

Third Session – Forty-First Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Rules of the House

Chairperson
Hon. Myrna Driedger
Constituency of Charleswood

Vol. LXXI No. 1 - 6 p.m., Wednesday, October 3, 2018

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-First Legislature

Member	Constituency	Political Affiliation
ALLUM, James	Fort Garry-Riverview	NDP
ALTEMEYER, Rob	Wolseley	NDP
BINDLE, Kelly	Thompson	PC
CLARKE, Eileen, Hon.	Agassiz	PC
COX, Cathy, Hon.	River East	PC
CULLEN, Cliff, Hon.	Spruce Woods	PC
CURRY, Nic	Kildonan	PC
DRIEDGER, Myrna, Hon.	Charleswood	PC
EICHLER, Ralph, Hon.	Lakeside	PC
EWASKO, Wayne	Lac du Bonnet	PC
FIELDING, Scott, Hon.	Kirkfield Park	PC
FLETCHER, Steven, Hon.	Assiniboia	Man.
FONTAINE, Nahanni	St. Johns	NDP
FRIESEN, Cameron, Hon.	Morden-Winkler	PC
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin, Hon.	Steinbach	PC
GRAYDON, Clifford	Emerson	PC
GUILLEMARD, Sarah	Fort Richmond	PC
HELWER, Reg	Brandon West	PC
ISLEIFSON, Len	Brandon East	PC
JOHNSON, Derek	Interlake	PC
JOHNSTON, Scott	St. James	PC
KINEW, Wab	Fort Rouge	NDP
KLASSEN, Judy	Kewatinook	Lib.
LAGASSÉ, Bob	Dawson Trail	PC
LAGIMODIERE, Alan	Selkirk	PC
LAMONT, Dougald	St. Boniface	Lib.
LAMOUREUX, Cindy	Burrows	Lib.
LATHLIN, Amanda	The Pas	NDP
LINDSEY, Tom	Flin Flon	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Flor	Logan	NDP
MARCELINO, Ted	Tyndall Park	NDP
MARTIN, Shannon	Morris	PC
MAYER, Colleen, Hon.	St. Vital	PC
MICHALESKI, Brad	Dauphin	PC
MICKLEFIELD, Andrew	Rossmere	PC
MORLEY-LECOMTE, Janice	Seine River	PC
NESBITT, Greg	Riding Mountain	PC
PALLISTER, Brian, Hon.	Fort Whyte	PC
PEDERSEN, Blaine, Hon.	Midland	PC
PIWNIUK, Doyle	Arthur-Virden	PC
REYES, Jon	St. Norbert	PC
SARAN, Mohinder	The Maples	Ind.
SCHULER, Ron, Hon.	St. Paul	PC
SMITH, Andrew	Southdale	PC
SMITH, Bernadette	Point Douglas	NDP
SMOOK, Dennis	La Verendrye	PC
SQUIRES, Rochelle, Hon.	Riel	PC
STEFANSON, Heather, Hon.	Tuxedo	PC
SWAN, Andrew	Minto	NDP
TEITSMA, James	Radisson	PC
WHARTON, Jeff, Hon.	Gimli	PC
WIEBE, Matt	Concordia	NDP
WISHART, Ian	Portage la Prairie	PC
WOWCHUK, Rick	Swan River	PC
YAKIMOSKI, Blair	Transcona	PC

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

Wednesday, October 3, 2018

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

**CHAIRPERSON – Hon. Myrna Driedger
(Charleswood)**

**VICE-CHAIRPERSON – Mr. Doyle Pivniuk
(Arthur-Virden)**

ATTENDANCE – 11 QUORUM – 6

Members of the Committee present:

*Hon. Mrs. Driedger, Hon. Messrs. Gerrard,
Goertzen, Wharton*

*Ms. Fontaine, Messrs. Helwer, Johnston,
Marcelino, Micklefield, Pivniuk, Swan*

APPEARING:

Hon. Steven Fletcher, MLA for Assiniboia

*Ms. Patricia Chaychuk, Clerk of the Legislative
Assembly of Manitoba*

*Mr. Rick Yarish, Deputy Clerk of the Legislative
Assembly of Manitoba*

MATTERS UNDER CONSIDERATION:

*Proposed Amendments to the Rules, Orders and
Forms of Proceedings of the Legislative
Assembly of Manitoba*

* * *

Madam Chairperson: Good evening. Will the Standing Committee on Rules of the House please come to order.

This meeting has been called to consider proposed amendments to the Rules, Orders and Forms of Proceedings of the Legislative Assembly of Manitoba.

You will find before you copies of a document entitled Legislative Assembly of Manitoba Rule Change Proposals, October 2018, which we will be

considering today. The French text of the proposed rules is also provided for you.

Does the committee agree to consider the amendments in numerical order with the understanding that we can stop at any time if members have any questions or comments? *[Agreed]*

So noted. Does the committee wish the Clerk or Deputy Clerk to provide an explanation for each amendment?

An Honourable Member: Sure.

Madam Chairperson: So noted.

Does the Government House Leader have any opening comments?

Hon. Kelvin Goertzen (Government House Leader): I will be brief, Madam Speaker.

I want to thank members of this committee on both sides of this House for the fact that we have this committee. I've been involved in rule changes, along with the member for River Heights (Mr. Gerrard), prior to the last election, and one of the things we committed to was regular meetings of the standing committee on the rules just to see, you know, if the things are functioning the way we hoped to.

And I always look at this as a very non-partisan exercise where we all have a stake in ensuring that the Legislature works well. Of course, we all have—we can have differences and exercise those differences, but generally we all have a stake in ensuring that the rules work for everyone in a way that provides for both democratic debate, but also allows things to happen.

So I appreciate the process we've gone through up until this point, and I'm sure we'll have future committees of the rules with that kind of a non-partisan lens. And then I appreciate the discourse we've had with all members of the House leading up into this day.

Madam Chairperson: We thank the minister.

Does the Official Opposition House Leader have any opening comments?

Ms. Nahanni Fontaine (Official Opposition House Leader): So I guess in the same spirit, I just want to say miigwech to everybody that's participated in the several meetings that we've had. And I think that the discussions have been very positive, they've been very respectful and it's allowed us to be here today, which I think is good.

But, more importantly, I really do what to take the moment—a moment to just say miigwech and thank you so much for the expertise of Rick and Patricia and for all of the work that, Rick, you have done to get us to this point just on 13 changes. We know that there are many, many other changes that we should be looking at eventually.

But I just want to say for the record how much I just honour and respect the enormous expertise that all of you have in the Clerk's office. And I just say miigwech for getting us here tonight.

Madam Chairperson: We thank the member.

Does the House leader of the second opposition party have any opening statement?

The honourable official—the honourable leader—no, the honourable House leader of the second opposition party.

Hon. Jon Gerrard (Second Opposition House Leader): Just—I'd like to echo the thanks to Rick and to Patricia for all the effort that went into this. I know we've got lots more to come and hope that this is the first of some more regular meetings of the rules committee. And I'd like to thank all those who participated. I think we had some good, cordial and constructive discussions, and we've got the first series of amendments, I think, since—significant amendments, anyway, since the last election, so it's good. Thank you.

Madam Chairperson: We thank the member.

We will now begin consideration of the document. For your reference, I will be referring to the item numbers listed in the left side of each page.

Item No. 1: Definition of Leader of the Official Opposition.

Clerk (Ms. Patricia Chaychuk): This is a very simple change that is changing something that has been overlooked in our rules for decades, actually. It said the leader of the opposition, but it should probably have said, many years ago, the Leader of the Official Opposition to indicate that there can be more than one opposition party registered in the House. And it also is updating the reference in The Legislative Assembly Act because it used to be section 61, and now it's section 52.16, so we want it to be up to date and modernized.

Madam Chairperson: Do the House leaders have any comment?

Item No. 1—pass.

Item No. 2—oh—[interjection]

Yes, okay. Item No. 2: Details required for concluding the "Business of Supply".

Deputy Clerk (Mr. Rick Yarish): So, this one is—there's a few provisions like this where we're, sort of, clarifying something that's already in the rules and already what the House does. So, currently, there's a provision in the rules stating that the business of supply—and that means all of Main and Capital, including BITSAs, all of the bills and resolutions that are part of our financial process, what I refer to as the business of supply—all of those items must be concluded by the end of the fall sitting period, and the rules state that. However, the rules do not have any specific enforcement procedures included. Currently, the provisions are based on other sessional calendar rules.

In the current rule 2(1), in the sixth paragraph, says that these items will be dealt with following the provisions outlined in subrules 21 and 23, but we thought, for greater clarity, we should actually give them their own provisions. So that's what this rule does. This rule spells out these exact provisions. And the provisions are based on the same kind of provisions that apply on all of the other deadline days for specified bills, designated bills and so on.

So, the rule's quite lengthy because it identifies that, if the required actions for the business of Supply aren't concluded by the end of the last Thursday in the sitting prior to Remembrance Day week, which is the last week of a regular session, then the following provisions apply.

So, these include, if routine proceedings has not concluded 90 minutes prior to the usual adjournment hour, the Speaker must terminate and proceed to orders of the day. Further, if not already in Committee of Supply or Committee of the Whole, 60 minutes prior to the usual adjournment the House must resolve and resolve matters in committee. And also, 60 minutes prior, the Chairperson will interrupt and put questions, and matters of privilege and points of order are held until all votes are completed.

And this is in accordance with all of the other provisions we have for other deadline days; we just didn't have them specified for this one, so we felt it was better to be clear and have absolute clarity on how this should be handled. But it is, I should state again, just a codification of what we already do. So there's no change here; it's just more clarity.

Madam Chairperson: Do the House leaders have any comments?

Item No. 2—pass.

Item No. 3: Timing of second reading question period on specified bill deadline days.

Clerk: When changes were brought in in 2015-2016 for the specified and designated bills, we knew that there'd be some tweaking that would need to come up along the way as we had the experience dealing with the bills.

*(18:10)

So one of the tweaks that had been recommended is to change when the question period is held on a specified bill. The way it is now, the members who are entitled to speak for 10 minutes in the debate speak and then the last action is the question period. But that's the opposite of what we do with other bills, where we have the minister speak, we have the question period and then the other members speak.

So this is done as a change to make that in conformity with how the question period would follow, and it also adds a little bit of clarity in that, following the assigned speeches of those who are entitled to speak, the debate will be concluded pending the second reading completion date. And it also clarifies, if you have a bill that's a specified bill where you have started the process but not

necessarily gotten that far or that there's still some debate outstanding, is that you do get to complete the debate as per the rule provision, just to make sure that everybody knows that the members who have the ability to speak for up to the maximum of 10 minutes get to do that regardless of whether the second reading is moved on that day or on a previous day.

Madam Chairperson: Do the House leaders have any comments or questions?

Item 3—pass.

Item 4: Clarification of timing for interruptions on specified bill deadline days.

Deputy Clerk: So, just as the title indicates, this is another clarification. A couple of things here. The rule as it's currently written indicates that by 3:30 on a deadline day certain actions will happen and also at 4 o'clock. We thought, for greater clarity, that should be 90 minutes prior to adjournment and 60 minutes prior to adjournment.

There's a couple of reasons for that. One is if this happens to fall on a Friday then that won't make any sense because we'd only sit until 12:30, and also, down the road, if we ever change the adjournment hour of the House then this wouldn't need to be changed, so that's fine.

So we changed those so it doesn't change how things happen: still at 90 minutes prior to usual adjournment the Speaker would terminate routine proceedings and proceed to orders of the day, and at 60 minutes prior she would interrupt and start putting questions.

We also added another provision, and this came up through one of our discussions, because if a deadline date does fall on a Friday sitting, we wanted—the rules group wanted to ensure that question period would be allowed to complete. So basically what this last part of it—so the new 2(15)(f), what this says is, rather than 90 minutes prior, the Speaker would terminate routine proceedings immediately on the conclusion of oral questions. So that means—because 90 minutes prior would be 11 o'clock, so if oral questions is, you know, running and wouldn't end until quarter after 11, it means we would have lost 15 minutes of question period, and nobody wants that.

So what it means is that, at that time, 11:15, say, that's when the Speaker would interrupt, so we'd skip petitions and grievances and anything else that might have come up in routine proceedings, go right to orders of the day, and then 30 minutes later would be when she would interrupt—or he or she, depending on the future—would interrupt those proceedings and start putting the question.

So it's really what we already do and just a special adaptation in case it ever lands on a Friday, which is a rare occurrence, but when we're writing rules we need to try to keep in mind rare occurrences and try to account for them.

Madam Chairperson: Do the House leaders have any comment?

Item 4—pass.

Rule 5: Timing of second reading question period on designated bill deadline days.

Clerk: Just as we did some tinkering with the specified bills, we also should be doing comparable tinkering with the designated bills. The change on this page would also allow the question period to take place at the end of the comments as opposed to having—pardon me, after the minister has spoken instead of after the end of all the comments, and it also provides the clarity that, even if the debate had started on a previous day, the members who are identified to have the ability to speak up to 10 minutes will still maintain that right to do it before the question is put. Just to add that clarity.

Madam Chairperson: Do the House leaders have any comment?

Item 5—pass.

Rule 6: Clarification of timing for interruptions on designated bill deadline days.

Deputy Clerk: So this is a parallel to the item two items ago where we did the same thing for specified bills, so we're changing it to 90 minutes and 60 minutes prior for designated bills as well.

And the other thing, actually, that I should have mentioned on that one, but it's addressed in both of these, is: in the current rules, there's a contradiction between subrule 2(21)(c) and 2(17) and 2(20) regarding whether or not debate is allowed on a

second reading or concurrence and third reading deadline day.

The rule, as was written in 2015, had a bit of ambiguity there. We immediately began interpreting it as, yes, debate should occur, because that was the clear intent of the drafters in 2015, and you can refer to the Hansard from the meeting in June 2015 for confirmation of that.

So what we've done here is ensure that the rule recognizes that debate should happen. And the way that is recognized here is in the—in new rule 2(21)(c) it reads as follows: 60 minutes prior to the usual adjournment hour, the Speaker will interrupt debate and put all questions on all remaining bills with no further debate or amendment, except for the debate provisions allowed under 2(17) and 2(20).

And what that refers to is those limited debate provisions that happen on a deadline day where the minister gets 10 minutes, the critics get 10 minutes, the independents get 10 minutes and there's a question period.

So this is just clarifying back, again, practice and how that rule had already been interpreted.

Madam Chairperson: Do the House leaders have any comment?

Item No. 6—pass.

And rule No. 7: Authorizing House leaders to call private members' bills for debate.

Deputy Clerk: So this one is—addresses sort of a long-standing eccentricity of private members' business. That is, we have a 'firty' well-developed process in the rules for how private members' resolutions are announced. There's a week's notice and they go on the Order Paper, and it's well-established and it works very well.

For some odd reason, we've never had a process for how private members' bills are called in that first hour at 10 o'clock. And what has evolved is a House leader or a member of the caucus would stand up and say: Is there leave to consider Bill 203, for instance. Usually that works, but every so often it's led to political disagreements and leave is denied and we've actually had situations where we've lost a whole hour because we couldn't agree on what to happen—what should happen in that hour.

This gives the power to the House leaders of each caucus to call their own bills. And, beyond that, we added in more flexibility so that beyond just calling it, they could actually allocate within that hour, I want to do 20 minutes on this bill and then 40 minutes on another bill. And it gives each House leader the ability to do that on the day that is allotted for their caucus. And those allotments are provided for in other parts of the rules, as well.

And I do have to confess to something here. We very much appreciated the comments and the praise from members earlier about the package put together, but there's actually an error in this proposal. Just in the explanatory notes for item 7, the last bullet point refers to an item that was actually removed from process. So it doesn't invalidate the document in any way; it just—in case you're wondering what that's referring to, that should have been deleted. It's the last bullet that says, in accordance with the proposed rule change to rule 4, but we took out the change to rule 4. So that should have been deleted, so my apologies on that.

In any event, the idea here is that this will provide flexibility to House leaders and allow private members' business to be more productive.

Madam Chairperson: Do the House leaders have any comment?

Item No. 7—pass.

Number 8: Clarification of process following divisions during private members' business.

Clerk: This was a rule that was put in the rules that we've never really adhered to and members really aren't fans of it. It would say that after you have a vote on an issue, or if you've deferred it for a division, you should only go on to the next item of business if there's leave or at least 30 minutes remain in private members' hour. But, again, we've—trying to make private hours—members' hour function more effectively.

This is something that we as a group thought should probably be deleted to make the process move a little bit more smoothly, not be so cumbersome.

Madam Chairperson: Do the House leaders have any comment?

Item No. 8—pass.

Number 9: Clarification of scheduling process for independent-member-selected bills.

Deputy Clerk: So currently there's no specific process identified in the rules governing the scheduling of votes for independent-member-selected bills. There is a provision that it has to happen, but it doesn't say how it should happen.

* (18:20)

So the idea here was to give clarity for both the Government House Leader and for independent members. And so I'll just read through the new rule as it's written.

So this is new rule 24(4): As part of the written notice required in 24(3), an independent member and the Government House Leader or designate must agree on a date and a time for the debate and vote on a selected bill and notify the Speaker in writing. In the event of an impasse, the Speaker shall make a determination as to the scheduling of these debates, and the Government House Leader or designate will announce independent members' private members' bill for debate on Tuesdays.

And that whole process that I just read, that's what all—that is what has happened by practice, we just didn't have it written down. And as is consistent with several other provisions here, it's much better to have it written down and then it's absolutely unambiguous.

Madam Chairperson: Do the House leaders have any comment?

Item 9—pass.

Number 10: Clarification of process for votes on the budget motion and amendments.

Clerk: On the sixth day of debate, we have stacked votes for amendments and subamendments that have been moved to the budget. It's always come up as a lurking question: well, what would happen if in a division on, say, the subamendment, the hour went beyond 5 o'clock? Would you have to rise because it's after the hour of adjournment, or should the House be staying to complete the disposition of the questions on the amendment and then on the main motion? We are putting in the rules for clarity that the House should not adjourn until all those required actions have taken place.

Madam Chairperson: Do the House leaders have any comments?

Item 10—pass.

Number 11: Challenges to rulings on matters of privilege.

The—Mr. Deputy Clerk.

Deputy Clerk: So, again, this is another example where we are codifying something that we already do. So it's adding a codification of existing practice stating that challenges to Speaker's rulings on matters of privilege require the support of at least four members or a House leader. And the wording of this rule is identical to the wording of rule 14(10) which is where a recorded vote must be requested by either a House leader or a member with the support of three other members. So we have the wording uniform because it's the same principle applied in both cases.

Madam Chairperson: Do the House leaders have any comment?

Shall item No. 11 pass?

An Honourable Member: Madam Speaker, on a matter of privilege.

Madam Chairperson: The—Mr. Fletcher, on a matter of privilege.

Hon. Steven Fletcher (Assiniboia): It was a joke.

Madam Chairperson: Okay, threw me right off. Where are we?

Item 11—pass.

Twelve: Clarification of process for votes on the address in reply to the Speech from the Throne and amendments.

Clerk: Similar to the issue I raised a few minutes ago with the disposition of the subamendment and amendment on the budget motion, we have that same issue with the Throne Speech, in that there is generally an amendment and a subamendment moved, and to provide clarity for everybody to understand and know that once we've started the voting process we have to finish putting the question on those three items before the House rises, and that would be on the subamendment, on the amendment and on the main motion.

Madam Chairperson: Do the House leaders have any comment?

Item 12—pass.

Thirteen: Standing committee memberships.

Deputy Clerk: So this is a rule that modernizes the process by which the composition of standing committees is determined. Historically—and I'm pretty sure this rule goes back at least a hundred and thirty or forty years—it was something called a special committee of seven members, which I would refer to affectionately as archaic language. This is—and basically what happens is that special committee of seven members must be appointed and meet and determine the proportional representation of members.

We discovered over the years that there was a few problems with this. Currently, the rule has no provision to address changes in House composition between general elections, first of all. It also—there's no provision to 'relect'—reflect the change in composition intersessionally when the committee of seven cannot report to the House, as was the case this summer when we had a by-election but the House wasn't meeting so we couldn't address committee membership.

So the proposal deletes the committee of seven model and instead assigns determination of standing committee membership composition to the House leaders in co-operation with the Speaker. It also specifies that not all changes in House composition would necessarily mean changes in committee composition. Now, I'll just go through some of the wording of the rule to explain what I mean by this.

So, first of all, it says—this is the new 83(1)—any time the House composition changes—so not just after an election—any time after the House membership changes, House leaders or designates of all recognized parties must meet to consider the representation of members based on the number of seats each recognized party holds in the House to serve on the following standing committees. And then it lists the standing committees.

Then, there has—four subprovisions: (a) if the House leaders or designates determine that a change in composition is required, they must report the new composition in writing to the Speaker—and, again, it says, if they determine there's a change—(b) In the

event of an impasse, the Speaker shall determine standing committee membership composition and report that in writing to members. And I would just add a footnote that this is something you've heard us say a couple of times tonight which is really the most functional way of doing this. In all the cases, we try to let the House leaders sort it out themselves. But if they can't, we have a provision to allow the Speaker to come up with some sort of resolution.

Then, the new standing committee membership—this would be (c)—the new standing committee membership is effective upon receipt by the Speaker of a letter from the House leaders, or in the case of when the Speaker decides, once the Speaker reports to the members. And then that means it can be effective immediately. So if you're in an intersessional period, the—once that paperwork is signed either by the House leaders or the Speaker, then it's effective at that moment.

And then, at the next sitting of the House, the Speaker must table the letter. And that would be the letter either from the House leaders or from her—or he or she—must table the letter documenting the new standing committee membership composition.

So again, this is a modernization. It allows for more flexibility and also a reflection of reality because the special committee of seven members hasn't met in probably my lifetime, so this is just a more modern way to do the same thing that happened then.

Madam Chairperson: Do the House leaders have any comment?

Item No. 13—pass

Does the committee agree that the Amendments to the Rules, Orders and Forms of Proceedings of the

Legislative Assembly of Manitoba, as agreed to by this committee, will come into effect on November 20th, 2018? *[Agreed]*

Agreed and so noted.

Does the committee agree that the Clerk be authorized to renumber the Rules, Orders and Forms of Proceedings of the Legislative Assembly of Manitoba and make other minor corrections that in no way alter the intended meaning of these amendments? *[Agreed]*

Does the committee agree that the Clerk be authorized to prepare revised rulebooks incorporating all amendments, additions and deletions? *[Agreed]*

Does the committee agree that these amendments to the rules are permanent? *[Agreed]*

Does the committee agree that for future reference, a document entitled Legislative Assembly of Manitoba Rule Change Proposals, October 2018, be included at the end of the Hansard transcript of this meeting? *[Agreed]*

Does the committee agree that the Amendments to the Rules, Orders and Forms of Proceedings of the Legislative Assembly of Manitoba, as agreed to by this committee, be reported to the House? *[Agreed]*

The hour being 6:28, what is the will of the committee?

Some Honourable Members: Rise.

Madam Chairperson: Committee rise.

COMMITTEE ROSE AT: 6:29 p.m.

Legislative Assembly of Manitoba Rule Change Proposals – October 2018
(Amendments will come into force on November 20, 2018)

Purpose of Rule Change	New Rules (<u>changes</u>)
<p>1. Definition of Leader of the Official Opposition</p> <ul style="list-style-type: none"> • Correct the omission of the word “Official” in the definition of “the Leader of the Opposition”. • Correct the section reference from The Legislative Assembly Act. 	<p>Definitions</p> <p>1(3) In these <i>Rules, Orders and Forms of Proceedings of the Legislative Assembly</i></p> <p>(g) “the Leader of the Official Opposition” means the Member recognized by the Speaker as occupying the position of Leader of the Official Opposition, pursuant to section <u>52.16</u> of <i>The Legislative Assembly Act</i>;</p>
<p>2. Details required for concluding the “Business of Supply”</p> <ul style="list-style-type: none"> • Currently there is a provision in the rules stating that the Business of Supply (including BITSA) must be concluded by the end of the Fall Sitting period, but there are no specific enforcement procedures included. • For clarity, this change would correct that omission. 	<p>Sitting periods</p> <p>2(1) [6th Paragraph]</p> <p><u>On the last Thursday sitting prior to the Remembrance Day Week, the House will not adjourn until the questions have been put and Royal Assent granted for the following items:</u></p> <p>(a) <u>the Designated Bills;</u></p> <p>(b) <u>the Business of Supply set out in sub-rule 76(1) including <i>The Loan Act</i> and <i>The Appropriation Act</i>; and</u></p> <p>(c) <u><i>The Budget Implementation and Tax Statutes Amendment Act</i>.</u></p> <p><u>Any remaining steps for these items not dealt with 60 minutes prior to the usual adjournment hour will have all remaining questions put to a vote following the provisions outlined in sub-rules (21), (23) and (23.1).</u></p> <p><u>Actions to Complete the Business of Supply</u></p> <p>2(23.1) <u>If the required actions for the Business of Supply taking place in the Committee of Supply, Committee of the Whole or in the House have not been completed by the last Thursday sitting prior to the Remembrance Day Week, the following provisions are to apply:</u></p> <p>(a) <u>if Routine Proceedings has not concluded 90 minutes prior to the usual adjournment hour, the Speaker must terminate Routine Proceedings and proceed to Orders of the Day;</u></p> <p>(b) <u>if not already in Committee of Supply or Committee of the Whole 60 minutes prior to the usual adjournment hour, the House must resolve into Committee of Supply or Committee of the Whole;</u></p> <p>(c) <u>Sixty minutes prior to the usual adjournment hour the Chairperson or the Speaker will interrupt debate and put the questions on all remaining items with no further debate or amendment;</u></p> <p>(d) <u>Matters of Privilege and Points of Order will be held until all votes are completed;</u></p> <p>(e) <u>Despite sub-rule 14(4), divisions on these items cannot be deferred.</u></p>

**Legislative Assembly of Manitoba Rule Change Proposals – October 2018
(Amendments will come into force on November 20, 2018)**

Purpose of Rule Change	New Rules (<u>changes</u>)
<p>3. Timing of Second Reading Question Period on Specified Bill deadline days</p> <ul style="list-style-type: none"> • Change the timing of the 2R question period on these days to follow the same process as a regular sitting day, with the QP after the sponsor's speech. • Clarify that following the assigned speeches, the debate is concluded, pending 2R Completion Day. • Clarify provisions for debate on Bills which have had 2R moved previously and received some debate. 	<p>Second Reading moved for Specified Bills</p> <p>2(10) On the same sitting day identified in sub-rule (9), and after Bills have been designated by the Opposition parties, the House is to not see the clock until the Second Reading motions have been moved for <u>all Specified Bills</u>.</p> <p>(a) <u>For each Specified Bill that has not yet been called for debate by this day, debate shall proceed as follows:</u></p> <ol style="list-style-type: none"> <u>the Minister may speak for a maximum of 10 minutes;</u> <u>a question period of up to 15 minutes may occur according to the provisions of sub-rule 137(5);</u> <u>Critics and each Independent Member may speak for a maximum of 10 minutes; and</u> <u>the debate shall then be concluded for that day, pending Second Reading Completion Day as per 2(11).</u> <p>(b) <u>For each Specified Bill that has been called for debate previously, debate shall proceed as follows:</u></p> <ol style="list-style-type: none"> <u>any Members identified in 2(10)(a) who have not yet spoken in the debate shall be afforded the opportunity to speak;</u> <u>if the question period has not yet occurred, it shall take place as described in paragraph (a)(ii); and</u> <u>if the question period was previously interrupted, it shall continue as described in paragraph (a)(ii), and;</u> <u>the debate shall then be concluded for that day, pending Second Reading Completion Day as per 2(11).</u>
<p>4. Clarification of timing for interruptions on Specified Bill deadline days</p> <ul style="list-style-type: none"> • Change the 3:30 p.m. and 4:00 p.m. references to 90 minutes and 60 minutes before the daily adjournment hour, in the event that a deadline day falls on a Friday when the House adjourns at 12:30. • Address the contradiction between 2(15)(c) and 2(10) 2(14) regarding whether or not debate is allowed on a 2R or C/3R deadline day. 	<p>Actions to complete Second Reading, Report Stage and Concurrence and Third Reading of Specified Bills</p> <p>2(15) If the actions referred to in sub-rules (11), (13) and (14) have not been completed by the noted date, the following provisions are to apply:</p> <ol style="list-style-type: none"> the House will not adjourn on that day until the Speaker has put all the applicable questions on all Specified Bills; <u>if Routine Proceedings has not concluded 90 minutes prior to the usual adjournment hour, the Speaker must terminate Routine Proceedings and proceed to Orders of the Day;</u> <u>Sixty minutes prior to the usual adjournment hour the Speaker will interrupt debate and put all questions on the remaining Bills with no further debate or amendment, except for the debate provisions allowed under 2(10) and 2(14);</u> Matters of Privilege and Points of Order will be deferred until all votes are completed; despite sub-rule 14(4), divisions on these Specified Bills cannot be deferred; <u>if a deadline day falls on a Friday sitting during the debate on the Budget Motion, the provisions of sub-rules (b) and (c) shall proceed as follows:</u> <ol style="list-style-type: none"> <u>The Speaker must terminate Routine Proceedings immediately upon conclusion of Oral Questions.</u> <u>Thirty minutes after the conclusion of Oral Questions the Speaker will interrupt debate and put all questions on the remaining Bills with no further debate or amendment, except for the debate provisions allowed under 2(10) and 2(14).</u>

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Purpose of Rule Change	New Rules (<u>changes</u>)
<p>5. Timing of Second Reading Question Period on Designated Bill deadline days</p> <ul style="list-style-type: none"> • Change the timing of the 2R question period on these days to follow the same process as a regular sitting day, with the QP after the sponsor's speech. • Clarify provisions for debate on Bills which have had 2R moved previously and received some debate. 	<p>Designated Bills Second Reading Completion Day for Designated Bills 2(17) Within two sitting days of the session resuming, the question for Second Reading of Designated Bills must be put. Emergency recall sittings are exempt from this provision.</p> <p>(a) <u>For each Designated Bill that has not yet been called for debate by this day, debate shall proceed as follows before the question is put:</u></p> <ol style="list-style-type: none"> <u>the Minister may speak for a maximum of 10 minutes;</u> <u>a question period of up to 15 minutes may occur according to the provisions of sub-rule 137(5); and</u> <u>Critics and each Independent Member may speak for a maximum of 10 minutes.</u> <p>(b) <u>For each Designated Bill that has been called for debate previously, debate shall proceed as follows before the question is put:</u></p> <ol style="list-style-type: none"> <u>any Members identified in 2(17)(a) who have not yet spoken in the debate shall be afforded the opportunity to speak;</u> <u>if the question period has not yet occurred, it shall take place as described in paragraph (a)(ii); and</u> <u>if the question period was previously interrupted, it shall continue as described in paragraph (a)(ii).</u>
<p>6. Clarification of timing for interruptions on Designated Bill deadline days</p> <ul style="list-style-type: none"> • Change the references to 3:30 p.m. and 4:00 p.m. to 90 minutes and 60 minutes before the daily adjournment hour, in the event that a deadline day falls on a Friday when the House adjourns at 12:30. • Address the contradiction between 2(21)(c) and 2(17) 2(20) regarding whether or not debate is allowed on a 2R or C/3R deadline day. 	<p>Actions to complete Second Reading, Report Stage and Concurrence and Third Reading of Designated Bills 2(21) If the actions referred to in sub-rules (17), (19) and (20) have not been completed by the noted date, the following provisions are to apply:</p> <p>(a) the House will not adjourn on that day until the Speaker has put all the applicable questions on all Designated Bills;</p> <p>(b) <u>if Routine Proceedings has not concluded 90 minutes prior to the usual adjournment hour, the Speaker must terminate Routine Proceedings and proceed to Orders of the Day;</u></p> <p>(c) <u>Sixty minutes prior to the usual adjournment hour the Speaker will interrupt debate and put all questions on the remaining Bills with no further debate or amendment, except for the debate provisions allowed under 2(17) and 2(20);</u></p> <p>(d) Matters of Privilege and Points of Order will be deferred until all votes are completed;</p> <p>(e) Despite sub-rule 14(4), divisions on these Specified Bills cannot be deferred.</p>
<p>7. Authorizing House Leaders to call Private Members' Bills for debate</p> <ul style="list-style-type: none"> • Rather than requiring leave to consider Bills 	<p>Private Members' Business 23(4) Subject to sub-rule 4(3), Private Members' Business shall be considered as follows when the House sits on Tuesdays and Thursdays:</p> <p>Tuesday: 10:00 a.m. to 11:00 a.m. (Private Members' Hour)</p>

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Purpose of Rule Change

New Rules (changes)

during the first hour of Private Members' Business, this provision allows House Leaders to call Bills for debate on Tuesdays and Thursdays in the first hour of PMB.

- These provisions further allow the House Leaders to call more than one Bill for debate, and also allocate blocks of time for consideration of each Bill within the first Hour of Private Members' Business.
- This change would also update the order of business for each PMB hour.

Private Bills
Public Bills
Motions

11:00 a.m. to 12:00 noon (Private Members' Hour)

Private Members' Resolutions
Motions

Thursday:

10:00 a.m. to 11:00 a.m. (Private Members' Hour)

Public Bills
Private Bills
Motions

11:00 a.m. to 12:00 noon (Private Members' Hour)

Private Members' Resolutions
Motions

Deferred votes from previous Tuesday Private Members' Business at 11:55 a.m.

Sequence of Private Members' Bills

23(4.1) Private Members' Private Bills and Private Members' Public Bills shall be called in the following sequence as listed on the *Order Paper*:

- (a) Report Stage;
- (b) Debate on Report Stage;
- (c) Concurrence and Third Readings;
- (d) Debate on Concurrence and Third Readings;
- (e) Second Readings;
- (f) Debate on Second Readings.

When a Private Member's Public Bill or Private Bill is called for debate and is not disposed of within that hour, it shall be placed on the bottom of the list of Bills of that type on the *Order Paper*.

House Leaders Authorized to announce Private Members' Bills for debate

23(4.2) House Leaders of Recognized Parties have the authority to announce Private Members' Bills sponsored by Members of their own Caucuses for debate in the first Hour of Private Members' Business. The House Leaders are further authorized to call more than one Private Members' Bill for debate during that hour, and may allocate blocks of time for consideration of each Bill within the first Hour of Private Members' Business.

- (a) On Tuesday mornings the Government House Leader or designate shall announce Private Members' Bills for debate.
- (b) On Thursday mornings the Official Opposition House Leader or designate, or the House Leaders or designates of other Recognized Opposition Parties, shall announce Private Members' Bills for debate.
- (c) If there is more than one Recognized Opposition Party:
 - i. The House Leaders or designates of all Recognized Opposition Parties must submit to the Speaker a written agreement on dividing time on Thursday mornings.
 - ii. In the event of an impasse the Speaker shall make a determination as to this division of time.

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Purpose of Rule Change	New Rules (<u>changes</u>)
<p>8. Clarification of process following divisions during Private Members' Business</p> <ul style="list-style-type: none"> This rule is deleted, eliminating the requirement for leave to proceed to another item of business if there are less than 30 minutes remaining in a PMB hour after a vote. 	<p><u>Subrule 23(7) is deleted</u></p>
<p>9. Clarification of scheduling process for Independent Member Selected Bills</p> <ul style="list-style-type: none"> Currently there is no specific process identified in the rules governing the scheduling of votes for Independent Member Selected Bills – this proposal would add a specific provision to govern this process. 	<p>Selected Bills</p> <p>24(1) Each Recognized Party may select up to three Private Members' Bills per session to proceed to a Second Reading <u>debate and</u> vote.</p> <p>Bills to proceed to a Second Reading vote</p> <p>24(2) Each Independent Member may select one Private Members' Bill per session to proceed to a Second Reading <u>debate and</u> vote, and despite Rule 69(1), an Independent Member will not require a seconder to move each Reading motion for their selected Private Members' Bill.</p> <p>Written notice</p> <p>24(3) Written notice of each selected Bill, indicating the sitting day and time when the <u>debate and</u> vote will occur, must be provided to the Speaker by the Government House Leader (or designate) and the Independent Member no later than two weeks prior to the scheduled end of the Fall Sitzings.</p> <p><u>Scheduling Independent Members' Selected Bills</u></p> <p>24(4) <u>As part of the written notice required in 24(3), an Independent Member and the Government House Leader or designate must agree on a date and time for the debate and vote on the selected Bill, and notify the Speaker in writing of the details.</u></p> <p>(a) <u>In the event of an impasse, the Speaker shall make a determination as to the scheduling of these debates.</u></p> <p>(b) <u>The Government House Leader or designate will announce Independent Members' Private Members' Bills for debate on Tuesdays.</u></p>

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Purpose of Rule Change	New Rules (<u>changes</u>)
<p>10. Clarification of process for votes on the Budget Motion and amendments</p> <ul style="list-style-type: none"> • To codify that the long-standing practice that the House shall not rise on the last day of the budget debate until all questions have been put. • This is the same type of wording used for sessional calendar deadlines. 	<p>Disposal of questions 34(7) On the sixth of the six days, at 30 minutes before the <u>usual adjournment hour</u>, unless debate has previously been concluded, the Speaker shall interrupt the proceedings and forthwith put every question necessary to dispose of the main motion, and any amendments thereto. <u>The House shall not adjourn until all the required actions have taken place.</u></p> <p>Termination of debate 34(10) On the eighth sitting day after the main motion has been moved, at 30 minutes before the <u>usual adjournment hour</u>, unless debate has previously been concluded, the Speaker shall interrupt the proceedings and forthwith put every question necessary to dispose of the main motion, and any amendments thereto. The Speaker shall not hear Points of Order or Matters of Privilege until all questions relating to this debate have been disposed of. <u>The House shall not adjourn until all the required actions have taken place.</u></p>
<p>11. Challenges to Rulings on Matters of Privilege</p> <ul style="list-style-type: none"> • Adding a codification of existing practice stating that challenges to Speaker’s Rulings on Matters of Privilege require the support of at least four Members. 	<p><u>Rulings subject to challenge</u> 36(3) <u>The Speaker shall determine if a prima facie case of privilege has been established and provide the House with a rationale for this decision. Rulings of the Chair dealing with Matters of Privilege may be challenged by:</u></p> <p align="center">(a) <u>a House Leader from a Recognized Party; or</u></p> <p align="center">(b) <u>any Member with the support of three other Members.</u></p>
<p>12. Clarification of process for votes on the Address in Reply to the Speech from the Throne and amendments</p> <ul style="list-style-type: none"> • To codify that the long-standing practice that the House shall not rise on the last day of Throne Speech debate until all questions have been put. • This is the same type of wording used for sessional calendar deadlines. 	<p>Disposal of questions 47(3) On the sixth of the six days, at 30 minutes before the <u>usual adjournment hour</u>, unless debate has previously been concluded, the Speaker shall interrupt the proceedings and forthwith put every question necessary to dispose of the main motion, and any amendments thereto. <u>The House shall not adjourn until all the required actions have taken place.</u></p> <p>Termination of debate 47(6) On the eighth sitting day after the main motion has been moved, at 30 minutes before the <u>usual adjournment hour</u>, unless debate has previously been concluded, the Speaker shall interrupt the proceedings and forthwith put every question necessary to dispose of the main motion, and any amendments thereto. The Speaker shall not hear Points of Order or Matters of Privilege until all questions relating to this debate have been disposed of. <u>The House shall not adjourn until all the required actions have taken place.</u></p>

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Purpose of Rule Change	New Rules (<u>changes</u>)
<p>13. Standing Committee Membership</p> <ul style="list-style-type: none"> • Currently this rule has no provision to address changes in the House composition between general elections. • Also, there is no provision to reflect a change in composition intersessionally when the Committee of Seven cannot report to the House. • This proposal deletes the Committee of Seven model and instead assigns determination of Standing Committee membership composition to the House Leaders, in cooperation with the Speaker. 	<p>Standing Committees</p> <p>83(1) At the beginning of the first session of each Legislature, <u>or anytime the composition of the House membership changes, the House Leaders or designates of all Recognized Parties must meet to consider the representation of Members – based on the number of seats each Recognized Party holds in the House – to serve on the following Standing Committees of the House:</u></p> <ul style="list-style-type: none"> Agriculture and Food Crown Corporations Human Resources Intergovernmental Affairs Justice Legislative Affairs Private Bills Public Accounts Rules of the House Social and Economic Development Statutory Regulations and Orders <ul style="list-style-type: none"> (a) <u>If the House Leaders or designates determine that a change in Standing Committee membership composition is required, they must report the new composition in writing to the Speaker.</u> (b) <u>In the event of an impasse, the Speaker shall determine Standing Committee membership composition and report that in writing to all Members.</u> (c) <u>The new Standing Committee membership composition is effective upon receipt by the Speaker of a letter from the House Leaders, or in the case of sub rule 83(1)(b), once the Speaker reports to all Members.</u> (d) <u>At the next sitting of the House the Speaker must table the letter documenting the new Standing Committee membership composition.</u>

The Legislative Assembly of Manitoba Debates and Proceedings
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<http://www.gov.mb.ca/legislature/hansard/hansard.html>