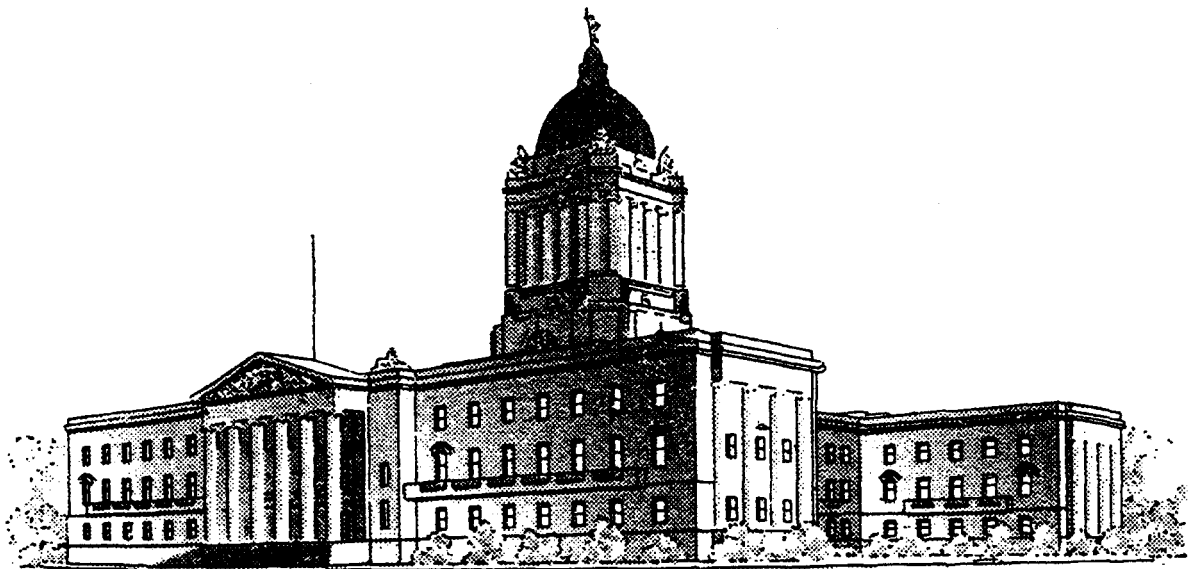




Second Session - Thirty-Sixth Legislature  
of the  
**Legislative Assembly of Manitoba**  
**Standing Committee**  
**on**  
**Rules of the House**

*Chairperson*  
*The Honourable Louise M. Dacquay*  
*Constituency of Seine River*



**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Sixth Legislature**

**Members, Constituencies and Political Affiliation**

<u>Name</u>	<u>Constituency</u>	<u>Party</u>
ASHTON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave	Kildonan	N.D.P.
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise, Hon.	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary	Concordia	N.D.P.
DOWNEY, James, Hon.	Arthur-Virden	P.C.
DRIEDGER, Albert, Hon.	Steinbach	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
ERNST, Jim, Hon.	Charleswood	P.C.
EVANS, Clif	Interlake	N.D.P.
EVANS, Leonard S.	Brandon East	N.D.P.
FILMON, Gary, Hon.	Tuxedo	P.C.
FINDLAY, Glen, Hon.	Springfield	P.C.
FRIESEN, Jean	Wolseley	N.D.P.
GAUDRY, Neil	St. Boniface	Lib.
GILLESHAMMER, Harold, Hon.	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KOWALSKI, Gary	The Maples	Lib.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
MACKINTOSH, Gord	St. Johns	N.D.P.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McALPINE, Gerry	Sturgeon Creek	P.C.
McCRAE, James, Hon.	Brandon West	P.C.
McGIFFORD, Diane	Osborne	N.D.P.
McINTOSH, Linda, Hon.	Assiniboia	P.C.
MIHYCHUK, MaryAnn	St. James	N.D.P.
MITCHELSON, Bonnie, Hon.	River East	P.C.
NEWMAN, David	Riel	P.C.
PALLISTER, Brian, Hon.	Portage la Prairie	P.C.
PENNER, Jack	Emerson	P.C.
PITURA, Frank	Morris	P.C.
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
RADCLIFFE, Mike	River Heights	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack, Hon.	Niakwa	P.C.
RENDER, Shirley	St. Vital	P.C.
ROBINSON, Eric	Rupertsland	N.D.P.
ROCAN, Denis	Gladstone	P.C.
SALE, Tim	Crescentwood	N.D.P.
SANTOS, Conrad	Broadway	N.D.P.
STEFANSON, Eric, Hon.	Kirkfield Park	P.C.
STRUTHERS, Stan	Dauphin	N.D.P.
SVEINSON, Ben	La Verendrye	P.C.
TOEWS, Vic, Hon.	Rossmere	P.C.
TWEED, Mervin	Turtle Mountain	P.C.
VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	N.D.P.

**LEGISLATIVE ASSEMBLY OF MANITOBA  
THE STANDING COMMITTEE ON RULES OF THE HOUSE**

**Thursday, February 22, 1996**

**TIME – 10 a.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – Hon. Mrs. L. Dacquay (Seine River)**

**VICE-CHAIRPERSON – Mr. Marcel Laurendeau (St. Norbert)**

**ATTENDANCE - 12 – QUORUM - 6**

*Members of the Committee present:*

Hon. Mrs. Dacquay, Hon. Mr. Ernst, Hon. Mrs. McIntosh

Mr. Ashton, Ms. Barrett, Messrs. Helwer, Hickes, Lamoureux, Laurendeau, Martindale, Rocan, Sveinson

*Substitutions:*

Mr. Lamoureux for Mr. Downey  
Mr. Helwer for Mr. McCrae  
Mr. Sveinson for Mr. Penner

**APPEARING:**

Mr. W.H. Remnant, Clerk of the House

**MATTERS UNDER DISCUSSION:**

Proposed amendments to the rules of the House

\* \* \*

**Madam Chairperson:** Good morning.

We now have a quorum and I would ask that the Standing Committee on the Rules of the House please come to order.

As the first order of business, we have a number of committee resignations to deal with.

I have before me the resignation of the Honourable Mr. McCrae as a member of the Standing Committee on the Rules of the House effective immediately. Are there any nominations to replace the Honourable Mr. McCrae?

Mr. Ernst, do you want to move?

It has been moved by the Honourable Mr. Ernst that Mr. Helwer replace the Honourable Mr. McCrae. Is that the will of the committee? [agreed]

I have before me also the resignation of the Honourable Mr. Downey as a member of the Standing Committee on the Rules of the House effective immediately. Are there any nominations to replace the Honourable Mr. Downey as a committee member?

**Mr. Edward Helwer (Gimli):** I would like to nominate Mr. Lamoureux to replace Mr. Downey.

**Madam Chairperson:** It has been moved by Mr. Helwer that Mr. Lamoureux replace the Honourable Mr. Downey. Is it the will of the committee? [agreed]

I have before me the resignation of Mr. Penner as a member of the Standing Committee on the Rules of the House effective immediately. Are there any nominations to replace Mr. Penner as a committee member?

**Mr. Helwer:** I would like to nominate Mr. Sveinson to replace Mr. Penner.

**Madam Chairperson:** It has been moved by Mr. Helwer that Mr. Sveinson replace Mr. Penner. Is it the will of the committee? [agreed]

We also must now proceed to elect a Vice-Chairperson. Are there any nominations for the position of Vice-Chair?

**Hon. Jim Ernst (Minister of Consumer and Corporate Affairs):** I nominate Mr. Laurendeau.

**Madam Chairperson:** It has been moved by the Honourable Mr. Ernst that Mr. Laurendeau be nominated as Vice-Chair.

Are there any other nominations? Seeing none, Mr. Laurendeau is duly elected as Vice-Chairperson for this committee.

Prior to commencement, it is my understanding that all members of the committee should have received copies of the rules amendments as prepared by the staff of the Clerk's Office, and just to ensure that we are all using the same document, I would ask that all members use the document that contains incorporated into it the rules relating to Private Members' Business, and you can tell by ensuring that you have pages 17 added to your package, inclusive to 34, I believe 33 plus the appendix.

Is there anyone requiring additional copies? [interjection] Thirty-three is the last numbered page and then there is an appendix. You do not have this last sheet, the appendix? Does everyone have the appropriate documents? So do I.

There are also additional copies of the Memorandum of Understanding. Does anyone require a copy of that? Patricia has copies available here on the table. Would you just raise your hands. Thank you. We also have copies of the current rule book if you wish to make reference to it, if anyone requires a copy.

Prior to commencing consideration of the rules amendments, did the House leaders wish to make any opening comments?

**Mr. Steve Ashton (Opposition House Leader):** I just wanted to note that this is a time that is not used very often. The Rules committee of the House has not met for many years, I believe, and I am certainly glad that we are meeting to discuss the consensus that has been reached in the principles of rules reform and to try to put the substance to that consensus.

I suspect it may not be as easy as it appears, so I think we have some work ahead of us, but I think it is a statement of the commitment of members of the

House generally to not just changing the rules but parliamentary reform. I think we are doing some very innovative things, and I hope this trial period over the next year will lead to some permanent changes in the future.

\* (1010)

**Madam Chairperson:** I would like to now at this time clarify how the committee wishes to proceed with the consideration of the rules amendments. Shall we consider each item individually?

**Mr. Ernst:** Madam Chair, I think, probably because some people will not be as familiar as others with respect to the intent and the actual wordings and so on, that it would be my suggestion to the committee that we go through each item and have the Clerk perhaps lead us through the item, give the explanation and then we could consider them. That seems reasonable anyway.

**Madam Chairperson:** Is that the will of the committee, to consider each item individually and with a bit of a brief preliminary explanation by the Clerk of the Assembly?

**Mr. Clerk (William Remnant):** Madam Chairperson, new Rule 2 simply is a straight reflection of the agreement in the Memorandum of Understanding, that there would be spring and fall sittings, and outlines what would be considered at each one of those sittings.

Subrule 2(1) identifies the duration of the spring sittings with the footnote about the 1996 spring sitting. Subrule 2(2) addresses the duration of the fall sittings and the intent that the commencement date would be announced during the spring sittings.

**Mr. Doug Martindale (Burrows):** On new subrule 2(1), I have a question about 12 weeks or part thereof. Does it mean that we could start on a Thursday and that would still be considered a week in counting the number of weeks?

**Mr. Ernst:** The short answer, I think, would be yes, although there are weeks, for instance, in which a holiday occurs, Monday, for instance. Easter Monday

is an example of Queen Victoria's birthday, things of that nature. But it is conceivable, I suppose, that if there was going to be game-playing—I mean there is going to be a certain amount of good faith, I guess, involved in this process, certainly, for the first go-around because, for instance, the expectation is that the spring sitting would start on April 2, which is a Tuesday. The Monday—that would count it as a week even though it is short one day.

**Mr. Martindale:** Does the government normally plan to start sessions on a Monday or Tuesday?

**Mr. Ernst:** I cannot specifically answer that because the question has not been addressed, but I mean historically they have been started on a Thursday. However, these rule changes do not encompass historically what had been done. So I would suspect that we would want to be starting earlier in a week in which—in fact, I believe we did that this past fall at the start of the new session. These rules are meant to accommodate members of the House in the context of an understanding that had been reached by all three caucuses—reached trying to play in the games.

**Mr. Ashton:** Yes, I think you maybe want to hear the rules of rules—revisit the premise of the rules on this basis. This way we can understand as we put into the rules, we may want to specify that a week be defined as a minimal of three sitting days or four sitting days, because I think the intent basically is that it would start on Tuesdays instead of starting on a Friday—just to be technical. I do not think we need it this time, but maybe we can note this.

**Mr. Ernst:** Madam Chair, I am not sure if the other members are aware, but Mr. Ashton and I had some discussions back at the end of January with respect to specific dates for this year which I confirmed in writing to him on the 29th of January, which says the House begins sitting on April 2, 1996, for a period of 10 weeks, concluding on June 6; and for the fall sitting, the House would resume on September 16 for a period of eight weeks, concluding on November 7.

Those dates were confirmed by Mr. Ashton and myself back in January in an attempt to try and—I mean, the whole purpose of this is to try and give us a little

regularity in terms of when you should expect to have the House sit and when you can plan your life a little bit and so on.

**Madam Chairperson:** Are there further questions or discussion?

**An Honourable Member:** Pass.

**Madam Chairperson:** Is there agreement then that subrule 2, 2(1) and 2(2) be adopted as circulated?

**Some Honourable Members:** Agreed.

**Madam Chairperson:** Agreed.

**Mr. Martindale:** Madam Chairperson, I think since our caucus has not seen this printing of the rules, particularly the things about private members' resolutions and bills, I think we would prefer to have a general discussion today and formalize approval of all the rules at a future meeting.

**Mr. Ashton:** Yes, I think that is probably the best way. I think that the only area that we are probably going to be dealing with is where Doug has identified it, but rather than formally pass or not pass items, we may want to just go through it, identify as where we see questions. I think this is why we do not currently—but we just note in the minutes now that we have just passed it, but there is general agreement on it and then perhaps come back with final look at this. I know we would have already had this discussion with our caucus, private members' issues that he wants.

**Mr. Kevin Lamoureux (Inkster):** Madam Chairperson, if I could maybe make the suggestion, on the aspects of this particular report that we can pass that we go ahead and pass. Other areas such as the Private Members' Business in which I, too, was just provided a copy late yesterday, we can maybe revisit at another time. This way we are not having to do the whole report again at the next meeting if there are things that we can pass.

The whole fixed date concept was something, for example, in which everyone in principle had supported. Our concern, for example, was that 91 days, that is the

reason why with 20 weeks works out to 200 minus holidays. I think in principle there are areas in which we can agree to pass today and then see what happens in future discussions possibly. It is just a suggestion.

**Mr. Ernst:** Madam Chairperson, this whole business is predicated on the good will and agreement of everyone to make it work and there is not much point in pressing an issue. If the NDP caucus have to go back to have it approved by their caucus, then so be it. From our point of view, our caucus has vested in the members here in the committee. If that is the case, then we are not going to push the issue.

**An Honourable Member:** Kind of a power.

**Mr. Ernst:** No, it is not power, it is faith. Faith.

**Madam Chairperson:** So then my understanding is that it is the will of the committee to review each of the rules individually, pass comment, ask questions, ask for clarification, without passing any of the individual rules and then having a subsequent meeting at which time amendments or rules would be agreed to. Agreed.

**Mr. Marcel Laurendeau (St. Norbert):** Do we have to introduce the legislation on Day One pertaining to the rules in the House?

\* (1020)

**Mr. Ernst:** My understanding is that on April 2, when the House commences, we will introduce the report of the committee by leave and have it approved. Once that occurs, the game is on. So, in anticipation of that, you know, the Order Papers would be constructed, I guess, so that as soon as it is adopted by the House, the Order Paper can reflect the rules. Is that correct, Mr. Remnant?

**Mr. Clerk:** I think, Madam Chairperson, the initial Order Paper would have to reflect the existing rules. Now, we could perhaps have a second Order Paper—and I am thinking off the top of my head—available for distribution as soon as the rules were adopted, or, to make things perhaps a little easier, and this would be subject to the direction of the committee, adopt the rules on Day One, to come in on

Day One of the resumption of the sitting to come into effect on day two.

**Mr. Ernst:** Day One does not really matter because the Finance minister is going to bring the budget down and that is really the only item of business that day anyway, short of, I guess, Question Period. We will probably have a recess for a few minutes and then the budget will come in. So it is really not critical on Day One anyway, so that is why we can do it effective day two.

**Mr. Clerk:** If I could just add one comment about the substance of the report, which I think might answer Mr. Laurendeau's question, the report will be worded exactly like an amending bill, that rule so-and-so be repealed and the following substituted, that rule so-and-so be amended by adding such and such after a particular subrule, that kind of wording. That is how the report will read, so on its adoption, bearing in mind whatever effective date may be in that report, the amended rules, the revised rules would come into effect.

**Madam Chairperson:** Page 2, new subrule 2(3).

**Mr. Clerk:** This rule is designed to make it possible in the face of extraordinary circumstances to depart from the specific sessional calendar.

**Mr. Ernst:** It is my understanding, Madam Chair, that this is one of the requirements. When you have to recall the House, for instance, right now, when it is in adjournment, if there was an emergent issue that had to have legislative debate, then this is the rule that you bring it back under because of the other specific sitting requirements. Then, secondly, if some similar thing occurred, we could actually extend the sitting dates on an urgent basis as well, if it occurred, for instance, right at the end of a sitting and we needed to continue on beyond the next day.

**Mr. Ashton:** I think that is important, too, because we are also going to run into years where we have an election—

**An Honourable Member:** Yes.

**Mr. Ashton:** —and everything is thrown off. So there may be years where there may not be a spring or maybe there may not be a fall sitting, so I think that we should note this. It is difficult to deal with that because the problem with a more fixed calendar is that if we have an election in May, it will not only have an impact on that specific period of time but the one ahead. So you need this flexibility built right into the rules. I think it is good wording.

**Madam Chairperson:** Other questions? New Rule 3.

**Mr. Clerk:** This is simply changed to reflect the fact that under normal circumstances there are no Friday sittings of the House.

**Mr. Martindale:** Could I just put on the record that there was all-party agreement on this because particularly rural members need to get back to their constituency. Many of them face long drives or travel time to do so. Committees will, as we will discuss further on, meet on Fridays in the fall, and we are working and serving our constituents even when we are not in the House. Many people believe that they are serving their constituents when they are in their constituency. It really makes no difference to an urban person like me. I can attend all the graduations and all the events in my constituency, whereas many rural members and northern members cannot. That is why all parties agreed to this change, because it really will benefit rural and northern members.

**Madam Chairperson:** Further comment? New subrule 4(1).

**Mr. Clerk:** This rule reflects the revised sitting hours that are spelled out in the Memorandum of Understanding.

**Madam Chairperson:** Subrule 4(2).

**Mr. Clerk:** This is an exception to what has gone before in that this provides for House sittings on Fridays from 10 to 12:30 during the throne speech and budget speech debates.

**Madam Chairperson:** New subrule 4(3), adjournment on Thursday.

**Mr. Clerk:** This is a unique kind of provision that is designed to enable the Committee of Supply to sit on Fridays during spring sittings. Because the Committee of Supply is a creature created on a daily basis by the House, you cannot have the Committee of Supply sitting if the House is not technically sitting; hence the provision that you go into Committee of Supply on a Thursday, you recess until Friday morning, you sit the prescribed hours in Committee of Supply, and at 3 p.m. on Fridays, the Thursday sitting of the House is adjourned.

**Mr. Ashton:** I just want to commend Binx and staff for that interpretation of our intent. I think that is the appropriate way to deal with it, and it is very well done.

**Mr. Lamoureux:** On the Friday at three o'clock, Binx, does that mean the Speaker then would be coming back into the Chamber to adjourn?

**Mr. Clerk:** Yes.

**Mr. Ernst:** It is my understanding that the Speaker or Deputy Speaker or someone acting on behalf of the Speaker would adjourn the House formally.

**Madam Chairperson:** New subrule 4(4), Private Members' Business.

**Mr. Clerk:** This is out of the Memorandum of Understanding. It provides for Thursday morning Private Members' Business from 10 a.m. to 12 noon and provides that Routine Proceedings, however, would not occur until the normal 1:30 p.m. time. The prayer, because our rules require that the prayer be read before any conduct of business, would be read at ten o'clock and then it is Private Members' Business.

**Madam Chairperson:** Question? Comment? Revised rule 19(1).

**Mr. Clerk:** The change in 19(1) is the addition to Routine Proceedings immediately after Oral Questions of members' statements and grievances as regular items on the daily Order Paper. The details of members' statements and grievances will follow very shortly in a few pages.

**Madam Chairperson:** New rule 19(2).

**Mr. Clerk:** This rule is amended to add at the bottom of the list of Government Business, Opposition Day Motions. The details of opposition day motions will appear in a page or two.

**Madam Chairperson:** New subrule 19(2).

**Mr. Clerk:** This is actually redundant because everything that is under this is also contained in the item immediately above.

**Madam Chairperson:** So that is to be deleted. If you would just then correct your copies, that is to be deleted because it has been covered in the previous rule.

#### Private Members' Business.

**Mr. Clerk:** This is simply the heading in 19(2) which under Private Members' Business included the hours and this reflects the new hours for Private Members' Business.

**Madam Chairperson:** Two separate periods.

**Mr. Clerk:** This continues the existing practice when we had two hours for Private Members' Business. This contemplates the notion that there will be two separate one-hour periods on Thursday mornings, each considering a different category of Private Members' Business.

Sub (4) and (5) are consequential on that, recognizing that you only have during spring sittings Thursday mornings for the consideration of Private Members' Business. The purpose of (4) and (5) is to set up a rotational sequence derived from the kind of sequence that exists now when you have private members' hour every day.

**Madam Chairperson:** 19(9) Members' Statements.

**Mr. Clerk:** This is a new addition which replaces nonpolitical statements, and it allows for, on each sitting day, up to five members to make a member's statement on any matter of their choosing with a couple of provisos in 19(9). Each statement shall not exceed two minutes.

In 19(10), a minister of the Crown may make a member's statement but may not comment on government policy or ministerial or departmental action. In other words, it has to be a statement as an ordinary member as distinct from a minister of the Crown.

**Mr. Lamoureux:** Madam Chairperson, this is one of the areas where I have expressed some concern in the past. It is not as much of a concern had it been prior to Question Period. Then it would have been a bit more important for me, but even being after Question Period, my preference personally would be to see a one-minute time limit with more people being provided the opportunity to speak, primarily because it is replacing the nonpolitical statements, and when you had nonpolitical statements, each member of the Chamber is provided the opportunity to say something.

\* (1030)

Under this particular rule, the concern that the three Liberal members have is that if there is a statement that is made on which we feel that it is important that we should be giving our perspective, that we might not have that opportunity. I guess what I would hope to get is some assurances, at least in part, that when there is a very significant day or event that takes place, we will, in fact, be afforded the opportunity.

I am not as much concerned about the graduations and so forth, but with a significant event that occurs on which there is an obligation at least from one of the three of us to be able to say something, that we are afforded that opportunity.

**Mr. Ernst:** May I ask, Madam Chair, a question of Mr. Lamoureux then. I am assuming that it is something like a particular religious holiday we want to recognize or some significant national or international accomplishment or something along that line. Is that the kind of thing?

**Mr. Lamoureux:** Yes, exactly, that would be it. It is not if one member stands up to congratulate or four members stand up to congratulate local activities within their area. There is no need for us to respond.



If, for example, there is a significant event in which a Conservative member stands and a New Democratic member stands to pay tribute to maybe someone who is running across Canada or an event of this nature in which we feel that it is a fairly significant event, that we should be at least afforded the opportunity, and, if you want, even put a cap of a minute, just so long as we have the opportunity to extend our wishes or our thoughts.

**Hon. Linda McIntosh (Minister of Education and Training):** I do not want to take us off the train of thought that Mr. Lamoureux has put. Mine is a slightly different question, but I will ask it now anyhow, knowing that maybe we should come back and conclude his point.

This, I take it to understand, Madam Chairman, is that there will be no ministerial statements anymore. Is that how I read this?

**Madam Chairperson:** For clarification, this does not replace ministerial statements. This replaces nonpolitical statements, and it affords ministers an opportunity to be able to say something about some outstanding constituent or some noteworthy event in his or her constituency. Actually, it is on any subject. We have opened it up a little bit. The only restriction is the time limit and the number.

**Mrs. McIntosh:** So it could be anything—like a tragedy occurring someplace in Canada or an assassination you might want to express grief on or something like that.

**Madam Chairperson:** It takes the onus of responsibility off the Speaker of having to make a determination as to whether it is too political or not. I love this. My understanding is this is wide open and you will be allowed to make political statements. Now, all members, that will be acceptable under this particular time line.

**Ms. Becky Barrett (Wellington):** I had a question about this. The Memorandum of Understanding states that a rotation order will be determined by the Speaker. My original question—but it relates to Kevin's comments as well—was there a decision made, an

agreement made, that that would not be in the rules itself, that that is one of the understandings that we would come up with, that fairness is at play here? Was that the reason why it was not put in?

**Madam Chairperson:** My understanding is that this would be treated the way any normal speaking order is determined, who catches the Speaker's eye first. But, I am certainly appreciating the input and the comments by Mr. Lamoureux relative to the maximum number allowable and the fact that three of the five could be comments on the same topic by members from all three parties.

**Ms. Barrett:** I think that the fairness doctrine kind of thing where the Speaker sees and makes a judgment based on the subject matter as well could cover what Mr. Lamoureux is concerned about.

Secondly, we can all, if there is a request, if there is a sense that it requires more than five MLAs a topic, there is nothing to say that the House cannot unanimously suspend the rules and carry on that way. Also, thirdly, I think it would be very difficult to—

**An Honourable Member:** By leave.

**Ms. Barrett:** By leave, yes. I think it would be very difficult to put into the rules what Kevin is saying, because it is a judgment call as to what constitutes something that all parties or all members should be allowed to say and I think that it is covered in the Memorandum of Understanding and that we should let it work its way through the system.

**Mr. Ashton:** I also want to identify—I think there are basically three issues here, and this is maybe one time where, in our relative positions in the House, we put that hat on because this does a number of things.

First of all, not all jurisdictions give this statement to ministers of the Crown for items outside of their ministerial area. So, on a trial basis, we have no difficulty agreeing with that. I think though that when it comes to the allocation of these statements, there should be some reflection, similar to what we do in Question Period, that it is primarily Private Members' Business.

I guess one of the reasons that we agreed to it is I thought really it was a decision that the government caucus would essentially make internally, whether it is something that has happened in a minister's constituency is so significant that it should warrant a statement, because I still assume that private members are going to get most of them. But that is a key thing for us in terms of the allocation, because it makes a big difference if you are allocating according to 33 to 23 to three or if you allocate according to some sort of fact that bills in fact—that there are so many government private members, so many opposition members. Now that is critical I think also for the Liberals so that their three is out of the private members total rather than out of 57. So that is something I think that the government wants, and I think we are willing to accept that on a trial basis given the allocation.

The second thing—and I appreciate comments from Mr. Lamoureux because part of the problem is that in the shift you are essentially shifting the whole paradigm here of what these statements are about and I think there is a principle that has developed over the years of some ability to make those comments. I think the solution is what Ms. Barrett talked about, which is essentially to have some ability by leave. I think we can try that and see if it works as long as it is not opened up extensively. I do not think that is the intent.

If there is something on a significant event and somebody wants to get up and ask at the end of this period, could I make comments responding to such and such an issue by leave—because I think it should be indicated. Let us give it a try. We may, over time, restrict it to a certain day. I mean, there may be a day where there is no limit, because I think, quite frankly, after we get through the novelty of this, it will die down in terms of the number of statements we have. We may have days where we will have a tough time finding statements, so it may not be that much of a problem.

\* (1040)

I think if we have that understanding, we can iron this out, and I do agree with Mr. Lamoureux's concern. I think it is essentially a private member's ability, but there are some things that people expect in terms of responding to things. I think we can try the by-leave system. It has worked relatively well, and without

having decided on what is political and nonpolitical, I think it will go a lot more smoothly.

**Mr. Lamoureux:** Madam Chairperson, I think that it is a fair consensus or compromise, if you like, as long as we have the opportunity to be able to stand up and request leave if it is decided, if that is the significant mood, that we should be responding to it.

**Mrs. McIntosh:** I think my concern has been clarified, so thank you.

**Mr. Ben Sveinson (La Verendrye):** For discussion, Madam Chairperson, looking at 19(10), it says: "A Minister of the Crown may not use the time allotted for Members' Statements to comment on government policy or ministerial or departmental action."

In some ways, in parts of this, I would think, for example, policy of opposition—what I am throwing out here is that the opposition Leader then, in my mind, should be restricted at least in part of this, too.

As I have said, Madam Chairperson, I have thrown this out for discussion. I have not had a big chance to go over this, but I would like to look at it closer, too.

**Madam Chairperson:** Further comment or questions?

New subrule 19(11).

**Mr. Clerk:** Subrule 19(11) flows directly from the Memorandum of Understanding in which there was agreement to restructure grievances and detach them from the Supply process and provide for a daily opportunity on the Order Paper for a member to raise a grievance for a period not exceeding 15 minutes.

It is providing opportunities on a daily basis rather than just when the House is going into Committee of Supply.

**Madam Chairperson:** Further discussion or questions?

Subrule 19(12).

**Mr. Clerk:** This reflects the fact that there is no restriction on the subject matter and the time limit of 15 minutes which I mentioned.

**Madam Chairperson:** Subrule 19(13).

**Mr. Clerk:** Unlike Members' Statements which are limited to a maximum of 10 minutes at a sitting, there is no limit on the number of grievances that may be raised at a particular sitting. The significant difference, of course, is that the provision still applies that a member may only raise or speak to a grievance once in a session.

**Madam Chairperson:** Subrule 19(14).

**Mr. Clerk:** This continues the existing practice whereby a grievance is terminated by adjournment of the House. If a member had spoken for seven minutes on a grievance on a very unusual day at adjournment hour, that member does not have the right to stand up the next day and say, hey, I have still got eight minutes left.

**Madam Chairperson:** New Rule 19(1).

**Mr. Clerk:** This group of rules, 19(1) through to 19(12), are based on the Memorandum of Understanding which asks for the provision of opposition days and opposition day motions.

In devising these rules we had looked to the Ontario example, which has a set of rules governing precisely this kind of process, so these are an adaptation of the Ontario rule to our House. 19.1(1) simply states that there are going to be a maximum of three opposition days in any session and not more than two in any block of sittings.

**Madam Chairperson:** Rule 19.1(2).

**Mr. Clerk:** This simply has to do with the distribution of opposition days within the opposition.

**Mr. Lamoureux:** Madam Chairperson, this particular item is the one in which in our caucus, albeit of three, had the most discussion on because there was concern in terms of our ability to be able to make use of an opposition day in terms of getting our agenda. It was really an interesting discussion, but ultimately we recognize the fact that we do not have that fourth seat. Maybe we would like to see that particular rule changed to accommodate us, but we are more

concerned about participation as opposed to trying to get an opposition day.

What I am going to do is just refer individuals, and it is somewhat in advance of us, to take a look at Rule 19.1(11) and we will get to that particular rule, but in essence for the three of us we just want to be assured that we will have the opportunity to address the things that come up on opposition day, the issues.

**Mr. Ashton:** I think it is a reasonable point in terms of, you know, and I think we can work that out. I think that is the intent and we may actually in terms of a draft of as what we do in the future.

I think we may have to consider as well how we are going to deal with the possibility of other parties. I realize we had a mutual draft which dealt with two officially recognized opposition parties, but there may be ways of putting that into place as well.

I think that is a reasonable request that all members have a reasonable right to debate.

**Madam Chairperson:** So, just for clarification for the wording of the rule, Mr. Ashton, is it your suggestion that the word "recognized" because that is how that—

**Mr. Ashton:** No.

**Madam Chairperson:** Just opposition parties? Pardon me?

**Mr. Ashton:** That stays, but in terms of the ability to speak to, I think that is the . . . .

**Mr. Ernst:** You have a rule prohibiting this. 19(11) prohibits, ties the hands of the Speaker to do that, so we will have to adjust the wording of that particular section in order to allow—you cannot even say parties because the Liberal caucus is not an official party so it will have to be members.

**Madam Chairperson:** You see, as long as the word "recognized" is in there, that is my base rule—[interjection] That is right, I cannot.

**Mr. Ernst:** Why do you have to have 19.1(11) at all?

**Mr. Clerk:** The purpose of 19.1(11) is to direct the Speaker in the existence of more than one opposition party to ensure that the time is apportioned fairly between those opposition parties.

**Ms. Barrett:** It seems to me that we have agreed that the fairness doctrine, if I can call it that, would apply in the Speaker's recognizing in other areas and that perhaps all we need of 19.1(11) is that time for reply by the mover of a motion under this rule shall be included in the time allocated to the party of which the mover is a member. You could leave that in and take the other one out.

**Mr. Clerk:** If you leave the term "recognized opposition" in the rule, in any subrule, you are restricting who can participate in this to members of recognized opposition parties.

**Mr. Ashton:** I am just trying to deal with some of the principles we are dealing with here, because I think we may want to leave this in but change some of the wording. I think the purpose of opposition days should be to ensure that opposition parties have the ability to put issues forward and opposition members have the ability to put issues forward. So opposition members should receive a significant amount of the time.

\* (1050)

Let us look at a situation where there may be, say, 50 government members and seven opposition members. You do not want the speaking done in terms of like a 50 to 7 ratio. You want to ensure that opposition members have at least a significant part of the time. That is, I think, the intent here partly by using the word "equally." But it should not be restrictive in terms of other members who are not in an officially recognized party. So I think what we need is some principle that can ensure that, say, under the current numbers, essentially I think it should be about 55-60 percent should be opposition members because we have two parties, we have three independent members, 40 percent being government members, since it is primarily an opposition day, but where you still have the ability to do a sort of, one government member, maybe one NDP, and run through that ratio and then go, one government member, one NDP member, and one Liberal.

**Madam Chairperson:** I have a speaking list. I have the Honourable Mrs. McIntosh, Ms. Barrett, and Mr. Laurendeau.

**Mrs. McIntosh:** Would it be possible just in 19.1(11) to say, equally among opposition members, or is that impossible because of the recognition of the words "recognized opposition parties" in 19.1(2)? If 19.1(2) does not prohibit your using the term "opposition members" in 19.1(11), would that solve the dilemma?

**Madam Chairperson:** No, because then that would preclude me from recognizing you as a government member. That is my interpretation of your proposed change. That is my interpretation.

**Mrs. McIntosh:** Could you not just say members of the Legislative Assembly?

**Madam Chairperson:** I think there are probably two issues here. One is to determine—the first rule determines that only recognized opposition parties will be able to actually introduce an item of business or an issue of concern. Everybody fully understands? That is what that rule would be used for in my interpretation. Is that correct, Mr. Remnant? [interjection] The second issue is the issue of who is recognized to speak to that principle or that issue of concern. From this conversation, I am interpreting that that is the greater issue because the way 19.1(11) is worded, that would still preclude me from recognizing the three independent members.

**Ms. Barrett:** Yes, that was going to be my point, that we are talking two separate items here.

I would not want to change the first one. I think you must be able to recognize the opposition party to be able to introduce, but I do think that 19.1(11) could be altered so that once the topic has been introduced, all members of the Legislature, all 57, have some ability to speak on this issue.

We do not preclude, I do not think, in any other part of the rules any member from speaking on a topic. We decide during Question Period what the topics are, and the government decides what legislation will be introduced, but any member then can speak on that topic.

So I think if we can do something like take out the first sentence under 19.1(11), that by not saying anything about it would perhaps open it up.

**Madam Chairperson:** Mr. Lamoureux, just for clarification, it was my understanding in your previous comments that you had recognized that the opposition days should be given to the recognized parties. Is that correct?

**Mr. Lamoureux:** Right.

**Madam Chairperson:** Okay. So then we will not need to do anything with 19.1(2). The greater debate then proceeds under 19.1(11). The Honourable Mr. Ernst is next on my list and then Mr. Lamoureux.

**Mr. Ernst:** I, Madam Chairperson, asked a question before why we needed 19.1(11) at all, simply put it in the hands of the Speaker to recognize some doctrine or fairness, as Ms. Barrett had indicated earlier. It is only the question of who gets to speak as opposed to introduction of motions on opposition days.

\* (1100)

So I think if you just took it out altogether, it would solve the problem, but if you are not happy with the Speaker, you can chastise her.

**Mr. Lamoureux:** Madam Chairperson, Mr. Ashton and I had the chance just to go over it, and we would like to be able to incorporate a clause of similar nature, an area that would address the problem, if we, for example, had that the Speaker shall apportion a minimum of, let us say, 60 percent of the available time for opposition members, period, end of story.

Because it is opposition day—the three Liberal MLAs are, in fact, opposition members—it takes us into consideration. It, in essence, allows us to have it as an opposition day. Mr. Ashton made reference to if you had 50 government members, the purpose of opposition day is to provide for the opposition.

**Madam Chairperson:** Order, please. I have Mr. Laurendeau next, and then Mr. Remnant wishes to make comment.

**Mr. Laurendeau:** I understand where Mr. Lamoureux is coming from, but right on page 2 it clearly states in our rule book what a recognized opposition party means. So it is defined already within there, that it means a party other than the official opposition represented in the Legislative Assembly by four or more members. So, no, you would not be recognized as long as you keep within that other rule, that it has to be a recognized party.

**Madam Chairperson:** Mr. Laurendeau, with the greatest respect, I thought we had resolved that issue. That is not the issue. The issue now is trying to determine who can speak and sort of give guidance as to what kind of rotational understanding between all members would be agreeable.

**Mr. Ashton:** The reason that I think we are both suggesting something of this nature is exactly because of the kind of scenario you are going to run into.

First of all, this is an opposition day, so it is understood that this is going to be in a different category than, say, in the throne speech and budget in which we apportion speakers according to standing in the House. I think it would be not in keeping with the spirit of this if in terms of speaking order you did not have some reflection of the fact it is primarily opposition time.

Sixty percent was just a ballpark—with 60 percent you would essentially end up with a very even debate back and forth, but you also allow for the scenario where you have three Liberal members; they would then be apportioned into that according to the fact that we have 23 NDP members and three Liberal members. I mean, you would end up with a balance within the opposition, which I think is fair, but we need the 60-40. If you do not have that, depending on how this is drafted, if it is left up to the Speaker, according to tradition, the Speaker will then have to say, well, we have got 30 government members or it might be 40 or 45, so I have to give three-quarters of the speaking time to government members on what essentially is opposition days.

So I am hoping we can build in the principle of 60 percent or whatever is considered reasonable, which is

still enough time for back-and-forth debate and take out some of the references here to recognized parties. I do not think that was ever the intent. The intent was, recognized parties are the only ones that can move items for opposition days. When it comes to debating, you know, we should have ability for the Liberals or independents to speak.

**Mr. Clerk:** Well, Madam Chairperson, it seems to me that the Speaker has heard the comments and perhaps this segment would be greatly simplified if subrule (11) were just removed because, in virtually any debate, the Speaker has the discretion to recognize participants in that debate on a rotational basis. Taking into consideration that this is essentially opposition day time, they would, just as the opposition—there is no rule that tells the Speaker to give the majority of time to opposition members in Question Period and very limited recognition of government members, but that is what happens.

Now, by the same token, recognizing that this is primarily an opposition opportunity, I would suggest, if the committee is willing, that by simply deleting sub (11) you simplify the process considerably.

**Mr. Ashton:** There is a problem, and I agree with Binx. There is a problem. When you use the Question Period rotation, you are going to restrict government members, because our tradition is, during Question Period essentially it is opposition time period.

What I am suggesting here is, I would like to see this as a real debate, but I do not want to see a debate where it is three-quarters government members speaking and one-quarter opposition speaking. I like when we have our emergency debates run through right now where it is fairly equal. The only thing is, if you do it strictly in terms of that, I am concerned for independent members or the Liberals that they may be squeezed out of that process.

The reason we suggested the 60 percent figure is, I think that gives some guidance to the Speaker. So I think we want to debate but we want to debate where opposition members have the ability to put issues on. I just throw that out. You know, we are not finalizing anything right now; we can maybe do some wording on

it. I appreciate Binx's point right up to the point where—

**An Honourable Member:** He said, throw it out.

**Mr. Ashton:** Question Period, throw it out, yes. Because, quite frankly, I do not want to see opposition—I do not want this to turn into a 90 percent opposition time or 100 percent opposition time. Personally, I think the intent was to turn it into a debate, where people can speak, but where it is primarily the ability of an opposition to push an issue but still get a response from the government. Otherwise, what we will end up with is a—you know, the danger is, unless we have some guidelines here, it will be like having a day of grievances except only the opposition members appear.

**Mr. Martindale:** Well, I think we are probably prepared to agree to let the Speaker's discretion guide the choice of speakers on the understanding that it is opposition days or opposition day debate and that the Speaker will take that into account.

**Mr. Clerk:** To primarily Mr. Ashton, but as a point of clarification, I was not suggesting that Question Period be the model. What I was saying was that Question Period was an example of a situation in which you leave the discretion to the Speaker, and the Speaker gives in that case nearly all the time to the opposition, just using that example as an illustration.

We have heard the debate on this particular point, and my own feeling is, as I have said, dump sub 11. The Speaker has heard the comments, and you give the Speaker discretion in other debates. It would seem to me the simplest way to deal with it is to just take 11 away, but we can go and look at it.

**Madam Chairperson:** We can take another look at it and see if perhaps there is something that would be acceptable to all parties.

**Mr. Ernst:** Madam Chairperson, not wanting to get hung up on this, I mean, it is only going to happen three times before it gets reviewed. I think simply leaving it to the discretion of the Speaker to organize—we have informal agreements with respect to Question Period and things of that nature.

This is not a major issue, I would not think, but you do not want to restrict it either, so I think the dumping of 19.1(11) and let the Speaker apportion so that all opposition members get an opportunity kind of thing.

I mean, we might even want to consider a time limit. The 30-minute time limit will apply during opposition days. If you want to get lots of speakers on, then you might want to consider 15 minutes on opposition days. The private members' rule is 15 minutes, but it does not necessarily apply to this, does it?

**Madam Chairperson:** No, this would be a regular debating time, which is now proposed to be 30 as opposed to currently 40.

**Mr. Ashton:** The intent, I think, from my side in any discussions was to ensure that it was similar to emergency debates. So I say, yes, we bring that back and reduce the speaking time down to 15 or even 10 minutes.

**Madam Chairperson:** Is that the will of the committee? MUPIs are currently 10.

**Mr. Ashton:** A 10-minute debate because I like those debates. Those are the only real debates we have in the House.

**Ms. Barrett:** May I suggest that we move on? We will have to revisit this anyway. Caucus members, at least our caucus, will have a continuing discussion on it, so I would suggest we move on.

**Madam Chairperson:** But is it the will of this particular committee that the table officers work out a rule with a time limit to have the wording ready for further review? Is it 10 or 15? Just give us some direction, please. Pardon me, 10?

**Mr. Ashton:** Ten minutes.

**Madam Chairperson:** All right, thank you.

New Rule 19.1(3).

**Mr. Clerk:** This simply provides that after consultation the government House leader will

announce the date or dates to be designated as opposition days.

**Madam Chairperson:** Rule 19.1(4).

**Mr. Clerk:** This is a requirement for two sitting days notice of an opposition day motion.

**Madam Chairperson:** Rule 19.1(5).

**Mr. Clerk:** This authorizes the Speaker, if notice of more than one opposition day motion is received, to select one such motion for debate, taking into consideration the sequence in which the notices were received.

**Ms. Barrett:** Just for information, I could not find in the current rules anything on the taking into consideration the order in which they were received, although my understanding is that that is, in effect, what currently happens with MUPIs.

**Madam Chairperson:** Currently, the time is annotated on arrival in the Speaker's office, but, normally, tradition dictates, I think, we only have—at least during my experience, I have only had one MUPI per sessional day, whereas this rule is to cover off the fact that you could have more than one recognized party. So if you had a recognized Liberal Party and a recognized NDP party then the Speaker would need some direction as to which one he or she would take first. That is the reason for that particular rule. Further clarification? No. Okay.

Rule 19.1(6).

**Mr. Clerk:** This and the following subrules, the next two subrules, are particular restrictions; (6) prohibits the use of opposition day motions to move second or third reading of a bill. This is copied from the Ontario provision. They have had experience. So we were being guided by their experience.

**Madam Chairperson:** Rule 19.1(7).

**Mr. Clerk:** Again, not to be a motion of nonconfidence in the government.

**Madam Chairperson:** Rule 19.1(8).

**Mr. Clerk:** This precludes designating a day during the throne or budget speech debates as an Opposition Day.

**Madam Chairperson:** New rule 19.1(9).

**Mr. Clerk:** Requiring that only one Opposition Day be held in any particular sitting week.

**Madam Chairperson:** Rule 19.1(10).

**Mr. Clerk:** Specifies that on a designated Opposition Day the Opposition Day motion will be called as the first item of business under Orders of the Day.

**Madam Chairperson:** We have had extensive discussion on rule 19.1(11).

**Mr. Laurendeau:** I still had one question on that that I had not gotten clarification on yet. When you say, the time available, are you saying that we are going to time each speech and allocate it so if somebody takes five minutes the full 10 minutes is used up? Because he was saying that the time allocation towards the presenter of the motion goes into the time allocated to the debate.

\* (1110)

**Madam Chairperson:** In my opinion, it would be dealt with the same as any other debate. Members are allowed 40 minutes but some members only take 20 minutes of that allocated 40-minute time and then the time does not stop. The time continues and it affords other members more time to be able to enter into debate during that particular day.

**Mr. Ashton:** Well, first of all, if it is 10 minutes it probably will not be a problem, because people run 10 minutes, but I think the solution for bringing back next time is to do it in terms of the recognition of speakers rather than apportioned amount of time. We may just want to put in, if we cannot agree on some specific ways of dealing with it, some statement to reflect the principle as to ensure full participation of all opposition members in debate or something of that nature. I think we should scrap the entire time aspect and put it in terms of number of speakers.

**Mr. Laurendeau:** That is right, address the principle and eliminate the time concept here. That takes care of the problem that the Liberals then have because we eliminate the time section and give the ability to recognize speakers.

**Madam Chairperson:** New rule 19.1(12).

**Mr. Clerk:** This subrule restricts the debate on an opposition day motion to one sitting day and it also requires that 30 minutes before adjournment time the Speaker will interrupt proceedings and put the question or questions necessary to dispose of the opposition day motion and any amendments to it.

**Madam Chairperson:** The Honourable Mr. Ernst, at this point if you would add this, we have an amendment required.

Right on the top of page 10, immediately following new Rule 19.1(12). [interjection] I am sorry. Immediately following new Rule 19.1(12) "Debate limited to one sitting day", immediately at the top, before we proceed to revise subrule 27(1), there is an amendment.

It is 21(2) "Delete existing Sub-Rule 21(2) . . . ." There is an amendment required there.

**Mr. Ernst:** I move

THAT we amend section 21(1) to renumber as 21 and delete line 1 and substitute "subject to Rule 63.9."

**Mr. Clerk:** Madam Chairperson, what that does, existing Rule 21(1) remains in place. It refers to subrules 22.(2), (3), (4) and (5), all of which are repealed by this new package, but the essence of those subrules is contained in the new private members' rules in new Rule 63.9, hence the requirement for that change in existing subrule 21.(1).

**Mr. Laurendeau:** When Mr. Remnant is all done with the amendments and the new rules are done, will we have an amendment to renumber all the bills that are sequential after this?

**Mr. Clerk:** If we have the authority of this committee, which we fervently hope we will be given, yes.



**Mr. Laurendeau:** I think they should be renumbered just to confuse some of the members who know them by heart.

**Madam Chairperson:** This really is a technical amendment for the parliamentary process.

Revised subrule 27(1).

**Mr. Clerk:** The revision to 27(1) is simply to make two changes with respect to Matters of Urgent Public Importance in that, instead of being dealt with after Oral Questions, which used to be the last item in Routine Proceedings, they will now be dealt with after Grievances, which is the last item in Routine Proceedings. The notice required has been extended from 60 minutes to 90 minutes.

**Madam Chairperson:** Revised subrule 27(3).

**Mr. Clerk:** The principal change here is that, with respect to MUPIs, the Speaker's ruling on a MUPI is no longer subject to appeal. This is one of the provisions in the Memorandum of Understanding.

**Madam Chairperson:** Revised subrule 27(4).

**Mr. Clerk:** The principal change in this subrule is that the debate on a MUPI will now be limited to a maximum of two hours.

**Madam Chairperson:** New subrule 27(6).

**Mr. Clerk:** This is a provision that was previously found in 21(4). This prevents a MUPI debate. Once it is concluded it cannot carry over until a subsequent sitting. It is finished.

**Madam Chairperson:** New rule 33(1) and (2).

**Mr. Clerk:** The change here is to reduce ordinary speaking time from 40 minutes to 30 minutes.

**Madam Chairperson:** New rule 33(3).

**Mr. Clerk:** This provision now limits the Budget Address of the Minister of Finance to 60 minutes from the previous unlimited time.

**Mr. Ashton:** I just want to express the concern that I think the Budget Address should actually be a lot less than that. I am afraid this may become pushed to the ceiling. I could take 60 minutes of a budget-boy.

\* (1120)

**Madam Chairperson:** Previously it was unrestricted, I think—yes, unrestricted previously.

New rule—it was in the Memorandum of Understanding. Normally you list the exceptions to the maximum speaking time. Currently it is unlimited.

**Mr. Clerk:** If you simply delete 33(3) and do not do anything else, the Minister of Finance as a minister moving a government order has unlimited time.

**Madam Chairperson:** Is that the will of the committee? Okay.

New rule 33(4) on your paper.

**Mr. Clerk:** This is very minor, just substituting the word "business" for "hour."

**Madam Chairperson:** Revised subrule 37(3).

**Mr. Clerk:** The change here is to delete reference to a motion to go into Committee of Supply which now exists in the current rule. The reason for doing this is that that goes back in history to a time when there was no budget motion and the Budget Address was presented on the motion to go into Committee of Supply. So there is no current requirement on this. There is no need for this reference to Committee of Supply. It is a cleanup.

**Madam Chairperson:** New subrule 51(1)(d).

**Mr. Clerk:** This is just to specify that opposition day motions require two sitting days notice.

**Madam Chairperson:** 51.1(1).

**Mr. Clerk:** This is provision for the issue of a special Order Paper prior to the first sitting of a new Legislature during a prorogation or when the House stands adjourned.

In the event that it is necessary to call the House in and get down to some specific business very quickly, a special Order Paper is circulated three days prior to the opening. What it means is that that issue which the House is being convened to deal with is on the Order Paper on Day One.

Those of you who were here in the Meech Lake issue will realize why this is a desirable provision. It is paralleled on House of Commons Standing Order 55.

**Madam Chairperson:** 51.2.

**Mr. Clerk:** This addresses the situation where the Speaker is out of the country, and the Deputy Speaker can act, or it addresses the situation where it is prior to the first session of a new Legislature, and there is no Speaker and there is no deputy.

**Madam Chairperson:** Revised Rule 60.

**Mr. Clerk:** This is just a cross reference to new subrule 89(3), and there is no point in talking about 89(3) at this point. We will get to it in due course.

**Madam Chairperson:** Amend Rule 61.

**Mr. Clerk:** This is exactly the same kind of thing I referred to just on the previous page, that the reference to the Committee of Supply is no longer relevant. This is strictly related to the budget motion, and we would suggest that this should be put in Rule 23 as subrule 3, because 23 is the rule that relates to the budget motion.

**Madam Chairperson:** Now, you should have your pages numbered here, starting at 17. This section now starts Private Members' Business.

New rules added, 63.1(1).

**Mr. Clerk:** This is based on the provision in the Memorandum of Understanding that said, Private Members' Business—one paragraph talked about the sitting hours to consider Private Members' Business, and the second three-line paragraph indicated that a committee would be established to recommend which bills and resolutions will be debated and which will be voted on and would ensure a reasonable number of

private members' bills and resolutions are recommended to proceed to a vote.

We looked to the House of Commons process and to the House of Commons standing orders to some extent for our inspiration in putting this together. Basically, the House of Commons has one sequence for the consideration of private members' bills and private members' resolutions. We have stuck to keeping bills and resolutions separate, and before we look at any specific rules, if I can just attempt to outline very briefly the process that we have visualized, private members' bills—private members' public bills, I am not talking about private bills—private members' public bills and private members' resolutions would be dealt with by this new chapter.

Addresses for Papers and Orders for Return Referred for Debate would still be dealt with as they are now. Private bills would still be dealt with as they are now, and both categories are outside the provisions in these rules we are starting to look at.

The start of the process is that the Notice of Motion on both private members' public bills and private members' resolutions would be filed, as they are now, with the Journals Clerk. The filing with respect to bills is notification from Leg Counsel, and the Clerk, acting on behalf of the Speaker, would issue notice of draws, after a certain number of items had been filed would give, within three days of that number being reached, two days notice of two separate draws to the sponsors of the items which had been filed.

Those draws would do two things. They would determine which items up to a combined total of 20 would appear on the Order Paper, and also those draws would establish the sequence in which the items would appear on the Order Paper.

Once those two sequences—one for bills, one for resolutions—were established, as soon as practicable after the establishment of those sequences, the committee on Private Members' Business which has been known up to this point as the Committee on Private Members' Bills, and these rules also propose that change, that committee would meet and would determine up to the limits provided within these rules

the number of resolutions which would be votable and the number of bills which would be votable.

Once all of those decisions have been made, both the sequence and the votable, the items would appear on the Order Paper in the sequence, noting which ones are the votable items.

In terms of debate, a nonvotable item, be it a bill or a resolution, is debated for one hour, and it is then removed from the Order Paper. A votable item is debated for a total of three hours. It gets an hour's debate and it goes to the bottom of the list, but remember this list is now—well, the total number of Private Members' Business items on the Order Paper is not more than 20, votable and nonvotable, so, following the House of Commons, not more than half of that list are votable items, so you have the nonvotables dropping off, and the votables have been debated for one hour, dropped to the bottom, and then they start rising again. They get debated a second time, and even though we are saying one hour, obviously, they are not going to get a full hour's debate on the day on which they are at the top. They are going to get 52 minutes or something like that, so to get their full time, they have to rise to the top a fourth time.

\* (1130)

We call it three hours, in fact, again, following the House of Commons practice, so that total consideration is only three hours, the Speaker would interrupt at two hours and forty-five minutes and put all questions necessary to dispose of the votable item.

I think rather than adding in any more than what I have already said at this point, I have tried to give you an overview of how the process will work. I do not know if anybody has any questions to that point.

**Mr. Martindale:** The Clerk just said that after two hours and forty-five minutes, the Speaker will interrupt to dispose of votable items. For clarification, does that mean to have recorded votes?

**Mr. Clerk:** No, to have a vote, a recorded vote if the House so desires.

**Madam Chairperson:** Right. It would have to be requested, otherwise it would be a voice vote. The sponsor of the bill could request a recorded vote, the same procedure.

**Mr. Lamoureux:** Binx, I really have not had that much of an opportunity in order to digest everything that is in print and what you have just said. There is some concern that I have in particular with the committee of private members that would be convening to determine which ones are votable items, and, again, in ensuring that all members are given the equal opportunity to have their bills or their resolutions put on the agenda. That is quite important to us.

Equally, I am a bit confused, currently—and that is the system I know now—the day before session, each of the three caucuses will have a pile of resolutions and bills, and we then go draw and it is strictly random in terms of how it is determined.

This changes it to the degree in which you have a maximum of 20 that will appear on the Order Paper. I am a bit unclear in terms of how it is determined which 20 it would actually be. Am I limited? Can I put more than two into a draw?

**Madam Chairperson:** First of all, Kevin, just for clarification: It is private members, so it has nothing to do with recognized parties. This is all members, just for clarification, so nothing changes there.

**Mr. Clerk:** I will try to answer your several questions.

First of all, the 20 items that get on the Order Paper are not only determined which they are by a draw—the draw determines which are the 20 items—the draw also determines the sequence in which those 20 items will be listed on the Order Paper. Those are random draws.

Now, in terms of which are to be votable and not votable, which was another part of your question, the sponsor of each item that has gained a place in the sequence is entitled to appear before the Private Members' Business committee when it is determining which items will be votable and is able to speak for a maximum of five minutes to explain why his or her item should be classified as a votable item.

The other point in the rules, you would find in Rule 63.7(3) are the selection criteria by which the committee will be guided in selecting votable items.

**Ms. Barrett:** Two questions. One, the 20 items that are drawn at the beginning of this process, that is the universe that we will deal with in that session? We will not add other items?

**Mr. Clerk:** No, no. If we get to the point in the session, again, following a House of Commons model, and this committee can certainly change that model, you should never let that list drop below a total of 10 items, or those two lists, I should say. You have additional draws.

**Ms. Barrett:** At that point, if I may, then if you have an additional draw, does the sponsoring member get again the five minutes to make—

**Mr. Clerk:** Yes.

**Ms. Barrett:** So the whole process carries on.

**Mr. Clerk:** Yes. The whole process is repeated with a reduced number.

**Ms. Barrett:** Okay, a second question. Who is the committee?

**Mr. Clerk:** The committee is going to be the Standing Committee on Private Members' Business. It is a standing committee of the House. What is proposed in the amendments is changing private members' bills committee—

**Ms. Barrett:** Well, it does not say who they are, though.

**Mr. Clerk:** No, no, it is a normal standing committee.

**Ms. Barrett:** With a normal number of representatives.

**Mr. Clerk:** With a normal number of members. Yes.

**Madam Chairperson:** It is the same as other standing committees for numbers of representatives.

**Mr. Ernst:** Madam Chairman, the whole purpose of this section—and the technical requirements Binx has dealt with—but the whole purpose of trying to revamp private members' hour is to try and take it away from being a contest between the staffs of the political parties as to how many resolutions they can get in and how many are going to get drawn but, rather, to try and make it a meaningful private members' debate.

If you go back in the history of the Legislative Assembly, there have been excellent private members' debates on issues that are not either bashing the federal government or bashing the provincial government or whatever but an attempt to try and get issues on the table that are of importance to Manitobans and to be able to debate them in a meaningful way.

This is pretty new ground in terms of what we are treading on here, and it is going to require a lot of hard work and a lot of consideration by the private members' committee as it goes forward to try and make that debate as meaningful as possible and to try and get away from the kind of shenanigans that have gone on over the past period of time. It could be very, very good. It could be excellent, as a matter of fact, and will require actually a little more work on all of our parts in order to be adequately versed on the issues that will be debated.

So the idea is to bring it forward to the committee, to have the member advancing the issue to come to the committee and explain what they are proposing to do and so on so that the committee is well aware then of what it is, what the issue is and the member has had the opportunity to try and explain what they want to do. It is my hope and I think the hope of a lot of people that this process will lead to really meaningful issues being debated as opposed to the kind of things that have happened over the past few years.

**Madam Chairperson:** Is there further explanation required, or does the committee now wish to proceed quickly and review each subrule? Okay.

Subrule 63.1(1).

**Mr. Clerk:** As explained, this just identifies what this does apply to.

**Madam Chairperson:** 63.2(1).

\* (1140)

**Mr. Clerk:** This is the detail of the notification of the draw, the time, date and place of two separate random draws, actually, to select bills and resolutions and to establish with respect to each category the sequence in which those items will be listed on the Order Paper.

**Madam Chairperson:** 63.7(2).

**Mr. Clerk:** The way the draw will work is that the names of sponsors of bills which have received first reading and resolutions which have been listed on the notice paper will be entered into the draws for those respective categories.

**Madam Chairperson:** 63.7(3).

**Mr. Clerk:** (3) deals with how many bills and how many resolutions are going to get placed on the Order Paper, and I have some concerns with this provision. The House of Commons provision is 10 and 10, but our experience with private members' public bills has been that in the last several sessions there has not had to be a draw because they come in very slowly. There are not very many of them, and what we could find is that given the timing of these draws we could find ourselves in the situation that there are resolutions but there are no bills.

**Mr. Ernst:** Particularly with respect to bills, by virtue of availability of time and so on, it is highly unlikely you are going to get any bills drafted and printed, which they are required to do in order to be dealt with by the committee, prior to—I mean you could put it on the Order Paper as you do now for first reading. Anybody can do that, but when it goes to the committee, it has got to be a bill.

The opportunity of getting that drafted during the time when all the government bills are being addressed by a Legislative Counsel is pretty limited, so it is highly unlikely, in at least the first part private members' hour on the Thursday mornings that we deal with it, that you are going to deal with any bills anyway and those bills would likely not show up until the fall, just by virtue of

logistics if nothing else. So that is why we did not want to put—see, there is a current House of Commons rule of 10 and 10. Well, it seemed impractical to do that, and Binx has asked that question. I did not speak to Steve about it, so we just left it as Private Members' Business and then it will be whatever bills the committee decides to bring forward.

**Mr. Ashton:** I think we probably will not have as much of a difficulty with getting bills as might be expected, certainly from the opposition side. We have got quite a collection of bills that have collected dust on the Order Paper for the last number of years, so I think we will have no problem meeting whatever number. I suggest we revisit this, although I accept the intent of this.

My personal preference, you know, would be that in terms of bills that we have it focused, more than say on the resolution side. I think better to have a really good consideration of a smaller number of bills because they have much more import and impact potentially and then have the ability to have a larger number of resolutions dealt with, because I also have some concerns with Private Members' Business. None of these bills have to proceed to second, third reading, et cetera.

You know, when you are putting a three-hour time limit or any time limit on debate, that is something we do not do with other bills, even at second reading, so I do not think it is a problem so much with the supply of bills, but I think if you want to have any quality debate, it should be restricted.

I think we should revisit this. I think five might be a bit too low, but I appreciate the intent.

**Mr. Clerk:** Well, you could certainly—you know, I am in the committee's hands. I was simply coming up with some numbers recognizing existing Manitoba experience, and it seemed to me that 10 and 10 did not make sense, did not reflect the past and that is why I went to 15 and five.

Perhaps the committee, since it is going to come back at this anyway, may want to change those numbers.

**Ms. Barrett:** Given the fact that it is more difficult to put in bills than it is resolutions, the legislative process, you are going to have a preponderance, at least in the first 20 draw, of resolutions anyway. I do not know why we could not look at no number in there and let the natural flow take place. You have your two concurrent draws, right, you have a draw for bills and a draw for resolutions and then the committee puts them together, right, in the order and the mix. So it seems to me that you want to—no?

**Mr. Clerk:** You have two separate categories of business and they do not get put together.

**Madam Chairperson:** No, you do not amalgamate them.

**Ms. Barrett:** The way it is now, it is five bills and 15 resolutions max.

**Mr. Clerk:** Yes.

**Ms. Barrett:** If you have four bills only in the draw then it is 16 and four. Why I am suggesting is maybe—[interjection]—no, and such number of private members' resolutions as may be required to produce a total of 20. So why do we not just, for the purposes of this first year, not put any number restrictions on the relationship between bills and resolutions, because the committee may come up with six bills that people think they would really like to debate.

**Mr. Clerk:** So what you are suggesting is simply up to 20 Private Members' Business items.

**Ms. Barrett:** Yes.

**Madam Chairperson:** Agreed? Okay. That change will be reflected in the next draft.

Limitations (4), there is one minor amendment here just in the wording.

**Mr. Ernst:** I move in rule 63.2(4) in line three, substitute the word "two" for the word "one" and in line four delete the words "each of."

**Madam Chairperson:** Do you want me to reread it? (4), in each initial draw and any additional draws, a

member may have not more than two Private Members' Business items selected and listed in the sequences on the Order Paper in his or her name.

**Mr. Clerk:** Simply, Madam Chairperson, it increases the flexibility.

**Madam Chairperson:** (5).

**Mr. Clerk:** The purpose of (5) is so that if, for example, a member's name is drawn in the sequence or sequences and that member has two bills that have been given first reading and that member also has two resolutions that have appeared on the notice paper, then it is up to the member to determine which of his or her items are going to go on the Order Paper.

**Madam Chairperson:** Additional Draws, 63.3.

**Mr. Clerk:** Yes, this addresses your question, Becky. This is the provision for additional draws and this would have to be amended in accordance with our previous amendment to simply say that when the total list drops below 10—

**Madam Chairperson:** A subsequent draw will—

**Mr. Clerk:** A subsequent draw.

**Madam Chairperson:** Okay. Right. 63.4.

**Mr. Clerk:** Same thing.

**Madam Chairperson:** Correct.

**Mr. Clerk:** Yes.

**Madam Chairperson:** 63.5.

**Mr. Clerk:** This is simply to ensure that no member is under the impression that the sequences have been established so there is no point in giving notice of anything else. You can still give notice of items and you do not know how many additional draws may take place. If you have given notice of something and if you have gone ahead and had first reading moved on a bill and a subsequent draw is held, then those additional items are eligible to be in that subsequent draw.

**Madam Chairperson:** 63.6.

\* (1150)

**Mr. Clerk:** This is the provision that the committee on Private Members' Business has to receive copies of the text of bills because without seeing the bill, it cannot determine whether or not it should be a votable bill, and, of course, the text of resolutions.

**Madam Chairperson:** 63.7(1).

**Mr. Clerk:** This establishes the process. Again, the numbers will have to be adjusted. This is the meeting of the committee to select votable items.

**Madam Chairperson:** 63.7(2).

**Mr. Clerk:** This is the provision that enables the sponsors of items being considered as potentially votable to speak for up to five minutes in support of their items.

**Madam Chairperson:** 63.7(3) Selection Criteria.

**Mr. Clerk:** This item which goes on to pages 21 and 22 is the criteria by which the committee would select votable items.

**Mr. Lamoureux:** On the explanation limited to five minutes, for example, it allows for the opportunity for me to say, hey, look, here is a wonderful resolution, I would like the committee to allow it to become a votable resolution. Does that prevent noncommittee members from being able to participate in discussions about the resolution?

For example, this afternoon, if another member of the Legislative Assembly wanted to come, listen in and be able to contribute to the discussion—I would assume that they would have that opportunity—would they be able to continue, because it is a standing committee, to be present? Is it expected that they have to leave? Can they contribute in any other way?

**Mr. Clerk:** What is contemplated here, based on the House of Commons practice, is that the sponsor of an item has the opportunity to make a five-minute

statement in support of declaring his or her item a votable item in the same manner as under our current practices the mover of a MUPI gets five minutes to state to the House why the particular motion should be proceeded with. This is not a provision for debate or for other members to participate in a discussion of why this or that item should not be proceeded with.

The member appears, says, my bill is terribly important and should be votable because da-da, da-da, da-da. Thank you very much. We will take your remarks into consideration when we make our decisions in accordance with the criteria for making those decisions.

**Madam Chairperson:** Any questions on the selection criteria?

**Mr. Ashton:** I think this is one area that I think we are definitely going to go through. There are a few items already that I know we have been looking at.

Certainly, I appreciate that this is the federal practice.

**Mr. Clerk:** This is slightly modified federal practice.

**Mr. Ashton:** There are some restrictions, I think, which may overly restrict, particularly not discriminating in favour or against a certain region of the province. We may have issues about rural Manitoba or northern Manitoba or the city of Winnipeg. I understand the intent of the House of Commons is to avoid parochial issues from being raised, but I think we want to look at some wording that is not quite as restrictive on that.

Also some further definition about the subject matter should be different from specific matters already declared by the government to be on the legislative agenda—you know, there may be—[interjection] Yes, that is pretty open. We may want to see some less restrictive wording on that, and there are a couple of the others here which may need some clarification. But I think the intent, though, with the House of Commons intent of having some restrictions is good, because I think we all agree we do not want puffball resolutions and we do not want, you know, sort of—we want

something that is a real, substantive issue that members of the public can identify with, and I think this is necessary, but it may need some revisions.

**Madam Chairperson:** 63.8.

**Mr. Clerk:** There is a sub (4) on the previous page that we have not dealt with, 7(4).

**Madam Chairperson:** Oh, I am sorry.

**Mr. Clerk:** Subrule (4) on page 22 sets up the procedure whereby the report of the Standing Committee on Private Members' Business will be the subject of a concurrence motion moved without notice when the committee reports. It is a nondebtable, nonamendable, nonadjournable motion.

The object of that exercise is to make it a quick and efficient process and to more or less put the decision making clearly in the hands of the committee and not subject to, except by majority vote, overriding by the House.

**Madam Chairperson:** 63.8.

**Mr. Clerk:** This provision is a House of Commons provision, and it might be a little difficult because, in this House, given our shorter time frames, because basically what it says is, until you have got a sequence established and until you have determined which items are the votable items and concurred in the report of the committee designating those items, there is not going to be any Private Members' Business.

Private members' time will be suspended until the sequences have been set up and the committee has designated the votable items. That is what it says. Now, that means that sort of militates that you are going to have a first 20 items consisting quite possibly of 20 PMRs.

**Mr. Lamoureux:** Binx, does that mean that, like it is the government House leader that would call the standing committee and until that standing committee has actually met and come up with it?

**Mr. Clerk:** Not, well—

**Mr. Lamoureux:** How do we know, for example, that by the end of the Budget Debate we are going to have the 20 items ready for Private Members' Business?

**Mr. Clerk:** Okay. The Standing Committee on Private Members' Business shall meet as soon as practicable after the day on which the sequences in the Order Paper are established in accordance with Rule 63.2.

**Madam Chairperson:** So in other words once notice has been served?

**Mr. Lamoureux:** That would be kind of like day two type thing.

**Madam Chairperson:** It would be day four.

**Mr. Clerk:** It is about—well, Day One, notices are filed. Day three, they appear on the Notice Paper. Within three days, which is day six, not later than day six, the Clerk gives notice of the draw and he has to give two days notice. That means if day six, if the day of giving notice were a Friday, then the draws would happen on the following Monday. As soon as those draws have occurred, those sequences have been established, and the committee meets.

Now, the crunch is if you have bills among the selected items, but they have not been printed, then when the committee meets, it is not going to be in a position to decide whether or not any of those bills should be designated votable. So what it amounts to is that, I guess, a little longer-term planning is going to have to be done by members bringing in private members' public bills in order to ensure that they are printed in time for the committee to examine them.

(Mr. Marcel Laurendeau, Vice-Chairperson, in the Chair)

**Mr. Martindale:** In terms of the process, I just want to let committee members know that we are going to listen to the Clerk explain things, but we are going to try and keep our discussion from our caucus to a minimum or not at all so that we can get through the document we have in front of us before we adjourn if possible.



It is not due to lack of interest that we are not saying anything. We are just trying to expedite the process.

**Mr. Ernst:** May I suggest that perhaps we sit until 12:30 and try and get through as much of this as we can.

It is unfortunate that Steve has left, but I think we would like to come back within a couple of weeks time to get this finalized.

**Mr. Vice-Chairperson:** 63.9(1).

**Mr. Clerk:** This is simply a repetition of the essence of existing subrule 22(3).

**Mr. Vice-Chairperson:** Number 2.

**Mr. Clerk:** This is a repetition of existing 22(4) in the existing rule book. It is the essence. There are slight wording changes, but it is essentially the same provision.

**Mr. Vice-Chairperson:** Number 3.

**Mr. Clerk:** And 3 is a repetition of 22(5).

**Mr. Vice-Chairperson:** Page 24, No. 63.10.

**Mr. Clerk:** This is the item which provides for a three-hour debate on votable items, with the understanding at the end of each hour or each consideration they drop to the bottom of the list and work their way back up to the top again.

**Mr. Vice-Chairperson:** 63.11.

**Mr. Clerk:** Actually, I just covered that as well.

**Mr. Vice-Chairperson:** Okay, 63.12.

**Mr. Clerk:** This is the provision for the vote on a votable item, that the Speaker intervenes at 15 minutes before the expiry of the time provided, that is, three hours, and puts all the questions necessary, and this is at the second reading stage of a votable bill, and at the expiry of two hours and 45 minutes on a PMR.

\* (1200)

Just a reminder, the three hours means that a votable item will actually be considered in four time slots,

because you do not get one total hour each time it is up for debate, even if it is the only thing debated. The way the clock works, you get 52, 55 minutes, so you are going to go part way into that fourth time slot.

**Mr. Martindale:** Just for clarification, will there be a day on which a number of bills or resolutions will all be voted on in sequence, like at the end of the session?

**Mr. Clerk:** That is not contemplated; there is something we have never used, but I would have to look at that, because I do believe in here somewhere there is a provision for—what you are talking about is the House of Commons practice of stacking votes, and we could do that. We could make provision for that if there was a will of the committee to do that.

(Madam Chairperson in the Chair)

**Mr. Martindale:** So currently these rules we are looking at today envisage voting on items at the end of the debate on that item.

**Mr. Clerk:** Yes.

**Mr. Martindale:** Thank you.

**Mr. Lamoureux:** I think Mr. Martindale has picked up on a good point, that if you have, let us say, five votable items that have already gone through the process and the end of the session is coming up, that these particular votable items at least be provided the opportunity to have that vote, so this way we are not resubmitting them possibly the following year, if I understand what Mr. Martindale is getting at, if we can incorporate something like that.

**Mr. Clerk:** The way the rules are currently written, that situation would not arise, Mr. Lamoureux, because there is provision for three hours but there is also provision at the expiry of two hours and forty-five minutes the Speaker interrupts and puts all questions necessary to dispose of the votable item and any amendments thereto. So the vote is done.

**Mr. Lamoureux:** Not if you have only had an hour and a half of debate and we are at the last day of the session.

**Mr. Clerk:** That is true.

**Mr. Lamoureux:** Is there any merit in terms of having those pieces that were agreed in the committee to have ultimately a vote on, on allowing that vote to take place before the session would actually be prorogued?

**Mr. Clerk:** Well, just hang on a second.

**Mr. Lamoureux:** I bring it up just for a suggestion and people can think about it.

**Mr. Clerk:** When I am talking about three hours debate I should be very clear. I am talking about a three-hour debate at the second reading stage. If a votable bill passes second reading it then goes to the committee. It is considered by the committee. It is reported back. The report stage is listed at the bottom of the sequence and, even if there are 20 items already in the sequence, that report stage gets added. When it works its way to the top it is votable for a maximum of one hour, not three. Similarly, if it survives report stage, third reading is listed at the bottom of the sequence, it gets a maximum of one hour debate when third reading gets to the top. Now, if you were talking—

**Mr. Ernst:** Madam Chairman, from a practical point of view, if the bill is going to pass, you know, arrangements will be made for it to pass. If it is not going to pass, it is not going to get past second reading anyway. So let us be practical about it. You are going to run out of time at some point and some resolutions and other pieces of business will not get dealt with, but you run out of that problem in any event, so it is really no different than it is now.

**Madam Chairperson:** 63.13.

**Mr. Clerk:** Well, as I just explained, this deals with listing of report stage on a bill at the bottom of the Order Paper.

**Madam Chairperson:** 63.14(1) and (2).

**Mr. Clerk:** Report stage, debatable for not more than an hour, report stage amendments. The report stage itself, the motion to concur is not a debatable motion and the Speaker interrupts at 15 minutes before the

expiry of the hour for debate of amendments and puts all questions necessary.

**Madam Chairperson:** 63.15.

**Mr. Clerk:** Third reading, if a private members' public bill has survived up to this point that it is going to go for third reading, that gets listed at the bottom of the Order Paper and it works its way to the top.

**Madam Chairperson:** 63.16(1) and (2).

**Mr. Clerk:** A one-hour time limit on third reading debate and the Speaker interrupts to put all questions necessary at 45 minutes.

**Madam Chairperson:** Rule 63.17.

**Mr. Clerk:** Provides that nonvotable private members' public bills and resolutions are debated for one hour, and if the debate is not concluded earlier, it is concluded at the expiry of one hour, and the bill or resolution is then removed from the Order Paper.

**Madam Chairperson:** New Rule 64(2).

**Mr. Clerk:** Subrule 69.1.

**Madam Chairperson:** Oh, I am sorry.

**Mr. Clerk:** This is the change of name of the Private Bills committee to the Committee on Private Members' Business.

**Madam Chairperson:** New Rule 64(2).

**Mr. Clerk:** In the past, there has been some confusion, although there should not have been, because rules do apply, rules of the House to Committees of the Whole House, but we wanted to make—for reasons that will become obvious in a minute or two—very obvious that the quorum requirement in the House applies also to Committees of the Whole House.

**Madam Chairperson:** New Rule 64.2.

\* (1210)

**Mr. Clerk:** This establishes the sitting hours of the Committee of Supply. It also has another interesting

provision in it, that on Fridays, because the House may not be totally in attendance, technically the House is still sitting because you are in Committee of Supply, but we were asked to make a provision whereby, on Fridays only, the Committee of Supply could, by its own unanimous consent, vary its hours.

**Mr. Martindale:** Presumably, that means that Committee of Supply by unanimous consent could sit till, say, six o'clock.

**Mr. Clerk:** The intent is that it could sit between twelve and one if it so desired, if that was the unanimous consent of the committee, and it could sit beyond the three o'clock, yes.

**Mr. Martindale:** Would the Speaker or Deputy Speaker still adjourn the House at three o'clock?

**Mr. Clerk:** No.

**Mr. Ernst:** Sit longer than the House, but it adjourns at a later time.

Generally speaking, it is going to be the Chair of the Committee of Supply doing the adjournment anyway.

**Mr. Clerk:** It would be a case of the hour being after 3 p.m., this House is adjourned and stands adjourned, but not until the committee has risen.

**Madam Chairperson:** New Rule 64.1(1).

**Mr. Clerk:** That is just the 240-hour limit.

**Madam Chairperson:** New Rule 65.

**Mr. Clerk:** This is the provision that the budgetary process be completed not later than the final day of the spring sittings.

**Madam Chairperson:** New Rule 65(6.1).

**Mr. Clerk:** This is the provision I referred to a few minutes ago when I said that, for reasons that will become obvious, we are making clear that quorum normally applies to Committees of the Whole House and this is an exception for Friday sittings in Committee of Supply.

**Madam Chairperson:** Revised subrule 65(7.3).

**Mr. Clerk:** This is an adaptation of a provision that already exists in 65(7.3), and the purpose of this is to make it very, very clear that when a vote is commenced prior to the normal adjournment hour but has not been completed by that time, and this is in Committee of Supply, the voting will continue until completed regardless of the fact that it is going beyond, for example, 5:30 p.m.

**Madam Chairperson:** New Subrule 65(9).

**Mr. Clerk:** This is an adaptation of existing rules to provide that, on Fridays, formal votes, count-out votes are not permitted, but as is the case it is really an adaptation of the current after 10 p.m. rule. Votes, resolutions, items can be agreed to; that is fine, but any vote that defeats an item in the Estimates or varies an item in the Estimates or if a count-out vote is requested, that all has to carry over to the next sitting of the Committee of Supply in the Chamber.

In addition to that, there is a provision in there that on a Friday you can introduce the Estimates of a new department.

**Madam Chairperson:** New Subrule 65(11).

**Mr. Clerk:** This is virtually identical to the old rule that said that when the Committee of Supply rises after 10 p.m., you cannot have any motion other than a motion to adjourn or in the event that the whole supply process is being concluded, the concurrence motion under Rule 65.2.

**Madam Chairperson:** New Rule 66(1) and (2).

**Mr. Clerk:** This would limit speeches in Committee of Supply, including those of ministers, to 10 minutes—[interjection] Sub (2) allows the minister and the critic in their opening remarks on the introduction of the Estimates 30 minutes.

**Madam Chairperson:** New Rule 69.1.

**Mr. Clerk:** This sets up Fridays during the fall sittings as committee days and specifies the committee hours on those days.

**Mr. Martindale:** Does the government anticipate that Crown corporations and other bodies that report to

committees will normally be there on Fridays in the fall so we will get onto a regular schedule for annual reports and other things?

**An Honourable Member:** He will not want to say yes.

**Mr. Ernst:** Normally.

**Madam Chairperson:** 74(4).

**Mr. Clerk:** Just a word change from "hour" to "business."

**Madam Chairperson:** New Rule 82.

**Mr. Clerk:** This is simply a replacement of old Rule 82 and unless otherwise specified of the changed words.

**Madam Chairperson:** That is right. New Rule 87.

\* (1220)

**Mr. Clerk:** A spring timetable for government bills. Government bills are to be introduced, read a first time, printed, distributed and moved for second reading not later than the last day of spring sittings.

**Madam Chairperson:** 88(1).

**Mr. Clerk:** 88(1), (2), (3) and (4) are essentially the same as the old 87.

**Madam Chairperson:** New Rule 89(1), (2) and (3).

**Mr. Clerk:** Rule 89(1) provides that normally government bills will receive a vote on third reading not later than the last day of the fall sittings; (2) acknowledges that where a committee, as sometimes happens, arrives at the conclusion that a bill should not be reported and therefore not proceed to the remaining stages of the process, so be it, that will happen; (3) permits the government to withdraw a bill at any stage by a minister of the Crown rising and informing the House of the withdrawal of that bill.

**Madam Chairperson:** Then you have Appendix E which is the proposed timetable for spring and fall sittings and the order of business.

**Mr. Lamoureux:** Madam Chairperson, one of the things on which we have had some discussion amongst the three of us is the possibility of incorporating some sort of a rule change—and I will bring it up with Mr. Ernst and Mr. Ashton hopefully prior to the next meeting; my apologies for not getting to them sooner—the possibility of acknowledging the fact that each one of the three Liberal MLAs do have a critic portfolio with one department on which they concentrate, and I think there should be some sort of recognition of that fact.

For example, Mr. Kowalski concentrates his efforts on education, that he be given an opportunity to get that sort of recognition in some sort of a way, much like each member of the Chamber has some legislative portfolio.

I will just leave that there. I just put it more so as notice for Mr. Ernst and Mr. Ashton.

**Mr. Ernst:** I think Mr. Ashton and myself have both tried to accommodate that difficulty. It is not always possible, but we have tried to accommodate that. It is a matter of juggling official opposition critic, minister, staff and the amount of time available, to juggle all those things to try and hope that it all works out for the benefit of everybody. I think we can continue to try and do that.

**Madam Chairperson:** Given that the committee has not completed its business today, is it the request of the committee that the government House leader schedule another meeting for the committee to continue to consider the rule changes and review additional changes as prepared by the Clerk of the Assembly? Agreed? [agreed]

The time is now 12:24. What is the will of the committee?

**Some Honourable Members:** Rise.

**Madam Chairperson:** Committee rise.

**COMMITTEE ROSE AT:** 12:24 p.m.