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# Standing Committee on Environment and Sustainable Development

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**Thursday, March 1, 2007**

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**Chair**

**Mr. Bob Mills**

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## Standing Committee on Environment and Sustainable Development

Thursday, March 1, 2007

•(1105)

[English]

**The Vice-Chair (Hon. Geoff Regan (Halifax West, Lib.)):** Our meeting will now come to order, colleagues, if you're ready. I hope you are.

We have two matters of business before the committee today.

[Translation]

Our first item of business is a notice of motion from Mr. McGuinty. We will then move on to consider the Canadian Environmental Protection Act (1999).

Is everyone agreed that we should start with Mr. McGuinty's motion?

[English]

The motion is that, with regard to a committee study of the supplementary estimates (B) for the fiscal year 2006-07, the Minister of the Environment be invited to appear.

Seeing as no one wants to speak to this....

**Mr. David McGuinty (Ottawa South, Lib.):** I'll speak to this.

**The Vice-Chair (Hon. Geoff Regan):** Mr. McGuinty, you're on. You're the first person to ask, so I think you can have the floor.

**Mr. David McGuinty:** Good.

Is everyone here, all the members?

Mr. Chair, I move this motion, which reads as follows: "That with regard to a committee study of the supplementary estimates (B) for the fiscal year 2006-2007, the Minister of the Environment be invited to appear."

Before going into the motion, I wonder if I could ask the clerk to speak to some of the timeline challenges we've had here, Mr. Chair. Is that agreeable?

**The Vice-Chair (Hon. Geoff Regan):** There are some timeline challenges that the clerk was explaining to me.

Justin, over to you.

**The Clerk of the Committee (Mr. Justin Vaive):** The timeline challenges involve the fact that the supply period for this year ends on March 26, one week after the House comes back. It also relates to the fact that the last allotted day for this supply period, otherwise known as an opposition day, has not yet been designated by the government. If the last opposition day were to occur on the last day of the supply period, which is March 26, there would be a way for

the committee to study the supplementary estimates line by line and still be able to report those supplementary estimates back to the House under the proper timelines the standing order provides for. However, if the last opposition day is any time before March 26, the committee would not have the time to consider the line-by-line supplementary estimates and report them back to the House in order for the committee to fall within the parameters of the standing order in question.

Mr. McGuinty's motion refers to inviting the minister, and that can be done up until the last day of the supply period on March 26. The purpose of the minister's coming would be more for information and taking questions from the members on the issue of the supplementary estimates. But depending again on when the last opposition day is, the committee may be beyond the point at which it can lawfully report the supplementary estimates to the House with any potential changes to those supplementary estimates.

The reason is that the supplementary estimates have to be reported back three days prior to the end of that period. If the last day is March 26, that would mean the last day the committee could report back would be March 21. If the last opposition day were to occur some time before March 26, the committee would have to report the supplementary estimates three days before that last opposition day. For example, if the last opposition day were to occur on March 22, that would mean this committee would need to report those supplementary estimates no later than March 19, which is the first day back after the break, and the committee has already agreed to cancel its Monday meeting on March 19 to allow members to hear the budget.

So those are some of the issues related to the timelines. There are also potential issues related to the schedule that the committee has given itself for the two weeks between the March break and the Easter break, but of course it is up to the committee.

•(1110)

**The Vice-Chair (Hon. Geoff Regan):** Thank you very much, Mr. Clerk.

Are there any questions? I have Mr. Cullen and then Mr. Warawa.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Chair, we're giving this a hard look.

I'd like the consideration of the committee...and this will be an actual amendment to Mr. McGuinty's motion that I would like him to consider as well.

I believe all of us received a letter from the Auditor General of Canada, so I assume it came to all committee members on February 26. We can get copies made or make copies available if you don't have it with you. I think Monsieur Bigras has one—or maybe not.

Anyway, regardless, let me get to the point of the letter that matters. Her words are:

We have noted the announcements by the government of its environmental plans. The government introduced the Clean Air Act as “the first and central component of its environmental agenda”. Other announcements followed...

We note the lack of a clear response to date to the recommendations of our 2006 climate change report.

—this is the Auditor General's climate change report that came through the Commissioner of the Environment—

At the time we were finalizing the report, the government stated it accepted our recommendations and would address them in its climate change approach then underway. We replied that we expected the government would, in due course, describe its action plan in response to the recommendations.

As you may know, we suggested to the chair of the House Standing Committee on Environment and Sustainable Development in December that the committee might wish to consider requesting such an action plan from the government.

The Auditor General told the government, when they were preparing the commissioner's report, that they needed a plan and that the plan should come forthwith. That was in the summertime. The government knew that report said yes, they would do it. The commissioner released her report in the fall saying, here's the plan; the government has accepted the recommendation to release a plan. And here we are in March with that recommendation having been accepted and not having been fulfilled.

The tone of this letter is actually quite serious, because it's everything the government has agreed to do.

Here is the friendly amendment that I wish to move to Mr. McGuinty's motion: That the Government of Canada bring forth an action plan addressing the recommendations made in the 2006 climate change report by the Commissioner of the Environment and Sustainable Development.

**The Vice-Chair (Hon. Geoff Regan):** You have that in writing, I trust?

**Mr. Nathan Cullen:** Yes.

**The Vice-Chair (Hon. Geoff Regan):** Perhaps you could submit it. Here comes the clerk to pick that up.

**Mr. Nathan Cullen:** This is a friendly amendment.

**The Vice-Chair (Hon. Geoff Regan):** Okay. Before I go to Mr. Warawa, I don't want to cut you off. Are you finished, Mr. Cullen?

**Mr. Nathan Cullen:** Yes.

**The Vice-Chair (Hon. Geoff Regan):** Thank you.

Mr. Warawa, and then Mr. McGuinty.

**Mr. Mark Warawa (Langley, CPC):** I'm just trying to follow what's happening here. The motion that's on the floor right now is that: “With regard to a committee study of the supplementary estimates B for the fiscal year 2006-2007, the Minister of the Environment be invited to appear.”

That's the motion that's on the floor now. Perhaps the clerk could read back, then, what is being proposed by Mr. Cullen, because it changes it.

**The Clerk:** The wording of the amendment proposed by Mr. Cullen is: “That the Government of Canada bring forth an action plan addressing the recommendations made in the 2006 climate change report by the Commissioner of the Environment and Sustainable Development.”

**Mr. Nathan Cullen:** I have a point of order, Mr. Chair. It's just to be clear. It's an addition. It's not affecting and changing Mr. McGuinty's motion; it's an addition to his motion.

**The Vice-Chair (Hon. Geoff Regan):** It's fine, you said.

**Mr. Nathan Cullen:** Well, I don't know that yet, but we'll see.

**The Vice-Chair (Hon. Geoff Regan):** Okay, you're saying you'll have to wait and see.

**Mr. Mark Warawa:** I want to wait to find out if Mr. McGuinty is accepting that as a friendly amendment.

What is being proposed as the total motion would be what this end is, correct? Two points.

**The Vice-Chair (Hon. Geoff Regan):** Colleagues, the clerk has suggested to me that because it deals with a separate issue, they should be treated as two separate motions. So that's how I propose to proceed.

If that's agreeable, we can vote. We can proceed with the first motion and then we can go on, if colleagues agree, to Mr. Cullen's motion, because it's all under committee business.

Go ahead.

•(1115)

**The Clerk:** Since the motion proposed by Mr. Cullen falls under the rubric of committee business, which is what we're on right now while we're dealing with Mr. McGuinty's motion, it doesn't require the usual 24 hours' notice that the committee requires for most motions.

Committee business tends to be a very broad category. Since most things can fall within the category of committee business, it would be acceptable in terms of past practice for Mr. Cullen to bring forward his motion, following the committee's dealing with Mr. McGuinty's motion.

**The Vice-Chair (Hon. Geoff Regan):** Mr. Vellacott.

**Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC):** I have a point of order. With due respect to the clerk, that's such a broad interpretation that I have serious questions about it. You could waive the 24 hours' advance notice whenever you have items of committee business, virtually all of the time. I don't understand why you would ever need 24 hours then.

Just to reframe my point, perhaps, we might as well just dispense with the 24 hours' notice. With the broad latitude or interpretation given there, why would you need it on anything whenever it's committee business that's being discussed?

**The Clerk:** You're right; however, under that rubric of committee business, and the fact that most issues that come before the committee in one way or another can be considered as committee business—such as asking the committee to consider a motion—Mr. Cullen's motion would fall under that rubric of committee business, allowing for the committee to consider it. In order to put a committee business item on, usually we would....

Mr. McGuinty provided the notice, and therefore it became an item for committee business. But since the committee is now on committee business and dealing with Mr. McGuinty's motion, then someone else, another member of the committee, can be recognized and, if they so wish, move another motion.

So that's essentially why. We could view it as perhaps a bit of a backdoor way to get future business or committee business onto the agenda.

**The Vice-Chair (Hon. Geoff Regan):** Mr. Godfrey.

**Hon. John Godfrey (Don Valley West, Lib.):** I have a point of order, Mr. Chair.

Just so we're clear on this, it's because we're on committee business that you can do this. Does the amendment have to...or does it actually have to be an amendment? Can it be a separate motion?

**The Vice-Chair (Hon. Geoff Regan):** As I've indicated, it's a separate motion because it's a separate issue.

**Hon. John Godfrey:** Right. It does seem to be stretching the notion of a friendly amendment.

**The Vice-Chair (Hon. Geoff Regan):** Mr. Warawa is next.

**Mr. Mark Warawa:** You know, I don't want to belabour this, but I think the point is that it is a separate motion, a separate issue, so we need to respect the 24 hours. This is bringing up a new issue.

I'm not opposed to it—in fact I would support it—but the issue that has been brought up by Mr. Vellacott is that it's a new issue and therefore should require 24 hours' notice.

**The Vice-Chair (Hon. Geoff Regan):** Mr. Cullen, obviously you've heard the debate here and the discussion. Would you be inclined to provide notice and have the motion discussed at the next meeting? What's your view on that?

**Mr. Nathan Cullen:** The initial intention was that this would be in conjunction with Mr. McGuinty's motion. I don't know if I've heard Mr. McGuinty's opinion yet, but regardless, I've heard the committee's opinion that it's stretching the bounds of a friendly amendment.

The problem with waiting...because there is a precedent for this. We have done this before during committee business.

This motion is not extensive or long or complicated. It's very direct, and it's based on a very serious letter from the Auditor General of Canada, not—

•(1120)

**The Vice-Chair (Hon. Geoff Regan):** But on the point of order, the answer is no, in your case?

**Mr. Nathan Cullen:** Correct.

**The Vice-Chair (Hon. Geoff Regan):** I don't think Mr. Warawa was on a point of order but on a point of debate. As I understood it, Mr. Vellacott had raised the point of order.

Mr. Warawa, and then Mr. Bigras.

**Mr. Mark Warawa:** Can I propose a solution, Mr. Chair? If you sought unanimous consent, then we could move forward. I think you may find unanimous consent that the motion be dealt with today; otherwise, the 24 hours should stay.

**The Vice-Chair (Hon. Geoff Regan):** If the advice I was receiving was that it was required, then I would see the need to seek that. But I'm prepared to rule—although reluctantly, you'll be pleased to hear—based upon the advice of the clerk, that it is receivable today under committee business.

I'm prepared to seek that. I made a ruling, I agree, but I'd love to have the support of the committee for that decision.

Mr. Bigras.

[Translation]

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** I think it's pretty clear that this friendly amendment bears no relation to the initial motion. We could discuss this if Mr. Cullen introduces his motion later, but perhaps we should rule immediately on Mr. McGuinty's motion. We could either vote on, or debate, this matter and subsequently, we could decide if notice must be given or if Mr. Cullen can in fact introduce his motion. I think it would be simpler to dispense with Mr. McGuinty's motion immediately.

**The Vice-Chair (Hon. Geoff Regan):** Thank you, Mr. Bigras, for that excellent suggestion.

Clearly, I think that's our best course of action at this time. We could start by debating Mr. McGuinty's motion and move on to Mr. Cullen's motion later.

[English]

**The Vice-Chair (Hon. Geoff Regan):** Okay. We're going to consider first Mr. McGuinty's motion and then turn to Mr. Cullen's motion, both under committee business.

Mr. Warawa is first, and then Mr. McGuinty.

**Mr. Mark Warawa:** Speaking to the motion from Mr. McGuinty, I would ask for a friendly amendment—and it is truly a friendly amendment. If, after “Supplementary Estimates”, it would read “and Main Estimates”, would he accept that?

It would read: “That with regard to a committee study of the Supplementary Estimates and Main Estimates for the fiscal year 2006-2007, the Minister of the Environment be invited to appear.”

•(1125)

**Hon. John Godfrey:** Mr. Chair—

**The Vice-Chair (Hon. Geoff Regan):** Well, Mr. McGuinty is next, and I don't hear you saying “point of order”.

**Hon. John Godfrey:** Apparently I've been tasked with this. I'm his lawyer.

**The Vice-Chair (Hon. Geoff Regan):** Can I hear the words?

**Hon. John Godfrey:** The question, and it's a friendly question, is simply—

**The Vice-Chair (Hon. Geoff Regan):** That's a point of order.

**Hon. John Godfrey:** —are there different deadlines for the supplementary estimates and the main estimates? In other words, I heard the clerk say we have only so much time to consider the supplementary estimates before the time runs out, whereas the main estimates haven't been tabled yet.

I'm just trying to understand, perhaps from a technical point of view, what this amendment would mean.

**The Vice-Chair (Hon. Geoff Regan):** Mr. Clerk.

**The Clerk:** You're right; there are different deadlines involved. The main estimates have been tabled, and they were referred to standing committee on, I believe, February 27. In terms of what the committee would need to do a study of the main estimates, we would have until towards the end of the first supply period, which would be sometime in May, in all likelihood.

So you're absolutely right, there would be more time to deal with study of the main estimates than of supplementary estimates.

**Hon. John Godfrey:** For supplementary estimates, I thought the expiry date was all to do with the opposition supply days. In other words, we have to get to those, and the sooner the better.

**The Clerk:** If the committee chooses not to undertake a full study of the supplementary estimates, they're deemed reported back to the House automatically on the last day of the supply period; therefore, on March 26.

**The Vice-Chair (Hon. Geoff Regan):** The committee can obviously invite the minister to appear at any time, but in this case the motion is to appear in relation to these estimates.

Mr. McGuinty.

**Mr. David McGuinty:** Mr. Warawa might want to continue.

**Mr. Mark Warawa:** I have a question to the mover, whether this would be accepted as a friendly amendment. It would not create a problem; that is what I'm hearing.

**Mr. David McGuinty:** I like the suggestion put by my colleague Mr. Warawa, but I think we should invite the minister to come a second time to address the main estimates. I've always believed that this is the place where the rubber hits the road. One of the central purposes of committees is to hold governments to account. We didn't have an opportunity to hear from the minister on supplementary estimates (B) for fiscal year 2006-07. We have some really tough timelines. That's something we might want to refer back to the public accounts committee, but be that as it may, those are timelines we have.

I'm concerned that we have not as a committee found the time and have been unable to exercise oversight of the expenditure of public moneys. My thinking was, let us at least have the minister come, in the first instance, before March 26 to talk about supplementary estimates (B). I would assume there's going to be enough to talk about under supplementary estimates (B) to keep the minister meaningfully engaged and all of us meaningfully engaged for a meeting.

Then I think if we want to go to the main estimates, we ought to re-invite the minister when we've all had an opportunity to peruse the main estimates and go through them in detail, Mr. Chair.

But my view is that I'd like to see the motion I put forward go forward as is, because I really think we could all benefit from hearing from the minister specifically on supplementary estimates (B) for fiscal year 2006-07, given that we're coming to the end of that fiscal year.

**The Vice-Chair (Hon. Geoff Regan):** Mr. McGuinty, you're not accepting this as a friendly amendment.

Mr. Warawa, do you wish to move the—

**Mr. Mark Warawa:** No, that's fine.

**The Vice-Chair (Hon. Geoff Regan):** Then you're done, Mr. Warawa? All right.

Mr. McGuinty.

**Mr. David McGuinty:** In closing, Mr. Chair, in the name of accountability, I'm sure members from all parties would want to have the minister attend. I'm hoping they'll agree that we should schedule a meeting with the minister and his officials for the first week after the break so that we can have an opportunity to get into the details.

It also gives us the break. Those of us who are doing Bill C-30 are already consumed with amendments, I'm sure, during the break, and with other responsibilities. But it would also give all of us on this committee a chance to look again at supplementary estimates (B) and be better prepared to put questions on accountability and value for money, for example, to the minister directly.

That's my thinking behind the motion, Mr. Chair.

**The Vice-Chair (Hon. Geoff Regan):** Thank you very much.

I see no other speakers, so I presume we're ready for the vote.

(Motion agreed to [See *Minutes of Proceedings*])

● (1130)

**The Vice-Chair (Hon. Geoff Regan):** The clerk has advised me that he will work with the minister's office to try to schedule that for the first week back and work around the constraints we have in trying to deal with other private members' bills and other business we have before the committee.

So let's go on now, if we may, to Mr. Cullen's motion.

Mr. Vellacott.

**Mr. Maurice Vellacott:** This is a point of order, I guess, in respect to this, beforehand. I need a clarification from the clerk that if this means I come looking at the agenda today and Mr. McGuinty has done the appropriate thing, according to our committee rules, by the 24-hour notice.... Then basically we're to get on to CEPA and deal with those recommendations, and Mr. Chair, your wise guidance will hopefully move us through a lot of that stuff today.

Am I to understand that we come in, supposedly, with the assumption of only one item of business—it's there clearly, and somebody has followed the appropriate protocol here—and it opens it up to an entire meeting, or no end of other items that can be, as you say, backdoor-launched into that particular committee business, then? Is that what I'm to understand we can do?

**The Clerk:** Generally, based on past practice that committees have followed, when the committee is on the topic of committee business, for purposes of considering a motion, members can, if they want, in some respects—not wanting to use the wrong words—short-circuit a bit that notice principle that committees usually operate with in order to bring issues forward again, issues that are substantively different from what is on the actual notice paper.

It is a fairly significant principle, as written in Marleau and Montpetit, that as much due notice as possible be provided to members of Parliament before they consider another issue. You're right on that point. However, the rubric that we're currently under, of committee business, is a fairly wide one, and a broad one, that does allow members to bring up various issues if they so wish.

**The Vice-Chair (Hon. Geoff Regan):** What you're saying, Mr. Clerk—forgive me, Mr. Vellacott—is that it's not limited to the activities the committee is going to be undertaking.

**The Clerk:** That's right. It would basically allow for something different—in this case, something substantively different, such as Mr. Cullen's motion—to be brought on in a way that would get around that sort of principle of the notice requirement that the committee has given itself.

**Mr. Maurice Vellacott:** The clerk made reference to Marleau and Montpetit. I want to cite from page 851, where it says: "...when a member wishes to raise a new topic for consideration"—I would deem this a new topic, and I think most fair-minded committee members would think it so—"committee members have an opportunity to reflect on it beforehand, rather than having the motion placed before the committee without warning."

I think that's exactly the situation we're dealing with here.

**The Vice-Chair (Hon. Geoff Regan):** That sounds pretty close to what we just heard, as a matter of fact—that it's preferable. That's what it sounds like to me, at least. Maybe I could just give some opportunity to do that.

**Mr. Maurice Vellacott:** There's nothing about being preferable. It's that committee members have an opportunity to reflect on it beforehand, rather than having the motion placed before the committee without warning.

**The Vice-Chair (Hon. Geoff Regan):** That doesn't sound like a direct statement of a rule. It doesn't say the notice must be given ahead of time, etc. It sounds to me like it's saying, this is what happens when this happens. There's a benefit. That's what it suggested to me. So it's supporting, I think, what the clerk is telling us.

**The Clerk:** I would also add that the citation is absolutely right. I could explain it in a different way.

If, for example, we didn't have a motion brought forward by Mr. McGuinty today, and we hadn't been on committee business, and the only thing on our agenda was the consideration of the CEPA report, then you'd be absolutely right: Mr. Cullen would not be able to bring his motion forward unexpectedly before the committee. The notice requirement would have to be there. It's because we were on the actual item of business called "committee business" that such a possibility did open up.

You're right that preferably notice should be provided to members of the committee so that they're not caught unexpectedly by a motion being brought forward that they haven't had a chance to reflect on and consider. Nonetheless, this committee business section does allow for something to be brought forward in this manner.

Again, if we didn't have this committee business on the order paper already—

•(1135)

**Mr. Maurice Vellacott:** Do we have it in both languages, English and French? Has this motion been circulated in both English and French?

**The Clerk:** Yes, it is in English and French.

**Mr. Maurice Vellacott:** And we have it before us?

**The Clerk:** We can get copies of it. I have one copy right now, and I can make extra copies of it.

**The Vice-Chair (Hon. Geoff Regan):** We'll start with making copies.

Meanwhile, Mr. Cullen, over to you.

**Mr. Nathan Cullen:** There are two critical things. One is on the debate that we just had. There's been a ruling, and considering the workload we have with CEPA yet to go, I'm cautious about our staying focused on that territory.

The second is with regard to Mr. Vellacott's indignation of notice. I've always had the practice of bringing proper notice to committee. The particular reason for this—and I thought it was in conjunction with Mr. McGuinty's—is what I thought was one of the most serious letters I've ever received from the Auditor General. The intention of the motion is not promiscuous or provocative. It is simply to say that with a letter like this from the auditor—let's be clear of the timeline—that the government knew of this review going on with climate change programs. It was going on all last year. The reports were being conducted in the summer. The government agreed to the recommendations that were given to them in the summertime to release this plan. The plan is not forthcoming in the report, and the Auditor General was using extremely strong language for an auditor, hence this motion.

So I think we should move to voting on it as quickly as we can move, and then get back to the CEPA business. That way we can bring some clarity in terms of an obligation that the government's already agreed to. This is not asking for anything the government hasn't already said they would do months ago. That's all.

I can remember—just to be clear—that Conservative members opposite, when they sat on this side of the benches, when we waited for the then Liberal plan for months and months, repeated consternation about the waiting and the waiting—when is it coming?—Mr. Mills and others. So let's not too quickly forget the past.

Let's get on with it. Let's vote on this and get it done.

**The Vice-Chair (Hon. Geoff Regan):** Thank you, Mr. Cullen.

On debate on the motion, Mr. Vellacott.

**Mr. Maurice Vellacott:** I want it to be clear on the record, and to Mr. Cullen particularly, that my issue is not an objection to the particular motion that he brings forward today. It's the issue of the procedural and the due notice stuff, just so we're clear on that.

Mr. Cullen, I think you understand that's my issue more than the content or the substance of what you're bringing forward.

**The Vice-Chair (Hon. Geoff Regan):** You're right that I made a ruling. It raised a lot of questions from members. I think it was important to have a bit of a discussion. We've done that. So we're on the debate on the substance of the motion.

Mr. Warawa.

**Mr. Mark Warawa:** Thank you, Chair.

I think we've had good, healthy debate, as you point out. I started off saying I don't have a problem with having the motion dealt with, but I think the points that were raised are relevant and hopefully will guide us for future meetings.

The question I have, through you to Mr. Cullen, is this. I want to just make sure I am referring to the correct letter. What's the date of the letter that he's referring to?

**Mr. Nathan Cullen:** February 26.

**Mr. Mark Warawa:** February 26. I don't have that handy. Could you bear with me?

**The Vice-Chair (Hon. Geoff Regan):** The clerk is having copies of the letter made, so we should have them shortly.

Mr. Warawa, was that your question?

**Mr. Mark Warawa:** Yes. It would be nice to have a copy of the letter handy.

So we could maybe break for a couple of minutes.

**The Vice-Chair (Hon. Geoff Regan):** Should we do that? Members, the alternative is to wait and deal with this motion at the end of the meeting, and to proceed with the study of CEPA, so as not to delay any further. Is that satisfactory? We'll cut off 10 minutes or so early.

Mr. Cullen.

**Mr. Nathan Cullen:** We have some switching obligations today. Just to be clear on the time that we'll come back to this, can you just say that now, so I have some clarity—15 minutes before the end of the meeting, 10 minutes?

**The Vice-Chair (Hon. Geoff Regan):** I'll say 12:45. If we can deal with it quickly, we may go back to more of CEPA.

So we'll go on. Let's get ready to do CEPA.

I guess we'll be going in camera for that. In fact, I'm not guessing, we will be. We were not in camera before, even though we didn't have any audience here. Now we go in camera.

*[Proceedings continue in camera]*

• \_\_\_\_\_ (Pause) \_\_\_\_\_  
•

*[Public proceedings resume]*

• (1250)

**The Vice-Chair (Hon. Geoff Regan):** We're first of all going to turn to Mr. Cullen's motion. I just want to bring it to your attention that the letter Mr. Cullen was referring to was in response to his letter. Others in the committee did not receive copies of it. As well, Mr. Cullen has the letter in English only; therefore we cannot distribute it.

Mr. Cullen, over to you.

**Mr. Nathan Cullen:** Mr. Chair, that's fine. The motion will just stand as the motion.

I think we can do this quickly. The motion reads, as committee members now have it, as follows: "That the Government of Canada bring forth an action plan addressing recommendations made in the 2006 climate change report by the Commissioner of the Environment and Sustainable Development."

The letter told us things that we already knew in terms of the government's promises and commitments to deliver such a plan.

I put the motion forward for committee to vote on. We've had some discussion already.

**The Vice-Chair (Hon. Geoff Regan):** Thank you.

Mr. Warawa.

**Mr. Mark Warawa:** Thank you.

Mr. Cullen, the letter that you raised numerous times this morning—or I guess this afternoon now—is the letter you received on February 26 from the commissioner. Now, is that still relevant to the discussions?

**Mr. Nathan Cullen:** We're dealing with the motion—full stop.

**Mr. Mark Warawa:** Okay. We're dealing with a motion that was introduced based on a letter that Mr. Cullen received from the commissioner. We had asked for the motion in writing in both official languages, which we've just received, and the letter in writing in both official languages, which is the letter he was just referring to.

Through you to the clerk, I have a question: can we have a copy of that letter, please?

**The Vice-Chair (Hon. Geoff Regan):** As I indicated, the letter that Mr. Cullen mentioned earlier is in English only and therefore cannot be distributed. However, he's certainly entitled to bring the motion, as he has.

**Mr. Mark Warawa:** Yes, he is entitled, but the letter is a relevant part of that, is it not?

**The Vice-Chair (Hon. Geoff Regan):** Well, that's for the committee to determine.

I think we're going to go to Mr. Bigras.

*[Translation]*

**Mr. Bernard Bigras:** I think the motion speaks for itself. No reference whatsoever is made to the letter in question. The issue is the 2006 report of the Commissioner of the Environment on climate change. This is a public report. Everyone is aware of the situation and of the recommendations.

Regarding the substance of the recommendations, it should be remembered that when the Commissioner of the Environment tabled her report, she stated in no uncertain terms — and I'm summarizing her comments — that if the government was unable to meet its Kyoto targets and felt that these targets were unattainable, then it had a duty to tell us how it planned to reduce greenhouse gas emissions and what plan it was prepared to put forward.

Fundamentally, this motion is a statement by the committee that it firmly intends to see that the government follows up on requests made by the former Commissioner of the Environment, Ms. Gélinas.

We will most assuredly back this motion.

• (1255)

[English]

**The Vice-Chair (Hon. Geoff Regan):** Monsieur Harvey.

[Translation]

**Mr. Luc Harvey:** I would like to see a more readable French version of the motion. I've reread it several times and there appear to be some words missing. The French version reads as follows:

Que le gouvernement du Canada produisent un plan d'action adressant les recommandations a fait dans le rapport 2006 de changement climatiques par la commissaire a l'environnement et au développement durable.

There seems to be something missing in the French version.

**Mr. Bernard Bigras:** If you'd care to move a friendly amendment, by all means go ahead.

**The Vice-Chair (Hon. Geoff Regan):** Do you wish to move a friendly amendment?

**Mr. Luc Harvey:** I don't think I have the necessary translation skills to do the job.

**The Vice-Chair (Hon. Geoff Regan):** So then, if the two versions are different...

Mr. Warawa.

[English]

**Mr. Mark Warawa:** As I said at the beginning, I'm not opposed to this motion. If the chair rules that we're going to proceed to a vote on this, I'll be supporting it. The point I'm quite concerned about is procedural.

We had a motion that was ruled by the clerk to be not relevant. It wasn't a friendly amendment to the original motion. It was a stand-alone motion. Then, because we didn't have the motion in writing in both official languages, we had to wait and hold it to the end. But the letter that was referred to is not available to us.

Again, it concerns me that if we get too lax, we can get ourselves into trouble as a committee when it comes to future decisions. I will support the motion, which is adequately presented in both official languages. The intent of the motion I have no problem with—having the government report is fine—but procedurally we have to do things right.

**The Vice-Chair (Hon. Geoff Regan):** Thank you.

First of all, we've had a ruling on the admissibility of the motion. However, the clerk has spoken to the senior clerks in the interim and can comment some more for us.

**The Clerk:** When we agreed to dispense with the motion until the end of the meeting, I talked to the senior clerks, and they indicated that committee business is a very broad category, and you can bring, as I mentioned before, other items forward. Also, given past practice of this committee, where this sort of thing has been acceptable, or there have been no objections in the past to this type of practice, I advised the chair that it was admissible to accept Mr. Cullen's motion.

The senior clerks also reminded me, however, that the concept of a notice principle is exactly as Mr. Vellacott pointed out at the beginning of the meeting, where you afford the entire committee appropriate time to consider motions that are brought forward in order to allow members to reflect appropriately before they vote.

So we're in a situation where it is a bit of a grey zone, where motions can be brought forward through the back door, as some members would probably consider this to be the case. But again, the committee business rubric is a fairly broad and large one, and it does allow for members to bring forward other items of business. In this case Mr. Cullen's motion was another item of committee business and therefore, according to past practice of the committee, it could go forward.

[Translation]

**The Vice-Chair (Hon. Geoff Regan):** I'd like to call the question, but before I do, I suggest the word "a" be deleted from the second line of the French version. Would that be correct?

First, I'll hear from Mr. Lussier, followed by Mr. Godfrey.

**Mr. Marcel Lussier (Brossard—La Prairie, BQ):** Mr. Chairman, if Mr. Harvey has no objections, I'd like to suggest an accurate French translation of the motion, which would read as follows:

Que le gouvernement du Canada produise un plan d'action répondant aux recommandations faites par la commissaire à l'environnement et au développement durable dans son rapport de 2006 sur les changements climatiques.

• (1300)

**The Vice-Chair (Hon. Geoff Regan):** You may have a new career in your future.

The motion would, therefore, read as follows in French: "Que le gouvernement du Canada produise un plan d'action répondant aux recommandations faites dans le rapport [...]"

[English]

The only thing is that if you were going to have the same meaning in English, you would say, "the Government of Canada bring forth an action plan responding to the recommendations made in the 2006 climate change report of the Commissioner of the Environment", and if members would like to change the English to that as well.... But I think we're fine with the French as proposed by Monsieur Lussier.

Mr. Godfrey.

It's sufficiently clear.

**Hon. John Godfrey:** We do so much stuff around here that sometimes you forget what you've already done. I have a memory—which is faulty—but I think in the month of December I put forward two things. One was that we ask the Auditor General to appear in that context, to justify why we needed annual reports, or four times a year or whatever. But I also thought I asked that we in fact ask the government to comment on progress made to date on the commissioner's report from 2006.

Do you have some memory of this? I have a feeling this was done in a flurry of last-minute activity. It would simply reinforce the point that you're making, but does anyone else remember my doing that? It's so embarrassing, but I have a funny feeling we were asking for a letter to go from Bob Mills to—

**A voice:** *Nous allons vérifier.*

**Hon. John Godfrey:** Okay. *Bon.*

**The Vice-Chair (Hon. Geoff Regan):** A letter came forward from the Auditor General, but there was no actual motion that the clerk can recall, at least in relation to this.

Mr. Warawa.

**Mr. Mark Warawa:** I appreciate that we had good dialogue, and concerns have been expressed. We're at our time limit. Can I call the question so we can move on?

**The Vice-Chair (Hon. Geoff Regan):** I call the question on the motion, with the English version as written.

[*Translation*]

And the amended French version which reads as follows:

Que le gouvernement du Canada produise un plan d'action répondant aux recommandations faites dans le rapport 2006 de changements climatiques par la commissaire à l'environnement et au développement durable.

[*English*]

(Motion agreed to)

**The Vice-Chair (Hon. Geoff Regan):** The meeting is adjourned.

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