



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

45th PARLIAMENT, 1st SESSION

Special Joint Committee on the Exercise of Powers Under the Building Canada Act

EVIDENCE

NUMBER 001

Tuesday, March 10, 2026

Co-Chairs: Dean Allison Patti LaBoucane-Benson



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• (1835)

[*Translation*]

The Joint Clerk of the Committee (Ariane Calvert): I see we have quorum, so we will now begin the meeting.

[*English*]

The Joint Clerk of the Committee (Ferda Simpson): Good evening, everyone. As the Senate co-clerk of your committee, it is my duty to preside over the election of the Senate co-chair. I'm ready to receive a motion to that effect.

Hon. Toni Varone (Senator, Ontario, ISG): I move that the honourable Senator Patti LaBoucane-Benson be the joint chair of the committee.

The Joint Clerk (Ferda Simpson): It is moved by the honourable Senator Varone that the honourable Senator LaBoucane-Benson be elected joint chair of this committee.

Is it your pleasure, honourable members, to adopt the motion?

(Motion agreed to)

Some hon. members: Hear, hear!

The Joint Clerk (Ferda Simpson): I declare the motion carried. I invite the honourable Senator LaBoucane-Benson to take the chair.

The Joint Chair (Hon. Patti LaBoucane-Benson (Senator, Alberta (Treaty 6), GRO): Thank you, colleagues. I'm really looking forward to working with everybody.

We will now proceed to the election of a Senate deputy chair. I am ready to receive a motion to that effect.

Are there any nominations?

Hon. Kody Blois (Kings—Hants, Lib.): I move that Mr. Dean Allison serve as the co-chair to the honourable senator.

The Joint Chair (Hon. Patti LaBoucane-Benson): No, this is for the Senate deputy chair.

Hon. Kody Blois: It's for the Senate vice-chair. Then I move that Senator Varone....

I'm sorry about that. I was trying to be helpful.

The Joint Chair (Hon. Patti LaBoucane-Benson): The honourable Mr. Blois moved that the honourable Senator Varone be the Senate deputy chair of this committee.

Is it agreed to adopt the motion?

(Motion agreed to)

The Joint Chair (Hon. Patti LaBoucane-Benson): I declare the motion carried.

The Joint Clerk (Ariane Calvert): Pursuant to Standing Order 106(3)(a), as the joint clerk of the committee from the House of Commons, I will now preside over the election of the joint chair and the vice-chairs from the House of Commons.

Hon. Kody Blois: Is it my turn?

The Joint Clerk (Ariane Calvert): Soon, sir. Give me just one moment.

Pursuant to the motion adopted by the House of Commons on November 20, 2025, the joint chair must be a member of the official opposition. I am now ready to receive motions to that effect.

Sukh Dhaliwal (Surrey Newton, Lib.): I nominate Dean Allison.

The Joint Clerk (Ariane Calvert): Are there any further motions? Seeing none, I will now put the question to the committee.

It has been moved by Mr. Dhaliwal that Mr. Allison be elected as joint chair of the committee for the House of Commons.

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

(Motion agreed to)

Some hon. members: Hear, hear!

The Joint Clerk (Ariane Calvert): I will now invite Mr. Allison to take the chair.

Pursuant to the motion adopted by the House of Commons on November 20, 2025, the first vice-chair must be a member of the government party. I am now prepared to receive motions for the first vice-chair.

Mr. Louis.

Tim Louis (Kitchener—Conestoga, Lib.): I nominate Mr. Dhaliwal.

The Joint Clerk (Ariane Calvert): Are there any further motions? Seeing none, I will put the question to the committee.

It has been moved by Mr. Louis that Mr. Dhaliwal be elected as first vice-chair of the committee.

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

(Motion agreed to)

• (1840)

[*Translation*]

The Joint Clerk (Ariane Calvert): Pursuant to the motion adopted by the House of Commons on November 20, 2025, the second vice-chair must be a member representing the Bloc Québécois.

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

Ms. Bendayan, you have the floor.

Hon. Rachel Bendayan (Outremont, Lib.): That's what I was going to propose in any case, even though I don't have a lot of choices left, given the presentation you made. I will happily nominate Patrick Bonin.

The Joint Clerk (Ariane Calvert): Are there any further motions?

It has been moved by Ms. Bendayan that Mr. Bonin be elected as second vice-chair of the committee.

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

(Motion agreed to)

The Joint Clerk (Ariane Calvert): I declare Mr. Bonin the duly elected second vice-chair of the committee.

[*English*]

The Joint Chair (Dean Allison (Niagara West, CPC)): Welcome to meeting number one of the Special Joint Committee on the Exercise of Powers under the Building Canada Act.

Before we begin, I'd like to ask all in-person participants to read the guidelines written on the updated cards on the table. These measures are in place to help prevent audio and feedback incidents, and to protect the health and safety of all participants, including the interpreters. You will also notice a QR code on the card, which links to a short awareness video.

Today's meeting is taking place in the hybrid format.

I would like to remind participants of the following points: Before speaking, please wait until a joint chair recognizes you by name. Please raise your hand if you wish to speak. We will do our best to maintain a consolidated speaking order. I remind you that all comments should be addressed through the joint chairs.

The Joint Chair (Hon. Patti LaBoucane-Benson): We will proceed with the proposed routine motions.

Do I have a mover for motion number one regarding analyst services?

Ms. Stubbs, would you read the motion into the record?

Shannon Stubbs (Lakeland, CPC): Sure. I'd be happy to go through the routine housekeeping motions, or we can go one by one, whatever your preference is.

The Joint Chair (Hon. Patti LaBoucane-Benson): We're going back and forth.

Shannon Stubbs: Okay.

This is for analyst services:

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

(Motion agreed to)

The Joint Chair (Hon. Patti LaBoucane-Benson): I should take this opportunity to introduce the analysts, Marie Dumont and Stephanie Feldman. They're welcome to join us here.

The Joint Chair (Dean Allison): Routine motion number two is regarding the subcommittee on agenda and procedure:

That the Subcommittee on Agenda and Procedure be composed of the joint chairs and the vice-chairs, and that the subcommittee work in a spirit of collaboration.

Does a committee member wish to move this motion?

An hon. member: I so move.

(Motion agreed to)

The Joint Chair (Hon. Patti LaBoucane-Benson): Do I have a mover for motion number three? It is on the steering committee.

Senator Carignan, would you please read the motion into the record?

[*Translation*]

Hon. Claude Carignan (Senator, Quebec (Mille Isles), C): Okay. I move:

That the subcommittee be empowered to make decisions on behalf of the committee with respect to its agenda, to invite witnesses, and to schedule hearings.

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): Is it agreed to adopt the motion?

(Motion agreed to)

Hon. Toni Varone: How is that different?

The Joint Chair (Hon. Patti LaBoucane-Benson): Ferda will help you. We'll take a second.

The Joint Chair (Dean Allison): Let's move on to routine motion number four.

Do we have a committee member who wishes to move the motion and read it into the record?

Go ahead, Senator.

Hon. Peter Harder (Senator (Ontario), PSG): I move:

That the joint chairs be empowered to direct communication officer(s) assigned to the committee in the development of communications plans and products where appropriate and to request the services of the Senate Communications Directorate and of the House of Commons Social Media Team for the purposes of the promotion of their work.

The Joint Chair (Dean Allison): Is it agreed to adopt the motion?

(Motion agreed to)

The Joint Chair (Hon. Patti LaBoucane-Benson): Do I have a mover for motion number five regarding time for opening remarks and questioning of witnesses?

Senator Varone.

Hon. Toni Varone: I have an amendment I'd like to table for this on behalf of Senator Jim Quinn.

● (1845)

The Joint Chair (Hon. Patti LaBoucane-Benson): The procedure would be for you to move the motion and then we would propose the change.

Hon. Toni Varone: I'm happy to move it.

The Joint Chair (Hon. Patti LaBoucane-Benson): Go ahead, Senator Varone.

Hon. Toni Varone: Would you like me to read it all in?

The Joint Chair (Hon. Patti LaBoucane-Benson): Yes, read the motion as stated and then tell us how you're going to change it.

Hon. Toni Varone: The motion states:

That witnesses be given five minutes for their opening statements; that whenever possible, witnesses provide the committee with their opening statements 72 hours in advance; that, at the discretion of the joint chairs, the order of questions for the first round of questioning shall be as follows: four minutes House of Commons Liberal, four minutes House of Commons Conservative, four minutes House of Commons Bloc Québécois and four minutes for each senator; and that the questioning during the second and subsequent rounds shall be divided as follows: three minutes House of Commons Conservative, three minutes House of Commons Liberal, two minutes House of Commons Bloc Québécois and two minutes for two senators on a rotational basis to be determined by the Senate parliamentary groups.

The amendment is on the BCAN allotment proposal. It's that any committee member may cede their time to another member of the House, Senate or Commons. The three-hour panel assumes three witnesses with five-minute remarks each. Round one has 16 members, each with four minutes, for a total of 64 minutes. Round two has 11 MPs, each with four minutes, for 44 minutes. Then it's five senators each with three minutes, for 15 minutes total. That's 59 minutes in total. The total time of rounds one and two is 123 minutes.

For round three and up, we'll have three MPs—one Liberal, one Conservative and one Bloc—and one senator, who is determined by the Senate joint chair. Each has two minutes.

In addition, for the one-and-a-half-hour panels, any committee member may cede their time to another member of the House, Senate or Commons. The two one-and-a-half-hour panels assume three witnesses with five-minute remarks each. For round one, 16 committee members each have three minutes, totalling 48 minutes. For round two and up, 11 MPs each have two minutes, totalling 22 minutes. Two senators each have two minutes, totalling four minutes.

Rotation would follow QP order: CP, ISG, CSG, PSG and GRO and would carry over to the next round panel meeting. That's 74 minutes.

The Joint Chair (Hon. Patti LaBoucane-Benson): Colleagues, is there any discussion?

Ms. Stubbs.

Shannon Stubbs: Thank you, Senator, for providing this clarity and road map for our work here.

Do you want to walk us through your rationale and what the senators are trying to achieve with this amendment as we all consider it, since we've just received it?

Hon. Toni Varone: When Senator Quinn sat me down and explained it to me, he wanted to create more of a sense of fairness for each member of this committee, inclusive of the Senate. That was his explanation and rationale.

● (1850)

The Joint Chair (Dean Allison): Mr. Varone, could I ask for clarification?

He's suggesting that everyone gets a chance to talk once before anyone gets a chance to talk twice, which seems to make sense to me. I wish it was like that in all committees. It's not a bad suggestion, but I don't want to bias the—

Hon. Toni Varone: It would also allow you to cede your time.

The Joint Chair (Dean Allison): Thanks for the clarification.

The Joint Chair (Hon. Patti LaBoucane-Benson): Are there any other questions?

Mr. Bonin, go ahead, please.

[*Translation*]

Patrick Bonin (Repentigny, BQ): Good evening, everyone. It's a pleasure to be here.

I'm looking at the proposed amendment, which makes considerable changes to what was originally proposed. In that sense, we on our side see a certain amount of unfairness, not to mention inequity, because our role as parliamentarians or as a political party would obviously be much diminished. If the committee wants to work in a non-partisan manner and in the most constructive way possible, we find that it would greatly limit the work we need to do in committee.

For example, the Special Joint Committee on Medical Assistance in Dying does not work like that. We are very uncomfortable with the proposal, which we think will greatly reduce our influence and, unfortunately, won't allow us to properly do our work as parliamentarians.

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you.

Ms. Stubbs, go ahead.

Shannon Stubbs: Thanks, Chair.

It's not the same party, but in support of our colleague's intervention about fairness, given the unique situation of this committee, the urgency and importance of the issues and the fact that, like him, we too are seeing this for the first time, maybe if the chairs or the committee were okay with it, now would be a good time to suspend briefly, and those of us who are receiving this proposal right now could give it due consideration.

Given the importance of the work of this committee, and certainly for those of us who are elected and therefore have mandates to the people who send us here, we definitely take our jobs and our roles of accountability extremely seriously.

I know that is what the member is talking about. Maybe a remedy here is a quick suspension for us to be able to participate fully in this part of the debate.

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you, Ms. Stubbs.

Go ahead, Mr. Dhaliwal.

Sukh Dhaliwal: I think it is a genuine concern that is raised by Mr. Bonin.

Before we suspend, perhaps the clerk could explain if it was the regular way of doing things and how much time the Bloc member will get. Also, how much time will be allocated under the present circumstances so it will give him or the Bloc assurance that it's fair for them?

The Joint Chair (Hon. Patti LaBoucane-Benson): The information I have right now is that in round one the Liberals would have four minutes, the Conservatives would have four minutes, the Bloc would have four minutes, and the Senate would have four minutes times five senators.

In round two, the Conservatives would have three minutes, the Liberals would have three minutes, the Bloc would have two minutes, and the Senate would have two minutes times two senators. That is considerably different from what is proposed in front of you.

Sukh Dhaliwal: How many minutes will the Bloc get under the present circumstances, and how many minutes would the Bloc get under the amendment?

The Joint Chair (Hon. Patti LaBoucane-Benson): Presently, it is four minutes, and under the new proposal, it is four minutes.

Ms. Bendayan, you have the floor.

[*Translation*]

Hon. Rachel Bendayan: Thank you, Madam Chair.

The intention is certainly not to take away speaking time, and I think the answer has clarified that. Based on my conversation with a few senators earlier, I also think the intention is to give roughly equal time between unelected senators and elected members of the House. I think it's an idea that merits consideration.

I would also note that each special committee that includes senators and members of Parliament decides on its own rules upstream, as we are doing today. There are no specific rules dictating how we are going to divide the time we have. I understand, Mr. Bonin, that you have expertise or experience on another special committee.

When I sat on the Special Joint Committee on the Declaration of Emergency, on which I think Senator Carignan also sat, we also agreed on a different way of doing things.

I think giving every member of the committee equal time at the outset is very fair. It's clear that you are not penalized in any way. Ultimately, you have the same speaking time as all of us around the table.

• (1855)

Patrick Bonin: With all due respect, Madam Chair, the issue here is largely a matter of proportion. Time is not the issue. In the first proposal, we intervene one time out of eight; in the second, it's one out of sixteen. The proportions are really not the same, and that's essentially our main concern right now with the motion as proposed.

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): Mr. Dhaliwal, go ahead.

Sukh Dhaliwal: Madam Chair, the fairness should be explained, so could Mr. Bonin tell us what would be fair for him?

The Joint Chair (Hon. Patti LaBoucane-Benson): We'll suspend for 10 minutes and give him an opportunity to consider that.

• (1855)

(Pause)

• (1905)

The Joint Chair (Hon. Patti LaBoucane-Benson): Colleagues, I would ask if our Bloc Québécois member has an alternative proposal or anything to report back.

[*Translation*]

Patrick Bonin: I understand, Madam Chair, but you've grasped my unease, which is shared by my Conservative colleagues, about how the presented proposal would affect proportionality. As I said, we would go from one intervention in eight to one in sixteen.

People seem rather unwilling to go back to the original proposal. We would definitely prefer to go back to the original proposal and reject the amendment. If you want to put it to a vote, you can do so, but I don't think that is the ideal way we should work together in committee. We at least are able to clearly state where we stand on this. I hope we'll be able to work together as well as possible, but this proposal is clearly not a good way for us to do our job as elected parliamentarians.

• (1910)

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): Is there anybody else on debate? No.

We will go to a recorded vote.

(Amendment agreed to: yeas 8; nays 7)

The Joint Chair (Hon. Patti LaBoucane-Benson): I was just informed by the clerk that the rules of the Senate and the House of Commons are different. I vote, as a matter of our rules, but it seems that Mr. Allison does not vote, as a matter of the House of Commons rules.

Ms. Stubbs.

Shannon Stubbs: I think this might be a point of order and also a topic we ought to discuss as a committee.

This committee is not a creature of the Senate, nor is it a creature of the House. This is a unique committee that's a special select committee, so the rules don't necessarily automatically apply.

We are going to run into these issues about how we deal with votes and other issues that come before us, so it seems to me that this is precisely what we need to debate at this committee. This is a unique committee that combines both of us and stems from the legislation that Conservatives worked to improve and helped the Liberals pass. We all share the stated goals of the bill that has created this committee.

This is fundamentally not just about fairness, as the Bloc colleague articulated, but this is going to govern all the work we do and every discussion and debate that we have here. I think it behooves us to have this discussion right now about exactly how we are going to operate, since this committee is unique, and it doesn't seem clear that the Standing Orders from either of the Houses should automatically apply—either of the places, I guess we could say—would rule the day here in this committee.

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you for your intervention.

Although this is my first committee as a joint chair, I know that we've had other joint committees, and I would ask the the clerk to advise us.

Is this the way it normally goes in other joint committees, that the Senate chair would vote and the House of Commons chair would not? Is that normal practice?

• (1915)

The Joint Clerk (Ferda Simpson): It is normal practice, yes.

One of our routine motions has to do with this. We can advance that if you would like.

The Joint Chair (Hon. Patti LaBoucane-Benson): One of our routine motions, motion number 17, will speak to voting, so maybe when we get there, we can have that discussion.

Go ahead, Mr. Hardy.

[*Translation*]

Gabriel Hardy (Montmorency—Charlevoix, CPC): Thank you.

I think that's an excellent point. That's where we need to start. Each committee can choose how it will operate. If we want this committee to operate fairly and in a non-partisan manner, there can't be votes where, whatever happens, we'll always be defeated if one side agrees and the other doesn't. We have to have an effective

way of operating that will allow members and senators to express themselves.

We've just seen a situation where the entire opposition is against a proposal, but there is no vote. Therefore, our proposals will always be defeated if things go this way.

I think we need to work toward getting to a place where we choose how we operate. Each committee can be different. Today, we need to have discussions and set the rules. I think it's very important that we do this today.

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): Mr. Bonin, you have the floor.

[*Translation*]

Patrick Bonin: Madam Chair, with all due respect, the situation is clear to us. We knew that we had to discuss this. If you are able to vote, Madam Chair, it almost gives the Senate additional power. In terms of wanting to work together and co-operate, it seems to me that the fact that you can vote but your colleague, Mr. Allison, can't is somewhat unfair.

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): Go ahead, Mr. Blois.

Hon. Kody Blois: Colleagues, despite what we may decide on the situation around the different protocols between chairs, with the Senate chair voting and Mr. Allison may or may not, we can continue to have that discussion, but I think it's important to recognize that Senator Quinn, who ultimately...Senator Varone was moving this particular motion. I understand that he is to be the permanent member, notwithstanding that Mr. Gignac is doing God's work here and serving King and country on this committee. He will return, I believe, in two weeks' time, so I think we could always revisit this in terms of how we go when Senator Quinn, who will be the permanent representative of his party or his grouping in the Senate, comes back. Regardless of what we may decide around the House piece, I think that's important to recognize as well.

Maybe we don't continue the debate on this, and we can maybe talk about what we might want to do as the committee moving forward, and then further delineate how we want the ability for members to participate equally in the committee moving forward, including when the member, the senator who is proposing to move this, notwithstanding Senator Varone has done service to Senator Quinn.... We can allow Senator Quinn to explain and have that perspective at one point, if we think that's a pathway forward.

The Joint Chair (Hon. Patti LaBoucane-Benson) : I'm sorry, Senator Carignan. I'm not ignoring you, but I am getting back at you for NFFN when you used to make me go last all the time.

[*Translation*]

Hon. Claude Carignan: I hope you're not ignoring me.

I just want to point out that the last of the motions we need to adopt tonight, which is about the participation of the joint chairs and the voting process, clearly proposes that the joint chairs be given the opportunity to fully participate, including moving motions and voting on any item of business. Therefore, it's a bit odd that, for a motion, we aren't applying the operating rules we had agreed on for a future motion. That was my understanding. In fact, I was convinced that Mr. Allison had the right to vote.

Hon. Rachel Bendayan: There can be amendments.

Hon. Claude Carignan: Yes, but we still have the motion, so we legitimately expected that we would operate that way.

I don't know if we can switch the order of the agenda and start by talking about the motion, since there will be a vote, and then vote on that.

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you, Senator Carignan.

Ms. Bendayan, do you have an intervention? No.

Ms. Anstey, go ahead.

Carol Anstey (Long Range Mountains, CPC): Thank you.

I would like to expand on some of the other comments.

This is a unique committee. I'd also like to point out that Conservatives did work with the members across the way to move this forward, and I think it's really important for us to have our say.

If this is set up in this fashion, it doesn't allow for the proper amount of accountability or fairness in our process or for us to do our work. As well, we all represent different parts of the country, and there are different concerns, so I reiterate that it's really important that we get this right in order for this committee to operate effectively, as we represent people from different parts of the country, who elected us to be here and do our work to the best of our ability.

• (1920)

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you.

Monsieur Bonin, go ahead.

[*Translation*]

Patrick Bonin: Madam Chair, I'm curious as to whether the joint chair's interpretation is that he should be able to vote.

We talked about a motion on the agenda that mentions the role of joint chairs, but, given your experience, Mr. Allison, it would be worthwhile to know whether you think that, as joint chair representing the House of Commons, you should be on an equal footing with the joint chair representing the Senate.

[*English*]

The Joint Chair (Dean Allison): I suggest that we suspend this one for now and come back to it. We could go through some of the other routine motions, and then come back to it at the end. That would probably deal with a couple of things.

The Joint Chair (Hon. Patti LaBoucane-Benson): Mr. Blois, go ahead.

Hon. Kody Blois: I think Ms. Anstey has raised an important point, and it's exactly why I voted for this motion. Whether it's the Long Range Mountains, Kings—Hants or any other area that we come from as elected members, when you think about the previous Standing Orders, on the Liberal side, for example, and even on the Conservative side—there are, at least, five Liberal members—there were many times when elected officials were not going to have any ability to share time and actually ask questions of witnesses, whether they were ministers or folks from MPO. What I like about this setup is it allows every single member of the Senate and of the House, including our friend from the Bloc Québécois, to have an opportunity.

To the point that Ms. Anstey raised, I would agree entirely that by voting against this piece, Ms. Anstey does not have the ability to represent the people of Long Range Mountains every week. If we do this, every single person has that ability.

I want to ask some good questions. I would like the opportunity to quiz the MPO on what we're doing to drive projects forward. I think this gives real equity among elected members, who are accountable to constituents, and senators, who do good, important work but don't have that same accountability framework that we do. That, to me, is the core of what we're trying to get at here.

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you, Mr. Blois.

Mr. Hogan, go ahead.

Corey Hogan (Calgary Confederation, Lib.): I appreciate the discussion, and I think reasonable people can disagree on what's fair. In the spirit of getting things done and building Canada, I'd also like to flip to the last chapter of this book, which is, ultimately, that the final composition of this committee is likely going to have a majority on this, anyway. We're going to be spending a lot of time and effort on a discussion that will be fundamentally resolved anyhow in a week or whenever we meet up next in favour of these amended rules.

I'd also point out that we already had the vote. We could spend a lot of time spinning our wheels on this particular one, but we've had the vote, and even if that were not the case, we would end up here anyway.

I would encourage us, as a committee, to move on.

The Joint Chair (Hon. Patti LaBoucane-Benson): Ms. Bendayan, go ahead.

Hon. Rachel Bendayan: I promise you that we hadn't spoken earlier.

My suggestion would be that we try to accomplish as much as possible in the time we have by going to some of the other routine motions. I believe it was Mr. Allison who proposed that some 10 minutes ago. I think it would be useful for us to try to accomplish something.

I do believe that the House will have votes and that the bells may ring around 8 p.m., so I would suggest that we move on to other routine motions and possibly other business for this evening.

The Joint Chair (Hon. Patti LaBoucane-Benson): We'll go to Mr. Hardy and Mr. Dhaliwal, and then we will try to resolve this.

Go ahead, Mr. Hardy.

[*Translation*]

Gabriel Hardy: I'll try to be as concise as possible.

This is the first vote that has triggered a debate like this, and I think it points to a more fundamental problem. If we can't agree on how the committee will proceed to a vote, it's more important to settle that than to settle the issue of the number of minutes we'll spend talking. It is extremely important for the committee to agree on how it operates. It just so happens that this is the last item on the agenda. Had it been the first, we wouldn't have had this discussion. However, it is the last item on the agenda, even though it is more fundamental than the first item that raises a discussion.

We should settle this issue first and figure out together how we're going to vote, and then see how things go. We can't wait until the end to agree on how to vote after we've had to vote on something. That doesn't work.

• (1925)

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): Mr. Dhaliwal, go ahead.

Sukh Dhaliwal: Madam Chair, I have a few points.

Number one, because the vote was already called, we would need unanimous consent to move forward.

Number two, we should have ordered the motions differently. The way they're ordered, it's my understanding that even if Joint Chair Allison votes in favour, it's going to be a tie vote. If it's a tie vote, that means the motion will pass. It can change the outcome.

It's up to you fellows whether you want to keep beating around the bush or move forward. I have given you the suggestion indirectly of moving forward.

The Joint Chair (Hon. Patti LaBoucane-Benson): Ms. Stubbs, you have the floor.

Shannon Stubbs: Madam Chair, I agree with my colleagues who are talking about the importance of members of Parliament, our mandates and our accountability. I too value, as you articulated, the ability to substitute and share our time. However, I still think, as my colleague Gabriel has said and the Bloc MP has outlined, this really is fundamental to how we will operate and do all of our work as a committee.

This is a unique committee, and certainly Conservatives will not be accused of trying to slow things down since we have been the party consistently asking to speed things up. I participated with great joy in the amendments to help accelerate the passage of the bill that created this committee. However, we are already at loggerheads based on issues around our ability to represent our constituents, get things done and how this committee will govern itself.

I think if the words around collaboration, working together and all of these things are taken at face value, maybe a solution right now would be for the mover to withdraw the amendment. We could proceed through other routine motions, as our Liberal counterparts have suggested. Then we could come back to this at the end, or after a suspension perhaps, to deal with exactly how we are going to handle votes and proportions of speaking time, in the principles of fairness and ensuring that elected members are able to do the work we are sent here to do by the people who elected us.

The Joint Chair (Hon. Patti LaBoucane-Benson): Colleagues, we actually don't need to withdraw, because we have voted for the amendment but we have not actually voted for the motion as amended. One possibility is that we can, at this point, suspend this piece, go through all the other motions and then come back to it at the end.

How would everybody feel about that?

[*Translation*]

Hon. Rachel Bendayan: I agree.

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): Is there unanimous consent?

Some hon. members: Agreed.

The Joint Chair (Hon. Patti LaBoucane-Benson): Okay. Let's keep going.

The Joint Chair (Dean Allison): We're moving on to routine motion number 6:

That the joint clerks of the committee be authorized to distribute to the members of the committee only documents that are available in both official languages; and that witnesses be advised accordingly.

Do I have a committee member who wishes to move this motion?

Thank you, Mr. Hardy.

(Motion agreed to)

The Joint Chair (Hon. Patti LaBoucane-Benson): Do I have a mover for motion seven, on the translation of documents?

Senator Harder, would you read the motion into the record?

Hon. Peter Harder: It reads as follows:

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

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you, Senator Harder.

(Motion agreed to)

The Joint Chair (Dean Allison): Routine motion number eight is on working meals:

That the joint clerks of the committee, at the discretion of the joint Chairs, be authorized to make the necessary arrangements to provide snacks and beverages for the committee and its subcommittees.

Do I have a committee member to move that?

Thank you, Sukh.

(Motion agreed to)

The Joint Chair (Hon. Patti LaBoucane-Benson): Do I have a mover for motion nine, on committing and certifying accounts?

Senator Gignac, would you read the motion into the record?

[*Translation*]

Hon. Clément Gignac (Senator, Quebec, CSG): It reads:

That either joint chair or, in accordance with the direction of the joint chairs, either joint clerk be empowered to approve payment of expenditures of the committee.

• (1930)

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you, Senator.

(Motion agreed to)

The Joint Chair (Dean Allison): Routine motion number 10 reads as follows:

That, if requested, reasonable expenses related to the appearance 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 joint chairs.

Do I have a committee member who wishes to move that motion?

Thank you, Ms. Anstey.

(Motion agreed to)

The Joint Chair (Hon. Patti LaBoucane-Benson): Do I have a mover for motion number 11, on access to in camera meetings?

Mr. Louis, would you read the motion into the record?

Tim Louis: The motion reads:

That, unless otherwise ordered, each committee member be allowed to be accompanied by one staff person at in camera meetings and that one additional person from each House officer's office be allowed to be present and, for the Senate, that the Office of the leader or facilitator of the Government and of each recognized party or parliamentary group be entitled to one additional staff member at these meetings, provided that all committee members and staff present shall take the oath of secrecy as set out in subsection 62(3) of the Emergencies Act.

The Joint Chair (Hon. Patti LaBoucane-Benson): Is it agreed that we adopt the motion?

(Motion agreed to)

The Joint Chair (Dean Allison): We are now on routine motion number 12, on the transcripts of in camera meetings:

That one copy of the transcript of each in camera meeting be securely retained by the joint clerks for consultation by members of the committee or by their staff, provided that they have taken the oath of secrecy as set out in subsection 62(3) of the Emergencies Act; that the analysts assigned to the committee have access to the in-camera transcripts; and that the transcripts be destroyed when the committee ceases to exist.

Do I have someone to move that?

Thank you, Mr. Harder.

(Motion agreed to)

The Joint Chair (Hon. Patti LaBoucane-Benson): Do I have a mover for motion number 13, the motion to publish the committee's proceedings?

Senator Varone, would you mind reading the motion into the record?

Hon. Toni Varone: The motion reads:

That the committee publish its proceedings in both official languages.

The Joint Chair (Hon. Patti LaBoucane-Benson): Is it agreed that we adopt the motion?

(Motion agreed to)

The Joint Chair (Dean Allison): Next is routine motion number 14, on notices of motion:

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 joint clerks of the committee no later than 4:00 p.m. from Monday to Thursday, and no later than 2:30 p.m. on Friday; (b) the motion be distributed to Members, Senators and the offices of the whips of each recognized party in both official languages by the joint clerks 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.

Do I have anyone willing to move that motion?

Thank you, Sukh.

(Motion agreed to)

The Joint Chair (Hon. Patti LaBoucane-Benson): Colleagues, do I have a mover for motion number 15, on technical tests?

Senator Carignan, would you read that in?

[*Translation*]

Hon. Claude Carignan: I move:

That the joint clerks 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 joint chairs advise the committee, at the start of each meeting, of any witness who did not perform the required technical tests.

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): Is it agreed that we adopt the motion?

(Motion agreed to)

The Joint Chair (Dean Allison): Do I have anyone who wants to read motion number 16 on digital binders into the record and to move that motion?

I'll read it, then:

That the joint clerks of the committee be authorized to grant access to the committee's digital binder/portal to the offices of the whips of each recognized party, provided that they have taken the oath of secrecy as set out in subsection 62(3) of the Emergencies Act.

Do I have someone to move that?

Senator Varone, thank you.

(Motion agreed to)

The Joint Chair (Hon. Patti LaBoucane-Benson): Do I have a mover for motion 17 on joint chairs?

Ms. Stubbs, would you read the motion into the record?

Shannon Stubbs: No, it has to be you. We haven't spent enough time together yet.

Here's where I might offer a solution along the lines of what we were all talking about earlier. To help remedy this challenge, I wonder if colleagues would be open to unbundling this motion. If we could, in the first place, I would be prepared, if you would all agree, to move right now:

That the joint chairs shall have the ability to fully participate, including to move motions and to vote on all items before the committee.

I would move that as a stand-alone motion right now, if members of this committee were willing to vote on that. We could establish that principle, and then I would be prepared to move a motion right after, if you're open to that.

• (1935)

The Joint Chair (Hon. Patti LaBoucane-Benson): Mr. Dhaliwal.

Sukh Dhaliwal: I would agree with that, and hopefully the other members will also.

The Joint Chair (Hon. Patti LaBoucane-Benson): Is there any other debate?

Hon. Kody Blois: I have a procedural question.

Mr. Hogan raised it quite well. We have a senator who I understand is a permanent member of this committee. We have a senator who is joining us on an interim basis with that group. If it ends up being a tie, in terms of the pathway forward, I'm curious, if there does become a majority at some point on the direction, I assume the routine proceedings of how we allocate time can be decided at any point by a majority of this committee. Is that correct?

The Joint Chair (Hon. Patti LaBoucane-Benson): That's correct.

At the moment, Ms. Stubbs, I think what you're saying is that you would like to move that the joint chairs shall have the ability to fully participate, including to move motions and to vote on all items before the committee.

Is that what you're moving right now.

Shannon Stubbs: Yes, Chair.

The Joint Chair (Hon. Patti LaBoucane-Benson): Is there any other debate?

(Motion agreed to)

The Joint Chair (Hon. Patti LaBoucane-Benson): Ms. Stubbs, do you have any opinions on the rest of that motion?

Shannon Stubbs: I do. Just for members' consideration, I move:

That when an equality of votes arises, (a) on a debatable motion, the vote shall be deemed not to have occurred and the committee shall resume debate on the question; and (b) on a non-debatable motion, it shall be negated.

I'm just making this argument given the importance of the work that we're doing here.

The Joint Chair (Hon. Patti LaBoucane-Benson): On debate, Mr. Dhaliwal?

Sukh Dhaliwal: No.

The Joint Chair (Hon. Patti LaBoucane-Benson): No.

Is there anybody else for debate on that?

Mr. Hogan.

Corey Hogan: I'm curious if Ms. Stubbs could expand on the problem she is trying to resolve with this. I'll just say, I'm worried that debate is perpetual at that point.

Shannon Stubbs: I appreciate that. What I'm trying to get at is there ought to be fairness for all members here. I think it is the case that on some issues there may be irreconcilable differences, but there is our shared commitment and the government says they want to get projects built at speeds never seen before in generations, and my belabouring this point wouldn't align with that—fair point. Given all that, it seems to me that Canadians would expect us to resolve these issues at this committee. The sectors we are going to be dealing with, the proponents we are going to be dealing with, the projects that we are going to be dealing with literally underpin the entire Canadian economy and are more important now than ever for Canadian sovereignty, security, affordability and self-reliance.

We believe the government is now alive, or at least they say so, to these issues. We, as Conservatives, have demonstrated our willingness to participate in this debate. I led that debate for Conservatives in June on Bill C-5. I worked very hard to improve the bill and to pass it as expeditiously as possible.

The intention is not to prolong the debate ad infinitum. There's the grave scope and scale of the issues, the projects and the role of accountability that we will have here on what is a new process, a new creation, a new bill layered on top of what are already existing regulatory legislation, regulations and three already existing regulatory bodies federally, plus now this process. Eleven projects have been referred so far, and 72 project proponents are sitting in front of the three federal regulators right now. I would say, if we are all going to collaborate in the best interest of Canada, that we can come to a resolution on these topics and that a tie shouldn't just automatically end.

The Joint Chair (Hon. Patti LaBoucane-Benson): Mr. Bonin.

[*Translation*]

Patrick Bonin: I would tend to welcome our Conservative colleague's proposal.

The purpose of this committee is to speak on behalf of our constituents, at least in the case of elected officials. Please excuse my inexperience as a new member, but, as I understand it, the Senate is now independent, so I don't expect that votes would systematically lead to a tie. That may occasionally happen, but it probably won't be systematic given the new situation in the Senate.

I think that, as members, we need to make an effort to reach consensus-based decisions to move projects forward in the interest of our constituents. This approach will be challenging, yes, but I think it will reflect the many challenges that we are currently facing in this country.

• (1940)

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): Thank you.

Mr. Hogan.

Corey Hogan: I am very concerned about this because, of course, we're creating a third option: yes, it passes; no, it doesn't pass; let's sit here forever.

While I appreciate the desire and intent of us trying to work out these differences, we would be creating a future trap that would slow down this committee and its productivity. We need to resolve questions, fundamentally—at the end of the day. There's a reason we don't do this in the House.

There's no strong reason for this, although I appreciate the intent.

The Joint Chair (Hon. Patti LaBoucane-Benson): Mr. Dhaliwal.

Sukh Dhaliwal: Madam Chair, usually, the tradition in committees like this one is that if there is a tied vote, it means the motion is adopted. If we go that way, things will go smoothly and nobody's stopping things. In fact, it's for both sides. If we look at Conservatives and Liberals, it doesn't matter. We have one thing in common: We want to make sure these big projects move fast. That's what the intent is. Eventually, I think we will all be working towards that collaboration and moving forward.

Right now, let's go with the status quo and move forward.

The Joint Chair (Hon. Patti LaBoucane-Benson): Ms. Anstey.

Carol Anstey: I was very happy to hear an endorsement of my original intervention by the member across the away. Really, it was rooted in this issue we're debating right now: that we have the ability to raise the concerns of the people who elected us. This is a unique committee.

To the point about amount of time, or that this might clog up the work of the committee, Conservatives have always been very adamant about projects moving forward quickly. We worked in the spirit of collaboration to make sure this piece of legislation moved quickly. It would be counterintuitive for us to then use this as a method to get things clogged up. I think we can all agree that this is extremely important work, and a spirit of collaboration is certainly what Canadians want to see right now. It's very important that we get this right, set this committee off on the right foot and have the ability to debate and bring forward the concerns of proponents and constituents from areas we represent.

It's very important that we do this in a fair, transparent manner. If we're just going to shut it down all the time when we reach these situations—that we have the ability to do that, as members—it's going to be highly problematic for us as we represent the people we were elected to represent in a fair manner.

The Joint Chair (Hon. Patti LaBoucane-Benson): Mr. Blois.

Hon. Kody Blois: I think we all want to be collaborative on the pathway forward. Ms. Stubbs certainly talked about a situation in which we could be at a deadlock—eight-eight—on that pathway. This could also be weaponized, though, to continue debate unreasonably, as opposed to....

The precedent, normally, is that if you don't have a majority, it fails. That's why I asked the question about what could happen. We've now allowed Mr. Allison to vote. Presumably, it would be eight-eight. I don't want to indefinitely debate the pathway of how our allocation of speaking time comes to be. Either we'll get to a majority—that will happen if the individual who is going to move that motion rejoins this committee at some point—or we won't. Then we will live with the Standing Orders, and we'll move forward on the allocation as it is.

Notwithstanding that I agree with the idea of compromise, this could be used as a way to prolong debate indefinitely on things members may not want to see happen. We have a democracy. Majority needs to have a pathway. We're going to have to find nine members on whatever pathway we want to take, as a group.

• (1945)

The Joint Chair (Hon. Patti LaBoucane-Benson): I'd also like to remind colleagues that we have three senators here who will vote any way they want to. We'll not necessarily be at a tie. It may be quite rare that we wind up with a tie. We're not split between two big parties and another member. We actually have independent senators here as well. The hypothetical tie is a little bit hypothetical at the moment.

We do need a way to resolve this, and we do need a way to resolve debate. We have to find a way to come to an end of debate through a vote. Whether a tie means that the item is negative or whether, as somebody suggested, a tie means that the item is positive, we do need to make a decision right now.

Mr. Dhaliwal.

Sukh Dhaliwal: Call the vote, please. I would suggest that we end the debate and call the vote.

The Joint Chair (Hon. Patti LaBoucane-Benson): I have two people on the list right now. I'm going to call them, and then we'll get to a vote. We'll have to decide how that vote goes.

Mr. Bonin.

[*Translation*]

Patrick Bonin: Madam Chair, opinions clearly differ. I think it would be appropriate to suspend the meeting for a few moments so that we can try to find a way forward.

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): Mr. Hardy.

[*Translation*]

Gabriel Hardy: I will concur with my colleague. I have some good points to raise, but I agree to suspend the meeting. We can come back to it later.

[*English*]

The Joint Chair (Hon. Patti LaBoucane-Benson): Is it agreed that we will suspend for five minutes?

Some hon. members: Agreed.

The Joint Chair (Hon. Patti LaBoucane-Benson): Okay, let's suspend for five minutes.

• (1945) _____ (Pause) _____

• (1950)

The Joint Chair (Dean Allison): I'd like to get all the members back to the table.

Because we're at a bit of an impasse and have about five minutes before the bells, I'm going to suggest that we adjourn the meeting for tonight. When we come back next Thursday, the senator will be back, and we'll have a chance to resume where we left off on the unresolved issues.

Is that okay?

Some hon. members: Agreed.

The Joint Chair (Dean Allison): The meeting is adjourned.

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