English*]

The Clerk: We'll now switch back to English. The last position to fill is the second vice-chair.

As you know, pursuant to the Standing Orders of the House of Commons, the second vice-chair must belong to an opposition party other than the official opposition.

Do we have any nominations for this position, please?

[*Translation*]

Mr. Paul Lefebvre: Mr. Clerk, as I said earlier, I nominate Mr. Simard as second vice-chair.

The Clerk: It is moved by Mr. Lefebvre that Mr. Simard be elected second vice-chair.

Are there any further motions?

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

(Motion agreed to)

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

Once again, congratulations, everyone.

I will ask Mr. Maloney to take the floor for the rest of the meeting.

Thank you.

[*English*]

The Chair (Mr. James Maloney (Etobicoke—Lakeshore, Lib.)): Thank you to our clerk. Thank you, Mr. May, for nominating me, and thank you to all of you for the honour of allowing me to serve as chair of this committee.

I've done it in the past so I have some experience to bring to the table. Having said that, we're in a unique situation. I'm used to sitting around a table, looking at all of you as opposed to looking at all of you on the screen. Although we have all sat on different committees in this fashion over the last several months, it's still a bit of unfamiliar territory. It's certainly unfamiliar territory for me, sitting as chair.

I also want to congratulate Mr. McLean and Mr. Simard. Should I falter, you're both there to catch me and I'm grateful for that. Thank you for taking on that role.

This committee, over the last several years, has a reputation for working incredibly well together across party lines. I was going to say "cautiously", but I am completely optimistic that we're going to be able to continue to do that. I know all the members on the committee, so I can say that with confidence.

I thank you and I look forward to the future, in whatever form it may take.

Bear with me as we move along through this electronic process.

There are a couple of things. Things move a little slower on Zoom than they do in person. For example, when there is a motion or if you want to speak, you can raise your hand using the participants' button. There is a feature there to raise or lower your hand. That will keep a running list of whoever wants to speak. I will keep an eye on that, as will our clerk.

I also want to thank our clerk and our analysts, whom I've worked with in the past, for all they are going to do for us.

On that note, we need to establish our agenda. I know we need to deal with some routine motions.

I believe, Mr. Sidhu, you are going to start that process.

Mr. Maninder Sidhu (Brampton East, Lib.): Thank you, Mr. Chair.

Congratulations to the new chair and the vice-chairs.

I want to read out some routine motions.

On analyst services, I move:

That the committee retain, as needed and at the discretion of the Chair, the services of one or more analysts from the Library of Parliament to assist it in its work.

Do we do them one by one?

The Chair: I think we need to do them one by one.

All in favour of that motion—

• (1540)

The Clerk: Mr. Chair, I'm sorry to interrupt here.

Pursuant to the order passed by the House governing the deliberations of this committee for the fall, it is either that you have unanimous consent when you put a question or it could be agreed to on division, or if there is some dissent then we need unfortunately to go to a recorded vote.

The Chair: Okay, there was no dissent on that one.

(Motion agreed to)

Mr. Maninder Sidhu: The next routine motion is on the subcommittee on agenda and procedure. I move:

That the Subcommittee on Agenda and Procedure be established and be composed of five (5) members, namely the Chair and one member from each recognized party; and that the subcommittee work in a spirit of collaboration.

(Motion agreed to)

Mr. Maninder Sidhu: On meeting without a quorum, I move:

That the chair be authorized to hold meetings to receive evidence and to have that evidence printed when a quorum is not present, provided that at least four members are present, including one member of the opposition and one member of the government, but when travelling outside the parliamentary precinct, that the meeting begin after fifteen minutes, regardless of members present.

Mr. Richard Cannings (South Okanagan—West Kootenay, NDP): Mr. Chair, I think I sent in an amendment to that. It's very similar, but it just says, "that at least four members are present, including two members of the opposition and two members of the government".

The Chair: Okay, I'm not sure I saw that, Mr. Cannings, but we can deal with that here.

Do you want to read the motion with your amendment as written, Richard?

Mr. Richard Cannings: It is exactly the same words, but it says, "provided that at least four members are present, including two members of the opposition and two members of the government, but when travelling outside the parliamentary precinct, that the meeting begin after fifteen minutes, regardless of members present."

The Chair: Does anybody object to that?

(Amendment agreed to)

(Motion as amended agreed to)

Mr. Maninder Sidhu: We're on to time for opening remarks and questioning of witnesses. I move:

That witnesses be given 10 minutes to make their opening statement; and that, at the discretion of the chair, during the questioning of witnesses in the first round there be allocated six minutes for the first questioner of each party as follows: Conservative Party, Liberal Party, Bloc Québécois, New Democratic Party; that for the second and subsequent rounds the order and time for questioning be as follows: Conservative Party, five minutes, Liberal Party, five minutes, Conservative Party, five minutes, Liberal Party, five minutes, Bloc Québécois, two and a half minutes, New Democratic Party, two and a half minutes.

Mr. Richard Cannings: Again, I sent in an amendment to that. Usually when we proceed in this manner, the Bloc Québécois and the NDP never get to their two and a half minutes. It's just to add a bit of fairness to the procedure. My amendment is the same amendment that was passed at PROC, agriculture and other committees, so it has that precedent. If the mother of all committees, PROC, thinks it is okay, I'm hoping that you will find it okay.

After "subsequent rounds"—so this is the second round—it would continue, "the order and time for questioning be as follows: Conservative Party, five minutes, Liberal Party, five minutes, Bloc Québécois, two and a half minutes, New Democratic Party, two and a half minutes, Conservative Party, five minutes, Liberal Party, five minutes."

It just moves those Bloc Québécois and NDP slots up after the first Conservative and Liberal rounds. I hope that is okay.

Mr. Bryan May: Mr. Chair, we would agree with that amendment. The only stipulation would be that we would shorten the witness time. Traditionally, they would have 10 minutes to provide an opening statement. If we could shorten that to five minutes, that would then make what Mr. Cannings is proposing doable in terms of getting to those questions.

• (1545)

The Chair: Okay, Mr. Simard is next. Then it's Mr. Cannings and Mr. McLean.

Do you guys mind using the function on the screen? It is easier for me to keep track.

Mr. Simard, go ahead.

[Translation]

Mr. Mario Simard (Jonquière, BQ): I would support Mr. Cannings' motion for the simple reason that there have been times at committee meetings when we have not been able to ask questions of witnesses during the last rounds. I won't hide from you that I am a little more reluctant to reduce the amount of time allowed for witnesses to make their presentations. It would be rather difficult to discuss a presentation that would have lasted only five minutes. I fully agree with Mr. Cannings' motion, which I think is fairer.

[English]

The Chair: Okay, Richard, you had your hand up. Then we'll go to Mr. McLean.

Mr. Richard Cannings: I was just going to say what Monsieur Simard said. I think that when we call witnesses, especially under normal times when they travel to Ottawa, it behooves us to give them at least 10 minutes to present their testimony. Ten minutes is a short enough time. To cut it down to five minutes for witnesses who may have quite a detailed presentation.... Also, if we cut it down to five minutes, it makes the moving up of our timeslots.... Maybe we wouldn't need to do that.

I would rather keep it at 10 minutes and move our little two and a half minute slots up so that we get a chance to get a short snapper in before the rest of the round continues. I would appreciate just keeping it at 10 minutes and moving the Bloc and NDP up.

Mr. Greg McLean (Calgary Centre, CPC): We understood that this had already been agreed to at PROC, as far as the changing of

10 minutes to five minutes goes, and then allowing the exact change we talked about, with the two and a half minutes coming in the second round of questioning in advance of where it had previously been for the other two opposition parties.

That, I understand, was a gentlemen's agreement between the other parties at PROC. I think here we're supposed to just verify that. We can obviously do something different, but I thought it had already been agreed to as a gentlemen's agreement between all the parties, that this was a new way going forward.

In addition, they were talking about asking for 72 hours' notice from the witnesses. If they could provide something written where possible, the five minutes could be better spent just quickly presenting their position, which we should have examined a little ahead of time.

Mr. Bryan May: Mr. McLean basically mentioned what I was going to touch on. In the veterans affairs committee, we've approved this change as well.

Let's be frank. We are looking at dropping the Liberal slot down the list. If you do the math, Mr. Cannings, if you have two witnesses each with 10 minutes, we'll never get to that Liberal question. Therefore, the only way I would support it is if we—of course, at the discretion of the chair—reduce the time from 10 minutes down to five.

Mr. Richard Cannings: Thank you for that.

I know the feeling regarding not getting to the question, and that's why we're proposing this. I know that PROC changed the witness time to five minutes. Other committees have changed it to seven and a half as a bit of a compromise. I'd be happy with that.

If push came to shove, I would rather move our time slot up and have five minutes instead of not having it. I think, though, that some recognition that witnesses should have a proper amount of time is important, so I would propose a compromise of seven and a half minutes, as has happened in other committees, if that might be okay with people.

• (1550)

The Chair: Thank you, Mr. Cannings.

Richard, you and I have been doing this for five years now. You know I'm pretty accommodating. Ten minutes sometimes means 12 minutes, and five minutes could mean seven minutes. I try to balance things out so that nobody is shortchanged or feels shortchanged. Maybe keep that in mind during this discussion.

Mr. Lefebvre.

Mr. Paul Lefebvre: On the same point Mr. McLean and Mr. May have made, maybe just go back to the opening comments made by Mr. Cannings, if PROC is the mother of all committees, basically we should be following what they're doing and not be amending at this point. Not only, as Brian mentioned, would it certainly affect our position, it would also affect the Conservatives' in that they would have less time. That's not what the agreement was in the first place.

I agree, having done committees since 2016, that certainly when the witnesses read from a paper that we could have received in advance, I think we could be more productive as a committee. We should be going right into the questions and trying to get as much evidence, support and whatnot as we can from these witnesses, obviously, for the reports we are preparing for the government.

That's why I think it's more productive for everybody. I agree that the opposition, the NDP and the Bloc would have a bit more time, and at the same time we'd just be more effective. I believe that a compromise has been reached on most of the committees, and I think I'll be supporting what is being proposed by Mr. McLean and Mr. May as well.

The Chair: Peter, you had your hand up, and now it's down.

Mr. Peter Fonseca (Mississauga East—Cooksville, Lib.): Yes, Mr. Chair.

I'm not a member of this committee but am subbing today. Based on the discussion I just heard, I would think that with the five minutes—and at your discretion, as you've said—if you have a witness who is compelling or who needs an extra 30 seconds or a minute, I am sure you would give them that flexibility to be able to finish their comments.

The Chair: I don't see anybody else with their hand up.

If I'm reading the screen properly, I think what we're doing now is voting on the motion proposed by Mr. Sidhu and amended by Mr. Cannings and Mr. May.

Is that a fair summary of where we are? Does anybody object to that? In other words, the time allocation will be five minutes for opening remarks and the order will be changed, as Mr. Cannings has proposed.

The Clerk: If I may, Mr. Chair, I also have the addition by Mr. McLean requesting that the witnesses provide their speaking notes 72 hours in advance, if possible.

The Chair: I don't have any problem with that, as long as it's "if possible". Sometimes there are last-minute changes because of cancellations or whatnot, and I don't want to be bound by a strict interpretation that prevents us from having a meeting.

I see Mr. McLean is nodding that he's okay with that.

Does anybody object to that addition?

(Amendment agreed to [See Minutes of Proceedings])

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

The Chair: It's unanimous. Thank you very much.

Moving right along, Mr. Weiler, you were going to take over from here, if I'm not mistaken.

Mr. Patrick Weiler (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.): I think that Maninder has a few more motions. I'll continue on in French from there.

The Chair: All right.

Mr. Maninder Sidhu: On document distribution, I move:

That the clerk of the committee be authorized to distribute documents to members of the committee and only when the documents are available in both official languages, and that witnesses be advised accordingly.

(Motion agreed to)

The Chair: Thank you.

Mr. Maninder Sidhu: Next is working meals. I don't know how many meals we're going to have.

I move:

That the clerk of the committee be authorized to make the necessary arrangements to provide working meals for the committee and its subcommittees.

The Chair: Does that include delivery?

An hon. member: Oh, oh!

(Motion agreed to)

Mr. Maninder Sidhu: Go ahead, Patrick.

• (1555)

[Translation]

Mr. Patrick Weiler: I'm going to continue in French.

The next motion concerns the travel, accommodation and living expenses of witnesses.

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

(Motion agreed to)

Mr. Patrick Weiler: The next motion is about access to in camera meetings.

That, unless otherwise ordered, each committee member be allowed to be accompanied by one staff person at an in camera meetings and that each party be allowed one additional staff person at such meetings.

(Motion agreed to)

[English]

The Chair: Thank you.

Mr. Richard Cannings: James, I don't know whether this would fit, but I was trying to raise my hand.

The Chair: Sorry, I couldn't see that.

Mr. Richard Cannings: I have another.... I don't know if this is an amendment to that. This is about in camera meetings. We discussed this back in February. I want to bring it forward again. It is in regard to in camera meetings. There should be a clause added that reads as follows:

Any motion to go in camera shall be debatable and amendable, and that the committee may only meet in camera for the following purposes: to discuss administrative matters of the committee, to discuss a draft report, or for briefings concerning national security matters and furthermore, minutes of in camera meetings should reflect the results of all votes taken by the committee while in camera, including how each member voted when a recorded vote is requested.

The Chair: Richard, remind me of where we landed on this last time.

Mr. Richard Cannings: It's completely blank in my mind as to where we landed. I remember bringing it up. We had quite an involved discussion.

The Chair: It came up two or three times.

Mr. Richard Cannings: At any rate, I'm just putting that out there.

The Chair: Okay. Thanks.

Mr. May.

Mr. Bryan May: I'm wondering if maybe the clerk can weigh in on whether or not that motion's in order. We had a similar question in our committee.

The piece I'm concerned about is the very first thing you said, about the motion to go in camera being debatable. If I'm not mistaken—I'm not the expert on this, by far—I don't believe it is within the rules to change that.

Through you, Mr. Chair, I'm wondering if the clerk could respond.

The Clerk: Thank you very much for the question.

I'm sorry to be giving a mixed message, but to answer your question directly, Mr. May, it is indeed against the regular practice and also the Standing Orders. Such motions usually, at the House of Commons level and also in the committees universe, are decided without any debate or amendment.

Mr. Bryan May: That's what I thought.

The Clerk: That being said, we need to be fair. Some committees have passed this type of motion with the special provision of that motion being debatable and amendable. Obviously, Speaker Rota won't necessarily come and tell you that it's wrong. On the other hand, if point-blank your question is whether it is contrary to the Standing Orders, the answer is yes.

This is, unfortunately, the mixed message I have to offer here.

• (1600)

The Chair: Okay. Thank you.

Does anybody else have a comment on this?

Mr. Bob Zimmer (Prince George—Peace River—Northern Rockies, CPC): Normally, committees are the masters of their own destiny. This is where certain amendments or changes could be made by the committee in certain cases.

I think, Bryan, what it reflects is that instead of having a majority party on committee, now the majority really is made up of other parties. It denotes that influence now, you could say.

It's up to each specific committee to make that decision, even though it's not part of the Standing Orders. I would say that the Standing Orders typically reflect a majority situation, so maybe that's why this is coming into play. I still think it's up to the committee to decide what it wants to do in this case.

Mr. Bryan May: Yes, I understand that. I'm the first to say that committees are their own masters of the way they move forward. I would just point out, Bob, that it swings both ways. If somebody moves a motion to go in camera, it's not just the government. It could be a member of the opposition as well.

As I said, the Standing Orders are clear. What's not clear is that.... Out of order motions have been accepted by committees. Yes, they have maybe made a precedent here, but I do want to point out that we'd be moving a motion that's not in order.

Mr. Richard Cannings: Can I just say something to that?

I don't know the Standing Orders off by heart. I'm told by my staff that this isn't explicitly forbidden in the Standing Orders. However, I'm willing to just leave that here for now. I don't know if we can revisit it later. I don't want to tie up any more time.

The Chair: That's what I was going to suggest, Richard, that maybe we can just table this for now and revisit it.

Mr. Richard Cannings: I think that's how it was left, actually, after the first meeting this spring.

The Chair: It was, yes, at least one meeting.

Let's do that, then, and deal with it at the next meeting, whenever that may be.

(Motion allowed to stand)

The Chair: Mr. Weiler, you still have the floor.

[*Translation*]

Mr. Patrick Weiler: Yes, I'll read the next motion. It concerns the transcripts of in camera meetings and reads as follows:

That one copy of the transcript of each in camera meeting be kept in the committee clerk's office for consultation by members of the committee or by their staff.

(Motion agreed to)

Mr. Patrick Weiler: The next motion is about notices of motion and reads as follows:

That 48 hours' notice be required for any substantive motion to be considered by the committee, unless the substantive motion relates directly to business then under consideration, provided that (a) the notice be filed with the clerk of the committee no later than 4:00 p.m. from Monday to Friday; that (b) the motion be distributed to Members in both official languages by the clerk on the same day the said notice was transmitted if it was received no later than the deadline hour; and, that (c) notices received after the deadline hour or on non-business days be deemed to have been received during the next business day and that when the committee is travelling on official business, no substantive motions may be moved.

(Motion agreed to)

• (1605)

Mr. Patrick Weiler: The last motion, which concerns orders of reference from the House respecting bills, reads as follows:

That, in relation to orders of reference from the House respecting bills,

(a) the clerk of the committee shall, upon the committee receiving such an order of reference, write to each Member who is not a member of a caucus represented on the committee to invite those Members to file with the clerk of the committee, in both official languages, any amendments to the Bill, which is the subject of the said order, which they would suggest that the committee consider;

(b) suggested amendments filed, pursuant to paragraph (a), at least 48 hours prior to the start of clause-by-clause consideration of the Bill to which the amendments relate shall be deemed to be proposed during the said consideration, provided that the Committee may, by motion, vary this deadline in respect of a given Bill; and

(c) during the clause-by-clause consideration of a Bill, the Chair shall allow a Member who filed suggested amendments, pursuant to paragraph (a), an opportunity to make brief representations in support of them.

[*English*]

The Chair: Mr. May, please go ahead.

Mr. Bryan May: I'm sorry to interrupt this. I'm getting text messages from different staff. As you all know, staff are listening via telephone. I want to let the technical folks know that they're having a really hard time. Apparently, with the English phone number, they're getting the French translator, and I believe vice versa, as well. I wonder if somebody could take a look at that, because the staff are trying to listen in, in real time, and are having a hard time understanding.

The Clerk: Mr. Chair, I sent you a text message about that. We have been told by our technical team that we will need to suspend to restart these phone lines properly. Maybe you can quickly finish with all the routine motions, and suspend after that as a natural gap before proceeding with further deliberations.

The Chair: Let's vote on the last routine motion, and then we'll do that.

(Motion agreed to)

The Chair: Let's suspend until I get word from our clerk that we can resume without any difficulty.

• (1605) _____ (Pause) _____

• (1615)

The Chair: What we have left to deal with is to decide what studies we're going to do going forward. There have been a number

of motions submitted by all parties. What I proposed, and I believe everybody is in agreement, is that our subcommittee will meet before our next meeting, review all of these motions and agree on a format and a path forward. Then we'll bring that back to this group and we can discuss and vote on whatever we need to vote on. Is everybody in agreement with that?

Perfect. That being the case, there's no other business. I believe we can move to adjournment then.

I want to thank everybody. All of our meetings are going to go this smoothly; this is perfect. Bob's going to be in his car in a very relaxing place, and it's going to keep him preoccupied and we're all going to be.... We're all in our happy places in our homes and various places. Maybe that has something to do with the mood.

Mr. Greg McLean: Pardon me, Mr. Chair.

I understand it's customary at this point in time, having received the estimates, for us to submit an invitation, or at least a motion to invite the minister to appear before the committee in his schedule. Would that be appropriate at this point in time, please?

The Chair: I'll do you one better. You don't need a motion. I will undertake to invite the minister to come to the committee to deal with the estimates, and I'll get a date from him at his earliest convenience.

Unless there's anything else, I believe we are done for the day.

Thank you. We'll see you at our next meeting. I'll be in touch with people about the subcommittee meeting time.

This meeting is adjourned.

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