HOUSE OF COMMONS CHAMBRE DES COMMUNES CANADA

# Standing Committee on Transport, Infrastructure and Communities 

EVIDENCE

NUMBER 001

Thursday, December 16, 2021

# Standing Committee on Transport, Infrastructure and Communities 

## Thursday, December 16, 2021

- (1620)


## [English]

The Clerk of the Committee (Mr. Michael MacPherson): Honourable members of the committee, I see a quorum.

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

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

Ms. Annie Koutrakis (Vimy, Lib.): Mr. Clerk, I would like to nominate Peter Schiefke for chair.

## [Translation]

The Clerk: It has been moved by Ms. Koutrakis that Peter Schiefke be elected as chair of the committee.

Are there any further motions?
[English]
Mr. Angelo Iacono (Alfred-Pellan, Lib.): Mr. Clerk, I'm wondering, did you see my hand up? It was up before Mrs. Koutrakis's hand went up.

The Clerk: No, I'm sorry. I didn't. Whoever jumped on their mike first got my attention.

Mr. Angelo Iacono: I raised my hand to be polite and was waiting for you to let me speak, because I was going to do exactly what Mrs. Koutrakis did.

The Clerk: Okay. I do apologize.
Ms. Annie Koutrakis: Mr. Clerk, my apologies to my esteemed colleague.

I did not realize that. I didn't see him in the room and there was a pause, and I thought I would help. I don't have a problem with Mr. Iacono being the one nominating Mr. Schiefke.

The Clerk: Well, the issue is that I cannot receive any other type of motion or entertain points of order, so here we are.

We have a motion on the floor from Ms. Koutrakis that Mr. Peter Schiefke be elected as chair of the committee.

Are there any other motions? Seeing none, pursuant to the House order of Thursday, November 25, 2021, I will now proceed to a recorded division unless there is consent to adopt the motion.

Seeing consent, I declare the motion carried and Mr. Schiefke duly elected chair of the committee.
(Motion agreed to)
Some hon. members: Hear, hear!

- (1625)
[Translation]
The Chair (Mr. Peter Schiefke (Vaudreuil-Soulanges, Lib.)): Honourable members, thank you for placing your confidence in me. I am pleased to serve as your committee chair.

Before we get started, I'd like to take a moment to thank the honourable member Vance Badawey for the outstanding job he did chairing this committee during the 43rd Parliament. I would also like to extend my sincere thanks to the five returning members of the committee for their outstanding work during the 42 nd and 43rd parliaments. Well done.

## [English]

Colleagues, before we move on to some housekeeping notes that I have to read, if you're in agreement, I'd like to ask the clerk to proceed with the election of the vice-chairs. Do I have agreement?

Some hon. members: Agreed.

## [Translation]

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

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

## [English]

Ms. Marilyn Gladu (Sarnia-Lambton, CPC): I'd like to nominate Melissa Lantsman as the vice-chair.

The Clerk: It has been moved by MP Marilyn Gladu that Melissa Lantsman be elected as first vice-chair of the committee.

Are there any further motions? Seeing none, pursuant to the House order of Thursday, November 25, 2021, I will now proceed to a recorded division unless there is consent to adopt the motion.

Seeing consent, I declare the motion carried and Melissa Lantsman duly elected as first vice-chair of the committee.

## (Motion agreed to)

Some hon. members: Hear, hear!

## [Translation]

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

I am now prepared to receive motions for the election of the second vice-chair.

## [English]

Mr. Taylor Bachrach (Skeena-Bulkley Valley, NDP): Mr. Clerk, I'd like to nominate Mr. Barsalou-Duval to be the second vice-chair of the committee.

## [Translation]

The Clerk: It has been moved by Mr. Bachrach that Mr. Barsa-lou-Duval be elected as second vice-chair of the committee.

Are there any further motions?
Pursuant to the House Order of Thursday, November 25, 2021, I will now proceed to a recorded division, unless I have the unanimous consent of the committee.
(Motion agreed to)
The Clerk: I declare the motion carried and Mr. Barsalou-Duval duly elected second vice-chair of the committee.

The Chair: Thank you very much, Mr. Clerk.
Honourable members, welcome to the first meeting of the House of Commons Standing Committee on Transport, Infrastructure and Communities.

Today's meeting is taking place in a hybrid format, pursuant to the House Order of November 25, 2021. Members are attending in person in the room and remotely using the Zoom application.

Regarding the speaking list, the committee clerk and I will do the best we can to maintain a consolidated order of speaking for all members, whether participating virtually or in person.

I would like to take this opportunity to remind all participants to this meeting that screenshots or taking photos of your screen is not permitted.

The proceedings will be made available via the House of Commons website.

## [English]

Given the ongoing pandemic and in light of the recommendations from public health authorities as well as the directive of the Board of Internal Economy on October 19, 2021, to remain healthy and safe, the following is recommended for all those attending the meeting in person.

Anyone with symptoms should participate by Zoom and not attend the meeting in person.

Everyone must maintain a two-metre physical distance, whether seated or standing.

Everyone must wear a non-medical mask when circulating in the room. It is recommended in the strongest possible terms that members wear their masks at all times, including when seated. Nonmedical masks, which provide better clarity over cloth masks, are available in the room.

Everyone present must maintain proper hand hygiene by using the hand sanitizer at the room entrance. Committee rooms are cleaned before and after each meeting. To maintain this, everyone is encouraged to clean surfaces such as the desk, chair, and microphone with the provided disinfectant wipes when vacating or taking a seat.

As the chair, I will be enforcing these measures for the duration of the meeting, and I thank members in advance for their co-operation.

I would now suggest as the next order of business that the committee now proceed to considering our routine motions.

Go ahead, Ms. Koutrakis.

- (1630)

Ms. Annie Koutrakis: Thank you, Mr. Chair. Congratulations on your election. I truly look forward to working with you and all our colleagues on this very important committee.

In the interest of time, I was wondering if we could go ahead and adopt the routine motions as circulated by the clerk to all the members before this meeting, rather than go one by one.

The Chair: Colleagues, do we have unanimous consent to adopt them in one bulk?

Ms. Melissa Lantsman (Thornhill, CPC): Mr. Chair, can we go one by one, please?

The Chair: We do not have unanimous consent. We can definitely go one by one.

Ms. Koutrakis, would you be kind enough to go through them one by one, please?

## [Translation]

Ms. Annie Koutrakis: Further to the motion entitled Analyst Services, I move the following:

That the committee retain, as needed and at the discretion of the Chair, the services of one or more-

## [English]

Sorry, this is just a point of clarification before I continue. Is there appetite amongst the committee members for me to go through all the clauses and we take the vote at the end, or do we want to do a vote after each item I read out?

Ms. Melissa Lantsman: At the end is good.
The Chair: Ms. Koutrakis, please read them all out. We'll vote at the end.
[Translation]
Ms. Annie Koutrakis: Very good. I therefore move the following:

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.

## [English]

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

## [Translation]

That the Chair be authorized to hold meetings to receive evidence and to have that evidence published when a quorum is not present, provided that at least four members are present, including two members of the opposition parties and two members of the government party, but when travelling outside the Parliamentary Precinct, that the meeting begin after 15 minutes, regardless of members present.

## [English]

That witnesses be given five minutes for their opening statement; that whenever possible, witnesses provide the committee with their opening statement 72 hours in advance; that at the discretion of the Chair, during the questioning of witnesses, there be allocated six minutes for the first questioner of each party as follows for the first round:

Conservative Party
Liberal Party
Bloc Québécois
New Democratic Party
For the second and subsequent rounds, 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.

## [Translation]

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

## [English]

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

## [Translation]

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

- (1635)


## [English]

That, unless otherwise ordered, each committee member be allowed to be accompanied by one staff member at in camera meetings and that one additional person from each House officer's office be allowed to be present.

## [Translation]

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; and that the analysts assigned to the committee also have access to the in camera transcripts.

## [English]

That a 48-hour notice, interpreted as two nights, be required for any substantive motion to be moved in 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; (b) the motion be distributed to Members and the offices of the whips of each recognized party 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; (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 holding meetings outside the Parliamentary Precinct, no substantive motion may be moved.

## [Translation]

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]

That the clerk inform each witness who is to appear before the committee that the House administration support team must conduct technical tests to check the connectivity and the equipment used to ensure the best possible sound quality; and that the Chair advise the committee, at the start of each meeting, of any witness who did not perform the required technical tests.

## [Translation]

That all documents submitted for committee business that do not come from a federal department, members' offices, or that have not been translated by the Translation Bureau be sent for prior linguistic review by the Translation Bureau before being distributed to members.

## [English]

Thank you.
The Chair: Thank you very much, Ms. Koutrakis.
Are there any questions, comments or debate?

## [Translation]

Go ahead, Mr. Barsalou-Duval.
Mr. Xavier Barsalou-Duval (Pierre-Boucher-Les Patri-otes-Verchères, BQ): Could you please tell me how many members will sit on the subcommittee? The routine motion I have here doesn't say. Ms. Koutrakis probably mentioned it earlier, but I must have missed it.

The Chair: That's a good question. The clerk is telling me that it's five members, Mr. Barsalou-Duval.

## [English]

Mr. Bachrach.
Mr. Taylor Bachrach: Regarding the list of routine motions that Ms. Koutrakis read out, I think those are the ones on which there is general agreement. I have some additions that I'd like to bring forward for discussion. I wonder if we should vote on the first set and then have that discussion separately or whether you'd like me to bring those motions forward at this point.

- (1640)

The Chair: Is there unanimous consent to adopt these motions as is and then move on to others?
(Motions agreed to)

The Chair: Mr. Bachrach, as I see no other hands up, did you want to proceed with your motions?

Mr. Taylor Bachrach: The first routine motion I'd like to bring forward for consideration is one that I believe we passed in the last Parliament. It relates to televised appearances of ministers. The wording of the motion is very simple:

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That whenever a Minister appears before the Committee, every effort be made to ensure that the meeting is televised.
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## (Motion agreed to)

Mr. Taylor Bachrach: Mr. Chair, I have one more motion here. This relates to in camera meetings, and again, it is similar to a motion that was adopted in the last Parliament. It reads:

That the committee may meet in camera only for the following purposes:
(a) to consider a draft report;
(b) to attend briefings concerning national security;
(c) to consider lists of witnesses;
(d) for any other reason, with the unanimous consent of the committee;

That all votes taken in camera, with the exception of votes regarding the consideration of draft reports, be recorded in the Minutes of Proceedings, including how each member voted when recorded votes are requested.
The Chair: Thank you, Mr. Bachrach.

## [Translation]

Are there any other questions or comments?
Go ahead, Ms. Koutrakis.
Ms. Annie Koutrakis: Thank you, Mr. Chair.
Perhaps we should vote on that motion.
The Chair: We are going to discuss it.
Go ahead, Mr. Badawey.
[English]
Mr. Vance Badawey (Niagara Centre, Lib.): Thank you, Mr. Chair.

Like last time when this was presented, I can't support this. There's a reason we go in camera for certain items. That's to protect employees, human resources, legal situations, legal discussions and proprietary situations of a lot of different companies that give testimony. It's with respect to that, as well as other situations, such as a negotiation between a union and a company that might come up and we might have to discuss it as a committee.

By the way, I'm not a fan of in camera meetings and I like to see everything out in the open, but it's not up to me in situations such as that. It's with all due respect to those witnesses who come, give testimony, and actually trust that the process won't disclose a lot of what they don't want to disclose in terms of, as I mentioned earlier, those things that should be held in confidence.

That said, in camera meetings are appropriate. They should only be taking place when those things are being infringed upon, such as HR negotiations or legal.

I think Mr. Bachrach, as a former mayor, will be fully aware of that in terms of what municipal acts in different provinces entail, and again, it's with all due respect to those people we deal with.

Unfortunately, Taylor, I won't be able to support this.

- (1645)

The Chair: Thank you, Mr. Badawey.
Mr. Bachrach.
Mr. Taylor Bachrach: Mr. Chair, through you to Mr. Badawey, I appreciate what he's saying. I believe item (d) accommodates the type of situation that he has brought up. If we're in a situation as a committee where there is some sort of sensitive topic that deserves a confidential treatment, the committee can choose to go in camera by unanimous consent. The members of the committee can use their discretion in terms of the public interest, maximizing transparency.

What we don't want to see is in camera meetings used to discuss matters that may be difficult for some members to talk about in the public realm but are in the public interest to have the public see our discussions and hear our questioning, and so on.

I think these clauses accommodate the kind of situation that Mr. Badawey has indicated. Certainly coming from local government in British Columbia I know there are very strict provisions for the circumstances in which local governments can go in camera. We should have similar parameters for our committee so that those in camera meetings aren't misused.

The Chair: Thank you, Mr. Bachrach.

## Mr. Badawey.

Mr. Vance Badawey: I appreciate those comments. However, there are two points I want to make. One is that the key words are "unanimous consent", and not all the time do we have the luxury of gaining unanimous consent.

The second point goes to your point about item (d). If in fact item (d) covers everything, there's really no need to pass this motion. It's somewhat redundant. Again, unfortunately, Taylor, I just can't support this.

The Chair: Mr. Iacono.
Mr. Angelo Iacono: Thank you, Mr. Chair.
Just to add to my colleague Mr. Badawey, if we can go about it by deciding on a case-by-case basis, that would be more appropriate. I too do not accept this motion.

The Chair: Are there any further comments or questions?

## Yes, Mr. Bachrach.

Mr. Taylor Bachrach: Mr. Chair, just very briefly, I appreciate that we're of two minds about this and certainly respect the views that my colleagues have brought forward. Perhaps you or the clerk could clarify how the decision to go in camera on a topic would be made.

Mr. Iacono has suggested that it be done on a case-by-case basis, and I have no problem with that. It's more a question of, at whose discretion does the committee go in camera?

The Chair: Thank you, Mr. Bachrach.
Go ahead, Mr. Badawey.
Mr. Vance Badawey: Mr. Clerk, correct me if I'm wrong, but going to Mr. Bachrach's motion, the appropriate part of the motion is unanimous consent in terms of a motion coming forward. If a case-by-case basis mechanism were to be followed, would it not just take unanimous consent by the committee to, therefore, go to the theme of what Mr. Bachrach is asking for in his motion?

The Chair: We're going to turn to Mr. Bachrach to explain this one, if he can.

Mr. Taylor Bachrach: Essentially, the committee would be permitted to go in camera to consider a draft report, attend briefings concerning national security, consider lists of witnesses and for any other reason with the unanimous consent of the members of the committee.

It allows us to go in camera for any reason, as long as we all agree that it warrants going in camera. What it prevents is the use of in camera to discuss things that may be publicly sensitive, but are not issues that, for legal or other reasons, should be held held in camera.

Does that make sense, Mr. Chair?

- (1650)

The Chair: I'm just looking to see whether there are any hands raised by colleagues who have any further questions or comments on this particular motion.

Go ahead, Mr. Barsalou-Duval.

## [Translation]

Mr. Xavier Barsalou-Duval: I have a few questions about procedure. When Mr. Bachrach asked the clerk a question earlier, we didn't get an answer.

If we don't adopt this motion, how will the decision to move in camera be made? Will the chair decide, or will the decision be made some other way?

## [English]

The Chair: This is turning out to be quite complicated.
In essence, the clerk would be in a situation where he would have to speak to this. It would, perhaps, be seen as him either defending it or moving in favour of it.

We're deferring more to Mr. Bachrach to try to speak to how exactly the committee would proceed with voting if we were to find ourselves in that situation. This is a question that's been posed by our colleague Mr. Barsalou-Duval.

Mr. Taylor Bachrach: The question is how we would procedurally go about going in camera if this motion passed. Is that correct , Mr. Chair?

If I understand, that was a question from the clerk.

The Chair: That was actually a question from Mr. Barsalou-Duval.

## [Translation]

He'd like to know what the procedure would be if we found ourselves in that situation.

I will ask Mr. Barsalou-Duval to clarify his question.
Mr. Xavier Barsalou-Duval: My question was for the clerk. If we don't adopt this motion, how will the decision to move in camera be made? Who will decide? Will the committee have a say in the decision to move in camera?

## [English]

The Clerk: I'm sorry for the confusion. I believe the question was about what happens with questions that are taken while you're in camera under the provisions of this motion. That is very tricky, because we'd be recording names and whatnot, which is counter to how we do things in camera.

However, if you're talking about a regular meeting without this motion, if one were to go in camera, we'd simply require a motion. It's a dilatory motion, so you can move it off the floor at any time and you just take a vote. There's no debate; there's a vote right away on whether to go in camera.

Conversely, the chair can also call for a meeting to begin in camera. If the committee does not agree to that, the very first thing the committee would do at the beginning of that in camera meeting is move to go public. There would be no debate; you'd take a vote and go public, if that was the will of the committee.

## - (1655)

## [Translation]

The Chair: Does that answer your question, Mr. Barsalou-Duval?

Mr. Xavier Barsalou-Duval: Yes. Thank you very much.
The Chair: Thank you.
Are there any other questions or comments?

## [English]

We're going to do a recorded division.
The Chair: (Motion negatived: nays 8 ; yeas 2 [See Minutes of Proceedings])

The Chair: Are there any other motions that colleagues would like to present?

## I have Mr. Bachrach.

Mr. Taylor Bachrach: Mr. Chair, I was going to bring forward a third one regarding witness allocation. This is a motion that other committees have passed, but I thought maybe I would just speak to the spirit and see if we can get general agreement from you and from the committee.

I believe it was our practice in the last Parliament when we had a two-hour witness panel that each party would have a witness from their submitted lists appear so that we had a diversity of witnesses on each panel. Other committees have chosen to codify that with a routine motion.

I'm not sure that's necessary, but perhaps, Mr. Chair, you and Mr. Clerk could indicate whether that would be your intent and if we could have that as a practice. I think that would suffice, and I would not bring forward a formal motion.

The Chair: I'd like to get the thoughts of our members on this. Are there any questions or comments?

## I have Ms. Gladu.

Ms. Marilyn Gladu: Yes, as a former chair, I would say that while it is great to have diversity of thought-and when witnesses are submitted there's a number of them, depending on the represen-tation-you can't always schedule the witnesses when you want to schedule them, because they are not available.

I would say that if we took the intent that we would have diversity of thought and a mix of the witnesses, that would be a great way to proceed, but I wouldn't fall on that sword if there are scheduling issues.

The Chair: Thank you, Ms. Gladu.
Are there any other questions or comments?
Mr. Bachrach, I would just add my comments on this.
As chair, I will do my very best to ensure that all members have their voices heard, and that's with regard to the witnesses we invite
to appear before this committee, but by putting ourselves in a situation where, as Ms. Gladu pointed out, in some cases it's very difficult to get the witnesses we want, we kind of pigeonhole ourselves into that situation. As chair, I'm going to make every effort with the clerk to ensure there is representation from all parties when we have witnesses appear.

Mr. Taylor Bachrach: Thank you, Mr. Chair. That works for me.

With that, I'll end my comments on routine motions. Thanks for entertaining them.

The Chair: Thank you, Mr. Bachrach.
Are there any other motions that colleagues would like to put forward?

Seeing none, could I get a motion to adjourn from one of my fine esteemed colleagues?

- (1700)

Mr. Vance Badawey: I move to adjourn.
The Chair: Mr. Badawey moves to adjourn. All in favour?
(Motion agreed to)
The Chair: Thank you, colleagues. I will simply add "merry Christmas" for those of you who will be celebrating.

I wish you a safe, happy and prosperous new year. All the best, everyone.

Thank you, everyone.

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