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# Standing Committee on Environment and Sustainable Development

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Chair: Mr. Francis Scarpaleggia





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• (1530)

[English]

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

Welcome, everyone.

Welcome back, Mr. Longfield. It's great to see you. We're all so pleased that things went so well and that you were absent for only one meeting and you're ready to get back in the saddle and ride along with us here.

Madam Clerk will check with House resources along the way to see if there's any possibility of meeting for three hours, as we had wanted to do through the motion we adopted. Right now, we only have two hours. Things can possibly evolve. I'm just giving you a heads-up on that.

Also, I want to make a couple of brief comments about the rules.

Number one, a ruling from the chair on any amendment or sub-amendment is not subject to debate. A member who disagrees with a ruling may challenge it, and a vote on the challenge will be held immediately. There's no debate. If you disagree, say that you disagree and that you challenge the chair, which is your right. If that's the way we go, then we'll have a quick vote without debate.

The other thing is that at the last meeting I may have been a bit liberal with the time. I'd like to remind myself and members about the routine motion the committee adopted with regard to amendments from independent members.

Madam Clerk, would you please read the motion that we adopted a while back, which I have not been fully respecting?

**The Clerk of the Committee (Ms. Angela Crandall):** Certainly.

The motion you're referring to is "in relation to Orders of Reference from the House respecting Bills". The first sections, (a) and (b), discuss the independents' ability to present motions of amendment and have them deemed moved. The last section deals with clause-by-clause consideration:

(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.

**The Chair:** Okay. This means that on amendments proposed by Madam May, Madam May gets to present them and discuss them, correct?

**The Clerk:** That is correct.

**The Chair:** Okay.

We had a very long session—

**Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC):** Mr. Chair—

**The Chair:** Yes.

**Mr. Dan Albas:** —I just wanted to ask you a quick question in regard to the suitability of a challenge to the chair. I'm not challenging the chair in any way, shape or form, but I think it's important to just ask this question.

I'm not of the ilk that believes that when you challenge the chair... It should actually be to challenge a chair's ruling. That is what I think it should be. If you really want to challenge a chair, you should just vote the chair out and put in someone you like. None of that is on discussion today.

**The Chair:** No, no. I meant to challenge the rulings.

**Mr. Dan Albas:** Okay, but if that does come up, I would imagine that, just for better understanding and building goodwill, to ask a question as to how you justify a ruling I think is important. Quite honestly, I think that when a member of Parliament writes an amendment to a bill, particularly when it has gone through the law clerk and all the work that this entails, they should be able to receive an up and a down whereby members can not like the amendment or bill but at least can have a vote on it.

Let's say that theoretically, later today or at another clause-by-clause meeting, you say that you're ruling this particular thing out of order. I do hope that you would entertain a question or two just so we can understand that ruling, rather than immediately jumping to conclusions and challenging the chair. I think that's probably a better thing for you, and I think it's better for each of us as parliamentarians to understand the rationale for why you would not accept something. Maybe it's on advice from the legislative clerk. Maybe it's something that you just had in your own head. I would hope that you would entertain and respond to a couple of questions just so we can move on.

Again, we may all agree, or someone may have a question. I just hope that we would still be able to do that, much like we did in the last meeting.

• (1535)

**The Chair:** First of all, if I have to make a decision to render an amendment unreceivable, I always give a reason. I elaborate the reason.

Now, Madam Clerk, would questions amount to debate or would that just be a normal course of events? My understanding is that if we start going back and forth, that's debate.

Is it admissible, Madam Clerk, for a member to say "I don't understand specifically why you said this in your decision"? Is that considered debate? That would seem reasonable, as long as we don't start arguing the point.

**The Clerk:** That's it exactly. If there's a question or two, that's okay, as long as it doesn't become debate.

**The Chair:** Yes. Okay. Again, it's reasonableness.

**Mr. Dan Albas:** Can I ask another question, then? Quite honestly, a challenge to a chair actually has to emanate from a member, and sir, I don't think you would challenge yourself, so just to be—

**The Chair:** No, but I might give you ammunition to challenge me.

**Mr. Dan Albas:** —clear, although I asked a number of questions, the words "challenge the chair" in terms of a formal motion never came out, so I would hope that we would not be viewing something as debate unless someone specifically said, "I move to challenge the chair", etc., and then that would go to a timely vote and it would not be debatable. I think that's what you're trying to say.

In regard to Madam May, you said you took responsibility for... To me, it seemed that the committee motion....

For goodness' sake, if someone has gone through the work of writing up an amendment and if perhaps some clarifications are in order and other members of Parliament want to ask, "Does your amendment mean X or does it mean Y?", I would hope that having her respond, as long as she is not filibustering but is actually engaging in good faith, would qualify as well. It would be the same with any member.

**The Chair:** No, that's not what I was referring to. Absolutely, when Ms. May has an amendment, she can speak to it and discuss it with members. I don't think that's a problem. I was just reminded that when it comes to non-Green Party amendments, only members of the committee can speak to them.

Is that correct, Madam Clerk?

**The Clerk:** Yes, that's the—

**The Chair:** Okay, but if it's Ms. May's amendment, we'll have back-and-forth. No worries.

**Mr. Dan Albas:** I wanted to make sure, because I may disagree with many or—so far, it seems—with all of them, and hopefully Elizabeth won't hold that against me long term, but by the same token, if we've given her a process, with a member's rights.... I know that she takes issue with the process being done this way and with not being able to do it in the main chamber, and again, Mr. Chair, I appreciate the clarification from you and the clerk.

**The Chair:** No, that won't be a problem.

(On clause 9)

**The Chair:** We were at, if I'm not mistaken, amendment NDP-2, with respect to clause 9.

Mr. Bachrach, would you like to speak to that?

**Mr. Taylor Bachrach (Skeena—Bulkley Valley, NDP):** Thank you, Mr. Chair.

I would like to move Ms. Collins' amendment. The amendment reads as follows, for those who are following along online. I move that Bill C-12, in clause 9, be amended by adding after line 16 on page 4 the following:

(2.1) The emissions reduction plan for 2030 must include an interim greenhouse gas emission objective for 2026.

Mr. Chair, from the beginning the NDP has called for a 2025 emissions milestone. We heard from so many witnesses who clearly indicated the importance of such a milestone, as well as from the world's leading scientists, who have been clear that it is not enough to wait until 2030 to be accountable. The minister, however, has made it clear that he is not willing to accept a 2025 milestone, and we believe that this compromise solution, in addition to the additional reports between now and 2030—the progress reports and the environment commissioner's reports—and the fact that the 2030 target will be reviewed in 2025 will provide additional accountability in the lead-up to 2030 and will strengthen this bill. The bill has taken so long to make its way through the House that 2026 is not that far in the future, and this is, we believe, an important accountability measure. I hope that my colleagues will see fit to support this amendment.

I'll leave my remarks at that. Thank you.

• (1540)

**The Chair:** Thank you, Mr. Bachrach.

I will remind members that after speaking, they should take their hand down so as not to confuse the chair.

Mr. Redekopp is next.

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

I just want to question the word "objective", because I notice that in previous clauses, the word "target" has been used. If we use "objective", is that confusing things, and should it say "target"? Maybe Mr. Bachrach has a comment on that. I'm questioning the use of the word "objective".

**The Chair:** Go ahead, Mr. Bachrach.

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

There is other wording I would have preferred as well, but this exercise is about building enough agreement to get these changes through the committee, and that was the language that was agreed to that we feel will gain agreement from the majority of the committee members. I think the term "objective" is clear enough for most people to understand it to mean a specific reduction by 2026. That's certainly my understanding. My hope would be that the government would understand it similarly.

Mr. Chair, if I may, I neglected in my initial remarks to note that it appears there's an error in the amendment. I'm not sure on whose part this error took place. I've been notified that in the French version it should read "after line 17", and apparently it has a different line number. Perhaps we could ask for a bit of assistance there to make sure that this is remedied.

[*Translation*]

**The Chair:** Okay.

Ms. Thivierge, this seems to be an error.

**Ms. Émilie Thivierge (Legislative Clerk):** Yes, that's the case.

**The Chair:** Can the French version of the amendment be corrected easily?

**Ms. Émilie Thivierge:** Actually, the error is only in the instructions.

The amendment should therefore propose that Bill C-12, in clause 9, be amended by adding after line 17....

If the amendment is passed, when it is reprinted, it will be put in the correct place in French, that is, the place where the hon. member proposed it in the English version.

**The Chair:** Okay.

I noticed that clause 2 is mentioned in the French wording of the amendment, but that it is not mentioned in the English wording.

Is that a problem?

**Ms. Émilie Thivierge:** No, since 2.1 refers to subclause 2. This is only because the legislative drafters agreed that it would be better to write it that way when they drafted it.

However, we would need Mr. Bachrach's consent for that small change to the instructions in the amendment.

**The Chair:** Mr. Bachrach, do you agree to replace "line 14" with "line 17"?

I'm asking you because you're the one who brought it up.

[*English*]

**Mr. Taylor Bachrach:** Yes, I do.

[*Translation*]

**The Chair:** Okay, that's perfect.

Ms. Michaud, you have the floor.

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

As the member mentioned, the NDP members have been calling for 2025 to be a milestone year from the beginning. Now they are backing down and proposing an interim target of 2026, which is unfortunate. I guess that's part of the deal they made with the Liberals to make the government look open to strengthening the legislation.

We will still accept this proposal. The year 2026 is better than nothing.

**The Chair:** Okay. Thank you.

Mr. Albas, you have the floor.

[*English*]

**Mr. Dan Albas:** Pardon me. For whatever reason, it seemed that I was muted. Hopefully, the second time's the charm.

I was hoping to see if Mr. Moffet or another official from the Government of Canada could be here so that I could ask a few questions about NDP-2.

• (1545)

**The Chair:** Mr. Nevison is here. I don't know.... Is Mr. Moffet here too?

**Mr. Dan Albas:** Okay, there's Mr. Moffet. Good. I was looking because I want to carry on with some of the questions I had.

Again to Mr. Moffet, first of all, is there any significance in NDP-2? It refers to "emission" singular, versus "emissions" plural in the rest of the bill. Is there anything there that we should be aware of with regard to referring to "emissions" in most of the bill versus what's envisioned in NDP-2?

**The Chair:** Go ahead, Mr. Moffet.

**Mr. John Moffet (Assistant Deputy Minister, Environmental Protection Branch, Department of the Environment):** I'm going to apologize to the committee. I had trouble getting on. I'm just bringing the document up. I need to have a look at the provision. I apologize. I'm not quite ready to answer the question.

**Mr. Dan Albas:** Okay. Mr. Chair, we could either just go to another member who has questions, or perhaps Mr. Bachrach wants—

**The Chair:** Yes, we're at—

**Mr. Dan Albas:** I know this wasn't originally his motion that he submitted, so I can't pester him for whether or not he meant to include an "s" or not.

**The Chair:** There are no other speakers.

I don't know, Mr. Moffet, how close you are to bringing up the document. Basically, Mr. Albas is saying that in English it says that the emissions reduction plan for 2030 must include an interim greenhouse gas "emission" objective. Should it be "emissions" objective?

**Mr. John Moffet:** I can't speak for the intention of the person who wrote the amendment. I think it should have an "s" on it. That's the way the term has been used in the rest of the bill, so it would be consistent. I think there should be consistency throughout the bill.

Just to be clear, the terms are used interchangeably. The reason "emissions" is used is either because of a reference to emissions from multiple sources or because there are multiple different types of greenhouse gases, plural, which can be combined into emissions, plural.

**Mr. Dan Albas:** I have a number of further questions, Mr. Chair, but I know that Mr. Bachrach did raise his hand. For process, did you want Mr. Bachrach to jump in and answer the question?

**The Chair:** Regarding the "s", yes.

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

I think we can chalk this up to a simple error. Certainly consistency is important. I'll look to other members to put forward a subamendment that can fix that and make it plural. I think that's probably the most logical thing to do.

**The Chair:** Would someone like to do that?

Mr. Longfield, do you propose a subamendment to add an "s" after "emission" in the amendment?

**Mr. Lloyd Longfield (Guelph, Lib.):** Thank you, Chair.

I'm out of sequence in terms of whose hand was up first, but just for the purpose of this discussion, yes, I think we need a subamendment. I'll put that in for adding an "s".

**The Chair:** Is there unanimous consent? I believe there is.

(Subamendment agreed to)

**The Chair:** That problem is solved.

Go ahead, Mr. Redekopp.

**Mr. Brad Redekopp:** I'd like to go back to this issue of the objective.

Mr. Moffet, I'm not sure if you were here when I asked a question about the word "objective" versus the word "target". From your perspective, is there a difference in meaning, or would the legislation treat both words equally?

**Mr. John Moffet:** I think they'd be treated differently. "Target" is already used in the act. As you know, there is a requirement for targets for every five years.

"Objective" is a different term, but I think it would nonetheless require a numerical outcome. It would require, in the context of this amendment, a plan to achieve it and progress reporting against it.

• (1550)

**Mr. Brad Redekopp:** The way I understand the word "target" in this legislation is that it's a hard number. It's something that needs to be achieved. It needs to be reported against, etc.

Just to be clear, are you saying that "objective" in the context of this amendment would have the same weight and meaning as "target"?

**Mr. John Moffet:** I think it's a slightly different meaning. Each target in the bill as currently written has to have its own plan. This amendment refers to an objective, which would be contained within a plan. I think the expectation would be that the 2030 plan would include measures to achieve the objective, but there wouldn't be a stand-alone document or plan that would be specifically associated with the objective.

**Mr. Brad Redekopp:** Just to be clear once more, what you are saying is that this isn't actually a 2026 target. It's just wrapped into the 2030 target, and it's going to be one of the interim paths along the way to get to the 2030 target. It is not a stand-alone 2026 target of any type.

**Mr. John Moffet:** Just to be clear, that's not in the legal sense used in the act as a target.

It has its own independent plan. There would be a number that would need to be articulated. That number would be public, and

government would be held accountable for it. There would be measures to achieve it, and there would be reporting against its achievement.

**Mr. Brad Redekopp:** So it's a target then.

**Mr. John Moffet:** I'm trying to distinguish what we might commonly refer to as target and the way in which "target" is used in this act, and the specific difference is that in this act each target has to have a stand-alone plan. In this case, there would be no stand-alone separate plan associated with this objective, but in the common sense of the word there would be a number, there would be measures to achieve it and there would be progress reporting against it.

**Mr. Brad Redekopp:** Mr. Chair, I'm okay to let this drop. I just want to say that it seems like Mr. Bachrach talked about this deal that was made and how they worked hard to get it. It seems like this isn't what they aimed for and is somewhat lacking. I'll just leave it at that.

**The Chair:** Thank you.

[Translation]

Ms. Michaud, you have the floor.

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

In light of what Mr. Moffet just explained, can I propose a subamendment to replace "interim ... objective" with "target"?

That would be truly binding for 2026, and it wouldn't just be something that's part of the 2030 target, but that really has no force.

**The Chair:** Okay.

Madam Clerk, I think we're entitled to a subamendment, right?

**Ms. Émilie Thivierge:** That's correct.

In fact, the first one has already been adopted by unanimous consent. So a second subamendment can be proposed.

**The Chair:** Great.

The fact that Ms. Michaud made the subamendment verbally, is that sufficient or does she have to send it in writing to the clerk?

**Ms. Émilie Thivierge:** If she has it in writing, it would be good to send it to the clerk. If she has it in both official languages, that would be even better.

**The Chair:** I don't think it's necessary for a subamendment to be proposed in both official languages. Is that correct?

**Ms. Émilie Thivierge:** To propose it, it doesn't have to be. If she could at least repeat it, it would allow us to write it down accurately.

**The Chair:** I think that's fairly simple.

In the interest of time, Ms. Michaud, can you tell us again what words you want to change?

**Ms. Kristina Michaud:** I would just replace "interim ... objective" with "target".

**The Chair:** Okay.

[English]

Just to be clear, instead of saying, “2030 must include an interim greenhouse gas emissions objective”, Madam Michaud wants to change it to say “must include a greenhouse gas emissions target for 2026”. I think it's pretty clear.

I have Mr. Albas.

• (1555)

**Mr. Dan Albas:** Mr. Chair, I'm not sure if this is the proper process or not. I'm just going to ask a few questions. Will I be debating the subamendment by Madam Michaud?

**The Chair:** At this point it has to be related to the subamendment. If I'm mistaken, could one of the clerks tell me? It seems to make sense that we need to get rid of this subamendment before we go on.

**Mr. Dan Albas:** All right, what I'll do, Mr. Chair, is just listen to some of the debate. I may jump in, but my thoughts are not with the subamendment and more with the original amendment, NDP-2.

**The Chair:** Okay.

Is there any debate on Madam Michaud's subamendment?

[Translation]

I'll give the floor to Ms. Michaud, then Mr. Bachrach.

Go ahead, Ms. Michaud.

**Ms. Kristina Michaud:** I would just add that, as Mr. Bachrach mentioned earlier, I think the original intent of the NDP and all parties was to strengthen the legislation.

That's why I think that “interim ... objective” is not binding, whereas “target” is more binding.

[English]

**The Chair:** Mr. Bachrach.

**Mr. Taylor Bachrach:** Thank you.

My question to Madam Michaud is this. Given what we heard from Mr. Moffet, I'm curious what additional stringency calling it a “target” would provide. I believe that Mr. Moffet has laid out the distinction between this interim objective and the target, which is that the target gets its own plan and the mid-term objective is referred to in the 2030 plan. I think that's the main difference there. However, it seems that if we were to switch to a 2026 target, there would be other required amendments so that the bill could be consistent. That's my challenge.

This is the language we've supported, with the mid-term objective. I think if we went back to square one and the NDP had written this legislation from the beginning, it would look very different, as I'm sure it would if the Bloc Québécois had written it. At this point, we're trying to come together and find enough agreement that we can pass a bill that achieves the main objective of some semblance of accountability.

I'll leave it at that, Mr. Chair.

**The Chair:** Seeing no further comments, we'll go to a roll call vote.

(Subamendment negated: nays 6; yeas 1)

**The Chair:** We now go back to the amendment.

Mr. Albas, you wanted to speak to it.

**Mr. Dan Albas:** Yes. Thanks so much, Mr. Chair. I'll start again with asking a few questions of Mr. Moffet.

For the word “interim”, my understanding is that unless there is a definition outlining what “interim” means, it's the regular usage of the word. We can pull a dictionary off of the bookshelf and look it up “interim”. That's what would apply here. There's no other meaning to it under this act.

• (1600)

**The Chair:** Is this a question?

**Mr. Dan Albas:** Yes, it's a question.

**Mr. John Moffet:** Yes, I think that's the correct way to understand the term. It doesn't have a specific meaning in the act.

**Mr. Dan Albas:** Okay. As my colleague pointed out earlier, when we're talking about “target” and “objective”, it's the common parlance or understanding of the day. There's no legal description. That's what you were saying earlier. I just want to make sure that I'm absolutely correct on that point.

**Mr. John Moffet:** Yes. I think you have to read the whole collection of words: “interim greenhouse gas emissions objective for 2026.”

**Mr. Dan Albas:** Okay, and there's no other reference in the bill to the word “interim”. This is the only usage that's there.

**Mr. John Moffet:** To my knowledge, that's correct. I have a team that can double-check in the next few seconds.

**Mr. Dan Albas:** Yes, if you could, ask them to do that just to confirm.

In regard to NDP-2, I have a quick question. Is there any impact on our nationally determined contribution within our international requirements in regard to an interim greenhouse gas emissions objective? Does adopting this language in the bill do anything that impacts our international commitments whatsoever in regard to a nationally determined contribution?

**The Chair:** Is that a question for Mr. Moffet?

**Mr. Dan Albas:** Yes. They're all for Mr. Moffet.

**Mr. John Moffet:** I think it would provide additional specificity to that NDC, because the NDC is more than just a number. The NDC is the number for 2030, the target, if you will, in common parlance, plus the measures that will be put in place. In Canada's case, it would likely include some form of a trajectory.

The inclusion of an interim greenhouse gas emissions objective for 2026 would provide some additional specificity that could be included in that NDC. It doesn't change the international commitment that we've made to have an NDC, and it doesn't undermine any of the commitments we've made regarding the kind of detail that would be part of the NDC that we submit to the United Nations.

**Mr. Dan Albas:** Who would decide? On the term itself—“interim greenhouse gas emissions objective for 2026”—who would decide what's in that? As Mr. Redekopp said earlier, there's a lot of specificity in regard to what goes into a target, so who would arbitrate what goes into that report?

**Mr. John Moffet:** I'm sorry. The report or the interim objective...?

**Mr. Dan Albas:** The interim emissions objective.

**Mr. John Moffet:** The way the amendment is written is that the emissions reduction plan would contain that objective. The obligation to establish a plan is in subclause 9(1), and that obligation is on the Minister of Environment and Climate Change, who must in turn consult with other relevant federal ministers in developing each plan.

**Mr. Dan Albas:** Okay, but there are no formal requirements as to what the specificity of that particular interim objective would be.

**Mr. John Moffet:** No.

**Mr. Dan Albas:** The minister would be able to unilaterally—of course, after consultations with other members of cabinet—have complete discretion over that. Is that correct?

**Mr. John Moffet:** Over the content of the...?

**Mr. Dan Albas:** Over the interim greenhouse gas emissions objective for 2026.

**Mr. John Moffet:** That's correct—after completing all of the consultation obligations in the act associated with the completion of the plan, which, as we'll get to when we get to the rest of the act, includes consulting other ministers, provinces, indigenous peoples, the advisory body, etc.

• (1605)

**Mr. Dan Albas:** One of the key components is “transparency and accountability”. That's what the bill purports to have. In this, it sounds like the minister himself or herself, whoever ends up submitting this 2026 interim objective, will be able to decide. Is that the case?

**Mr. John Moffet:** I don't think it's accurate to suggest that the minister is given any different powers associated with establishing this objective from the establishment of the milestone-year targets or the plans. The obligation rests on the minister, but that obligation has to be discharged via a process that is established in the act. Because the objective is part of a plan that is associated with that process, the process is exactly the same. It's up to you to decide whether it's adequate or not, but it's exactly the same for the objective as it is for all of the other components in the bill.

**Mr. Dan Albas:** Okay, but clause 8 specifically says that, when setting targets, “the Minister must take into account the best scientific information available”.

The objective, though, does not carry any such requirement, does it?

**Mr. John Moffet:** That's correct. Clause 8 does not apply.

As we've already discussed, both the preamble and the purpose provision in the act refer to urgent action “in support of achieving net-zero emissions” and complying with “Canada's international commitments”, but you're right. I think that clause 8 itself and the

specific reference to “best scientific information” does not refer to the interim objective.

**Mr. Dan Albas:** Thank you, Mr. Moffet. You've been very helpful.

I have one last question at this time. Assuming that no other amendments related to this particular NDP-2 amendment come forward, what do you think the impact of NDP-2 will have on the act if it's adopted as presented here?

**Mr. John Moffet:** I think it's pretty straightforward that the plan that has to be established for achieving the 2030 target, which we know will be the NDC, among other things will have to contain a number for 2026.

**Mr. Dan Albas:** Okay, so it's a number, but what it's based on we just don't know because it doesn't apply.

Thank you very much. I'm going to let other members capitalize on some of your time. I'm sure that they have questions as well.

**The Chair:** No, I think yours was the last intervention.

We'll go to a roll call vote on this amendment, NDP-2.

(Amendment as amended agreed to: yeas 7; nays 4)

**The Chair:** Now we go to CPC-8. I believe it's Mr. Albas who will be presenting that amendment.

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

CPC-8 again follows up with the approach the Conservatives have taken. I hope that people don't deem that this is a Conservative way of doing it. I think this is just a good proposal to make sure that we have an “all hands on deck” approach when it comes to our net-zero and climate commitments.

This, Mr. Chair, would make a simple change. Right now, it's the Minister of the Environment or whomever would be designated under C-12 under future governments. Whoever that designated minister is really is running the show for the most part. We believe that the minister can play a very important role by forming much of the work to bring to cabinet, but ultimately, the Governor in Council should be establishing alongside that.

I would suggest that we want to see every minister around that table receive a presentation from the designated minister and have a good debate over it, because this is a big country with different aspects of climate change as it affects different regions. We all know this. Have every minister express their point of view and then have a consensus—a whole of government, if you will, Mr. Chair—where they rally around a particular issue and then present that to the Canadian public and to representatives in Parliament. We believe you would have a much stronger structure and a much better buy-in from the cabinet.

Mr. Chair, without further ado, I would just hope that honourable members would say that this would be a positive change to C-12, to see more than just one lonely minister out there trying to deal with these issues and making most of the decisions based on various factors, whether the advisory committee or different components, or from what they've heard from their provincial or territorial partners. To have a verbose discussion at cabinet and to have it ratified by the Government of Canada as cabinet is what the essence of this amendment would do.

I hope members might decide to change their minds from previous positions. Perhaps Mr. Longfield, now being back, might have a new perspective on it and might want to vote in favour of this amendment.

• (1610)

**The Chair:** Thank you, Mr. Albas.

We'll go to a roll call vote now.

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

[*Translation*]

**The Chair:** I want to inform you that we have attempted to get permission from the House of Commons to continue today's meeting past 5:30 p.m. Unfortunately, due to a lack of resources, that will not be possible, but we have asked to be able to extend Wednesday's meeting until 6:30 p.m. So that's to be continued.

I urge you not to schedule any additional activities or meetings for Wednesday until 6:30 p.m., which is two days from now. That is the status of the situation. Today we will end at 5:30 p.m.

We will now continue with amendment PV-14, proposed by Ms. May.

[*English*]

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Thank you, Mr. Chair.

This amendment is quite similar to the one that snagged us into some dispute and confusion last meeting. It's to adopt recommendations from a number of environmental law groups. It happens that West Coast Environmental Law staff lawyer Andrew Gage was the one who testified before us. He represents the views, as I've been reminded recently, of a large collection of climate groups and environmental law groups.

Under subclause 7(4), we've already made the amendment changing five years to nine years, 366 days. As I understand, the expectation is that at report stage it can be changed to 10 years. This is a parallel proposal and I think it's quite consistent, although I don't see an identical Liberal amendment coming up soon thereafter. I'm a little worried about this one, but I certainly hope it will be passed, because it is consistent and gets down to the emissions reduction plans that attach themselves to the targets. It is for subclause 9(4), which currently reads:

(4) The Minister must establish each subsequent emissions reduction plan at least five years before the beginning of the year to which it relates.

I'm hopeful that we can change this from five years to 10 years. Again, I note that it's the intention of the majority of members of

the committee that subclause 7(4) be changed from five to 10 years, so surely the subsequent plans should be targeted to the same year. I hope the amendment as drafted for 10 years will meet with the approval of the majority of committee members.

• (1615)

[*Translation*]

**The Chair:** Thank you, Ms. May.

I don't see any raised hands, so we'll take a recorded vote.

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

**The Chair:** My understanding is that amendment G-7 will now be moved by Ms. Saks.

[*English*]

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

I'm pleased to introduce a motion to add new subclause 9(5) to the Canadian net-zero emissions accountability act. This provision will require the Minister of Environment to take into account UN-DRIP, the submissions and advice of the advisory body and any other relevant considerations when establishing the plan. This motion, therefore, ensures that various factors will be taken into consideration by the minister when establishing an emissions reduction plan.

[*Translation*]

**The Chair:** Do any committee members wish to discuss the amendment?

I don't see any raised hands.

So we'll take a recorded vote.

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

(Clause 9 as amended agreed to: yeas 7; nays 4.)

(Clause 10)

**The Chair:** We will now go to clause 10 and amendment BQ-10 from the Bloc Québécois.

Ms. Michaud, you have the floor.

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

Unfortunately, we are abandoning amendment BQ-10 and would rather proceed with amendment BQ-11. There was a small issue between the two, but I understand that if we forget about amendment BQ-10, we will need to discuss amendment G-8 before returning to amendment BQ-11.

So I would like us to consider amendment BQ-11 before we vote on amendment G-8, since it changes the same lines, as it would be dropped if we passed amendment G-8. We have inserted changes into the legislation so that the accountability mechanisms allow for true accountability and transparency.

So we are forgetting about amendment BQ-10.

• (1620)

**The Chair:** Ms. Thivierge, do we need unanimous consent of the committee to withdraw an amendment?

**Ms. Émilie Thivierge:** No. In fact, it was not submitted until it was proposed by the member.

**The Chair:** You're right.

**Ms. Émilie Thivierge:** We will simply withdraw amendment BQ-10.

However, amendment G-8 comes in the bill before amendment B-11. Amendment G-8 should therefore be discussed first.

**The Chair:** Is there no way to change the order, even if there is unanimous consent?

**Ms. Émilie Thivierge:** In fact, this may create some problems. Since amendment G-8 has no impact on amendment BQ-11, it wouldn't be a problem if both were proposed.

**The Chair:** Unless otherwise advised by committee members, we will proceed with amendment G-8.

Ms. Saks will propose the amendment.

[*English*]

**Mr. Dan Albas:** Before we move on, Mr. Chair, I have a quick question on process. Will we be going back to BQ-10, or for all intents and purposes is Madam Michaud done?

**The Chair:** BQ-10 doesn't exist, as far as we're concerned.

**Mr. Dan Albas:** I thought there was some talk about going ahead and then perhaps coming back.

I see that Madam Michaud is saying, no, there's no intent. Okay.

**The Chair:** She's taking it out of the picture.

**Ms. Elizabeth May:** Perhaps I could have some clarity too, Mr. Chair.

How would my subsequent amendments to clause 10 be affected by adopting G-8?

**The Chair:** Are you talking about PV-15, for example?

I see. You have quite a few subsequent amendments. I have no note here saying that if G-8 carries, this happens, and I'm going by what the legislative clerks are telling me. I don't see any impact at this stage.

If anyone disagrees among the clerks, please let me know.

We'll go to Ms. Saks to propose G-8.

**Ms. Ya'ara Saks:** Thank you, Mr. Chair.

Thank you, colleagues.

Mr. Chair, I'm pleased to introduce a motion to amend subclause 10(1) of the Canadian net-zero emissions accountability act.

This motion requires the emissions reduction plan to contain, among other things, a summary of Canada's most recent official GHG emissions inventory, known as the NIR, and a description of how Canada's international commitments with respect to climate change were taken into account in the plan.

**The Chair:** Thank you.

Is there any discussion?

Seeing none, we will go to the vote.

**Mr. Dan Albas:** Wait. Just before you do, Mr. Chair, I want to ask Mr. Moffet what effect adopting amendment G-8 will have on the bill.

**The Chair:** Yes.

Go ahead, Mr. Moffet.

**Mr. John Moffet:** The amendment would require that the plan contain certain elements. These elements could have been included in each plan. This simply provides more prescription to ensure that each plan includes each of these elements.

**Mr. Dan Albas:** Okay.

With regard to the actual changes to the bill, though, are these all things that the government could already do? This just gives it a little bit more meat on the bone, so to speak. It's a more prescriptive approach rather than an expansive approach. Is that correct?

**Mr. John Moffet:** Yes. It's more prescriptive to ensure that the government of the day preparing the plan includes each of these elements so Canadians can be confident that each plan will at a minimum contain each of these elements.

• (1625)

**The Chair:** Thank you.

Ms. Saks.

**Ms. Ya'ara Saks:** Thank you, Mr. Chair.

Just to clarify for Mr. Albas and for my colleagues and for the benefit of those who are interested in this amendment, it includes projected timetables for the implementation. As well, for each of the measures and the strategies, it includes projections of annual GHG emissions reductions resulting from the plans, combined with measures and strategies, as well as a summary of the co-operative measures or agreements with the provinces and other agreements the Government of Canada is involved in to recognize the role and the accountability of all governments in Canada.

That's just so we're clear on why I have put this forward.

**The Chair:** Mr. Albas.

**Mr. Dan Albas:** I appreciate member Saks explaining her amendment again, but I'm just going to ask a couple of questions to Mr. Moffet.

First of all, let me say it's nice to see the government say that it actually wants to have a summary of provincial actions, although it seems that it's rather contained in proposed paragraph 10(1)(g) as "cooperative measures or agreements with provinces".

For a future government of Canada, or this one, under this bill if it's enacted and passes through both Houses and becomes law, would proposed paragraph 10(1)(g) mean that the minister could only put information in on a summary of co-operative measures if both a province or territory and the Government of Canada agreed to them, and it would be limited to just that? Can you elaborate on what "agreements with provinces and other governments in Canada" means?

**Mr. John Moffet:** The short answer is no. The longer answer is that this is what has to be in it. It must contain a summary of key co-operative measures or agreements. It may contain—sorry, I have a dog interfering with the action here—descriptions of measures, initiatives and policies being undertaken by other governments in Canada.

The act is careful not to prescribe that any government other than the Government of Canada take action. That's different from what the Government of Canada can describe in its plan. It can describe what other governments have done or are planning to do.

Again, what proposed paragraph 10(1)(g) does is to require that every plan contain this.

**Mr. Dan Albas:** Okay.

In regard to the bill itself and the amendment, though, this just adds, again, a prescriptive quality as to what must be in the bill. Nothing in here goes further than what Bill C-12 originally proposed. The minister could submit all of this information previously. Now it's just that the minister must.

Again, it's not beyond what the scope of Bill C-12 allowed a minister to do. Is that correct?

**Mr. John Moffet:** That's correct.

**Mr. Dan Albas:** Okay. I just wanted to get that point across.

I'm also glad to hear that the dog you're referring to is your own and not that of someone on a parliamentary committee. I appreciate that.

Thank you.

**The Chair:** Mr. Redekopp.

**Mr. Brad Redekopp:** Thank you.

Mr. Moffet, I apologize. I probably should know this. It's relevant, I think, to possibly some future amendments.

It says here, in new proposed paragraph 10(1)(f), "including projections for each economic sector that is included in Canada's reports under the Convention". Is there an easy way to tell me what those economic sectors are? If it's too complicated, I'm okay, but I don't know what they are and that would be helpful to me.

**Mr. John Moffet:** I'm sure there is, but I'd like to be precise. I'll need a few seconds to gather that information.

We do provide, in the NIR reporting, based on the United Nations Framework Convention on Climate Change guidelines that provide guidance on how countries should disaggregate their reports across different sources of emissions.... We have a fairly standardized way that we provide that. It includes things like agriculture, buildings and heavy industry.

I can get you the complete list in a few seconds. I apologize. I have some people working on that for me right now.

• (1630)

**The Chair:** Maybe you could provide that answer after we vote.

I don't see any other hands. We should move on with the vote.

Yes, Mr. Albas.

**Mr. Dan Albas:** Just on that point, Mr. Chair, one of the things we were hoping to have in Bill C-12 that, unfortunately, due to previous amendments, we weren't able to table was to have a social and economic lens. As I have said, there are certain regions of the country that will be exposed.

I would just ask Mr. Moffet, when he gets us the list of economic sectors and gives us the rundown on that, if that is broken down by province as well. A lot of industries out west, for example, and in Newfoundland and Labrador and even the Northwest Territories have aspirations for their own economic development. I certainly want to know if this is only going to be reported on an industry-by-industry basis or if there will be some sort of regional breakdown. I think that would be helpful.

**Mr. John Moffet:** Mr. Chair, I can provide that answer now.

**The Chair:** Go ahead.

**Mr. John Moffet:** The UNFCCC guidance that we follow requires us to report against the major sources. Those sources are heavy industry, buildings, agriculture, oil and gas, transport, electricity, waste and others. Canada also does further disaggregate those by province and territory—in other words, each source by jurisdiction.

**The Chair:** Okay. Great.

**Mr. Dan Albas:** Will that be included, then, under amendment G-8?

**Mr. John Moffet:** Yes. That's the goal. That's correct.

**Mr. Dan Albas:** I have a further question, Mr. Chair.

On the information that we send to UNFCCC, is this largely duplicative from that? Is this independent work, or is the minister...? By adopting this, are we literally just saying that what you report to the UNFCCC now has to also be reported to Parliament in these blocks?

Is it redundant reporting, or is it just reporting to, obviously, both Houses?

**Mr. John Moffet:** It's precisely the same information, but it's associated with each plan, so you would get it on specific timelines as prescribed in the bill.

**Mr. Dan Albas:** Okay. Essentially, this is the same information. It's just that we're reporting to both Houses on a slightly different time basis. Is that correct?

**Mr. John Moffet:** That's correct.

**Mr. Dan Albas:** There is nothing really new in this other than the specificity or the prescribing that the minister shall include this information in the reports.

**Mr. John Moffet:** Yes, and again, this is the minimum that must be included in each plan.

**Mr. Dan Albas:** Okay.

Since we are going to be voting on this, Mr. Chair... Conservatives certainly believe in keeping our international targets when it comes to the ones before us. By the same token, though, this sounds to me like the Liberals are simply responding to concerns in the public and trying to say, "We'll just add a bunch of things that specify to make it look like we're chalking up this bill to be stronger."

In fact, what they're doing is just listing things that the minister will already have to do, or at least this will present it as a prescriptive form rather than anything new or above what Bill C-12 originally intended when it first came to the House of Commons.

Thank you.

**The Chair:** I see no other hands up. We'll go to the vote.

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

**The Chair:** Now we are on amendment BQ-11.

Madame Michaud.

• (1635)

[*Translation*]

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

As I was saying earlier, the amendment seeks to clarify the content of the government's action plan. We propose that the minister make each of the points listed explicit so that each item can be independently assessed.

We are adding a description of how greenhouse gas emissions are calculated, tools for measuring progress, and tools for assessing impact. This is kind of what was in the Bill C-215 that I introduced, which we thought was a little bit more restrictive in terms of transparency, how the minister is putting his plan into action, and how greenhouse gas emissions are actually being reduced. So we're proposing this amendment in the interest of accountability and transparency.

**The Chair:** Thank you.

Are there any members of the committee who would like to debate Ms. Michaud's amendment?

Mr. Albas, you have the floor.

[*English*]

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

I first want to thank Madam Michaud for putting this forward. She has certainly been an advocate in the House of Commons. We don't always agree on issues, but I hope we both agree that she's certainly doing her part in doing what she can to put forward ideas that are important to her and, I would imagine, to her constituents.

Also, I think she clearly has seen that Bill C-12 is not the same as her own private member's legislation. I think her experience from working on that legislation is certainly being brought to bear here.

What I would ask Mr. Moffet is very similar to my line of questioning on the previous amendment, G-8. Can the minister, without prompting from Parliament, introduce all of these things in Bill C-12?

Again, is this something for which the minister already has the power in terms of "a description of the measures to be taken" and adding a description of the method for calculating greenhouse gas emissions? With all the amendments we've had thus far, is there anything prohibiting the minister from being able to do this if Bill C-12 were to pass as is between both Houses?

**Mr. John Moffet:** I have two points.

First, yes, the minister could do this.

Second, of course we'll get to these provisions, but clauses 25 and 26 are relevant to this discussion. Clause 25 requires that the methodology used to report on emissions must be consistent with the methodology we use for our NIRs, and those methodologies are prescribed by the UNFCCC. However, clause 26 allows the GIC to make regulations specifying additional methodologies that might be relevant for clarifying how reporting would be done on emissions and removals to achieve net zero, for example.

That's a long-winded answer, but the short answer is that yes, the minister has the authority to provide all of the descriptions already in the act.

**Mr. Dan Albas:** I think Madam Michaud would say that, if this doesn't pass, she will just haunt the minister responsible until it's done.

I'll leave it to Madam Michaud if she has anything else to add, or any other member.

**The Chair:** I don't think anyone has anything to add, so we'll go to the vote.

**Mr. Brad Redekopp:** Mr. Chair, I have a question.

**The Chair:** Okay.

**Mr. Brad Redekopp:** This question is for Mr. Moffet.

If we get into the methods, the tools, etc., are we venturing into provincial territory? Wouldn't the provinces be required to do a lot of these things to achieve the goals that are set out in Bill C-12?

• (1640)

**Mr. John Moffet:** I think what we're talking about here is not methods for achieving reductions, but methods for reporting on emissions, and the federal government reports on emissions following standardized international protocols.

[Translation]

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

Ms. Michaud, you have the floor.

**Ms. Kristina Michaud:** To answer Mr. Redekopp's question, the Bloc Québécois is quite adamant about respecting the jurisdictions of Quebec and the provinces, so we make sure that the amendments we propose do not compromise that.

With this bill, we know that the government wants to achieve carbon neutrality by 2050, but one question remains unanswered: How will it achieve that? We still don't have the details. So it's a matter of having a description of how they're going to do it. Then, of course, the commissioner will be able to assess the description of this method in the report he will have to make.

**The Chair:** Thank you for that clarification, Ms. Michaud.

I don't see any other hands up, so we'll go to the vote.

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

**The Chair:** We will now go to amendment PV-15 proposed by Ms. May.

Ms. May, you have the floor.

**Ms. Elizabeth May:** Thank you.

[English]

We're still in the rubric of clause 10, on the content of the emissions reduction plan. My proposal is to stick in, just after paragraph (b) in subclause 10(1), which was amended by amendment G-8 by Madam Saks, a paragraph that calls for:

(b.1) detailed information and modelling of the expected annual emissions reduction for the year to which the plan relates;

In other words, we want a greater understanding of the progress being made in annual increments, as recommended by numerous groups and briefs that were presented to this committee.

**The Chair:** Mr. Longfield.

**Mr. Lloyd Longfield:** Thanks, Mr. Chair.

As we've just seen, member Saks tabled her motion, G-8, which already addresses member May's motions. Member Saks' motion adds the provision in the act that would require the emissions reduction plan to contain projections of the annual GHG emissions reductions and the resulting part of the plan that combines measures and strategies.

I'll be opposing this, since we've already covered that through Ms. Saks' amendment.

**The Chair:** Thank you, Mr. Longfield.

Mr. Albas.

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

In reference to Mr. Longfield's intervention, I'd like to ask Mr. Moffet a question.

Obviously, government amendment G-8 is much different from Green Party amendment PV-15. With respect to its being duplicative, is that the case? I don't remember in G-8 there being any reference to modelling. Would modelling be something different from just some of the numbers that you pointed out earlier?

**Mr. John Moffet:** They're not precisely the same, but I think they have the same effect.

G-8 would add, among other things, new paragraph 10(1)(f):

projections of the annual greenhouse gas emission reductions resulting from those combined measures and strategies, including projections for each economic sector that is included in Canada's reports under the Convention;

We have projections—aggregate projections and projections for each sector—already approved as being required. As I say, PV-15 would require detailed information and modelling of expected annual emissions reductions. To the extent that there's a difference between projected and detailed information and modelling, the legal terminology is different. The projections would have to be done, again, based on international methodology, which requires detailed information and modelling. I think in substance they cover the same thing.

• (1645)

**The Chair:** Ms. May.

**Ms. Elizabeth May:** I would make the obvious point, Mr. Chair, that if the amendment was redundant to G-8, the clerk would have flagged that and notified us, before we passed G-8, that my amendment PV-15 was somehow redundant. It's sufficiently different and does provide more detail in the development of a plan so that people can track it. The title of the act is "accountability". The guts of the act aren't there yet.

**The Chair:** Thank you.

I don't see any other hands up.

I would ask the clerk to do a roll call vote on PV-15.

(Amendment negated: nays 10; yeas 1)

**The Chair:** We'll go to PV-16.

On this one, I have a ruling. My ruling is that the amendment is inadmissible. I will now take the opportunity to explain why.

Bill C-12 requires that national targets for the reduction of greenhouse gas emissions in Canada be set with the objective of attaining net-zero emissions by 2050. Amendment PV-16 seeks to establish a carbon budget measure that is not foreseen in the bill. As *House of Commons Procedure and Practice*, third edition, states on page 770, “An amendment to a bill that was referred to a committee after second reading is out of order if it is beyond the scope and principle of the bill.” In my opinion, PV-16 introduces a new concept that is beyond the scope of the bill.

This is just a clarification—

**Ms. Elizabeth May:** I wish to stand on the motion this committee passed that requires me to be here and that allows me to speak to my amendments. The practice has been from other committees and other committee chairs, Mr. Chair, probably dozens if not hundreds of times, that even if the chair rules that—

**The Chair:** Go ahead. I should have let you present it first. I'm sorry.

**Ms. Elizabeth May:** Thank you.

I would just like to draw the attention of the committee to the preamble, which we know doesn't have the weight in law the body of the bill would have.

The preamble claims this bill is committed to reaching the Paris Agreement goals of as far below 2°C as possible, and preferably no more than 1.5°C global average temperature increase above the temperature at the global average that existed at the time of the Industrial Revolution. In order to do that, we're looking at far more than net zero by 2050.

I note that although, clearly, witnesses were significantly curtailed and expert evidence was not brought to the committee that could have been brought, we certainly did hear from enough witnesses to know the key elements of successful climate accountability laws around the world are missing in this. Some of our witnesses were actually able to tell us that carbon budgets work better than percentage reductions.

I'm not challenging the chair. I don't have any right to because I'm not a member of the committee, but I do note that every other climate accountability law around the world uses carbon budgeting to achieve the goals this bill claims to want to achieve.

I'm surprised, Mr. Chair, that you have been advised this is beyond the scope of the bill. Carbon budgeting has been requested by virtually every climate organization within Canada, certainly the members groups of the Climate Action Network and numerous others. We don't know what first nations would have said about this bill because they weren't allowed to testify, but I really am disappointed by the ruling. I speak to this motion because it's really important we understand that we're missing the boat on climate accountability.

Obviously, with that, Mr. Chair, I think I've exhausted the time the motion this committee passed that requires me to be here allows me to speak.

• (1650)

**The Chair:** I'll make a point of clarification.

It's not that no one was allowed to be a witness or to appear. We sent out invitations and the invitation was not accepted in every case.

Okay, so—

**Ms. Elizabeth May:** But it went by pretty quickly, Mr. Chair. I think that's part of the problem when you're asking indigenous nations to step forward and testify. If they only have a few hours to know about it—

**The Chair:** No, I don't think that was the case, but I won't get into that here.

Thank you for that.

I will now ask you, Ms. May, to present—

**Mr. Dan Albas:** Mr. Chair...?

**The Chair:** Yes, Mr. Albas.

**Mr. Dan Albas:** Before you move along here, I had a question for you with regard to your ruling.

My understanding is that net zero itself is a state we end up in—it's defined in the bill—by 2050, and it's anthropogenic, etc., but there is nothing Nessa cites as to which concepts or which methods are best. In fact, we've had a discussion about targets in the bill, but we've heard testimony about other things.

I disagree with the use of carbon budgets in this, but I do think it is important that people be heard, Mr. Chair. Ms. May has in good faith put together an amendment and worked with the law clerk to present something, and I think for yourself...

Please don't take this personally, Mr. Chair. I have great respect for the office you hold and for your commitment to this country, but by the same token I think Ms. May's amendment doesn't change the goal. It changes the method the government would use to achieve that goal. Again, this is more on the accountability side than the implementation of the plan side.

With greatest respect, Mr. Chair, I have to challenge your ruling on this. I do think Ms. May deserves a chance to present this as a formal amendment and not to be ruled out of order.

**The Chair:** It's a challenge, so there's no debate on this. We'll have a vote.

**Mr. Dan Albas:** Thank you.

**Mr. Raj Saini (Kitchener Centre, Lib.):** Mr. Chair, can you just clarify what we're voting for?

**The Chair:** I've ruled PV-16 out of order because it brings in the concept of carbon budgets, and nowhere—

**Mr. Dan Albas:** Mr. Chair, I'd put forward that there is supposed to be no debate. You can't debate in your own defence.

**The Chair:** No, we're not—

**Mr. Raj Saini:** I'm not debating. I'm just asking what the question is. That's all.

**The Chair:** Okay. That—

**Mr. Dan Albas:** Mr. Chair was giving his answers, and that does get into the premise of debate. If we were to have a recorded roll call, that would be helpful.

**The Chair:** This isn't consistent, Mr. Albas, with your previous comments. You said that members, even when something is out of order, should have—

**Mr. Dan Albas:** I've made the motion, Mr. Chair.

**Mr. Chris Bittle (St. Catharines, Lib.):** On a point of order, Mr. Chair, Mr. Albas is usually a stickler for the rules when it benefits him, but here's an opportunity for the chair to present his findings in accordance with suggestions that Mr. Albas has made—

**Mr. Dan Albas:** That's debate.

**Mr. Chris Bittle:** Again, Mr. Albas, I have the floor—not you. You're keen on quoting the rules to the rest of us, but it's unfortunate that you don't follow them when someone else has the floor.

The chair had the floor. I hope Mr. Albas respects that. That was my point, Mr. Chair. We should be respecting each other when someone has the floor.

• (1655)

**The Chair:** Yes, we're going to a vote, and as Mr. Albas mentioned at the beginning of the meeting, there's no time for debate. There is no debate when we're challenging a ruling, but if somebody wants a point of clarification, which is what Mr. Saini was doing, and I was trying to give him an answer... We'll go to the vote.

Madam Michaud, is this also a point of clarification? Because if it's a point of debate, I can't allow it.

[Translation]

**Ms. Kristina Michaud:** I would like clarification.

Are we voting on your decision or on the motion challenging it?

**The Chair:** The motion challenges my decision, so I guess it's a bit of both.

**Ms. Kristina Michaud:** We're voting on your decision. Is that right?

**The Chair:** Yes, because my decision can't be debated, but you can express your opposition. That's what Mr. Albas is doing, and that's what we're voting on.

We can proceed with the vote, Madam Clerk.

[English]

**Mr. Dan Albas:** Mr. Chair, I'm going to ask the clerk, just so people are clear. When someone makes a motion to challenge the chair, if they vote in favour, that means they vote for overruling the

chair's decision, and when they vote against, that means they are shutting down the challenge. Is that correct?

**The Chair:** That's a good point. I'm glad you brought it up.

**Ms. Émilie Thivierge:** The question will be, "Shall the ruling of the chair be sustained?"

**The Chair:** You'll be voting "no", Mr. Albas.

If you want to sustain the ruling of the chair, you vote "yes". If you don't agree with the ruling of the chair, you vote "no".

**Mr. Dan Albas:** I apologize, Mr. Chair. I had it wrong. I regret that.

**The Chair:** It's good that you clarified. I'm glad that we allowed a bit of a discussion.

Go ahead. Let's have a vote on this.

(Ruling of the chair sustained: yeas 7; nays 4)

**The Chair:** Now I'll give an opportunity to Ms. May to present amendment PV-17.

**Ms. Elizabeth May:** Thank you, Mr. Chair. I am anticipating your ruling given the last one, but I appreciate the opportunity to present it.

Again, carbon budgets are the gold standard globally to make climate accountability legislation work. As I remember, one of our witnesses, and I'm trying to remember now who—it's very embarrassing—very accurately put it that if you were trying to balance your household budget and you wanted to get to so much money saved in your bank account, you'd be doing a better job to budget for that year to year and have specificity around what you're trying to achieve.

Again, the difference between a carbon budget and the way the bill is currently designed is that a carbon budget is a certain number of megatonnes produced by year. We're operating in a carbon budget globally. We are at very grave risk of exceeding the carbon budget that would allow us to meet the Paris objective of as far below 2°C as possible and no more than 1.5°C.

We are much more likely to succeed in meeting those targets by using the gold standard approach of carbon budgets than by using the bill the way it's currently structured. I'm putting forward PV-17 and hope that perhaps it might survive your ruling, Mr. Chair, and then survive a vote.

**The Chair:** Thank you, Ms. May.

I will rule the amendment inadmissible for the same reasons as my previous ruling, because it seeks to bring in a new concept. I'm not arguing the merits of carbon budgets, but if the minister had wanted to bring in carbon budgets, he would have mentioned it somewhere in the bill.

That's my ruling. I don't know if Mr. Albas wants to challenge that.

**Mr. Dan Albas:** Mr. Chair, please don't take this as anything personal. I appreciate that. It shows why you're in the chair in the first place, because it's your job to carry the business and the will of the committee.

Given the fact we are in a minority Parliament, one would expect that there would be more discussions around these things. I understand your position. I don't agree, though, that the parameters of the bill have exceeded this. I believe that if we've asked Madam May to come to this committee with amendments, we shouldn't be able to dispose of them without actually having a full debate.

In lieu of that, Mr. Chair, I'm going to challenge your ruling, and we'll let you carry on with the proceedings from here.

● (1700)

**The Chair:** We will have a vote. Whoever is interested in sustaining my decision vote “yes”, and if you disagree with my position vote “no”.

(Ruling of the chair sustained: yeas 7; nays 4 [See *Minutes of Proceedings*])

**The Chair:** We'll now go to PV-18.

Ms. May, would you like to present PV-18?

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

Although it's unusual, I want to parenthetically appreciate Mr. Albas's effort to belatedly have debates on key concepts in Bill C-12. The process here has been offensive to full public engagement in the development of this legislation. I'll just put that on the record.

This next amendment seeks to make it clearer what the minister does in an emissions reduction plan. The current version, just to refresh your memories, under subclause 10(2), titled “Explanation”, states:

An emissions reduction plan must explain how the greenhouse gas emissions target set out in the plan and the key measures and the strategies that the plan describes will contribute to Canada achieving net-zero emissions by 2050.

That would be amended in my proposed amendment from an explanation to a demonstration. It would be that an emissions reduction plan “must demonstrate” how the greenhouse gas emissions target set out in the plan and key measures will contribute to achieving net-zero.

Again, parenthetically, net-zero by 2050 is not our goal, not if we want human civilization to survive. We must ensure significant cuts before 2030 to meet the Paris objective, which is referenced in this bill, but the bill is not constructed around it.

In any case, this is one small change that I hope the committee will consider.

**The Chair:** Mr. Redekopp, go ahead.

**Mr. Brad Redekopp:** I have a question for Mr. Moffet. It seems to me that “demonstrate” and “explain” are very similar. From Mr. Moffet's perspective, if this amendment is adopted, how would it change the way the minister in the office relates to this legislation?

**Mr. John Moffet:** I need to be careful. I'm not here to provide the committee with legal advice, and I'm not here on behalf of the Department of Justice.

It's our view from a policy perspective, in discussing this with the people who will be responsible for implementing the act, that “demonstrate” and “explain” have very similar meanings. Indeed, the similarity becomes even more apparent when you read, in my opinion, the French provision.

[*Translation*]

“An emissions reduction plan must explain how ... the strategies that the plan describes will contribute to Canada achieving net-zero emissions ...”.

[*English*]

The word “*précise*”, I would suggest, is a little in between “explain” and “demonstrate” in English. In other words, there would not be a substantive difference in terms of what the act would require the plan to contain.

● (1705)

**The Chair:** Ms. May, go ahead.

**Ms. Elizabeth May:** I have a comment on Mr. Moffet's comment on the French translation. What I was hoping for is “*démontrer*” as opposed to “*expliquer*”.

However, if my amendment is satisfactory to the department—it's not diluting the bill and the way they want it—perhaps this is an opportunity for the Liberals and NDP to prove they haven't made an advance decision that no Green Party amendments would be accepted, and they could accept this one.

**The Chair:** If there are no other comments, we'll go to a vote.

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

**The Chair:** Thank you. The amendment is defeated.

We'll now go to CPC-9.

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

I would like to move CPC-9, and hopefully we'll have some support from the committee to actually pass this.

I'll use an example of why we need to really understand the implications of what we're doing. We know there is a climate emergency and that we need to take action. For example, if our action causes all of our agricultural industry to shut down and creates starvation, understanding the implications of our actions is absolutely critical.

We had a number of witnesses who spoke for including some economic analysis in terms of what we're doing, including the minister. Let me quote from him:

The focus needs to be on ensuring that we actually understand what science tells us we need to do to ensure this world is a liveable [place], and [to do] that in a manner that takes into account economic and social [as to] how we actually make the progress.

I could go on, but I will be respectful of the committee's time. I have four pages here of testimony from witnesses. As you know, we didn't have a lot of witnesses, but they all supported the idea of a government making decisions with a full understanding of what they're making decisions about.

Again, I hope that perhaps, unlike our other amendments, we might see support for this, because it will make it a better bill.

Thank you.

**The Chair:** Thank you.

Is there anyone else who wishes to speak?

Mr. Albas.

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

Certainly Canada has been described as a big country that is difficult to govern. That's why many people refer to the first job of a Prime Minister as maintaining national unity. Many prime ministers have worked very hard to do that.

Unfortunately, Mr. Chair, if we don't take.... Again, we've heard many times at this committee during our hearings that what gets measured matters. What you measure in terms of impacts, etc., will have an effect. I believe that for full transparency and accountability, the government should be including many of the measures that Mrs. McLeod mentioned.

I would hope that all honourable members would hear that there is a desire from various regions to know exactly what the plan is and what the impacts will be on their sector. As parliamentarians, we should always strive to get that information and to make sure it is a deciding factor, both from a social employment level, but also in terms of its potential impacts on national unity.

If we all want those good things to happen, I think we should include them in the emissions plan to make sure that those things are taken into account. Thank you.

**The Chair:** Thank you.

Is there anyone else?

We'll go to the vote on CPC-9.

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

• (1710)

[*Translation*]

(Clause 10)

**The Chair:** Do the members of the committee support clause 10?

I don't see any hands up, so we will proceed with the vote.

**Ms. Émilie Thivierge:** Mr. Chair?

[*English*]

**Mr. Dan Albas:** Mr. Chair...?

**The Chair:** I'm sorry. Go ahead. Did I miss something?

**Mr. Dan Albas:** Yes. I wanted to speak to clause 10. Are you going to go through the clause 10—

**The Chair:** I'm so sorry. I didn't think there were any...

Go ahead.

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

It's unfortunate that many of the amendments either did not get a chance to be heard or were just simply shot down.

I would simply say, on behalf of the Conservatives, that we do think, especially for the last amendment moved by MP McLeod, this is incredibly important—that the government “must balance meeting greenhouse gas emissions targets against social and economic factors, including impacts on employment, different sectors of Canada's economy and national unity.”

Unfortunately, we are proceeding with a clause 10 that does not strike that balance, Mr. Chair, so Conservatives will be voting against this clause.

**The Chair:** Is there anyone else?

(Clause 10 as amended agreed to: yeas 7; nays 4)

(On clause 11)

**The Chair:** We will go now to clause 11, amendment CPC-10.

I have to mention that if amendment CPC-10 is adopted, then amendment BQ-12 cannot be moved as they amend the same line.

Is it Mr. Albas who is presenting CPC-10?

**Mr. Dan Albas:** Yes, I will, Mr. Chair.

First of all, colleagues, as you know, I've been a big fan of a slightly different approach than the government has taken in regard to Bill C-12. For those who are watching, Bill C-12 takes a particular path where the individual minister is designated. In this case, it's the Minister of Environment and Climate Change. We think that a better response is to have that designated minister bring it to cabinet, so that there can be a full debate at the cabinet table where relevant ministers and departments—in fact, all of them, Mr. Chair, the Governor in Council, as it's called—would have an opportunity to debate and to refine exactly what is being debated. That would achieve more buy-in.

As you know, Mr. Chair, a criticism of government is often that it exists in silos. Sometimes people will ask me, “You know, Dan”—they usually call me Dan; they don't usually call me Mr. Albas like they do here—“why isn't one department speaking to another?”

We've seen multiple cases of this during the COVID crisis, where it seems that one department is doing something without coordinating with another one. It can be very confusing to the public. We, as Conservatives, believe that climate change is real. It's a serious issue that requires a serious response. There's no better way to get a whole-of-government and “all hands on deck” scenario going than by having all the cabinet ministers debate, refine and then stand behind it.

Right now, Mr. Chair, whether a minister wants to or not, they have to because of cabinet solidarity support for Minister Wilkinson, who is the designated minister. We want to have it so that every minister can have their say at the cabinet table, not simply defend a plan that was made by a sole, isolated minister who perhaps went and discussed with other departments. It doesn't necessarily dictate that it's a whole-of-government approach or that those conversations are complete and represent all parts of the country. Instead, Mr. Chair, we're relying on a minister who.... As we know, it's very difficult to get a memorandum of cabinet through. Without having that buy-in from the Governor in Council, we don't think you'll get as good of a result.

We believe, as Conservatives, that a different approach is necessary, which is having a full discussion at the cabinet table and a ratification that every minister can stand by. They would probably be better informed when they speak to their constituents. They won't be left saying that they don't necessarily support something, but because of cabinet solidarity they just simply say they support what the Minister of Environment or in this case, the designated minister, says on this.

Mr. Chair, we heard from witnesses like the Canadian Chamber of Commerce, an eminent national stakeholder representing hundreds, if not thousands of chambers. Even in the small District of Summerland, all of the businesses in the district are members of that Chamber of Commerce. Probably, Mr. Chair, they would want to know that the Canadian Chamber of Commerce is being heard. It is their voice here in Ottawa. They came and did a very thorough discussion, as did many other stakeholders, including the Cattle-men's Association, Pulse Canada and others.

I hope that this particular argument I'm making today will not fall on deaf ears once more.

Mr. Chair, perhaps Mr. Saini, who is so thoughtful and considerate, might decide that today is the day he will side with Dan, as my constituents call me.

● (1715)

**The Chair:** I don't see any other—

**Mr. Dan Albas:** Maybe someone might just decide that they want to debate this and thrash it out. That would be good for democracy, Mr. Chair.

**The Chair:** Does anyone want to thrash this out?

I don't think anyone is in a thrashing mood. We'll go to the vote.

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

**The Chair:** Now we'll go to BQ-12.

Madam Michaud.

[*Translation*]

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

My explanation will be simple. Clause 11 states that the minister may amend a greenhouse gas emissions reduction target. This is a bit annoying because initially, the minister and the government said that they wanted to include in the legislation their new target, from 40% to 45%, but they didn't. Instead, they said that the target would be the nationally determined contribution, or NDC, that the parties to the Paris Agreement send every five years. It will be sent by November 2021, according to what the government says.

According to this clause, are we to understand that the NDC itself could be amended or that the NDC figure in the bill could be amended without affecting the Paris Agreement?

In my opinion, if there is a failure, we must change the means, not necessarily the target. You can go and change the plan of action, and that's what we're proposing. The minister can change the plan to reduce greenhouse gas emissions, but not necessarily the target.

Could Mr. Moffet clarify this for me?

In the government amendments we saw earlier, the government decided that the target would be the NDC, but it doesn't exist yet, as I understand it.

Does that mean that with clause 11, the minister will be able to amend the NDC?

I just want to make sure that my question is understood.

● (1720)

[*English*]

**The Chair:** Mr. Moffet.

**Mr. John Moffet:** The bill as amended would make the NDC the 2030 target. The government can amend the NDC from time to time, and the Paris Agreement calls on parties to continually increase their ambition. As we have observed over the past few years, and most strikingly with the issuance of the so-called 1.5°C report by the IPCC, the consensus around the science, not just around the effects of greenhouse gases and climate change but around the timing and urgency for action, can evolve. That is the reason this provision is in the act, to enable targets to be updated if, for example, there is an evolution in the science.

I would remind members that this authority would be constrained by the amendments that were made to the bill last week, which would require each successive target to be more ambitious than the previous one. In other words, with that amendment and this provision that's in the bill, it would be possible to change targets, but only to make them more ambitious, not to go backwards.

[Translation]

**The Chair:** Does that answer your question, Ms. Michaud?

**Ms. Kristina Michaud:** Yes, it does. I just want to make sure I understand it correctly. So it would be amended upward, as proposed by the Paris Agreement, and could not be amended downward.

Would it be better to specify that in the bill, or is it implied that it has to be an upward amendment?

Under the current wording of clause 11, it can be just as easily amended downward or upward. I want to make sure that's clear. If not, we can move a subamendment to make sure that if the minister changes his target, it's to make it more ambitious.

**Mr. John Moffet:** I think amendment G-3 has already made that clarification.

**The Chair:** It seems so.

Are there any other interventions?

Mr. Albas, you have the floor.

[English]

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

I have a question for Mr. Moffet.

If BQ-12 passes, essentially the minister would then be given the ability to make changes. That's the essence of what's being called here. Is that correct?

**Mr. John Moffet:** I think it's the opposite. The bill as currently written allows the minister to change targets, but only more stringently. The amendment before the committee at this time is to eliminate that provision, which would eliminate the authority to change targets.

**Mr. Dan Albas:** Just so I can get it straight, can you say that one more time?

**Mr. John Moffet:** Sure. The bill currently allows the minister to alter the targets, but only to make them more stringent. This amendment would eliminate the ability to change targets.

**Mr. Dan Albas:** Okay, if people are concerned about changing goalposts, then that would be a plus for this particular amendment to pass. Is that correct?

• (1725)

**Mr. John Moffet:** I don't know if I should characterize it the way you did, but it would fix the targets so it would make them immutable.

**The Chair:** They couldn't be made more stringent. Is that correct?

**Mr. John Moffet:** I'm sorry. I just need to make sure I look at the amendment.

[Translation]

Does it concern the targets or the plans?

**The Chair:** It concerns the plans.

[English]

**Mr. John Moffet:** The plans must include a target, and this is referring to plans.

I apologize.

**Mr. Dan Albas:** Okay, so can you just say it one more time? I've been confused here. It's easy to do, so don't take offence.

**Mr. John Moffet:** I'm scrolling through amendments here, and maybe we should be referring this to the committee clerk just so we're precise about precisely what is involved here.

**The Chair:** Do you have a question for the clerk?

**Mr. John Moffet:** It's just to clarify precisely what the implication of this amendment is.

**The Chair:** Go ahead, Madam Thivierge.

**Ms. Émilie Thivierge:** Yes, it's not a procedural question. It's a content question, so it's a question more for the officials.

**The Chair:** What I'm trying to understand is.... I'm really curious here. There's a difference between the plan and the target. Is that correct, Mr. Moffet?

**Mr. John Moffet:** Yes, the plans have to contain the target.

**The Chair:** We know that we can make the target more stringent, but we can't make it less stringent. That's been agreed upon. Is that right?

**Mr. John Moffet:** That's correct. A target cannot be made less stringent.

**The Chair:** Madam Michaud can correct me, but it seems like Madam Michaud is saying that we should be allowed to change the plan if it needs to be more ambitious to reach a more stringent target.

Is that what Madam Michaud is saying?

[Translation]

**Ms. Kristina Michaud:** Could you repeat the question, Mr. Chair?

**The Chair:** You're not talking about the target; you're talking about the plan. You're saying there should be an opportunity to amend the plan so that it achieves a more ambitious target.

Is that the meaning of your amendment? I may not have understood it properly.

**Ms. Kristina Michaud:** In fact, this amendment was drafted before the vote on amendment G-3, which specifies that the nationally determined contribution may be amended upward and will be reported in accordance with the Paris Agreement.

As I said, the argument behind this amendment is that, if we fail, we don't want to change the target, we just want to change the means. That is the purpose of this amendment as worded. However, amendment G-3 changed all that.

**The Chair:** Okay.

So you're not asking to withdraw the amendment. This one isn't redundant.

**Ms. Kristina Michaud:** Yes.

We can vote on the amendment.

[*English*]

**The Chair:** Mr. Bachrach.

We're getting close to 5:30 and I have to pull the plug on it, but—

**Mr. Taylor Bachrach:** Mr. Chair, I was just going to ask if we might proceed to a vote. I agree that some people are still a bit confused, but I think it's because of the previous—

**The Chair:** Let's have a vote.

**Mr. Dan Albas:** Mr. Chair, again, maybe Mr. Moffet can be completely concrete, because he even had me going down a certain path where I was thinking about voting for this. I want to make sure that I understand 100% that what Madam Michaud is intending to do to the bill will do that. From the earlier explanation, I went down a garden path. I'd like to get back on the correct path.

**Mr. John Moffet:** You have my apologies for taking you down the wrong path.

Clause 11, as it's currently written in the bill, allows the minister to amend a target or a plan, again, provided that any new target must be more ambitious than the previous one. The BQ-12 amendment drops the target from this authority, so this authority would preclude the minister from amending a target. It would be limited to enabling the minister to amend a plan in a manner consistent with the purposes of the act.

As I understand from Madam Michaud, the objective was to ensure that the minister does not amend a target to make it less stringent. In my view, that's already been covered by a previously adopted amendment that ensured targets were not revised to be less ambitious. As I earlier indicated, it's the government's opinion that having the ability to amend both targets and plans is necessary to ensure they account for emerging science or other such issues.

● (1730)

**Mr. Dan Albas:** Thank you, Mr. Moffet. I appreciate that.

Thank you, Mr. Chair.

**The Chair:** Okay. We will vote on amendment BQ-12 now.

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

**The Chair:** Is there any way we can finish the clause, or do we really have to disconnect at the moment, Madam Clerk?

**Ms. Émilie Thivierge:** I don't believe we can go much further than where we are at the moment.

**The Chair:** Okay, we'll stop here. We'll continue with PV-19 on Wednesday—

**Ms. Elizabeth May:** Mr. Chair, I don't know what time we're meeting on Wednesday. Nothing's posted on the website.

**The Chair:** I'll tell you. It's 3:30, but there are many votes so we'll probably get started late. We're seeking to do a three-hour meeting if we can, but we won't know until the last minute.

If we start late, plus three hours, I don't know what time that will be. I would encourage members not to book other appointments and activities. The committee motion that we adopted authorized us to do three hours. We're working to get three hours, but it's still up in the air. It will be at least two hours. I don't know if we'll start at 3:30, 4:00 or 4:10 because of all the votes, but we'll do our best to start on time and to get three hours in.

I hope that answers your question, Ms. May.

**Ms. Elizabeth May:** It's certainly helpful. I'm in an awkward position as I'm enforced by your own motion to be here but not told in advance when we're meeting next.

**The Chair:** I know. It's an imperfect world.

**Ms. Elizabeth May:** Yes, I know. I appreciate your patience, Mr. Chair.

Thank you.

**The Chair:** I will bring down the gavel and wish everyone a good evening. I'm looking forward to seeing everyone on Wednesday afternoon.

The meeting is adjourned.







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