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Thursday, December 6, 2007

—
Chair

Mr. Gary Goodyear

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•(1110)

[English]

The Chair (Mr. Gary Goodyear (Cambridge, CPC)): Colleagues, let's bring our meeting to order.

Before we get started on the meeting, I have a request from Monsieur Paquette to make a very brief presentation.

Monsieur Paquette.

[Translation]

Mr. Pierre Paquette (Joliette, BQ): Thank you, Mr. Chair.

I will be very brief. Yesterday there was a meeting of the Subcommittee on Agenda and Procedure and we felt that Bill C-482 was not votable. That bill is...

[English]

The Chair: I'm sorry, Mr. Paquette, but the clerk has reminded me that before we do this, we have to—

[Translation]

Mr. Pierre Paquette: The report would have to be tabled. yes, Mr. Chair. We beat our shadow to the punch, in the Bloc.

[English]

The Chair: That's why I wanted to wait until the end, because this is taking up too much time.

Mr. Preston, do you want to present your report first?

Mr. Joe Preston (Elgin—Middlesex—London, CPC): I will do that, Chair.

I present the first report of the Subcommittee on Private Members' Business for the committee's approval.

The Chair: Thank you very much, Mr. Preston.

The committee having accepted that report, Mr. Paquette, would you like to make a statement, please?

[Translation]

Mr. Pierre Paquette: Yes. As I was saying, the subcommittee met yesterday, and the members of the federalist parties thought that Bill C-482 was not votable because it was unconstitutional.

For the benefit of my colleagues on the committee, I would note that the purpose of that bill, introduced by Ms. Picard, is to have Bill 101 apply to undertakings in Quebec that are under federal jurisdiction.

[English]

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): I have a point of order, Mr. Chair.

The Chair: I was going to call my own point of order.

This is not debate, Mr. Paquette. If you want to appeal—

[Translation]

Mr. Pierre Paquette: I want to explain what it is about.

[English]

The Chair: Don't argue with the chair, please.

Mr. Lukiwski.

Mr. Tom Lukiwski: That's not my point of order. Maybe my point is a point of clarification, but aren't those subcommittee meetings supposed to be in camera?

The Chair: Yes.

Mr. Tom Lukiwski: Is it appropriate, then, to...?

[Translation]

Mr. Pierre Paquette: And the fact remains that Bill C-482 was ruled to be not votable.

[English]

The Chair: I'm willing to accept a request for an appeal.

[Translation]

Mr. Pierre Paquette: I want to appeal that decision myself next Thursday.

[English]

The Chair: Thank you. That's what I was looking for; that's all that was required. The chair accepts the appeal process on the private members' report.

An hon. member: [Inaudible—Editor]

The Chair: Is there another opportunity?

Mr. Reid, please.

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): The suggestion was for Thursday next week. I assume that means we would be doing this even if the House were not sitting. Or just to finish the thought, if I might, Mr. Chair, given that the report has to be submitted within five sitting days, it would be possible and in order, even if the House were not sitting, to present the appeal when the House returns.

The Chair: Thank you.

The clerk has clarified the rule for Mr. Reid. It is indeed next Thursday that will be the fifth day, as required by the Standing Orders. However, if the House should adjourn prior to that, then the first day back would be considered the fifth day, technically speaking. So that clarifies it. The committee will hear the appeal within five sitting days.

Mr. Lukiwski, please.

Mr. Tom Lukiwski: Mr. Chair, on another point of order, and just to complete the original point of order I was trying to make, with all due respect to Monsieur Paquette—and I appreciate the fact that he's done the right thing by appealing—if the subcommittee were to be an in camera meeting, I would note that he referred in his opening comments, before he made mention of an appeal, to the three federalist parties voting for this. Saying that is in contravention of an in camera discussion, which I do not believe is appropriate. I'm not sure what we need to do about this, but it's clearly a violation of the in camera discussions that were held, because no one is supposed to know how anyone voted. No one should know anything about the content of the discussion, other than the fact that the result was an appeal from Mr. Paquette.

An hon. member: But he was not present.

Mr. Tom Lukiwski: I would urge Monsieur Paquette and others to please observe the in camera provisions that are set.

The Chair: Thank you, Mr. Lukiwski.

There is no debate on a point of order.

At the risk of revealing more in camera discussions, we'll move to the business of the day, please.

Colleagues, the orders of the day are that we begin clause-by-clause consideration of Bill C-16, An Act to amend the Canada Elections Act (expanded voting opportunities) and to make a consequential amendment to the Referendum Act. If colleagues could put their papers up for Bill C-16, you will have in front of you the clause-by-clause notes that are prepared.

Colleagues, there are no suggested amendments to clause 1.

(Clause 1 agreed to)

The Chair: Clause 2 has no amendments, colleagues, so I will call the question. The Bloc amendment BQ-1, which is what I think we're referring to, is actually a new clause. We will deal with that next; clause 2 in the act has no amendments to it.

[*Translation*]

Mr. Pierre Paquette: We are opposed to it. We are calling for a vote.

[*English*]

The Chair: Do you want a recorded division? Okay.

(Clause 2 negatived: nays 7; yeas 4)

•(1115)

The Chair: There is a new clause proposed.

Colleagues, in your pamphlets amendment BQ-1, which I believe should be on page 1 of your pamphlet, is a new clause 2.1. I'll allow

the mover of that amendment to put it forward, and then we'll have a ruling.

Go ahead, Madame Picard.

[*Translation*]

Ms. Pauline Picard (Drummond, BQ): We want to add this new section to require that the returning officer open revisal offices in all post-secondary institutions in his or her electoral district. The purpose of the bill is to increase the number of electors and interest them in exercising their right to vote. It is often pointed out that young people unfortunately do not exercise that right.

By opening revisal offices in post-secondary institutions, the returning officer would be facilitating the exercise of democratic responsibility.

[*English*]

The Chair: In the interest of time, I will tell colleagues that I did spend a lot of time on these amendments last night. I'm ruling this amendment out of order. It's beyond the scope of this bill.

We'll move on.

(On clause 3)

The Chair: Colleagues, we have two proposed amendments to clause 3. Amendment BQ-2 was handed in and received first; however, I think you will find that amendment LIB-1 is identical.

We will first go to the Bloc again and ask them if they would be kind enough to introduce this amendment.

[*Translation*]

Mr. Pierre Paquette: Mr. Chair, this is quite simply a matter of making it consistent with clause 2, which has been eliminated. If we delete the reference to the Sunday preceding the vote, we would then have to remove the reference to using the final day of advance polling. That would mean that the lists could be obtained faster.

[*English*]

The Chair: With the permission of the committee, I would like to ask the PCO officials to join us at the table. I see them sitting in the corner, and that's quite acceptable, but if any members have questions, it might be better if they were sitting at the table, so I invite the PCO officials to take a place at the table.

I apologize, colleagues. I should have invited the witnesses who have joined us to help us through this debate to the table earlier. Can we take a minute and have the experts from the PCO and Elections Canada introduce themselves to committee members?

Please state your name and title; we'll begin on my far left.

[*Translation*]

Ms. Michèle René de Cotret (Director, Legislative Policy & Analysis, Elections Canada): My name is Michèle René de Cotret. I am a lawyer and the Director of the Legislative Policy and Analysis Section at Elections Canada.

• (1120)

[English]

Mr. Dan McDougall (Director of Operations, Legislation and House Planning, Privy Council Office): I'm Dan McDougall, director of operations for the Privy Council Office, legislation and House planning.

[Translation]

Mr. Marc Chénier (Counsel, Legislation and House Planning, Privy Council Office): My name is Marc Chénier. I am counsel with the Legislation and House Planning section of the Privy Council Office.

[English]

Mr. David Anderson (Senior Policy Advisor, Legislation and House Planning, Privy Council Office): I'm David Anderson, senior policy adviser at the Privy Council Office.

[Translation]

Mr. Michel Roussel (Senior Director, Operations, Elections Canada): My name is Michel Roussel. I am the Senior Director of the Operations section at Elections Canada.

[English]

The Chair: Thank you.

Colleagues, again, we do have some discussions going on around the room, and I don't mind that at all, but sometimes it does get hard to hear. That's my first point.

My second point is that we have only two microphones at the end of the table. When you wish to speak, if you could try to point whichever one is closest toward you, it would help our translators pick up anything that's said.

Colleagues, we have had the introduction of motions. Thank you, Mr. Paquette, for that. I have studied this amendment as well. As I see it, this removes the Sunday polling day.

I don't need to discuss my ruling, but that was the intent on principle at second reading, and by removing a day, this goes beyond the second reading stage of this bill, and therefore it is ruled out of order.

Colleagues, we'll move on to—

[Translation]

Mr. Pierre Paquette: Mr. Chair, I appeal your decision.

[English]

The Chair: We want an appeal of my decision? Then we'll have a vote.

You can't appeal my decision; you can vote on it. Then if I'm overruled, we'll go back to discussing it. I would sense that this is where the debate will come in.

There's been a request to overturn my ruling. I'll have the clerk read the actual clause, and then we'll have a vote.

The Clerk of the Committee (Mr. James M. Latimer): Shall the chair's ruling that the amendment be ruled out of order be sustained?

Mr. Marcel Proulx: Do we agree with the decision being reversed? If we vote to sustain, we keep the chair's decision.

Mr. Scott Reid: If you vote down the chair's decision, it means that the amendment is still in order.

The Chair: We're voting on whether or not you agree with my decision that the amendment is out of order. That was my decision. We're trying to keep it simple.

All those who believe—without all these legal terms—that my decision was correct, that this amendment is beyond the scope of the bill and a result is out of order, raise your hands.

Before we get into this, I always get calls for a recorded vote. Is there any request for that right now, or do we just raise our hands? Mr. Angus, do you want a recorded vote?

Thank you. We'll have a recorded vote.

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

The Chair: The ruling of the chair is overturned. We'll begin debate on the amendment.

Perhaps I could ask Mr. Paquette to read the amendment again to members so that we can begin our debate on the amendment.

[Translation]

Mr. Pierre Paquette: Thank you, Mr. Chair.

In clause 3, "the last day of advance polling" would have to be struck out, because that vote is the Sunday preceding the general election. So we could then have the list of electors after the seventh day before polling day but no later than the third day before polling day.

There is therefore no longer a reference to advance polling on the Sunday, which is in fact a polling day.

[English]

The Chair: We'll start our debate, please.

Mr. Lukiwski's hand was up first, then Madam Redman.

Mr. Tom Lukiwski: Thank you, Chair.

My points are not to debate whether or not it's appropriate to have the Sunday prior to voting day as an advance poll or, as some would call it, a second polling day. My argument is one that's strictly on procedure.

I believe your ruling was correct. This clearly is outside the scope, because this bill, as we received it, was passed at second reading and then came to committee. Procedures and practices of the House indicate that amendments at committee after second reading should only be, shall we say, technical in nature, certainly not substantive. By contrast, if a bill were submitted to committee before second reading, then substantive amendments could certainly be made. That's why there's a difference between committees receiving bills before or after second reading.

The clear procedures of our own House indicate this amendment should be ruled out of order since it is very substantive, since one of the key provisions of the bill was to include the Sunday prior to voting day and all the provisions contained there.

I can't see any procedural reason why it would be appropriate to overturn your ruling, because your ruling was clearly quite correct by the very rules and procedures and practice that govern us.

That having been said, that's obviously my opinion. I would like to ask for comments from some of our officials from PCO as to their views. I don't know if the term "appropriateness of this amendment" would be correct, but certainly whether they think this amendment should be considered in order or not.

Chair, I'm not sure which one of the witnesses you wish to....

● (1125)

The Chair: If the witnesses raise their hands, I could introduce, or please just speak up.

Mr. Marc Chénier I think this is something for the chair and the committee to decide, whether the provision was out of order or not.

Mr. Tom Lukiwski: Just to conclude then, Chair, if that was your comment, that's fine, but I again point out the fact that this should be considered out of order only because it substantively changes the bill. That's not what we are here to do. We received this bill after second reading. This bill passed second reading in the House. Now the very core of this bill is being gutted, quite frankly, if this amendment passes. That's just not consistent with the procedures and practices of the House.

The Chair: Thank you, Mr. Lukiwski.

Madam Redman, please.

Hon. Karen Redman (Kitchener Centre, Lib.): Thank you, Mr. Chair.

I would have to say I think there is a lot of goodwill in this committee, and there's a wholehearted agreement on the intent of this bill, which is, certainly as put forward by the government, to increase voter turnout.

This bill was referred to us after second reading; however, I would say we have heard from all the faith communities, almost universally, that they didn't see this as a very workable solution and a very good idea. We also heard from the Chief Electoral Officer that this is in essence duplicating election day. So I would say that eliminating that duplication of election day is by no means meant to subvert the intent of this bill. We had exactly the same motion. As a matter of fact, we've brought forward other motions we think really add to the robustness of trying to get greater voter participation.

I think this is true to the intent as expressed by the government, which is greater voter participation, and certainly we shouldn't ask witnesses to take the time and trouble to come here, listen to their testimony, and yet not have that reflected in the bill, which I think is appropriate.

That is why I feel it is in order, because I think there are other ways we can increase voter turnout.

The Chair: Thank you.

Mr. Angus, please.

Mr. Charlie Angus (Timmins—James Bay, NDP): Thank you, Mr. Chair.

I was somewhat stunned by your ruling. I think what we've tried to do at this committee is look at the legislation with an open mind, to hear as many viewpoints as possible, and to try to work collaboratively.

There are two elements in this bill. One is the element in terms of ensuring that there's adequate advance polling, and I think the preponderance of opinion agrees with that. The other question was whether or not this so-called final advance poll was really an advance poll or was a full-out voting day and whether that was good or not. That is our job as members of this committee, to review legislation. To draw the line here, you're basically giving us a choice of whether or not to support the bill or throw it out. But there are two key elements in this bill, and one element certainly, I think, failed the means test, and that is why it came to committee. We were more than willing to have it come to committee so that we could hear expert witnesses, but certainly the issue of that Sunday failed the means test before the witnesses.

The other elements of the bill certainly have received, I think, very clear support. The New Democrats would certainly be more than willing to continue clause-by-clause on this bill. But on that one Sunday, the evidence does not support what was brought forward in this bill.

● (1130)

The Chair: Mr. Paquette.

[*Translation*]

Mr. Pierre Paquette: I will be brief because I completely agree with what the two previous speakers have said. However, I would point out that the bill is entitled "An Act to amend the Canada Elections Act (expanded voting opportunities) and to make a consequential amendment to the Referendum Act" and I would stress the expanded voting opportunities.

We, or other parties, will be making a series of motions to respond to the need for expanded voting opportunities. There is a technical detail that some members of the committee thought had not stood the test of the testimony. It is also entirely proper for parliamentarians to be responsible and point out that some element of a bill is more of an irritant than a real opportunity for expanded voting opportunities.

Overall, the spirit of the bill will prevail, because ultimately, after it passes in committee, the bill will mean that Canadians and Quebecers will have more opportunities to vote.

[*English*]

The Chair: Thank you.

Mr. Reid, please.

Mr. Scott Reid: Thank you, Mr. Chair.

I have to say that my recollection of what happened with our witnesses was a little different from what some of the other people here have recalled. We started by making the observation that we heard from all faith groups and their opposition to this. Well, we didn't hear from all faith groups.

•(1135)

Hon. Karen Redman: There were a lot of faith groups that we heard from.

Mr. Scott Reid: We didn't hear from all faith groups. We didn't hear, for example, from Jews, who of course, have a Sabbath on Saturday. Therefore, for an observant Jew, voting at any point in time from Friday at sundown to Saturday at sundown is not an option. That eats very heavily into the available days. If you work at a nine-to-five job and you're an observant Jew, five days a week.... You can't vote on Friday, you can't vote on Monday, and you can't vote on Saturday. I guess you could get to the poll on Saturday evening, but I can't remember how late they run. Is it 8 p.m., perhaps? But depending on the time of year, the sun hasn't gone down yet, so effectively if you're an observant Jew in Canada, under the current law you can't vote at an advance poll.

I admit there are lots of ridings that don't have a lot of observant Jews in them, and mine would be one, but that seems like a bit of a dismissive attitude. Had I realized that this was going to be the line taken by other parties, I would have brought in somebody, say a rabbi, to explain the difficulties that are imposed by this particular law. There are other religious groups that have other holy days, of course, but the restrictions placed on an observant Jew are significantly greater if you're trying to observe the Sabbath than the restrictions placed on a Christian, including a Christian who believes you ought not to work on the Sabbath. Given the way the law is currently written, the imposition the current law as unamended places on your ability to vote at an advance poll is significantly greater.

This is a colossal oversight. Approving this amendment and the other ones that deal with stripping back other aspects of the voting on the final day before polling day would have a really significant impact on the capacity of observant Jews to vote here. I'll just leave that as it is. I think that case speaks for itself.

I don't concur with Madam Redman's recollection that all the people from whom we heard oppose Sunday voting. As I recall, there were three witnesses. One was from the Evangelical Fellowship of Canada, I think, one was from a Baptist federation of churches, and the third one was from the United Church. As I recall, the representative from the Evangelical Fellowship and the Baptist representative were opposed to Sunday voting. The representative from the United Church was extremely specific in saying no, we'd be happy to continue to have our churches as polling places, and to see Sunday voting occur, we would like the time polling starts at to be moved to 1 p.m. That's a very specific observation. It demonstrates the inaccuracy of the statement made by Mrs. Redman and I think by someone else on the opposition side with regard to the unanimity of the Christian community on this subject.

That is, Mr. Chairman, leaving aside the astounding change of direction in the opposition parties, who normally would be at an uproar over things like.... Do you remember the Lord's Day Act in

Ontario, the law that said we can't shop on Sundays because it's the Lord's day? Well, that's an outrage. That's the imposition of the views of one faith community on the whole country in a supposedly secular society.

Mr. Charlie Angus: On a point of order, Mr. Chair, are we going to sit and listen to filibuster, or is there a point to this?

The Chair: That's not a point of order.

Mr. Reid, you have the floor.

Mr. Scott Reid: Thank you.

The Chair: I would expect members to use the point of order call for that reason only. Members have been at this committee long enough to know what a point of order is.

Mr. Scott Reid: Mr. Angus, in his comments, for example, has been quite explicit in thinking that the Christian faith should be privileged over other faiths in our society, and I must say that has been quite a surprise. I'd be most disappointed in seeing that commentary. If we believe in a secular society, if we believe in a society in which all faiths are equal, then there is no reason to privilege one, and certainly one should at least make the effort to give reasons other than that we need to protect the day of worship of Christians, but not of other people, which effectively has been his argument, Mr. Chairman. I'm sure he'll want to revisit that point of view.

Mr. Charlie Angus: I'd like to respond.

The Chair: Mr. Angus, if I may make a comment—and probably I'll be ruled out of order—I would like to comment to all members that in none of these amendments has it been suggested we delete proposed subsection 167.1(2), which leaves in the Sunday voting before this Sunday. The argument I'm hearing from members, that it's an inconvenience to have voting on Sunday and that this is the attempt to remove Sunday and it doesn't matter, the chair finds irrelevant.

Mr. Reid.

Mr. Scott Reid: That actually was going to be my next point: that if we really believe we ought to protect Sundays for this reason, then it seems passing strange to me that we would eliminate one Sunday but not the other Sunday.

I suggest that there is some other motivation. I don't know what it is, but it sure isn't the stated motivation, which I find hard to believe is the real motivation, based on the fact that I can't believe Mr. Angus and other members really believe the rights of Christians should be protected but not those of other religious practices in this country.

Mr. Chairman, that concludes my comments on that point.

The Chair: Mr. Preston, please.

Mr. Joe Preston: I was going to make many of the same comments as Mr. Reid made.

I've heard the reference from the other side that we've heard witnesses saying the contrary of what we're saying here. I sat here and didn't hear the same thing, apparently. I heard the same thing; I heard the United Church clearly say they thought the Sunday was a great day, that they wanted to move the time around, and that the use of their churches was a perfectly good thing. So I maybe heard the same thing as Mr. Reid, and the others heard something different.

I heard many of other witnesses tell us that the specificity of having a polling station on the Sunday at the place where a polling station would be would, in rural communities, increase voter turnout. We had some of the academics come here and tell us.... We can argue about how much they said it would improve it, but that's the point of this bill: to improve voter turnout. We've had people come here and tell us it would do that.

Yes, we've heard from some faith-based groups who said they wouldn't vote on the Sunday, but we've left them the option not to.

I agree with what Mr. Reid has said, and I'll leave it at that.

The Chair: Thank you.

Madame Robillard.

[*Translation*]

Hon. Lucienne Robillard (Westmount—Ville-Marie, Lib.): Mr. Chair, let's try to keep things in context and leave aside the religious days belonging to Muslims, Jews or Christians. That is not the basic issue. The basic issue is that all of the political parties want to expand voter participation.

The evidence that the various witnesses presented to us, including the research that has been done on the subject, cannot categorically establish that the proposals to add two days, two Sundays, are going to increase the number of voters substantially.

It has not been proved, and so I would wonder: can we find other ways to increase voter turnout? Looking at the amendments proposed by the various opposition parties, you can see that this is precisely the objective we are trying to achieve.

The Chief Electoral Officer told us about the difficulties there would be in implementing these measures—very concrete techniques. We can have fine principles, but how will it work on the ground?

Setting an advance polling day immediately before the general polling day creates significant difficulties for election workers, who will have to follow two different sets of procedures and processes from one day to the next. We have been told that in very concrete terms.

In addition there is our difficulty in attracting election workers, which has been acknowledged. It is in this much more general context that we are saying yes to an advance polling day, but a week before the official polling day, so that this confusion and difficulty don't arise. We will therefore be proposing amendments subsequently today.

On the question of the \$34 million that the government's proposal is going to cost, how could we better use that \$34 million to increase the number of voters? That is the issue.

• (1140)

[*English*]

The Chair: Mr. Lukiwski.

Mr. Tom Lukiwski: Thank you, Chair.

I have two points. I said originally I didn't want to get into debate on the merits of the bill, because I wanted to concentrate on the procedural aspects of it. I will ask for comment, perhaps, from some of the analysts on the propriety of the procedural change the opposition members are trying to enact.

But to clarify and to get my two cents' worth in on debate on the merits of the bill, I cannot agree with the position taken by the opposition members who have spoken and have said that the vast majority of people who came here said the Sunday prior to voting day is a bad idea. It's not what I heard at all.

At least Madame Robillard is making the argument advanced by the Elections Canada official, saying it would cost \$34 million; that's a substantive argument. However, I would counter-argue, as evidenced by the testimony from Professor Ned Franks, who asked, what price democracy? He said it costs on average about an extra \$150 to put that extra day in. Do you want to tell a constituent that he or she was denied the opportunity to vote for the sake of \$150 because it was too much money? What is the price of democracy?

We heard consistently from experts—and I realize that these are opinions, since there's no empirical evidence yet, because we haven't had a Sunday prior to voting day.... All of the opinions of these experts said there's not going to be a substantive increase in voter turnout, in their opinion, but there probably will be one running anywhere from 1% to 4%, which is a significant number.

If the intent of this bill and the intent of the committee is to try to provide increased voter turnout, to get more people engaged in the democratic right to vote, then what are we arguing about here? It's clearly not a view advanced by members opposite saying that Sunday is going to be an infringement on the faith-based organizations. That's not true of all of them. Some of them said it would be an inconvenience, but others, such as the United Church, said clearly it wouldn't; they'd welcome it.

Mr. Reid made a very cogent argument in asking, what about other religious faiths? Are they going to be inconvenienced, and why are we only choosing the Christian faith that might be inconvenienced?

The crux of the bill is to try to do something that would actually increase voter turnout. Every single person who came here, except for the faith-based organizations, said that in their opinion it would. They said, pass the bill.

Maybe we can do other things that would increase voter turnout in other areas, but at least as a start, this is a pretty good idea. It may not increase the voter turnout by a whole bunch, but it will probably increase it. And isn't that what we're trying to do here? I thought we all agreed on this, that we were trying to bring a piece of legislation forward that would actually increase the number of people who would cast ballots.

Every single person who came forward, with the exception of the faith-based groups—and even they didn't question, I might add, Mr. Chair, whether or not voter turnout would increase.... They didn't even touch that argument; they just touched on the argument about how it would inconvenience them. But that's not the purpose of the bill. The purpose of the bill is not to talk about whether this is going to inconvenience Elections Canada in terms of having to hire extra staff, or whether it would cost Elections Canada more money, or whether it would inconvenience faith-based groups. The purpose of the bill was to try to do something that would increase voter turnout, and every person who offered an opinion on that said yes, in their opinion, this would increase voter turnout.

Now, if the bill were intended to increase voter turnout by 10%, then I would tend to start agreeing with some of our members opposite, because I haven't heard anybody say it would increase it by 10%. But it would increase it incrementally. Then, as I believe Professor Franks said, perhaps that would multiply over the years, because perhaps the Sunday voting would have a positive impact on young people, the demographic least likely to vote right now, and on their voting, and then, once they got in the habit of voting, they might continue the habit.

So for all of those arguments, which I'm just repeating here and was hoping my colleagues would recall, the opinions were that this bill and the Sunday, particularly, would increase voter turnout.

We have a procedural argument here. I believe your ruling was quite correct in ruling it out of order. But on the merits of the bill itself, what are we doing here? Why are we saying we want to scrap Sundays, when every single person who came before this committee said yes, I think—I don't know for sure, and we'll have to see, but I think—it will probably increase voter turnout? That was the intent of the bill.

• (1145)

Finally, then, I would ask if the clerks or the analysts would be prepared to offer an opinion on the appropriateness of the chair's ruling. I mean, is it, from a procedural standpoint? Or am I putting you in a conflict here? I don't want to do that, but I think I'm right when I make my procedural argument that this is out of scope.

The Chair: Are you finished, Mr. Lukiwski?

Mr. Angus, please.

Mr. Charlie Angus: Thank you, Chair.

I'm still trying to come to terms with this sudden outburst. This is not about pitting orthodox Jews against imposing Christian values. This is about the efficacy of this legislation.

We sat here as members taking witnesses to see and to test.... I don't think there's anybody here who's questioned the possibility that the advance polls.... Well, certainly every faith group is going to potentially take a hit. They could go on that day or not. The question then becomes whether the Sunday before, which is full voting, is the real intent of this legislation.

I guess I'm surprised that, from what I'm hearing from the Conservatives, that is the point of this bill. All the other stuff appears to be a bit of flowers on top, window dressing. Now it's becoming clear that when we tested the various witnesses—and it wasn't just

the faith groups, it was Elections Canada when we had representatives from Saskatchewan—about the actual implementation, whether this was a good piece of the bill or not.... Now we're seeing that all the other elements of the advance polling seem to be almost irrelevant. It's the issue of that Sunday, so that's what we have to discuss.

Obviously there is some consensus on this side of the table that the Sunday before is unnecessary. That is our right as members of this committee, having brought the question.

The question was raised again and again, very clearly, consistently, to witnesses. And we waited. You don't need unanimous opinion from witnesses, Mr. Chair, to develop an opinion. You work on a cross-section. That's what we all do here. So we've done our job. Now it comes down to these clauses. I think we should simply start to move ahead on them.

The Chair: Thank you, Mr. Angus.

Mr. Reid.

Mr. Scott Reid: Mr. Angus raised the question of effectively having universal polls voting everywhere on the final Sunday, and he states quite correctly that it is very important to many of us. It's certainly important to me.

One of the things that Mr. Angus will recall from our discussions and from the line of questioning I was pursuing is that I would ask witnesses on a fairly consistent basis whether they thought this would produce a greater turnout. In particular, he may recall that with our final group of witnesses, I asked the question.... One of them had raised the point that you don't get all groups in society using advance polls in equal numbers and to the same numbers that use the polls on election day. This specific witness pointed out that senior citizens, for example, are more likely to use advance polls, and speculated that this may have something to do with the fact that senior citizens are worried about the weather being bad on election day during a wintertime election.

I then asked the question, well, does this suggest that people who have limited mobility might be able to use advance polls in a way that is not possible? I offered some suggestions, and I think these are the kinds of groups that are likely to make use of advance polls that are located at many locations—for example, people who are shut in, who, in order to vote, require somebody to assist them to the poll. Now, that involves a family member coming from wherever they live to that person's address, picking them up, and taking them to the poll, something that is easier to do if the poll is nearby the person's house. It involves people who have limited mobility who can get down to a polling station close to their home, but not one that's farther away.

I pointed out that in urban areas it's frequently the case that polling stations are, in practice, at virtually every location—or close to every location—because you have multiple polling stations in one spot. But in rural areas, advance polls are not centrally located. It's therefore hard to get to the—

• (1150)

The Chair: There is a point of order.

Mr. Marcel Proulx: I apologize to Mr. Reid for cutting him off.

This is a point of order, but it's also a point of clarification, Mr. Chair.

Are we sure that we're on the right track? This has all been debated prior to this meeting. We are now at the clause-by-clause meeting. I can appreciate that people have opinions, and people want to talk on whatever amendments, changes, or interpretations there might be. But are you convinced, Mr. Chair, that you are allowed to let individuals speak more than one time?

The purpose of my question is that there are many clauses to be looked at, regardless of who brings in amendments, corrections, or changes. At the rate we are going now—and I'm not saying anybody is filibustering, I'm not accusing anybody, and I think everybody has the right to his or her opinion—I don't think we'll get home for Christmas.

The Chair: Thank you, Mr. Proulx.

I can assure you that we are on the right track. As long as the comments are not repetitive, we are on the right track, and members can speak. This is a debate process. As long as the debate centres around the amendment and the issues around the amendment, it's allowable.

Mr. Marcel Proulx: Is that regardless of repetition, Mr. Chair?

The Chair: No, not regardless of repetition. I'm listening for repetition. Please trust me that I'll be listening for that.

I am hearing Mr. Reid say that the elimination of that Sunday means eliminating some other opportunities for voters that are not present the previous Sunday. That's what I'm listening to, and I encourage all members to listen. When the debate is over, we'll have the vote as we normally would.

Mr. Reid, please.

Mr. Scott Reid: I appreciate Mr. Proulx's intervention. Through you to him, Mr. Chairman, I simply observe that I'm partly responding to some comments that had been made following my previous comments that bring up some new points. But also, part of the reason for concentrating these comments at this end is that while this is not the only proposed amendment that deals with the actual day before polling day, there are some others that come up later on.

If this adjustment were made, as proposed in Bloc amendment 2, it would effectively reduce the efficacy. The voters list would not be as good for that final day of voting. So that means that even if we were to come back and continue on with allowing the voting on the final Sunday at all polling locations, we would not have voting that is as effective. So it seems a reasonable place to present the argument so that others can come to the conclusion that there is merit to Sunday voting on the day before, at universal polling stations.

Of course, I make all my comments—and I hope all members do the same thing—very much in the awareness that our purpose here is to try to convince each other, in the spirit of collegiality, of the reasonableness of our arguments, so that we may actually sway the point of view of members of this committee as they exercise their legal right and obligation to vote in good conscience for the best possible laws and amendments thereto.

All of this being said, I now return to the point regarding groups that would be unable to engage in voting if there were not universal

polls. I mentioned people with limited mobility, the handicapped people who are shut in, the very elderly, obviously, in some cases, and those who rely upon a family member who might have to get to them to assist them in casting a vote. I stress, in particular, people in rural locations.

Not every member here represents a rural riding. Having represented one that is partly rural and partly urban, I do notice a significant difference with the urban area, where you would typically have six or seven polls at a single polling station, typically in a high school gymnasium, say, or a fire hall. If you have an advance poll, what happens is that you have often one poll at that polling station but it's in the same location.

In a rural area, it's very different. In a rural area, you can be in a situation in which you have an advance poll that covers a very wide area and can only be reached by car. Anybody who doesn't have a car, or access to a family member with a car, effectively can't vote at the advance poll. That's just the way it works.

One of the observations made by one of the witnesses was that those who are better able to take care of themselves, those who are of a wealthier socio-economic status, are most likely to take advantage of advance polls. I submit to members of the committee—and all of us at least purport to have a great concern for those who are less advantaged financially in our society—that based on that argument that we all present about trying to take special care of the less advantaged in society, we ought to be trying to ensure that they have the same kinds of opportunities to engage in voting at advance polls as people who are more advantaged would have, based on those mobility concerns.

That was a point that I thought needed to be fully expounded on.

The second thing I want to address is the issue of the number of voters we're talking about. Madam Robillard raised the issue of the cost. She said \$37 million, and I heard somebody else—

Hon. Lucienne Robillard: It was \$34 million.

Mr. Scott Reid: Okay, \$34 million, sorry. I thought I heard \$37 million, but it's \$34 million.

Witnesses gave different estimates. These are purely estimates, because we don't have any clear parallels of the number of people who would be enfranchised, and the numbers ranged from a 1% to 3% increase in voters.

It wasn't clear to me if it was 1% to 3% of those who are already voting, or the percentage of total eligible voters in the country. But let's take the more conservative of those numbers, the lower of those numbers, and take 3% of the 16 million participating voters. There is in fact a universe of something like 25 million potential voters in Canada. So 3% in the universe of participating voters, 3% of the more or less 16 million—I actually worked this out while this particular witness was talking—boils down to 44,000 more voters. I would say that a bill that accomplishes getting 44,000 more Canadians to vote is a very worthwhile bill. When you put it in those terms, suddenly the costs don't seem so significant.

•(1155)

In all fairness, some of those voters would come out, I believe, at the first Sunday, because the advantages of Sunday voting are there whether it's the Sunday before the election or the Sunday prior to that. So some of that universe would come out. I don't know the percentage. None of us can know this because we haven't gone through the exercise yet.

But I would submit that given the fact that the Sunday is very much like the Saturday that precedes it and the Friday that precedes that and the Monday that comes after, in that it's only at limited voting stations, you are facing a situation in which it would be a further advantage to those who are in the same kind of socio-economic demographic groups who are already taking advantage of the voting. It would be an advantage to them, but it would not, nearly as much as that last Sunday, advantage those people who are unable to take advantage of advance polls by their nature.

So on that basis, I would strongly urge people to reconsider this amendment and the others that are allied with it that effectively remove that last universal Sunday of voting.

I feel strongly about this, Mr. Chairman, because this basically reflects the kind of riding I have. When I had a half urban and half rural riding, I had one of the wealthiest suburbs of Canada, Kanata, as part of my riding. And now that the riding has been split and I've moved to the rural area, I'm aware of the fact that the area I left behind has the highest turnout in the entire country for advance polls. The area that I now represent has a much lower turnout at the advance polls because of the kind of consideration that I'm describing: people who don't have flexibility in their hours, people who are shut-ins, and people who have to walk to get to the polls.

I remember on one occasion going down Highway 38, a highway in Frontenac County, in my riding, and seeing a woman pushing a stroller along the side of the road. She had to push her child down the side of a highway, which is a not a safe thing, to get her to a day care centre, and we wound up giving her a lift.

You're talking about, in many cases, people of lower socio-economic status who can't take advantage of something we've intended to make available to them, and that's what I'm pleading for. And I'm pleading it in all sincerity, on behalf of everybody who finds themselves in that kind of situation.

If you take the extreme example of remote communities such as the ones in Nunavut, where effectively there are no advance polls in practice, there simply will be no advance polls at all under the change of the law, whereas we would have permitted, under the new law, a polling station in each of those remote communities where you can't get to the next community where the advance poll is because it's a plane flight away. And Nunavut is not unique, but it's certainly the most dramatic example of that kind of thing.

Finally, with regard to the remarks on observant Jews, my point is not, as Mr. Angus, I think in all innocence, suggested, to pit Jews against Christians; my point is to draw attention to the fact that we didn't bother, as a committee, to get any observant Jews. I am at fault too. And being the only one on this committee who has actually got a Jewish background, I'm more at fault than the rest of us. Having said that, it doesn't change the facts that if you're an observant Jew

you can't use a vehicle on the Sabbath; you can't use a writing implement and make a mark, that's considered work. This is not something that any Christian faces, because this isn't the interpretation that any Christian group, of which I'm aware, gives to scripture. So this is a significant impediment.

Adding the first Sunday, again, does make a significant difference, and I think it's good. I'm happy that none of the amendments are considering removing that Sunday, but I do ask you to keep this in mind as we deal with this. The impositions, not on all Jews but on observant Jews, are more significant than we might realize.

Mr. Chairman, I'll stop my comments at that point.

•(1200)

The Chair: Thank you, Mr. Reid.

Monsieur Lemieux.

Mr. Pierre Lemieux (Glengarry—Prescott—Russell, CPC): Thank you, Chair.

I wanted to voice some of my concerns with the amendment as well. Perhaps it's my military background, but I tend to focus on what the aim is. What is it we're trying to accomplish with this bill? To me, the aim is to increase voter turnout.

We had many witnesses come before us, and if I remember correctly, almost all of them agreed that voter turnout would increase as a result of the initiatives we're trying to put forward in the bill. However, no one could really quantify it and say by exactly how much voter turnout would increase.

This is where my element of concern comes in. We're all interested in knowing by how much voter turnout will increase. To know that, we have to put in place the additional opportunities for voters to vote. This Sunday that the opposition is trying to remove is a critical element of that.

Here we are trying to put in place a mechanism by which to increase voter turnout during advance polls, and yet at the very same time we'd be decreasing what's proposed in the bill to do exactly that, so that when it came time to measure the results, we'd have actually undermined the results we were hoping to achieve.

In terms of turnout, as I say, in terms of conflict that people might have—they might have a moral or a religious or a conscientious objection to voting on that Sunday—they don't have to vote on that Sunday; they can vote at some other time. But for those who can vote on that Sunday, I don't think we should take that Sunday away.

So I don't really think there's an argument here, from the point of view of the voter, as to why that Sunday should be removed. The voter has choice, and I think that's what we're trying to offer to voters: choice.

From the point of view of inconvenience of locations, which is another argument that could be used here, in terms of disenfranchising churches that might have their services in the gyms at that time, I think what we did here was ask whether it is possible to accommodate that, perhaps by changing the hours associated with that Sunday—not by completely eliminating the Sunday, but simply by opening the polls a little later on the Sunday than the time currently contained within the bill.

This is not a show stopper, this idea of inconvenience to locations.

Those are really the points I wanted to bring forward. I see this as a major change. What's the aim of the bill? The aim of the bill is to increase voter turnout, and yet at the same time as we're trying to do that, we're somewhat undermining our efforts by reducing the number of days available. When it comes time to measure the outcome of this initiative, it will be less, because we've removed a key voting day, and that doesn't make sense to me.

Just to finish off, the third argument would be the one of cost raised by Madame Robillard, the \$34 million. I would like to echo what my colleague said: it's very hard to fix a price tag to this, because everything is speculative right now. There are no hard data upon which to put forward the \$34 million, and because we don't know how many voters might turn out, you can't break it down into a cost per vote.

In other words, we have to use reasonable judgment, and I think we didn't hear Elections Canada say the additional cost is unreasonable, that it's disproportionate to their activities right now, or that it's disproportionate to the potential increase in voter turnout that we could see. They did their analysis and said it would cost \$34 million. It seems reasonable. I didn't hear anyone on the committee at that time object and say that \$34 million is outrageous and in no way should the government proceed in this manner. So I don't really buy into that argument.

The other thing to say too is that the cost may very well be less, because they're talking about one day here, not about abolishing all days.

Thank you for that, Chair.

• (1205)

The Chair: Thank you, Mr. Lemieux.

I don't have anybody else on my list, but I would like.... We have one more? Okay.

Before we proceed, I want to remind members that inasmuch as I want to offer the broadest range of debate on these issues, I feel we've covered many of the arguments. I don't sense too much repetition between members, but I'm hearing the same arguments used. I want to be fair to everybody. A broad range of arguments is what we're here for, but I just want to make that note so that everybody knows I'm aware of it.

Mr. Lukiwski.

Mr. Tom Lukiwski: This will be mercifully quick.

The Chair: Is this a point of order?

Hon. Karen Redman: If it's mercifully quick, I'd be happy to hear it.

Mr. Tom Lukiwski: It is, and in response to Marcel and Charlie, I don't know about my colleagues, but I'm not trying to filibuster this, because I want to get to Bill C-6 and Bill C-18.

For the benefit of all members—and I know Pierre and Karen would know this—my minister wanted to make sure I informed everybody that Bill C-6 and Bill C-18 are priorities for our government. We want to get them passed before we rise for the break, because there could be byelections coming up. I certainly don't want to unduly delay this thing here—

The Chair: Mr. Lukiwski, that was painfully irrelevant.

Mr. Tom Lukiwski: My question remains the same. It's the question I asked originally, but still haven't heard an answer. In viewing of some of these amendments, I find many similar to this that I would consider to be out of scope. Am I wrong when I say that if you had this bill before committee before second reading, you could make substantive changes from a procedural standpoint?

I know the NDP has asked before for bills on other issues to be sent to committee before second reading for the very reason that they can actually rewrite the bill. When it comes to committee after second reading, that's not what you're supposed to be doing. I'd like an opinion. Am I wrong here? If I am, I will stand corrected.

The Chair: Clearly the chair doesn't have to explain his decisions, but in essence I don't mind telling you that I felt that removing that particular Sunday from this bill, especially considering that all polls would be open on that Sunday and a number of other issues, is beyond the principle of what this bill offered at second reading. Having said that, I won't continue with my own issues; I have made my ruling.

Madam Redman, did you still want to comment, or can we call the question?

Hon. Karen Redman: I do, and thank you very much. I hope you don't deem this irrelevant, because I hope it is along the spirit of what Mr. Lukiwski was covering off.

I think rural voters are a key issue. I know we are coming into the time period when conventions and rules will force the Prime Minister to call some byelections, and we may not be here. At an appropriate time—and clearly it isn't right now, Mr. Chair—I would be happy to look at the rural voter piece of legislation; there is a motion on the table....

You'll have to forgive opposition members for feeling that this is a filibuster, because it sometimes feels like that's the default mode of the government members. I would be willing to reverse the motion I had before the committee if we were to deal with rural voters expeditiously; we're not going to get to that piece of legislation until we deal with this one.

I understand the government members aren't happy with this, but I would hope that in the effort of getting the government legislation dealt with, as Mr. Lukiwski says, our priority is that we could at least move forward to the votes.

•(1210)

The Chair: I certainly don't want to rule on the irrelevance of something that appears to be moving forward on other issues, but I would desperately encourage the whips and leaders to get together and have that discussion.

The option to me right now is potentially to suspend this meeting until that happens, but we can't continue that discussion during this meeting. I'm going to look around the table and see if there's a willingness to suspend this meeting or call the question.

We'll call the question on this clause. Are there any more speakers? I want to be fair.

Colleagues, we're at clause 3 and the amendment put forward by the Bloc, amendment BQ-2. As you know, it is the same as LIB-1. A recorded vote has been requested.

(Amendment agreed to: yeas 7; nays 4)

(Clause 3 as amended agreed to)

(On clause 4)

The Chair: I'll give members a chance to get to clause 4. I'm going to call the question, because we have no amendments.

Go ahead, Mr. Lukiwski.

Mr. Tom Lukiwski: I'm not sure if I'm in order even asking this, but I'm wondering, from Monsieur Paquette, the reasons.

There are no amendments, so it would appear to me that there were no serious problems with the clause. I'm just very curious as to why you'd be voting against clause 4.

Mr. Marcel Proulx: We just came back and said there was a problem with clause 4.

Mr. Tom Lukiwski: Okay, then I'd just like to know why. That's all.

The Chair: We'll have a debate on this issue of clause 4, starting with Mr. Paquette.

[*Translation*]

Mr. Pierre Paquette: If I understand correctly, Mr. Chair, the purpose of clause 4 is to provide for operational modalities arising out of the addition of an advance polling day on the Sunday preceding polling day. Because the will of the majority is not to accept that proposal, it seems to me, therefore, that we should not be providing for the modalities for that day, in any event for the people who have already said that it is inappropriate to add an advance polling day on the Sunday preceding polling day. We therefore oppose it.

[*English*]

The Chair: It's an interesting dilemma, because some of the other clauses are definitely related. There are consequential issues with respect to this. I'm going to ask the clerks for an opinion on what we should do.

Colleagues, I have sought advice on this issue. We will stay on track and in order. So we are on clause 4.

I think Mr. Paquette has spoken to this issue. All members have heard the argument. I did have Madame Redman down on the same issue.

Mr. Proulx.

•(1215)

Mr. Marcel Proulx: Mr. Chair, may we have the opinion of the experts? I don't want to repeat what Mr. Paquette was explaining, but we voted against having an advance poll on the day before voting day, and clause 4 relates to such an advance polling day on the Sunday prior to the voting day. So there have to be corrections. It might not be completely deleted, but there have to be changes. There have to be corrections, for sure.

The Chair: I would ask our experts to comment on that. And if I may, in the efficiency of time, I would ask too, regarding this clause that we just voted on, was it more pertaining to lists; and how will that affect clause 4?

Mr. McDougall, please.

Mr. Dan McDougall: I think there wouldn't be a problem, given the fact that you've deleted the—

Mr. Marcel Proulx: On a point of order, did I hear “would” or “would not”?

Mr. Dan McDougall: There would not be a problem in particular with deleting this, given that you've deleted or intend to delete the vote in advance of the day before the formal voting day. There may potentially be some issues with respect to the pilot project should that amendment be carried, but those potentially could be dealt with in other ways as well.

The Chair: Monsieur Paquette.

[*Translation*]

Mr. Pierre Paquette: I simply want to be sure that if we reject clause 4, section 140 will remain as it is. The modalities that are provided for polling day will therefore stay the same.

Thank you.

[*English*]

The Chair: Perhaps I can just summarize. And please, if it's possible, speak to the chair. I know I'm talking up here as well, but I'm trying to listen to everything.

The argument centres around this term, “the last day of advance polling”. I think there may be some opportunity to keep this in there, but again, I don't see how it changes, because ultimately the reference to the last day of advance polling simply refers to the Sunday before, then. Since we've eliminated the Sunday before the actual election day, it's the Sunday of the week before. Am I not correct that this clause then makes just as much sense? Please look at it that way and offer me an opinion.

Mr. Chénier.

Mr. Marc Chénier: Mr. Chair, I'd just like to point out that the ballot boxes that are used on the last day of advance polling, being the week before polling day, are not the same ballot boxes as would be used on polling day.

The Chair: *Merci.*

Are there further questions or discussions, or can we call the question?

Mr. Proulx, please.

Mr. Marcel Proulx: I'm back to my original point. Would the experts give us advice on how to modify this, because there's no sense in keeping the wording for a ballot box that does not exist. It has to be deleted or corrected, for sure.

Mr. Dan McDougall: Mr. Chair, we believe the current wording in the Election Act would apply appropriately without amendment. The Election Act wording, section.... *Non, 140 s'applique.*

The Chair: Mr. Proulx.

Mr. Marcel Proulx: Therefore, what I understand is that we delete clause 4 because section 140 already exists in the Election Act, which covers all the procedure. Right?

The Chair: *Merci.*

Thank you for that clarity.

Mr. Marcel Proulx: Okay. We delete clause 4 then.

The Chair: Okay. I'm going to go back to the basic question for our records, colleagues.

(Clause 4 negatived)

(On clause 5)

• (1220)

The Chair: Colleagues, we'll turn to clause 5 now. A number of amendments are proposed. Some are consequential, and some will be affected by the vote on clause 4. The first one we received was NDP-1, and I believe in your packages you'll find that on page 4.

I'll ask Mr. Angus if he would kindly introduce this amendment to the floor.

Mr. Charlie Angus: Thank you, Mr. Chair.

I think this amendment is very similar to the other amendments that are coming forward, which are basically housekeeping following out of the first Bloc amendment, and we would be removing the "Sunday the day before polling day". That is the main thrust of it, so that we're keeping all the other polling days, but we're striking reference to that particular Sunday.

The Chair: Colleagues, I will have to be consistent, because the rules call for that.

Given that this is removing an entire day before the actual election day, complete with all the polls being opened, I'm ruling—and I know exactly where this is going—this amendment out of order. As a result, I might want to tell you that since they were drafted on the same page together—(a) and (b), as you can see—then I am determining that the second part of this amendment, which is different from the other motions put forward by the Liberals and the Bloc, this line (b), is also deemed to fall with my decision on the amendment itself, which is beyond the scope and principle of the bill as sent to us by second reading.

I have a challenge.

Please, Mr. Proulx.

Mr. Marcel Proulx: On a point of order, Mr. Chair, I wish I could understand your way of looking at this. And bear with me, I'm asking you to explain it to me.

You permitted the removal of clause 4 totally because the day to which this clause relates will not exist according to the changes we'd made previously. Right? My understanding is that this change, lines 11 and 12 being replaced by section (a) of NDP-1, is based on the same premise that the day will not exist and therefore we can't relate to it. Why would you let the first one go and not the second one?

The Chair: I did not let anything go. The committee voted clause 4 out. It wasn't my decision; it was the committee's decision. My rulings on all these amendments are based on the amendments as they were received yesterday, and I'll continue to do that.

Mr. Marcel Proulx: Had you ruled out clause 4?

The Chair: No.

Mr. Marcel Proulx: Okay.

The Chair: Thank you.

I am ruling it out of order, beyond the scope of the bill as sent to us after second reading. And just out of courtesy to my opponents, I'm looking for someone to challenge me.

Mr. Angus, a challenge?

Mr. Charlie Angus: I challenge the chair.

The Chair: Mr. Angus has challenged the chair.

We will move to a vote. I will ask the clerk to read the exact wording so that everybody knows what they are voting on.

The Clerk: Shall the ruling of the chair that the amendment is out of order be sustained?

(Ruling of the chair overturned: nays 7; yeas 3)

The Chair: We'll begin debate on amendment NDP-1 to clause 5; it's page 4 of your package. Is there any debate on this one?

Mr. Proulx.

Mr. Marcel Proulx: Are you including parts (a) and (b) of the amendment, or strictly part (a)?

The Chair: It would have to be as it is in front of you, so it includes parts (a) and (b).

Mr. Paquette.

[*Translation*]

Mr. Pierre Paquette: Mr. Chair, as you may have noticed, the amendment proposed by the NDP in (a) is exactly the same as what is proposed by the Liberals and the Bloc Québécois.

In part (b) of the amendment, on the other hand, there are differences. The Bloc Québécois and the Liberals are proposing to strike out all of the paragraph starting with "That Bill C-16 ...", proposed subparagraphs 167.2(a)(i), (ii), (iii) and (iv).

I wondered whether my NDP colleague would agree to include those elements, which are logically consistent with his amendment. He wants to simply strike out subparagraph (ii), while in our opinion, to be logical, all of the three subparagraphs, (ii), (iii) and (iv), would have to be struck out.

So I wondered whether he would agree to include that addition in his amendment.

• (1225)

[English]

The Chair: *Merci beaucoup.*

Mr. Paquette and Mr. Angus, it's been suggested by our analyst that what we might want to propose is a subamendment to delete part (b) from this amendment and then add it back in when we come to the other ones.

That is a suggestion. Everybody seems happy with that.

We are now on to a subamendment, which is to delete part (b). Who is making that motion? Mr. Paquette would make that motion.

Mr. Lukiwski.

Mr. Tom Lukiwski: On a point of clarification, Mr. Preston, I think, pointed out—

Mr. Joe Preston: I'm not sure we're allowed to take amendments today, are we?

Mr. Tom Lukiwski: I don't want to delay it, but technically are we supposed to give 24 hours' notice or not?

Mr. Joe Preston: We could call them all subamendments and then we could bring them to the table.

The Chair: Order, please.

We're debating this amendment, and I believe in the amendment we are wanting to delete this particular part. We're not deleting the entire amendment, which isn't allowed, but part of this amendment can be changed.

We need a mover for that, please.

Mr. Paquette has moved that we remove part (b) of this particular amendment.

Mr. Joe Preston: Chair, I'm not sure I got a ruling from you on this.

The Chair: Yes, you did. You got a ruling, Mr. Preston.

Mr. Joe Preston: So in the future there will no longer be 24 hours' notice needed on motions?

The Chair: No, this is a subamendment to this amendment; it's not a motion. I'm sorry, the terminology is pretty strict.

Order, please. Are we ready for the question, or do we need debate on this?

Some hon. members: No.

The Chair: Monsieur Paquette moves that amendment NDP-1 be amended by removing the words "(b) by deleting lines 23 to 25 on page 3".

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

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

The Chair: Colleagues, we're on the clause as amended.

You will note that amendment NDP-1, amendment BQ-3, and amendment L-2 are in fact the same. So I refer colleagues to amendment BQ-4, which is on your page 7.

Madame Picard, would you like to introduce your amendment?

[Translation]

Ms. Pauline Picard: Yes, Mr. Chair.

That Bill C-16, in Clause 5, be amended by replacing lines 20 to 33 on page 3 with the following:

established by the returning officer,

(ii) the address of each advance polling station,

(iii) the place where the deputy returning officer for each advance polling station is to count the number of votes cast at the advance polling station, and

(iv) the fact that the counting of the votes

[English]

The Chair: Please continue, Madame Picard.

• (1230)

[Translation]

Ms. Pauline Picard: It is for consistency.

[English]

The Chair: Simply for our procedures and records, this removes this entire Sunday before the actual election day, complete with all of its polls open across the country, so I'm ruling this beyond the scope of second reading and beyond the principle of the original intent of the bill. It's out of order.

An hon. member: I have a point of order.

The Chair: I think I have a challenge already. Please don't fight to challenge the chair.

An hon. member: Why not?

The Chair: You can take numbers, it's so much more civil.

Madam Redman.

Hon. Karen Redman: I'm challenging the chair.

The Chair: Yes. Madam Redman is challenging the chair. I'll have the clerk read out the challenge and take the vote.

The Clerk: Shall the chair's ruling that the amendment is out of order be sustained?

(Ruling of the chair overturned)

The Chair: We are now into debate on the amendment to clause 5.

Are there any speakers? Shall I call the question?

I do want to mention to folks, too, that this is the same as Liberal amendment 3. I apologize for mentioning that. We'll call the question now.

(Amendment agreed to)

(Clause 5 as amended agreed to)

The Chair: Colleagues, there is a new clause being presented, new clause 5.1, which I believe you'll find in your booklets on page 9. This is BQ-5, presented under the name of Madame Picard.

Ms. Picard, perhaps you wouldn't mind putting this on the table, please.

[*Translation*]

Ms. Pauline Picard: The amendment reads as follows. That Bill C-16 be amended by adding before line 39 on page 3 the following new clause:

5.1 Section 168 of the Act is amended by adding the following after subsection (1):

(1.1) The returning officer shall establish an advance polling station in the student residences of every post-secondary educational institution in his or her electoral district.

[*English*]

The Chair: Thank you very much, Madame Picard.

You probably won't be too surprised by this; however, I'm not ruling this one out of order. I do want members around the table to know, as I've read this a couple of times, my concern centres around the words "every post-secondary educational institution". My concern is that it may require royal recommendation, as it does potentially cause financial initiation of the crown.

I'm not ruling it out of order. It's in order. I want people to consider that as we debate this amendment now.

Mr. Lukiwski.

Mr. Tom Lukiwski: Thanks, Chair. I'll be quick.

We disagree, but that's okay. I believe it would be beyond the scope of the bill; however, I don't know how feasible it would be to have a statutory requirement for the ROs to open up an office on a property over which they have no control. That's why I think it's outside the scope of the bill, frankly.

The Chair: Mr. Angus, please.

Mr. Charlie Angus: I think it's an excellent idea and I think it's very much in keeping with what we heard about getting greater voter turnout. I'm wondering, however, if this is really another bill that we need to look at, because we don't know the feasibility of every location. I'm certainly not wanting to be seen putting an X against an initiative that is clearly positive, but we don't have any information on how practical it is.

I'm worried about putting laws in place for which we can't practically guarantee an outcome, but I'm certainly more than willing to be swayed at this point.

The Chair: Thank you very much, Mr. Angus.

Mr. Paquette.

[*Translation*]

Mr. Pierre Paquette: Based on your information, we will withdraw this amendment and come back to it another time.

[*English*]

The Chair: All right. Madam Redman, please.

Hon. Karen Redman: I think there's a lot of merit to this. Is there any way that the clerk...?

The Chair: I'm sorry, Madam Redman, I should have mentioned that. We do have a motion to withdraw. I need unanimous consent to withdraw amendment BQ-5.

My apologies, colleagues.

(Amendment withdrawn [See *Minutes of Proceedings*])

(On clause 6)

● (1235)

The Chair: We have one amendment, amendment L-4, which you'll find on page 10 of your packet. This is put forward in the name of Mrs. Redman.

Mrs. Redman, would you be kind enough to introduce the amendment?

Hon. Karen Redman: It's replacing the heading before line 39 on page 3 with "ADVANCE POLLING", as opposed to "FIRST FOUR DAYS OF ADVANCE POLLING". It's more housekeeping than anything.

The Chair: Regrettably, headings are outside the texts of the bill. According to Marleau and Montpetit, page 657, headings do not form part of the text, and changes to them are actually out of order.

I should have probably jumped on that.

Hon. Karen Redman: Just for clarification, if that is no longer an appropriate title, it would be changed just as a matter of housekeeping?

The Chair: I'm not sure how to deal with that. But we can't change headings.

Well, I guess we can. The committee is the master of its own... If anybody has any issues, Marleau and Montpetit is pretty clear.

Mr. Reid.

Mr. Scott Reid: I stand to be corrected here, but this isn't part of the bill. It has no legal weight. I think what would happen is that whoever does the printing of these things would just change it automatically.

Mr. Marcel Proulx: On a point of order, Mr. Chair, could we have a confirmation of this from the experts?

The Chair: We certainly can. I'll read right out of Marleau and Montpetit.

I'm just kidding.

Please, if we have any points...

Mr. Marc Chénier: Since they are not part of the bill, it would be a logical interpretation that the person codifying the act would take that into consideration when printing the act, just to reflect what the clause already says, although with respect to the cross-references in terms of offences, the Chief Electoral Officer has been reluctant to do so in the past. So if there was an indication from this committee that this was indeed the intent, I think that would potentially help the Chief Electoral Officer to do this.

The Chair: Did the members all hear that? Does anybody need further clarification on that?

Mr. Marcel Proulx: I heard part of it, because it was noisy in the room. My understanding is that he suggests we do accept the change. Right?

The Chair: I think what we're agreeing here is that this is a heading and it's inconsequential, and I'm ruling the amendment out of order.

(Clause 6 agreed to)

(On clause 7)

The Chair: There are a number of amendments put forward. The first we received was amendment NDP-2. You'll find that on page 11.

I'll ask Mr. Angus if he wishes to introduce this.

Mr. Charlie Angus: Thank you, Mr. Chair.

It's substantially similar to a motion that was brought forward also by Madame Redman and Madame Picard. When it refers to the first four days of advance polling, it would just say at the "station at 8:00 p.m. on each of the days of advance polling". The only difference is that they would refer to "the first four days"; I'm simply saying "the days" of advance polling. It's a housekeeping item, which I'm sure you will rule is an excellent idea on our part.

The Chair: It's so good, in fact, that it's the same amendment as BQ-6 and LIB-5. I do see it as relevant, so if we want to debate this, we certainly can.

Shall we call the question? Shall the amendment NDP-2, which is the same as BQ-6 and LIB-5...*[Technical difficulties—Editor]*.

Let's deal with that separately, colleagues, and go back to just the NDP amendment. Let's just deal with that, because it has been pointed out to me that there's one word that's different in the other two. For the most part it's inconsequential, but we do have to deal with it properly.

Shall amendment NDP-2, which you have found on page 11, carry?

(Amendment agreed to on division *[See Minutes of Proceedings]*)

• (1240)

The Chair: Amendment BQ-6 is very similar, colleagues, and it is being withdrawn.

Mr. Scott Reid: Do we need unanimous consent?

The Chair: My clerk is telling me they weren't moved, so no, we don't have to have that.

Mr. Scott Reid: Just having them here doesn't mean they're moved yet, so you can therefore—

The Chair: Correct. We can even actually go into a bit of a discussion before I rule, just for clarification, but they do have to be put forward.

Colleagues, we're on amendment BQ-7 now, which you'll find on page 14 in your packets, and which also pertains to clause 7. This is put forward in the name of Ms. Picard, and I'll ask Ms. Picard to put this amendment on the table.

[Translation]

Ms. Pauline Picard: That Bill C-16, in Clause 7, be amended by replacing line 32 on page 4 with the following:

on each of the four days of advance polling,

This amendment deletes the reference to the Sunday preceding polling day.

[English]

The Chair: Thank you very much.

As such, my ruling is again the same. It's not that I expect the outcome to be any different, but I have to rule this out of order because it has intentions of deleting the Sunday before.

Is there a challenger on my ruling?

Mr. Charlie Angus: Of course.

The Chair: Mr. Angus had his hand up first, but I do appreciate the enthusiasm over there.

Mr. Angus is asking for a challenge. Can we have a vote on that, please. I'll ask the clerk to read it into the record.

The Clerk: Shall the chair's ruling that the amendment is out of order be sustained?

(Ruling of the chair overturned)

The Chair: We'll open debate on the amendment. Does anyone wish to debate the amendment? I'm looking for hands.

An hon. member: Call the question.

(Amendment agreed to)

The Chair: I believe amendment LIB-6 is identical, so we can move past that.

Colleagues, I'll call the question on clause 7.

(Clause 7 as amended agreed to)

(On clause 8)

The Chair: Colleagues, there are two suggested amendments to clause 8, both from the Bloc. May I have someone put amendment BQ-8 on the table?

Yes, Madam Redman.

Hon. Karen Redman: Thank you.

I'm going to ask the experts to help me walk through this one. When we were doing our amendments—

The Chair: Could I just interrupt you? Is this on amendment BQ-8?

Hon. Karen Redman: It is.

The Chair: Could I ask Madame Picard to put the amendment on the table first?

Hon. Karen Redman: I would ask that you not, just because it involves the entire clause. My understanding is that if you go line by line, it may preclude what I'm going to say.

I think Madame Picard's suggestion of a pilot project is worthy of debate, so I'm not trying in any way to pre-empt what she's trying to do with this. However, it was the Liberal intention to actually vote down all of clause 8, because that is the only way it would be consistent with the other changes we have effected to this bill.

I would ask, through you to the clerks or the experts at the end of the table, if there is a way we can accommodate this without creating inconsistencies within the body of the bill. Again, this is not meant to pre-empt what the Bloc is trying to do, but we had seen this as just deleting this whole clause and making it a consistent piece of legislation.

• (1245)

The Chair: I'm not sure I agree with that, but we'll ask for opinions. Perhaps we should have the Bloc comment on what you've said, and then the experts.

Mr. Scott Reid: Chair, are you referring to the amendments in this pack? Are there Liberal amendments in here, in the package?

Hon. Karen Redman: For clarification to Mr. Reid—

The Chair: Madame Redman.

Hon. Karen Redman: Thank you, Mr. Chair. It was our intention to speak against the entire clause 8 and have it deleted, which wouldn't require a notice of motion. I want to put that on the table, recognizing the Bloc have something they want to add to that clause. So it's basically trying to square the circle.

The Chair: Okay. I should say that the way we would simply do that is to vote against the clause itself. But we have an amendment here now.

I understand the Bloc are listening. We'll ask them for a comment.

Monsieur Paquette, please.

[Translation]

Mr. Pierre Paquette: I don't want to reread the amendment in its entirety, but what it does is replace part of a section, the first paragraph, section 176.1, proposed, by the idea of a "pilot project providing for an additional day of advance polling on the day before polling day" in the case of by-elections.

So the rest of the section is left as is because there have to be modalities provided for holding that election as part of a pilot project. That is why it was not struck out, and at the end, another amendment is added that you have on the next page, which is section 176.11, to make the whole thing consistent.

It is clear that if our amendment were rejected, we would be voting against clause 8 as a whole. What have been retained in clause 8 are the modalities needed so that the pilot project can be conducted.

I agree with Ms. Redman that if our amendment were not passed, the entire clause would have to be deleted. But if we agree on the idea of a pilot project, we also have to provide for the modalities of holding these advance polling stations on the Sunday, the day before polling day, in by-elections.

[English]

The Chair: I would like a bit more discussion on this before I make a ruling.

Mr. Angus, you had your hand up, then Monsieur Lemieux.

If any of our expert panellists want to jump in here, please identify yourself and I'll let you speak.

Mr. Angus, please.

Mr. Charlie Angus: My concern, Mr. Chair, is that we're actually looking to codify into law an experiment when we haven't had any recommendations on it. A byelection is very different from a federal election. This is the kind of thing we could have talked about, but I'm not seeing how realistic it is to put into law something that gives the Chief Electoral Officer the ability to "may"—he "may" implement. I mean, laws are very clear. They're yes or they're no; you do this or you don't. That he "may" implement an experiment, to me, is beyond the purview of this bill.

The Chair: I am wondering if we should half jump ahead here, but I can't make a ruling on something that's not on the floor. So we're kind of going around a little bit.

I don't want to disrespect people who have had their hands up. Mr. Lemieux, you were next, Mr. Preston was after you, and we still haven't heard from our experts. So if you feel we should move to that, then be brief in your comments.

Mr. Lemieux.

Mr. Pierre Lemieux: Mr. Chairman, I only wanted to make sure I understand the intent of this.

The intent is to give discretion to the Chief Electoral Officer in a byelection to use the Sunday right before polling day to see what sorts of results he might have, and then he reports back to Parliament. That's where this ends. But your intent beyond that is that if it's favourable, there might be something that follows from that. Who knows?

The Chair: We haven't really got this amendment on the table yet, and we're already into a debate on it. It's not that I don't want to hear it, but Madam Redman has raised a significant issue here. I'd like to deal with that. Then if we still feel... We will need unanimous consent to withdraw this amendment and then we can vote on clause 8. Whether it survives or not, it is what we need to do next.

Right now we're dealing with Madam Redman on an issue, before we table it.

Madam Redman.

Hon. Karen Redman: Thank you, Mr. Chair.

May I, through you to the experts, ask this? I think I recognize the intent that there's a huge price tag to this and that nobody's trying to quantify what electoral voting is worth because democracy is priceless. But I think there's some merit in what the Bloc are trying to do here.

I was wondering, number one, if this kind of pilot project has ever been codified in a bill before. Indeed, would Elections Canada have the kind of flexibility it needed to launch something like this, outside of legislation, if we were looking at compiling some kind of actual statistics to come back with?

•(1250)

Mr. Marc Chénier: In response to Madam Redman's first question, Mr. Chair, I would like to point out that there is already a pilot project in the Canada Elections Act with respect to electronic means of voting. It is at section 18.1. The Chief Electoral Officer can try out such a pilot project at a byelection. In this case I believe a lot of system changes may be required in order for the vote to be held on the Sunday before polling day. A lot of changes would need to be made, and I'm not sure whether a pilot project warrants making all the changes.

Just before the committee votes on this motion, I'd like to point out one little technical error. The motion refers to *élection complémentaire*, a supplementary election, which is a term we use in the Quebec legislation, but in the federal elections act the defined term is "by-election", *élection partielle*.

The Chair: I did have Mr. Preston up, but I don't want to keep this debate going. I'd rather get this thing tabled and dealt with.

Go ahead, Madame Picard.

[Translation]

Ms. Pauline Picard: Mr. Chair, I would just like to remind the committee members that in his presentation the Chief Electoral Officer supported a pilot project. In fact, I think it was along the lines of what he was thinking. We are not creating a precedent. As Mr. Chénier just said, he has the power to present pilot projects so that things work smoothly and so that mistakes that could be corrected in legislation can be identified. I think he has the necessary latitude, as was just said, to present a pilot project in order to get statistics and really see whether this might increase voter turnout.

[English]

The Chair: *Merci.*

Members, I know we were getting into debating the amendment and we haven't even tabled it yet, but Madame Picard has not had much of a chance to speak today, so I was letting you go on that.

I'm going to request that we table this amendment because we can continue this discussion more formally if we do that.

Madame Picard, would you be kind enough to at least table this amendment? Then I'll make a ruling.

[Translation]

Ms. Pauline Picard: Yes. That Bill C-16, in Clause 8, be amended by replacing the heading before line 1 and lines 1 to 3 on page 5 with the following:

PILOT PROJECT

176.1 (1) Despite any other provision of this Act, in any supplementary election ...

We could say "by-election"; that should be corrected.

... held before the fortieth general election, the Chief Electoral Officer may implement a pilot project providing for an additional day of advance polling on the day before polling day.

(2) On the additional day of advance polling referred to in subsection (1), every polling station established for polling day shall be open as an advance polling station.

(3) Within 90 days after the day on which the pilot project is implemented, the Chief Electoral Officer shall report the results of the pilot project to the House of Commons.

[English]

The Chair: *Merci.*

Colleagues, I'm going to rule this one out of order. A lot of members have already expressed the reasons that I had come to that decision. I think it is beyond the scope of this particular bill.

Are there any concerns about the amendment being out of order? *C'est bien. Merci beaucoup.*

Colleagues, I would like to call the question.

Order, please, colleagues. We are running out of time, and I'm hoping we can get through this.

I will call the question on clause 8.... I'm sorry; amendment BQ-9 was also put forward by Madame Picard.

Madame Picard, I think you will see the determination of the chair coming, but if you would like to table the amendment so that it's on the record, I'll give you that opportunity now.

Are you withdrawing the amendment?

•(1255)

[Translation]

Mr. Pierre Paquette: It is the corollary of the other.

[English]

The Chair: So that we have official clarity, let it be on the record that the amendment is being withdrawn and that nobody objects. Thank you very much.

(Clause 8 negated)

(On clause 9)

The Chair: Colleagues, clause 9 has one suggested change by our BQ members, BQ-10, which you will find on page 19. That's exactly correct. This is a consequential amendment.

Would you like to introduce the amendment?

[Translation]

Mr. Pierre Paquette: This section is the corollary of our second amendment, to clause 5. It is simply for consistency.

[English]

The Chair: Yes, I agree that it is consequential, so normally what could happen is that since BQ-4 did in fact carry, this should carry as well.

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

(Clause 9 as amended agreed to)

The Chair: There were no amendments to clause 10 so I will call the question.

We will have to take this vote quickly, colleagues.

Mr. Marcel Proulx: It's consequential to one of the decisions we've made before.

The Chair: Is it? My apologies.

[*Translation*]

Mr. Pierre Paquette: Yes. Section 176.5 has been eliminated, so you can't have punishments for a section that doesn't exist. I know this is very Cartesian, very French.

[*English*]

The Chair: *Merci, Monsieur Proulx.* That is correct, so this won't carry.

(Clause 10 negated)

(On clause 11)

The Chair: Clause 11 has one offered amendment by the government.

Perhaps I could ask Mr. Lukiwski to table it, very quickly, please. The French version is on page 21 of your pamphlet.

Mr. Tom Lukiwski: I table it as read, Chair.

The Chair: It's tabled as read and ruled out of order. We cannot put an amendment that deletes a clause. We simply vote it down. You gave it a good shot, but it's out of order.

Are there any challenges on that decision? All right.

(Clause 11 negated)

(On clause 12—*Bill C-31*)

The Chair: Colleagues, there's no amendment to clause 12, so I'll call the question.

Monsieur Paquette.

[*Translation*]

Mr. Pierre Paquette: Mr. Chair, it is exactly the same thing as for clause 10, that is, it is to be consistent with the fact that we have...

[*English*]

The Chair: We'll ask the question, whether it carries. Thank you, Mr. Paquette.

I don't advise the committee. I see there's some discussion. Are you aware of what Mr. Paquette is saying?

Mr. Paquette, could you repeat?

It's consequential. It's been defeated.

Mr. Paquette, would you be kind enough to repeat what you just said?

• (1300)

[*Translation*]

Mr. Pierre Paquette: Yes. It is simply to be consistent with the fact that clause 8 has been rejected. You will see that it is all the references in clause 8 to subsections 176.6(5), 176.2—all the sections referred to in clause 8, which have been deleted.

[*English*]

The Chair: Mr. Reid, please.

Mr. Scott Reid: It is a long clause, and I wonder if I can be so bold as to inquire from the officials we have here as to whether it's something that can simply be eliminated, or are there consequences we haven't considered?

The Chair: Okay, we'll ask our experts to look at clause 12 and consider Mr. Paquette's comments.

Mr. Marc Chénier: They were all consequential to the pilot project of—

The Chair: My apology, they are all consequential?

Mr. Marc Chénier: Yes, all consequential to the pilot project that was negated.

The Chair: Is there any further debate on that?

Some voices: The pilot project...[*Inaudible—Editor*]

Mr. Scott Reid: Well, yes, but that was a BQ amendment.

The Chair: Mr. Lemieux, please.

Mr. Pierre Lemieux: I was going to say I think your point is that the pilot project was never part of the legislation in the first place, so this can't relate to the pilot project because there never was a pilot project.

Mr. Scott Reid: I don't think that's—

The Chair: Order, please.

[*Translation*]

Mr. Pierre Paquette: We are not talking about our amendment, BQ-8, we are talking about clause 8 of the bill, which has been rejected.

Accordingly, in clause 12, reference is made to elements that were in clause 8. But because clause 8 no longer exists, obviously, clause 12, which refers only to the elements of clause 8 that have disappeared, cannot stand.

[*English*]

The Chair: Order, please.

I wouldn't mind hearing the discussion, because I have to make a decision here. It's my feeling, though, that we've heard from the experts and they have told us that this clause is not necessary. It's not necessary and it can be deleted.

However, the chair would prefer we vote it down, for the record. But I'm not telling you what to do, so I will ask if there's any debate.

Please, Mr. Reid.

Mr. Scott Reid: I think what he's confusing is the reference to the pilot project. This isn't about the pilot project. It's about clause 8.

The Chair: So we're good and clear now? Thank you very much, colleagues.

I'll call the question anyway.

(Clause 12 negated)

(On clause 13—*Coming into force*)

The Chair: Colleagues, we have a few minutes left. I would like the indulgence of the committee to try to push forward on this. Is that fair?

Clause 13 has one suggested amendment. If I could ask the Bloc, I'm going to guess that it's under Madame Picard.

[*Translation*]

Mr. Pierre Paquette: It says:

13. ... other than section 12 ...

That section no longer exists. So we can't refer to a section that no longer exists. The clause should therefore read as follows:

13. This Act comes into force three months after the day on which it is assented to ...

[English]

The Chair: I have some concerns with this clause. This is Bloc-11. I have some concerns I want to make members aware of, and that is there are some parts of Bill C-31 that are not in place; particularly, the bingo cards issues are not up and running. I wanted to mention that to you.

The amendment is on the floor, and now I'll take discussions.

Mr. Reid and then Mr. Paquette.

Mr. Scott Reid: While it's true that those clauses aren't in force, because they all refer back to clause 12 of this bill, which just got defeated, the amendment that Mr. Paquette is proposing doesn't have the procedural concern and problems it would have had, had clause 12 remained in place, and therefore I think it deals with the question we had.

• (1305)

The Chair: Are there any other comments on that?

Mr. Paquette.

[Translation]

Mr. Pierre Paquette: Regarding clause 13, it is simply for consistency that we are proposing to remove the words "other than section 12", because that section no longer exists. Those words would be struck out because clause 12 has been deleted. On the other hand, if there are other problems, we will solve them.

[English]

The Chair: Are there any other problems, any other suggestions, please?

Ms. Michèle René de Cotret: Mr. Chair, I just need to reiterate the comment that the Chief Electoral Officer made when he appeared before you, that he cannot have this bill in force three months from royal assent.

The Chair: Thank you for the comment. Are there any further comments?

I'm going to call the question on the amendment.

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

(Clause 13 as amended agreed to)

The Chair: I guess we're on to the title. There has been a suggested change to the title by the government.

Hon. Karen Redman: How can we change the title but we can't change the subtitles?

The Chair: I didn't say we couldn't.

I would like the member for the government to introduce his amendment.

Mr. Tom Lukiwski: Just for the record, we move that Bill C-16 be amended by replacing the long title on page 1 with the following:

An Act to amend the Canada Elections Act (expanded voting opportunities)

The Chair: Colleagues, you'll be interested to know that the title can be amended as long as it's done at the end. According to page 655 in Marleau and Montpetit, it is in order. It's accepted.

Is there any debate on the amendment?

Monsieur Proulx.

Mr. Marcel Proulx: Just to clarify something, we carried clause 11, did we not?

The Chair: No.

Mr. Marcel Proulx: We did not? Thank you.

The Chair: Are there any further discussions on this amendment?

All right, colleagues, I'm going to ask call the question on amendment G-2.

(Amendment agreed to)

The Chair: Shall the title as amended carry?

Some hon. members: Agreed.

The Chair: Shall the bill as amended carry?

Some hon. members: Agreed.

The Chair: Shall I report the bill as amended to the House?

Some hon. members: Agreed.

The Chair: Shall the committee order a reprint of the bill?

Some hon. members: Agreed.

The Chair: Thank you, colleagues.

Mr. Lukiwski, please.

Mr. Tom Lukiwski: Before everybody scoots off here, this would require unanimous consent. I'm not sure it will get it, but it's merely to take up a kind offer that Madam Redman made when she said she wanted to deal with Bill C-18, on rural voting, expeditiously. If there's unanimous consent from this committee to pass that bill at all three stages, we could report it back to the House. I'm not talking about Bill C-6, on veiled voting. I know there's going to be lots of debate on that. I'm just talking about the rural voting, Bill C-18.

But we would need unanimous consent to be able to do that.

The Chair: I do know you will need unanimous consent for that, but I need to understand something. Are you asking for unanimous consent to pass both Bill C-6 and—

Mr. Tom Lukiwski: No, just Bill C-18.

The Chair: Bill C-18? Everybody is aware of that request?

Mr. Charlie Angus: Mr. Chair, I can't give unanimous consent.

The Chair: We don't have unanimous consent. My apologies.

Colleagues, I guess we'll get back at it on Tuesday, and we'll send out notice of that meeting.

Thank you very much for a very good meeting.

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