

TO THE HONOURABLE THE LEGISLATIVE ASSEMBLY OF MANITOBA

Your Standing Committee on Rules of the House presents the following as its First Report.

Meetings

Your Committee met on October 12, 2021 at 6:30 p.m. in Room 254 of the Legislative Building.

Matters under consideration

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

Committee Membership

- Hon. Mrs. DRIEDGER (*Chairperson*)
- Ms. FONTAINE
- Hon. Mr. GERRARD
- Hon. Mr. GOERTZEN
- Hon. Mr. HELWER
- Mr. ISLEIFSON
- Mr. JOHNSTON
- Mr. LAGASSÉ
- Mr. LINDSEY
- Hon. Mr. SCHULER
- Mr. WASYLIW

Your Committee elected Mr. ISLEIFSON as the Vice-Chairperson.

Officials Speaking on Record

- Ms. Patricia Chaychuk, Clerk of the Legislative Assembly of Manitoba
- Mr. Rick Yarish, Deputy Clerk of the Legislative Assembly of Manitoba

Amendments to Rules Considered and Reported

At the October 12, 2021 meeting your committee agreed to report the following amendments to the *Rules, Orders and Forms of Proceedings of the Legislative Assembly of Manitoba*:

THAT the Rules, Orders and Forms of Proceedings of the Legislative Assembly of Manitoba be amended as follows:

THAT the words “his or her” be replaced wherever they occur in the English version with the word “their”.

THAT the words “he or she” be replaced wherever they occur in the English version with the word “they”.

THAT the words “himself or herself” be replaced wherever they occur in the English version with the word “themselves”.

THAT sub-rule 1(3) be amended by

- (a) removing all the paragraph references (a), (b), etc. that appear prior to each defined term; and*
- (b) adding the following definitions are added in alphabetical order*

“Committee of the Whole House” refers to the Committee of the Whole and to the Committee of Supply;

“Critic” means a Member of a Recognized Opposition Party designated by that party as a Critic for a government department or a specific area;

THAT the fourth paragraph of sub-rule 2(1) be repealed and replaced with the following:

If the day of the week on which Remembrance Day falls prevents the House from sitting for 17 days in the Fall Sittings period, the House shall begin the Fall Sittings on the last Wednesday in September.

THAT sub-rule 2(8) be repealed and replaced with the following:

Specified Government Bills

2(8) In order for a Government Bill to be identified as specified, the following actions must take place:

- (a) First Reading must be moved no later than the twentieth sitting day after presentation of the Throne Speech;
- (b) Second Reading must be moved no later than the fourteenth sitting day after the First Reading Completion Day for Specified Bills;
- (c) the Bill has not been included on the list of Designated Bills tabled by the Official Opposition in accordance with sub-rule (9).

Opposition Bills cannot be specified or designated.

THAT sub-rule 14(4) be repealed and replaced with the following:

Deferral

14(4) Despite sub-rule (3), and after consulting with the Whips from all Recognized Parties, the Speaker may direct that a division be deferred to a specific time set by the Speaker, unless otherwise stated in these rules.

THAT sub-rule 18(1) be repealed and replaced with the following:

Naming of a Member for an offence in the House

18(1) The Speaker shall be vested with the authority to maintain order:

- (a) by naming individual Members for disregarding the authority of the Chair, and;
- (b) by ordering the withdrawal of a Member from the Chamber for the remainder of the sitting day, despite Rule 15.

In the event of a Member disregarding an order of the Chair, the Speaker shall order the Sergeant-at-Arms to escort the Member out of the Chamber.

THAT sub-rules 23(7) and 23(8) be repealed and replaced with the following:

Divisions during Private Members' Business

23(7) Any division requested during Private Members' Business on Tuesday or Thursday must be deferred to 11:55 a.m. on the Thursday of the same week, and shall not be further deferred.

Order for Divisions

23(8) Except by unanimous consent, in situations where multiple deferred divisions are scheduled for the same day, the Speaker shall call the votes in the following sequence:

- (a) divisions deferred from the Tuesday Private Members' Business, in the order they were requested;
- (b) divisions deferred from the Thursday Private Members' Business, in the order they were requested.

For any division that takes place in accordance with this sub-rule the division bells shall ring for no more than five minutes, and the House will not recess until all deferred divisions are completed.

THAT the following be added after sub-rule 27(2):

Including names in Hansard Transcript

27(3) If a Member indicates that they wish to include in the Hansard transcript the names of individuals referenced in their statement, up to 50 names will be permitted and printed. Members are responsible for the accuracy of their lists, which must be in a legible form and be provided to Hansard before 5:00 p.m. on the same sitting day the Statement is read in the House.

THAT sub-rules 31(1) and (2) are repealed and replaced with the following:

Precedence generally

31(1) All items standing on the Orders of the Day, except Government Business, shall be taken up according to the precedence assigned to each on the *Order Paper*.

Precedence of Government Business

31(2) When Government Business has precedence, items of Government Business and Private Members' Business may be called in such sequence as the Government determines.

THAT sub-rule 34(9) be repealed and replaced with the following:

Exceptions

34(9) The 20-minute limit does not apply to:

- (a) Leaders of Recognized Parties;
- (b) a Minister moving the Budget motion.

A Leader who has not yet spoken in this debate may, by giving written notice to the Speaker before speaking in the debate, designate one Member who may speak in the debate with unlimited time. In this instance, the 20-minute limit will then apply to the Leader.

THAT sub-rules 44(1) and (2) are repealed and replaced with the following:

30-minute limit

44(1) Unless otherwise stated in these Rules, no Member may speak for more than 30 minutes in any debate.

Exceptions

44(2) The 30-minute limit does not apply to:

- (a) the Leader of the Government or of a Recognized Opposition Party;
- (b) a Minister moving a motion;
- (c) a Member moving a motion of "no confidence in the Government", or the Minister replying to the motion.

A Leader of a Recognized Party who has not yet spoken in a debate may, by giving written notice to the Speaker before speaking in the debate, designate one Member who may speak in the debate with unlimited time. In this instance, the 30-minute limit will then apply to the Leader.

THAT sub-rule 75(1) be repealed and replaced with the following:

Rules observed in a Committee of the Whole House

75(1) The Rules shall be observed in a Committee of the Whole House, insofar as they are applicable, except the Rules requiring seconding of motions, limiting the number of times a Member may speak, and requiring Members to rise to speak.

THAT sub-rule 75(3) be repealed and replaced with the following:

Speeches in Committee of the Whole House

75(3) Speeches in the Committee of the Whole House shall not exceed five minutes and must be strictly relevant to the item or clause under discussion.

THAT sub-rule 75(4) be repealed and replaced with the following:

Order in a Committee of the Whole House

75(4) The Chairperson of a Committee of the Whole House shall maintain order and decide all questions of order, without appeal. Subject to Rule 18(2), disorder in a Committee of the Whole House may be censured by the House only after it has received a report on the disorder.

THAT sub-rule 75(5) be repealed and replaced with the following:

Officials in the Committee of Supply

75(5) During the consideration of Departmental Estimates in the Committee of Supply, officials of the Government and of a Recognized Opposition Party as required by a Minister or a Critic may be

admitted to the Legislative Chamber. They must be seated at a table placed in front of the Minister or Critic. This sub-rule does not apply during opening statements or the debate on a Minister's salary.

THAT sub-rule 76(1) be repealed and replaced with the following:

Business of Supply

76(1) The business of supply for a fiscal year consists of:

- (a) motions to concur in interim supply, main and capital estimates and supplementary or final estimates;
- (b) motions to reduce, restore or reinstate any item in the estimates;
- (c) motions to introduce supply Bills or to pass them at any stage.

THAT sub-rule 76(5) be repealed and replaced with the following:

When time limit expires

76(5) If the business of supply to which the 100-hour limit applies has not been completed when that limit expires, the Chairpersons of a Committee of the Whole House shall immediately put all questions necessary to dispose of the remaining matters. These questions are not subject to debate, amendment or adjournment.

THAT sub-rules 77(1) and (2) be repealed and replaced with the following:

Speeches in Committee of Supply

77(1) With the exception of opening statements, speeches in the Committee of Supply shall not exceed five minutes and must be strictly relevant to the item under discussion.

Opening statements

77(2) Opening statements from Ministers and Critics shall not exceed 10 minutes.

THAT sub-rule 77(3) be repealed and replaced with the following:

Seating in Chamber section of the Committee of Supply

77(3) During Committee of Supply Sittings in the Chamber, the Minister presenting their estimates and the Critic of that Minister's department, as well as any other Member participating in the debate, shall be permitted to speak from a place in the front row benches in the Chamber.

THAT sub-rule 77(9) be repealed and replaced with the following:

Changes to estimates sequence

77(9) Changes to the estimates sequence may be made only by written agreement of the House Leaders of all Recognized Parties. The Government House Leader shall table the revised estimates sequence in the House or in the Committee of Supply. If the revised sequence is tabled in the Committee of Supply, the Chairperson must report the change to the House on the next sitting day during Committee Reports.

THAT sub-rule 77(13) be repealed and replaced with the following:

Committee of Supply sitting on Fridays

77(13) When the Committee of Supply sits on a Friday:

- (a) no request for a quorum count is permitted;
- (b) a motion for the Committee to rise may only be decided on a voice vote;
- (c) a request for a recorded vote on any question with the exception of a motion for the Committee to rise must:
 - (i) be deferred to the next Sitting of the Committee of Supply and be considered then as the first item of business,
 - (ii) not be further deferred;
- (d) after a formal vote has been deferred, that section of the Committee must rise.

After the Committee of Supply rises on a Friday, no other business may be called in the House.

THAT sub-rule 77(16) be repealed and replaced with the following:

Considering departmental estimates

77(16) During the consideration of departmental estimates:

- (a) questioning for each department shall proceed in a global manner, with questions put separately on all resolutions once the Official Opposition Critic indicates that questioning has concluded;
- (b) if the first resolution for the department contains the Minister's salary, that resolution shall be deferred until all other resolutions have had their questions put;
- (c) line items do not need to be passed, but they may be called for the purpose of asking questions or moving amendments.

THAT sub-rule 78(1) be repealed and replaced with the following:

Concurrence motion in Committee of Supply

78(1) After all supply resolutions have been considered, including the resolution respecting the Capital Supply Bill, a concurrence motion must be moved in the Committee of Supply sitting as a full Committee in the Chamber.

THAT rule 80 be repealed.

THAT sub-rule 133(4) be repealed and replaced with the following:

Petition to be examined

133(4) The Clerk must examine each petition filed by a Member to ensure that it complies with these Rules and conforms to the practices and privileges of the House.

If the Clerk is satisfied that it does, the Member's name is to be printed on the next day's *Order Paper* under "Petitions". If the Clerk is not satisfied, the petition is to be returned to the Member.

THAT sub-rule 139(7) be repealed.

THAT sub-rule 139(10) be repealed and replaced with the following:

Limitation on debate

139(10) Members are limited to 10 minute speeches during Report Stage, except for Leaders of Recognized Parties who may speak for 30 minutes.

THAT sub-rule 139(11) be repealed and replaced with the following:

Grouping amendments

139(11) Upon receipt of a written request from an amendment's sponsor, the Speaker shall select and group amendments for consideration at Report Stage based on their content and their position in the Bill, in accordance with the following criteria:

- (a) amendments which could form the subject of a single debate are grouped according to content if, once adopted, they would have the same effect in different parts of the Bill or if they relate to the same provision or similar provisions of the Bill;
- (b) amendments are combined according to the location at which they are to be inserted in the Bill when they relate to the same clause or clauses.

Amendments so grouped will then be moved consecutively, be the subject of a single debate, and have the questions put and decided collectively.

THAT Appendix D is amended in the heading by adding "DAY" after "BUDGET".

**APPENDIX D
FINANCIAL PROCEDURE GUIDE
BUDGET DAY PROCEDURE**

THAT Appendix D is amended by replacing item 6. of the Budget Procedure of the English version with the following:

6. **Finance Minister** advises the Speaker that there are two messages from the Lieutenant Governor.

THAT Appendix D is amended by repealing the MAIN AND CAPITAL SUPPLY PROCEDURE and replacing it with the following:

MAIN AND CAPITAL SUPPLY PROCEDURE

1. **Government House Leader** moves Concurrence Motion and Committee of Supply considers it (debatable motion - 100 hour time limit does not apply).
2. **Chairperson of the Committee of Supply** presents the report of the Committee to the House and moves that it be received (not debatable).
3. **Government House Leader** moves Concurrence Motion in the House (cannot be debated, amended or adjourned).
4. **House** considers and adopts motion regarding The Loan Act (no notice required).
5. **House** considers and adopts motion regarding The Appropriation Act (no notice required).
6. **Finance Minister** moves First Reading of The Appropriation Act (may not be debated, amended or adjourned).
7. **Finance Minister** moves First Reading of The Loan Act (may not be debated, amended or adjourned).
8. **House staff** distributes copies of the The Appropriation Act, and The Loan Act, immediately after adoption of each First Reading Motion.
9. **Finance Minister** moves Second Reading of The Appropriation Act, and referral to a Committee of this House (debatable motion – may be agreed to without debate or adjourned).
10. **Finance Minister** moves Second Reading of The Loan Act, and referral to a Committee of this House (debatable motion - may be agreed to without debate or adjourned).
11. **Speaker** announces that the House will resolve into Committee of the Whole to consider and report on The Loan Act, and The Appropriation Act, for Concurrence and Third Reading.
12. **Committee of the Whole** considers The Loan Act, and The Appropriation Act (debatable matter, but no debate if 100 hour time limit has expired).
13. **Chairperson of the Committee of the Whole House** presents report of the Committee to the House and moves that it be received (not debatable).
14. **Finance Minister** moves Concurrence and Third Reading of The Loan Act (debatable motion – may be agreed to without debate or adjourned).
15. **Finance Minister** moves Concurrence and Third Reading of The Appropriation Act (debatable motion – may be agreed to without debate or adjourned).
16. **Lieutenant Governor** gives Royal Assent to The Loan Act, and The Appropriation Act.

THAT Appendix E be repealed and replaced with the following:

APPENDIX E

SPEAKING TIMES

Rule	Debate	Speaking Time	Notes
34(8) 34(9)	Budget Debate	20 minutes	<ul style="list-style-type: none"> ▪ Unlimited speaking time for: <ul style="list-style-type: none"> ○ Leader of Recognized Parties (may be transferred) ○ Minister moving the Budget motion
51(2)	Closure Motion – after adoption of motion	30 minutes	<ul style="list-style-type: none"> ▪ No Member shall speak more than once in any adjourned debate
77(1)	Committee of Supply	5 minutes	<ul style="list-style-type: none"> ▪ Member may speak more than once
77(2)	Committee of Supply – Opening Statement	10 minutes	<ul style="list-style-type: none"> ▪ Minister and Critics
75(3)	Committee of the Whole	5 minutes	<ul style="list-style-type: none"> ▪ Member may speak more than once

Rule	Debate	Speaking Time	Notes
44(1) 44(2) 44(5) 139(15)	Concurrence and Third Reading – Government Bills	30 minutes	<ul style="list-style-type: none"> ▪ Unlimited speaking time for: <ul style="list-style-type: none"> ○ Leaders of Recognized Parties (may be transferred) ○ Minister moving the Concurrence and Third Reading motion (may speak first or at the end of the debate) ▪ Member may divide speaking time equally with another Member of same party
2(20)	Concurrence and Third Reading – Government Designated Bills (Completion Date)	10 minutes	<ul style="list-style-type: none"> ▪ Minister, Critics and each Independent Member
2(14)	Concurrence and Third Reading – Government Specified Bills (Completion Date)	10 minutes	<ul style="list-style-type: none"> ▪ Minister, Critics and each Independent Member
78(3)	Concurrence Motion	10 hours	<ul style="list-style-type: none"> ▪ Minimum debate of 10 hours on the Concurrence Motion moved in Committee of Supply.
62(3)	Condolence Motion	-	<ul style="list-style-type: none"> ▪ Speaking time limits do not apply
135	First Reading of Bills	30 seconds	<ul style="list-style-type: none"> ▪ Mover of motion
29(2)	Grievances	10 minutes	<ul style="list-style-type: none"> ▪ Member may raise only one grievance per session
38(4)	Matters of Urgent Public Importance – Debate of	10 minutes	<ul style="list-style-type: none"> ▪ If debate proceeds all Members have 10 minutes. ▪ Total debate shall not exceed two hours.
38(2)	Matters of Urgent Public Importance – Explanation of	10 minutes	<ul style="list-style-type: none"> ▪ Member has 10 minutes to explain why debate should proceed. ▪ One Member from each recognized party may respond for 10 minutes.
27(1)	Member’s Statements	2 minutes	<ul style="list-style-type: none"> ▪ Up to five Members each sitting day
26(3)	Ministerial Statements	-	<ul style="list-style-type: none"> ▪ No time limit for Minister ▪ Replies must not exceed Minister’s time
44(1) 44(2) 44(5) 60(1)	Motions or Resolutions – Government	30 minutes	<ul style="list-style-type: none"> ▪ Unlimited speaking time for: <ul style="list-style-type: none"> ○ Leader of Recognized Parties (may be transferred) ○ Minister moving a motion ○ Member making a “no confidence in the government” motion ○ Minister replying to the “no confidence in the government” motion ▪ Member may divide speaking time equally with another Member of same party ▪ Right of reply for Minister who moved a substantive motion.
30(8)	Opposition Day Motion	10 minutes	<ul style="list-style-type: none"> ▪ Up to three sitting days in each session ▪ Only one designated during any week
28(3)	Oral Questions	60 seconds 45 seconds	<ul style="list-style-type: none"> ▪ Questions & answers for Leader of Recognized Parties ▪ Questions & answers for other Member & Minister ▪ Oral Questions shall not exceed 40 minutes
44(3)	Private Member’s Business – Bills, Resolutions, Motions	10 minutes	<ul style="list-style-type: none"> ▪ May be considered during Government Business time ▪ Considered on Tuesdays and Thursdays mornings

Rule	Debate	Speaking Time	Notes
23(9)	Private Members' Bills – Question Period	45 seconds	<ul style="list-style-type: none"> ▪ For all questions & answers ▪ Question period shall not exceed 10 minutes ▪ Only one question for each Independent Member ▪ Only applicable at Second Reading
33(6)	Private Members' Resolutions – Question Period	45 seconds	<ul style="list-style-type: none"> ▪ For all questions & answers ▪ Question period shall not exceed 10 minutes and does count as part of the three hours of debate time.
139(10)	Report Stage Amendments	10 minutes	30 minutes for: <ul style="list-style-type: none"> ▪ Premier ▪ Leader of Recognized Parties
44(1) 44(2) 44(5) 60(1)	Second Reading – Government Bills	30 minutes	<ul style="list-style-type: none"> ▪ Unlimited speaking time for: <ul style="list-style-type: none"> ○ Leader of Recognized Parties (may be transferred) ○ Minister moving the Second Reading motion ▪ Member may divide speaking time equally with another Member of same party ▪ Right of reply for Minister who moved Second Reading motion
137(5)	Second Reading – Government Bills – Question Period	45 seconds	<ul style="list-style-type: none"> ▪ For all questions & answers ▪ Question period shall not exceed 15 minutes
2(17)	Second Reading – Government Designated Bills (Completion Date)	10 minutes	<ul style="list-style-type: none"> ▪ Minister, Critics and each Independent Member ▪ Question period shall not exceed 15 minutes
2(10)	Second Reading – Government Specified Bills (Completion Date)	10 minutes	<ul style="list-style-type: none"> ▪ Minister, Critics and each Independent Member ▪ Question period shall not exceed 15 minutes
87(2) 92(2)	Standing & Special Committees	10 minutes	<ul style="list-style-type: none"> ▪ Member may speak more than once ▪ Presenters get 10 minutes to make their presentation ▪ Questions from Member shall not exceed 30 seconds
47(4) 47(5)	Throne Speech Debate	20 minutes	<ul style="list-style-type: none"> ▪ Unlimited speaking time for: <ul style="list-style-type: none"> ○ Leader of Recognized Parties (may be transferred)
50(2)	Time Allocation on Government Bills or Government Motions	10 minutes	Restrictions on who can speak: <ul style="list-style-type: none"> ▪ Government House Leader ▪ Minister moving the motion ▪ One Member from each Recognized Opposition Party may respond

Agreements

Your Committee reached the following agreements during the meeting on October 12, 2021:

- THAT these amendments to the *Rules, Orders and Forms of Proceedings of the Legislative Assembly of Manitoba* come into force at the commencement of the Fourth Session of the Forty Second Legislature.
- THAT the Clerk may re-number 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.
- THAT the Clerk is authorized to make minor corrections to the French version of the *Rules, Orders and Forms of Proceedings of the Legislative Assembly of Manitoba* to ensure the equivalence of both versions of the *Rules*, ensuring that they in no way alter the intended meaning of these Amendments.
- THAT the Clerk prepare revised rule books incorporating all amendments, additions and deletions.

- THAT these amendments to the *Rules, Orders and Forms of Proceedings of the Legislative Assembly of Manitoba* are permanent.
- THAT the document entitled: “Legislative Assembly of Manitoba Rule Change Proposals – October 2021”, be included at the end of the Hansard transcript of this meeting.

Submitted by,

Hon. Myrna DRIEDGER, Chairperson
October 12, 2021