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CANADA

## **Standing Committee on Fisheries and Oceans**

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**EVIDENCE**

**Wednesday, October 13, 2004**

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**Chair**

**Mr. Tom Wappel**

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## Standing Committee on Fisheries and Oceans

Wednesday, October 13, 2004

• (1530)

[English]

**The Clerk of the Committee:** I see a quorum.

Pursuant to Standing Order 106, the first item of business is the election of the chair.

[Translation]

Pursuant to Standing Order 106(1) and (2),

[English]

I am ready to receive motions for the nomination of the chair.

[Translation]

Mr. Cuzner.

[English]

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** I would like to put forward the name of Tom Wappel.

**The Clerk:** Are there any other nominations? I declare the nominations closed.

(Motion agreed to)

**The Clerk:** Again in accordance with Standing Order 106, we will proceed with the election of the vice-chairs. I am ready to entertain such motions.

**Mr. Loyola Hearn (St. John's South—Mount Pearl, CPC):** I nominate Gerald Keddy.

**The Clerk:** Are there any other nominations?

**Mr. Rodger Cuzner:** I would like to nominate John Cummins.

**The Clerk:** Are there any other nominations? I declare the nominations closed.

Again pursuant to Standing Order 106(3), I am authorized to preside over the election of the vice-chair by secret ballot. Before proceeding I'll just very briefly explain again how the process will be conducted.

Nominations for the vice-chair now being closed, my colleague, who is a procedural clerk with the House of Commons as well, and I will pass on each side of the table to issue ballots to the members. I will count the votes, announce the result, and name the successful candidate. If no candidate receives a clear majority of the votes cast I will conduct another ballot. The same process will be used again for the next candidate.

[Translation]

I'll explain briefly how we'll proceed. After receiving nominations for the position of Vice-Chair, my colleague, who is a House of Commons Procedural Clerk, and I will go around the table distributing ballots to committee members. Once members have marked their ballot and dropped it into the box on the table, I will tabulate the votes and announce the winner. If no member collects a majority of the votes cast, then I will conduct a second round of balloting.

[English]

Shall we proceed?

**Mr. Tom Wappel (Scarborough Southwest, Lib.):** I rise on a point of order.

**The Clerk:** I'm not authorized to entertain points of order.

**Mr. Tom Wappel:** I wonder if we could have a few remarks from the two candidates as to why they would like to seek the position.

**The Clerk:** We don't normally do that, but of course I am in the committee's hands if it is the committee's will to do that. I am only authorized to receive nominations; I can't entertain points of order. But if it's the will of the committee to proceed in that manner—

**Mr. Tom Wappel:** It has to be unanimous, but I thought maybe we'd give the two gentlemen an opportunity to explain why they want the position.

**Mr. Greg Thompson (New Brunswick Southwest, CPC):** Mr. Chairman, on a point of order, we didn't have a speech from the only candidate for chair. I don't need a speech to make up my mind. I didn't need a speech from Tom and I don't need one from either Gerald or John.

**The Clerk:** To repeat, there are two candidates proposed: Mr. Keddy and Mr. Cummins. This is for the position of official opposition vice-chair.

Just as a point of information, could you please write very clearly the first and last name of the candidate, either Gerald Keddy or John Cummins?

• (1535)

**The Clerk:** Honourable members, one candidate has received a majority of votes cast, and that is Mr. Gerald Keddy. So I declare Mr. Gerald Keddy the vice-chair from the official opposition.

Pursuant to Standing Order 106(3), the second vice-chair must be a member of an opposition party other than the official opposition.

Mr. Blais.

[Translation]

**Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ):** I nominate Peter Stoffer.

[English]

**The Clerk:** Are there any other nominations?

I declare nominations closed.

(Motion agreed to)

• (1540)

**The Clerk:** I declare Mr. Stoffer the second vice-chair.

I invite Mr. Wappel to take the chair.

**The Chair (Mr. Tom Wappel (Scarborough Southwest, Lib.)):** Colleagues, first of all, thank you very much for the acclamation. I am very pleased to return as chair of this committee. I really enjoy the work of this committee. I think this committee works in a very non-partisan way and very hard. Quite frankly, we've made progress on the issues, perhaps not as much as we'd like necessarily on some of the issues, but I think we have definitely made progress. I'm thinking, among other things, about some of the recent enforcement actions off the coast of Newfoundland and Labrador, which I frankly put right at the feet of this committee, its two unanimous reports and its trip to Europe to lobby the European Union members. This is a good example of the kind of work a committee can do, particularly when it's non-partisan.

I thank you again for your confidence. I look forward to working with you for as long as we can to move the issues along.

We have a number of routine motions, as they are called. I'll start with the first one. It's a motion to establish a subcommittee on agenda and procedure. For those who were on the committee before, you will recall, if I remember correctly, that in addition to the chair there were two vice-chairs. At that time there was a Liberal vice-chair and an official opposition vice-chair. Then there was a member from the Bloc and a member from the NDP. I believe this committee specifically declined having the parliamentary secretary to the Minister of Fisheries and Oceans on the subcommittee on agenda and procedure at that time.

Apparently Standing Order 106(3) has changed, and because both vice-chairs are members of opposition parties, in this case different ones, I am prepared to entertain a motion that might read that the chair, the two vice-chairs, a representative of the other party—which in this case would be the Bloc Québécois, which would presumably be Monsieur Roy since he's the *porte-parole*—do compose the subcommittee on agenda and procedure.

Does anybody have any comments on that, or suggestions or improvements?

**Mr. Loyola Hearn:** Here it mentions the parliamentary secretary to the minister.

**The Chair:** Yes. I just said that last time we did this there was a suggestion, which the committee accepted, that the parliamentary secretary not take part in the subcommittee. I'm perfectly happy to have Mr. Murphy. I think he would bring some great suggestions to our committee. I'm just reminding people. If I were to suggest it

perhaps I'd be accused of being partisan; if you want to suggest it, that's just jim-dandy.

**Mr. Loyola Hearn:** I can argue both ways. Sometimes you look at the personality. Shawn won't cause us any grief, I'm sure. It might be better if we just said a representative, and if we want to put the parliamentary secretary, so what.

**The Chair:** A representative of what, the governing party?

**Mr. Loyola Hearn:** Yes, so there is an extra one.

**The Chair:** So it would be the chair, the two vice-chairs, a representative of the other opposition party, and a representative of the Liberal Party?

**Mr. Loyola Hearn:** It would be one layman from each party.

**The Chair:** Are you moving that?

**Mr. Loyola Hearn:** That's what it is anyway, isn't it, basically?

**The Chair:** More or less with a different name. Are you moving that, Loyola?

**Mr. Loyola Hearn:** Make it one representative from each party.

• (1545)

**The Chair:** All right, except it will be the chair, two vice-chairs, and one representative from the government and one representative from the other opposition party. That's the motion. Then there would be five people on the subcommittee.

**Mr. Loyola Hearn:** The way it is here there will be the chair and the two vice-chairs. Then it says the parliamentary secretary, who would be a Liberal, a representative of the Conservative Party, the Bloc, and the New Democratic Party. If we follow that, it's almost too big a subcommittee, isn't it?

**The Chair:** We would take out a representative of the Conservative Party because the Conservative Party is already represented by the vice-chair. Then we would have the chair—

**Mr. Loyola Hearn:** Why would you put the parliamentary secretary in there?

**The Chair:** That's a good question.

**Mr. Loyola Hearn:** Why not just somebody from the Bloc and the NDP? No, the NDP is represented.

**The Chair:** The NDP is represented. Then it would read as follows: the chair, the two vice-chairs, a representative from the Liberal Party and from the Bloc Québécois.

**Mr. Loyola Hearn:** The chair is already there. Why would you have another representative from the government side?

**The Chair:** For the same reason you would have a parliamentary secretary. It is instead of a parliamentary secretary.

**Mr. Loyola Hearn:** If we're not going to eliminate the parliamentary secretary, or somebody in his stead, why then are we going to leave out a representative from the Conservative Party?

**The Chair:** Because there is already a representative of the Conservative Party.

**Mr. Loyola Hearn:** There is already a representative of the Liberal Party also.

**The Chair:** Yes, as the chair, who has to be neutral.

It's up to you guys.

**Mr. Loyola Hearn:** If we can operate the way we've operated, I don't care, that's fine.

**The Chair:** In the past, what we had, if you recall, was a vice-chair from the government party, who was a Liberal, myself, a Liberal, a representative from the Conservative Party, a representative from the Bloc, and a representative from the NDP. That's the way it was in the past—but not the parliamentary secretary. If that's the way we want to do it in the future, and we don't have to, then we would simply craft the appropriate wording to ensure that there would be one Liberal, the chair, one Conservative vice-chair, one NDP vice-chair, and a representative of the Bloc.

Can somebody move that?

**An hon. member:** So moved.

**The Chair:** Okay. That is, a representative from the Bloc Québécois and a representative from the Liberal Party, specifically.

[Translation]

Is everyone agreed?

[English]

(Motion agreed to)

**The Chair:** The next motion is that the committee retain the services of one or more analysts from the Library of Parliament, as needed, to assist the committee in its work, at the discretion of the chair.

In order to secure their jobs, the analysts have left folders here, which we will pass out, which were prepared by them to show how valuable they are—and we know how valuable they are.

Who would like to move this motion? Mr. Roy.

[Translation]

**Mr. Jean-Yves Roy (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ):** I so move.

(Motion agreed to)

[English]

**The Chair:** Now we have a motion to receive and publish evidence: that the chair be authorized to hold meetings to receive and publish evidence when a quorum is not present, provided that at least...and in the past it was three members, including a member of the opposition.

Do you want to do that, hold a hearing with at least three members, one of whom must be a member of the opposition? Is that all right?

Mr. Keddy, would you like to move that?

**Mr. Gerald Keddy (South Shore—St. Margaret's, CPC):** I would like to be clear on what I'm moving first.

**The Chair:** Number three: that the chair be authorized to hold meetings to receive and publish evidence when a quorum is not present, provided that at least three members are present, including a member of the opposition.

[Translation]

Agreed?

(Motion agreed to)

[English]

**The Chair:** On time limits for witness statements and questioning, again, going by past experience—and we don't have to go by past experience, this is just to remind—witnesses had ten minutes.

Here we may have some discussion, so we will take it one step at a time. The proposal is that witnesses be given ten minutes for their opening statement, and that during the questioning of witnesses there be allocated—and none of this discretion of the chair will give the time as ordered—during the questioning of witnesses there be allocated *x* minutes for the first questioner of each party.

In the past, I believe that was ten, at least for the official opposition, and then it was five for the Bloc, and five for the NDP, and not ten for each member of each party. Let's be clear on this. This motion, the way it's drafted in the standard fashion, would have ten minutes for the first question, ten minutes for the second, and ten minutes for the third. That's thirty minutes right there with three people. We haven't done that in the past. It doesn't mean that we don't have to do it again.

In the past what we had was ten minutes for the Conservative Party and its predecessors, five minutes for the Bloc, five minutes for the NDP, ten minutes for a government member, and then five minutes back and forth. Is that how we should do it?

Mr. Clerk, have you got that down?

• (1550)

**The Clerk:** Ten minutes for the opening statement; then we allocate ten minutes for the first questioner—

**The Chair:** For the first questioner of the Conservative Party. And thereafter, we allocate five minutes to the Bloc Québécois, five minutes to the NDP, ten minutes to a Liberal member, and then five minutes alternating back and forth.

I don't know if we can be that non-specific.

**Mr. Loyola Hearn:** Mr. Chairman, does that mean that five minutes...?

**The Chair:** It means five minutes on one side, then five minutes on the other, and back and forth that way.

**Mr. Loyola Hearn:** Okay. Just so we're clear.

**The Chair:** Is everybody clear on that? We can always change it if we don't like it.

Mr. Matthews, would you like to move that?

**Mr. Bill Matthews (Random—Burin—St. George's, Lib.):** Sure.

**The Chair:** Moved by Mr. Matthews.

(Motion agreed to)

**The Chair:** The next motion is in regard to payment of witnesses' travel and living expenses. The motion reads that if requested, reasonable travel, accommodation, and living expenses be reimbursed to witnesses, not exceeding two representatives per organization, and that in exceptional circumstances payment for more representatives be at the discretion of the chair.

Does anybody wish to move the motion?

**Mr. Loyola Hearn:** Is that only if we ask the witness to come? If they make the request to appear before us, and we grant the request to hear them, does that mean we have to pay their expenses?

**The Chair:** In other words, you would like to add “be reimbursed to witnesses summoned by the committee”?

**Mr. Loyola Hearn:** No, no, I'm only asking. I think we had that discussion before, didn't we?

**The Chair:** We didn't see anybody unless we agreed to see them. Lots of people asked to see us, but they didn't come here and just show up; we invited them. Anybody who appeared before our committee was invited. So I guess that answers the question. It was all by invitation.

**Mr. Loyola Hearn:** Yes, but sometimes we go out to deliberately ask people to come as witnesses, if we're hearing some issue or other, at our request.

[*Translation*]

**Mr. Jean-Yves Roy:** Mr. Chairman, what Mr. Hearn is referring to is indeed not very clear. The motion reads: “that, if requested, reasonable travel, accommodation and living expenses be reimbursed to witnesses”. This applies only to witnesses who make such a request. A witness who doesn't ask to be reimbursed, even one summoned by the committee to testify, will not be reimbursed.

**The Chair:** What would you suggest then?

**Mr. Jean-Yves Roy:** When a committee invites witnesses, I think it's normal to reimburse their travel expenses.

**The Chair:** I agree.

[*English*]

**The Chair:** So living expenses to be reimbursed to witnesses invited by the committee, and the rest would be as written, without the square brackets—not exceeding two, and that in exceptional circumstances, etc. All right.

Who would like to move motion number five?

**Hon. Larry Bagnell (Yukon, Lib.):** I so move.

**The Chair:** Mr. Bagnell so moves.

(Motion agreed to)

**The Chair:** Motion number six: that the clerk of the committee be authorized to distribute to the members of the committee documents....

Monsieur Roy.

[*Translation*]

**Mr. Jean-Yves Roy:** I believe someone moved an amendment motion, calling for the addition, after “in both official languages”, of the words “and that no witness document be distributed without the authorization of the Clerk.”

• (1555)

**The Chair:** Of the Clerk?

**Mr. Jean-Yves Roy:** That's correct. The Clerk is in fact the person who receives the documents and who must ensure that they are in both official languages. It is the Clerk, therefore, who decides to distribute the documents when they are in both official languages.

**The Chair:** Could you kindly reread the motion?

**Mr. Jean-Yves Roy:** I move that the motion be amended by adding, after the words “in both official languages“, the following: “and that no witness document be distributed without the authorization of the Clerk”. In the past, witnesses have arrived with documents that neither the Clerk nor committee members had received. If witnesses were required to go through the Clerk, which is standard procedure, then everyone would receive the documents, but in both official languages.

Often, witnesses arrive with documents that no one else has seen. This has happened to us. Documents were either unilingual French or unilingual English. It happens to every committee. It's absolutely essential that witnesses go through the Clerk in order to have their documents distributed. That's the gist of my motion.

[*English*]

**The Chair:** We don't need to amend the motion because there is no motion to amend, since nobody has moved this. Why don't you move the motion you would like?

[*Translation*]

**Mr. Jean-Yves Roy:** Correct. It's necessary because the motion reads: “to members of the Committee documents only when they exist in both official languages”. We're proposing to add the following words: “and that they not be distributed without the authorization of the Clerk.”

[*English*]

**The Chair:** That's the motion. Are there any questions, concerns, or comments?

Mr. Bagnell.

**Hon. Larry Bagnell:** I'm sorry, I didn't hear the motion.

[*Translation*]

**Mr. Jean-Yves Roy:** The motion is simple. We're asking that documents not be distributed to members of the committee unless first submitted to the Clerk who then would be authorized to distribute them to committee members. That's how we've always done things, except that there have been many exceptions to this rule and at times, we ended up with no documents at all. That happened on several occasions. When the committee invites witnesses, at the very least, we should insist that documents be submitted to the Clerk first who then checks to see that they are in both official languages and arranges to have copies made.

[*English*]

**Mr. Loyola Hearn:** Larry, what used to happen sometimes was somebody would come in with an armful of documents in one language and just put them out on chairs without any consultation.

**Hon. Larry Bagnell:** I agree with that. I was just wondering if we could add something on the end that said “except in unusual circumstances as unanimously approved by the committee”.

[Translation]

**Mr. Jean-Yves Roy:** There really are no unusual circumstances, because witnesses are notified in advance of their scheduled appearance. Do you understand?

[English]

**The Chair:** Are there any other questions?

(Motion agreed to)

**The Chair:** We're going to the motion on working meals. The motion is that the clerk of the committee be authorized to make the necessary arrangements to provide for working meals for the committee. Who would like to move that?

**Hon. Shawn Murphy (Charlottetown, Lib.):** I so move.

**The Chair:** Is there any discussion?

Yes, Mr. Thompson.

**Mr. Greg Thompson:** We'll have input on what that meal might be, I hope.

**The Chair:** You can certainly have input to me and I'll have input to whoever orders it. That's no problem. I'm happy to do that.

**Mr. Greg Thompson:** That's good, because I know a little bit about your dietary needs.

**The Chair:** There you go.

(Motion agreed to)

• (1600)

**The Chair:** Motion number eight is that unless otherwise ordered, each committee member be allowed to have one staff person present at in camera meetings.

If you are agreeing, Mr. Thompson, would you like to move that?

**Mr. Greg Thompson:** I so move.

**The Chair:** Is there any discussion?

(Motion agreed to)

**The Chair:** Motion number nine is that one copy of the transcript of all in camera meetings be kept in the committee clerk's office for consultation by members of the committee.

Who moves this motion?

**Mr. Bill Matthews:** I so move.

**The Chair:** Is there any discussion?

(Motion agreed to)

**The Chair:** Motion number 10 is that except for amendments to bills, 48 hours' notice be given before any substantive motion is considered by the committee and that the motion be filed with the clerk of the committee and circulated to members in both official languages.

That is substantive motions other than amendments to bills.

**Mr. Greg Thompson:** I so move.

**The Chair:** That doesn't include the last bracketed sentence. It is just "in both official languages", period.

Is there any discussion?

(Motion agreed to)

**The Chair:** Does anybody have any other motions of a routine nature that they'd like to bring before us today? No. Good.

**Mr. Greg Thompson:** Are you putting on a reception, in light of your...?

**The Chair:** I'll have to discuss the food requirements with you first.

Mr. Hearn.

**Mr. Loyola Hearn:** Mr. Chair, I'm just wondering when we're meeting to meet formally, because there are a couple of pressing issues I think we should address.

**The Chair:** Fully agreed. I'm going to speak to the clerk to call a meeting of the subcommittee as soon as possible. I was thinking possibly Tuesday morning, depending on room availability and things like that, since we'll all be here Monday evening.

We can start to map out our agenda, and every member of the subcommittee should come with what their ideas are. I'm looking at roughly Tuesday morning for that, Monday afternoon, depending on room availability. All right?

Mr. Murphy.

**Hon. Shawn Murphy:** Yes, there is one matter I'd like to bring up, with your permission, Mr. Chairman.

Since we are starting a new Parliament, and there are a lot of new members on this committee and of course there are a lot of former members also, the minister has asked me, if there's any interest, to extend an invitation to a dinner sometime, if an appropriate date can be made, with all the members of the committee—no staff involved—just to have perhaps a discussion of some of the issues that Loyola brought up. There are challenging issues, and we're all from coastal communities in Atlantic Canada and the Pacific west—

**The Chair:** And Toronto.

**Hon. Shawn Murphy:** Well, yes, you're the exception, Mr. Chairman.

**The Chair:** My riding is on Lake Ontario.

**Hon. Shawn Murphy:** If there is any interest, the minister would like to extend that invitation.

Also, we may even want to consider, because we're all here on Monday, if there's any interest for the vote that's taking place on Monday afternoon—and Monday's usually a quiet night—if there's any interest Monday night, maybe the minister's office can arrange it.

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

Who would not be interested in a free dinner?

**An hon. member:** It depends on where we're going. Do we have any control over that? A nice Italian restaurant.

**The Chair:** I'm sure you can make suggestions to the parliamentary secretary.

Mr. Hearn.

**Mr. Loyola Hearn:** Just very briefly, going back to your comment about bringing the subcommittee together to look at issues, I would suggest we do have a lot of new members and we do have a variety of ridings, even within groups such as our own group, from John on the west coast to me on the east and you boys in between, all of whom have specific issues. I think if we're going to set an agenda to deal with the issues, it would be better done in the larger meeting. The onus is on us. We could always go work for our representative on the committee. Whatever you prefer.

**The Chair:** Mr. Hearn, the way we usually do this is the subcommittee meets and puts together what it wants to suggest for the committee and then that is in the form of a report. The report is then put to the committee at large, and the committee can add, subtract, change, or whatever, and that will be the opportunity for all members to bring up their own pet projects. At least we would

provide some guidance as a subcommittee as to where we propose to go, unless people have better ideas. All right?

Mr. Murphy, I leave it to you then to try to coordinate it. I think we see unanimity as far as the dinner invitation is concerned.

**Hon. Shawn Murphy:** I'll accept Mr. Thompson's advice.

**The Chair:** Okay, so we'll have our pasta that day.

Is there any other business?

Thank you very much. I adjourn the committee.

By the way, we have no idea yet when the committee's going to meet. I haven't talked to the clerk yet. We'll deal with that at the subcommittee.

Thank you very much. Merci beaucoup.

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