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of the
Legislative Assembly of Manitoba

STANDING COMMITTEE
on
RULES
of the
HOUSE

31 Elizabeth II

Chairman
Mr. D. James Walding
Constituency of St. Vital



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

Name	Constituency	Party
ADAM, Hon. A.R. (Pete)	Ste. Rose	NDP
ANSTETT, Andy	Springfield	NDP
ASHTON, Steve	Thompson	NDP
BANMAN, Robert (Bob)	La Verendrye	PC
BLAKE, David R. (Dave)	Minnedosa	PC
BROWN, Arnold	Rhineland	PC
BUCKLASCHUK, John M.	Gimli	NDP
CARROLL, Q.C., Henry N.	Brandon West	IND
CORRIN, Brian	Ellice	NDP
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DOERN, Russell	Elmwood	NDP
DOLIN, Mary Beth	Kildonan	NDP
DOWNEY, James E.	Arthur	PC
DRIEDGER, Albert	Emerson	PC
ENNS, Harry	Lakeside	PC
EVANS, Hon. Leonard S.	Brandon East	NDP
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FILMON, Gary	Tuxedo	PC
FOX, Peter	Concordia	NDP
GOURLAY, D.M. (Doug)	Swan River	PC
GRAHAM, Harry	Virden	PC
HAMMOND, Gerrie	Kirkfield Park	PC
HARAPIAK, Harry M.	The Pas	NDP
HARPER, Elijah	Rupertstland	NDP
HEMPHILL, Hon. Maureen	Logan	NDP
HYDE, Lloyd	Portage la Prairie	PC
JOHNSTON, J. Frank	Sturgeon Creek	PC
KOSTYRA, Hon. Eugene	Seven Oaks	NDP
KOVNATS, Abe	Niakwa	PC
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OLESON, Charlotte	Gladstone	PC
ORCHARD, Donald	Pembina	PC
PAWLEY, Q.C., Hon. Howard R.	Selkirk	NDP
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PENNER, Q.C., Hon. Roland	Fort Rouge	NDP
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PLOHMAN, John	Dauphin	NDP
RANSOM, A. Brian	Turtle Mountain	PC
SANTOS, Conrad	Burrows	NDP
SCHROEDER, Hon. Vic	Rossmere	NDP
SCOTT, Don	Inkster	NDP
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STORIE, Jerry T.	Flin Flon	NDP
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LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON RULES OF THE HOUSE

Tuesday, 21 September, 1982

Time — 2:00 p.m.

CHAIRMAN — Hon. D. James Walding

MR. CHAIRMAN: Order please. We have a quorum, gentlemen. The Committee will come back to order.

If you recall, when we broke for lunch we were discussing the interjection policy as far as Hansard is concerned. For your interest and information, we dug out a tape from a previous day's Sitting in the House that we would like to play over for you so that you will get an idea of what is faced by Hansard on the four different channels. In order to do that we have to break from the proceedings because it's played on the machinery behind us, so if we can recess for about 10 minutes to give us all time to listen to that, we can then come back to order and continue the debate. Would that meet with the pleasure of the committee? Fine, we will recess then for approximately 10 minutes. Perhaps you'd like to come down to this end where the machine is so that you'll hear it better.

— RECESS FOR PLAYING OF TAPE —

MR. CHAIRMAN: Order please. The Committee will come back to order. I'd like to thank the members of the staff who got that tape available for us on such short notice. Is there any further discussion?

Mr. Mackintosh.

MR. G. MACKINTOSH: I just wanted to remind the Committee of the difficulties that are experienced in recording Estimates procedure in Room 255, where I think the ambience of the room lends itself to several interjections in the course of an evening or an afternoon, and that really is where more of a problem would be than in the Chamber. I think that's a valid observation and I just suggest that.

MR. CHAIRMAN: No one has mentioned a fairly well known case that happened in Room 254 two or three years ago when a Committee was meeting and we had the new equipment and a remark was made by a Committee member, who did not have the floor, that was clearly racist and would certainly not have been allowed had the member speaking used that expression. The remark was not heard by the Chairman, but it was heard by other members around and I believe by other members of the press as well. The matter had some notoriety for a day or two, but because it was not heard by the Chairman nor were the remarks made by the person who had the floor, there was no Point of Order and the matter died down. There is a matter there, you know, should that be in Hansard or not, and can it be allowed to remain on the record if there is something out of order that is not heard by the Chairman or brought to the Chairman's attention at the time?

Mr. Ransom.

MR. B. RANSOM: Mr. Chairman, I think the suggestion had been, before we broke for lunch, that staff be

instructed to follow the Rule that was established in 1972 that, of course, they haven't been following, and it's a question really of whether it is the intention of the Committee that they revert to the letter of that ruling or whether we continue with the policy that has been followed by Hansard staff over the past year or two, because the policy clearly is different than the Rule of the House, which said that "Hansard personnel be instructed to pick up all remarks, interjections, etc., made during the course of debate and record the same in Hansard, whether or not the name of the person making the remark is known."

If we are to instruct them to follow that specifically, then I think there are going to be great difficulties encountered by staff, so that the only valid course I think that we can take, while there is further consideration being given to it, is that they continue with the present policy.

MR. CHAIRMAN: When you say the present policy, are you referring to present practice rather than the last . . .

MR. B. RANSOM: The present practice that the staff have been following, their policy, their practice is the proper term, that's correct.

MR. CHAIRMAN: Any further comments? Mr. Santos.

MR. C. SANTOS: Thank you, Mr. Chairman. When we say "policy," of course we mean the way it is now being done, because we may be too idealistic on what is written in 1973, but I think the staff has been doing the best it could do to pick up all those audible interjections and put it in the Hansard, and that is the policy in fact that is obsolete, how it is being done.

MR. CHAIRMAN: Mr. Scott.

MR. D. SCOTT: I have problems, I guess, with us following - not really a policy but an administrative edict, if you wish, from the Co-ordinator of the Hansard. Just off from what was in 1973, and a follow-up from '72, of what was the instruction of this Committee and the make-up of the Committee at that time, I don't think that the administrators really, if they have a problem, I think they should bring it forward to us for a ruling as a Committee and that they shouldn't make any ruling on their own. Because of that, I would suggest that we do have to revert to the policy, which is more important than the practice, which was followed as of February, 1973. Perhaps some combination of both the '72 and the '73 could - with the audible and intelligible comments - an intelligible comment being one that can be understood. Not all comments are intelligible I would guess is what one could read from that.

I think that, going back to where we were this morning and not wanting to get back into the debate full-fledged, I do feel that the people have a right - the comment that you made or the reference you made a couple of years ago to a racial comment - I, as a voter,

want to know, don't want to have my member covered up for some blurb that he comes out in the House. It gives me an indication as a voter as to what type of person is representing me and whether I want to support him to represent, or her to represent me, in future years and I think it is important that the public know and that the Legislative Assembly does not engage in any kind of a potential cover-up of statements uttered by members of the House, be they on a formal record through speeches or through a slip-of-the-tongue or some other comment, or an intended interjection into the proceedings of the House.

MR. CHAIRMAN: You also want included remarks that are not meant to be interjections?

MR. D. SCOTT: I would say no. This is where we were earlier in trying to define what would be a comment relevant to the debate and I can see some problems in trying to tell the person who is typing up Hansard to make them determine what is relevant to the debate. I don't think things should be covered which are clearly not related to debate at all, just two people having a discussion in the House. You know, two people may be talking about something altogether different and to put that into Hansard would not do any service at all to the debate that is going on at the current time. If you have some members, particularly the front benches where they are that much closer to the mikes at the centre of the Assembly, I don't think the likelihood of them getting picked up - from what we just heard from Mr. Sly's playing of the tapes, it would be unlikely that they would be that clear anywhere, it would be more mumble-jumble than a clear interjection.

The example that we saw there of clear interjections, be they from Mr. Sherman, Mr. Anstett and Mr. Cowan, the three that I most clearly heard, at least I think that they should have been recorded and clearly were not recorded in Hansard. So interjections of that type where a person is shouting across or commenting to a colleague directly relating to the speaker's words that he is speaking at that point in time.

MR. CHAIRMAN: Mr. Graham.

MR. H. GRAHAM: Mr. Chairman, I just want to maybe clarify one or two things. First of all, you made reference before to an incident that happened in Committee several years ago and I recall that incident quite clearly, but in that particular case the words that were heard by numerous people were not interjections into the debate that was occurring at all, it was a private conversation carried on between two people and the very thing that Mr. Scott made reference to. If it was a private conversation it would not be recorded, and in that case it was not recorded because it was a private conversation between two members that bore no resemblance to the debate that was being carried on at the time at all. So, in that case, something like that would not occur.

The other thing, and I think Mr. Scott has almost a mania to make sure that the public hears everything that goes on in the Chamber. Well the public already does that. The proceedings of the Legislature are aired daily from this Chamber; maybe you weren't aware of that but they are on the airwaves, anybody

that wants to listen to it verbatim can hear it direct from the Legislature, everything that goes on here.

A MEMBER: Your constituents can't, they don't have cable.

MR. H. GRAHAM: Well, cable is getting there. We are talking about the production of a record, what we call our Hansard, the Debates and Proceedings of the Legislature, and we have to arrive at a consensus, I believe. We must remember that production is directly under the Speaker's authority and whenever Hansard has a problem or anything they wish to be clarified, they go directly to the Speaker. They have done that in the past on numerous occasions, I'm sure they've done it with the present Speaker, I'm sure they did it with Mr. Fox, they did it when I was Speaker on numerous occasions. Then the Speaker has to make a decision as to whether or not you want to spend 15 or 20 minutes trying to sort out all the interjections that occurred in that one two-minute period, in which case if you do that, I will guarantee you that the production of Hansard will be slowed down at least 24 hours.

Members of the Legislative Assembly have consistently wanted to get Hansard as quickly as possible. So if you're going to want one, you have to give up on something else. I think the decisions that have been made in the past to expedite the production of Hansard, even at the cost of losing some of the interjections, is probably of greater benefit to all concerned than it would be to spend all the necessary time and replaying and identification that would be necessary to put all of the interjections into a published record.

MR. CHAIRMAN: Mr. Santos.

MR. C. SANTOS: Mr. Chairman, I think Hansard is the reproduction in print of the Debates and Proceedings in the House and therefore, by definition, it has put priority, first of all, on the speeches being made there, the debates going on between honourable members, and definitely any other remark, no matter how audible it is, which is not at all a reaction to or a response to what is being said by the one who has the floor, it's not part of the debate, no matter how audible it is.

On the other hand, there are many comments that might be a reaction to or in response to what is being said, but it cannot be picked up and, by definition, the staff simply cannot spend all this time searching all these noises and making words out of them. So I don't see any problem at all. They are doing the best they can to reproduce what is audible and at the same time relevant to the framework of debate that is going on in the House.

MR. CHAIRMAN: Mr. Sherman.

MR. L. SHERMAN: Mr. Chairman, I think maybe some of the difficulty lies in semantics and in the definition of the term, "interjection." There is a difference between an interjection and interruption and certainly there's a difference between an interjection and garble. I don't think it was the intention of any of us who argued for the preservation of interjections in the printed record to support the retention and recording of garble.

Obviously, there are some very conscientious and strongly-held opinions on both sides of this question and perhaps we should be asked to think about it with the intention of returning to a subsequent meeting of the Rules Committee later this calendar year and see whether we can reach a consensus or a conclusion.

I think that the statement made by Mr. Speaker Fox in April of 1972 represents most faithfully the kind of objective that I would have, and I suggest many other Members of the Assembly would have, with respect to the recording of comments as spoken in the Assembly; that is, inclusion of all audible intelligible comments.

Further to that, Sir, with respect, although it was very interesting, I don't feel that the example that we heard was a typical example. Certainly it was an example of what can happen and occur in the House. There are moments of levity in the House, there are debates that lead to considerable levity and exchange of sarcasm and well-intentioned humour and the debate on the Speed-up Motion regrettably is always one of them. In my experience, and I think yours too, Mr. Chairman, in the years you've been in the House the debate on the Speed-up Motion is generally an exercise in posturing, if I may say so, and an exercise in placing certain comments on the record and in criticism of positions that other members have taken and have placed on the record with respect to that question in the past. It lends itself to precisely the kind of thing that we obviously went through this year and which we have just now heard on the tape. I don't think it's representative of the average debate in the Chamber.

Nonetheless, it did occur, we've heard it, it was filled with garble and certainly I wouldn't suggest that garble be deciphered by the Hansard reporters. I don't feel that falls into the classification of audible intelligible comment. If we could come to something a little closer to what Mr. Speaker Fox proposed and pursued on behalf of the Assembly in April of 1972, I'd be satisfied, Sir, but we may all have to think about it for another month.

MR. CHAIRMAN: Mr. Ransom.

MR. B. RANSOM: Mr. Chairman, we're clearly not going to resolve the issue this afternoon and I think the only way that we can further our decision on it is to have staff pick at random perhaps four or five sessions and —(Interjection)— Mr. Scott says they're all destroyed. I don't know where he came by that tape then if had been destroyed.

We need some comparison of what the time requirement is to do it the way the 1973 Rule states. We need to know what the time requirement is, what the additional staff requirement would be and what it looks like, what the printed page looks like then, compared to the manner in which staff have been putting it together up to this point; otherwise, we continue to debate the opinions on what should be and what shouldn't be.

MR. CHAIRMAN: Mr. Scott.

MR. D. SCOTT: Yes, I understand, Mr. Ransom, that the master tape is available, but all the cassettes have

been erased, so we would have to go to the master tape for any specific days. Is there any problem with that Mr. Sly? He can't speak. Maybe we could adjourn for a second and get some technical expertise here. Is a master tape still in existence? Can we get copies of the master tape? Can you take the master tape and make a couple of examples on a cassette out of the master tape? I would think you could, on most machines you can push your record button and tape off a tape.

MR. CHAIRMAN: Which years are you referring to?

MR. D. SCOTT: Well, in conjunction with Mr. Ransom's request for the past Session - were you just referring to this Session, Brian, or are you looking at prior years as well perhaps?

MR. CHAIRMAN: Mr. Mackintosh, can you answer the question?

MR. G. MACKINTOSH: I've instructed that the master tapes be saved from now on and it is my understanding that in the past they were taped over. I think there may be some value in maintaining the verbal record of the House, but I don't know if that's been effected yet or not, so I'll check into that. I'm not sure whether the master tape is available or not. If it is, we'll certainly follow Mr. Ransom's request if that's the wish of the Committee; if not, we can perhaps follow that request with the tapes that we have available.

MR. CHAIRMAN: May I remind members that the two previous policies of '72 and '73 were drawn up when we had the sound system before this which was much less sophisticated or sensitive, and basically what appeared then was only the MLA who was speaking, the remarks that were picked up by his microphone - there was no interjection mike at that time. I believe the intent of the Committee was to pick up or to record anything that was made by other members and picked up on the speaker's microphone; that we have attempted to do so since then but not to litter Hansard with extraneous noises.

I think we are much closer to a consensus than it would appear to be. However, it seems a reasonable suggestion that members think about this until our next meeting and perhaps be prepared to make further remarks at that time. Does that suit the will of the Committee?

Mr. Santos.

MR. C. SANTOS: Mr. Chairman, even if we do postpone making a final decision we cannot be left without any guideline or policy. I would surmise that it is the present practice.

MR. CHAIRMAN: The present practice is to put down all of the remarks of the person who has the floor; where there are interjections and they cause a reaction or deviation on the part of the speaker, for those interjections to show in Hansard so that it's clear why the person speaking made those extra remarks. I think that's what the members want, that they don't want to pick up private conversations or remarks made that are extraneous to the particular debate. That is the

current practice, which is more or less in line with what is being recommended to you by the Hansard Co-ordinator at the bottom of the page there.

So if there are no further remarks, can we go on to the next item on the agenda? That is Item 6.

NO. 6. - ADJOURNMENT OF HOUSE TO GO INTO COMMITTEE OF SUPPLY

MR. CHAIRMAN: A couple of members have mentioned to me that our procedure in the afternoons is rather clumsy and I have to agree that it results in two Motions being made simultaneously and for the House to agree to both of them at the same time. It's really impossible to go into a Committee first and then adjourn the House at the same time, and you can't adjourn the House and then go into a Committee. The suggestion is that it somehow be made more straightforward or simple.

Mr. Anstett.

MR. A. ANSTETT: Mr. Chairman, the problem develops from the desire of the House half a dozen years ago or more to go into Committee before the end of the afternoon sitting so that Mr. Speaker's attendance at the evening sitting is not required, that the House has adjourned for the day and goes back and sits in the evening only in Committee of Supply. We didn't have to adjourn until 5:30, the end of Private Members' Hour, in the past until this Session. In this Session, because of the absence of private members' work, we often waived Private Members' Hour, stayed in Committee, therefore we were not back in the House, where we would have been in the past between 4:30 and 5:30, to enable us to adjourn the House and that is why this awkward situation has come up.

I think it would be possible to come up with a combination Motion for those days when it was agreed, between the House Leaders, that there was not going to be any Private Members' Hour. But it only presents a problem if at 4:30 we choose not to have Private Members' Hour.

MR. CHAIRMAN: Mr. Graham.

MR. H. GRAHAM: Mr. Chairman, one of the problems we have is not with the Motion to go into Committee of Supply, but the question is one of adjournment of the House. The adjournment of the House that we have been following probably has established a precedent; I think technically we are probably doing something that is questionable. If the House is meeting in Committee, technically speaking I don't think the House should be adjourned, but we have done that for several years now without any formal Rule being placed in our Rules of Procedure; it has always been done 'by leave' more or less.

Perhaps if we considered a Rule that would allow the adjournment of the House and Committees to continue work after the House is adjourned, and make that a formal Rule of our Rules and Procedure, we would eliminate some of the problems.

MR. CHAIRMAN: Mr. Anstett.

MR. A. ANSTETT: There is no formal Rule, Mr.

Chairman. Although I agree with Mr. Graham in terms of the nature of the problem, there is no formal Rule now which requires the House to be in Session for us to sit in a Committee of the Whole. There is no Rule, although certainly practice up until about 1975 or 1976, when we started this new Committee system, was that we would always leave the Mace in the House and when the Committee rose the House would then adjourn, but there is no Rule that requires the House to be in Session for any Committee of the Whole to sit, so we don't have to provide a new Rule in that sense. But if we had a special Motion of Adjournment for those times when the Committees were going to continue to sit, then that would be a slightly different wording of the Motion to Adjourn, rather than "The House do now adjourn . . ." —(Interjection)— Well, you run into a problem, I'm not sure exactly how to combine it. As soon as I start to word it, I think of Grievance Motions, I think of other things which could come into play on that Motion and a Motion to Adjourn is not debatable, but a Motion to Adjourn to go into a Committee of the Whole would then have to be a debatable Motion to allow such things as Grievance and that sheds some new wrinkles on it. I'm not sure of the mechanism we need, but certainly we need something.

MR. CHAIRMAN: Mr. Ransom.

MR. B. RANSOM: Mr. Chairman, I don't see why the present Rules are not satisfactory. In my view, the Speaker is a servant of the Chamber and the Rules should not necessarily be altered in order to make things more convenient for the Speaker. If the House has to be called back in, even if the Speaker isn't there, we frequently designated someone to take the place of the Speaker to adjourn the House and it seemed to work quite satisfactorily, because there have been circumstances arise where that flexibility was desirable.

MR. CHAIRMAN: Mr. Anstett.

MR. A. ANSTETT: Mr. Chairman, part of the problem is that if the Mace is still in the House, under the Table, we're sitting in the evening, the Committee in the House finishes its deliberations, but the Committee in one of the committee rooms has not yet finished, the House then adjourns and you still have the problem of the Committee that's going on until 11 or 12 o'clock sitting without the Mace in the House. We first had that in 1975 when we started the double committees. The Committee in here can finish, but the Committee in the House hasn't finished and the House still has not technically adjourned. So we are faced with the anomaly in the evenings of Committees often operating after the House has adjourned either way, so even if it's not a question of convenience, if we know we are not going to be going back in the evening, why not adjourn at 5:30, it really makes no difference.

The other angle is that there are no votes allowed after 10 p.m. anyway, so appeals back into the House, or appeals to Chairman's Ruling in the Committee, up until we changed that Rule two years ago, came back to the House the next day anyway.

MR. CHAIRMAN: Mr. Mackintosh.

MR. G. MACKINTOSH: I don't know if there's a problem in adjourning after Supply. It seems that the Supply in the evening and then simply dissipating for the evening has worked fairly well. The problem is that we are adjourning before going into Committee of Supply. It is that Motion that is a difficult one and that results from the absence of Private Members' Hour. But to simply, "I move that the House do now adjourn and go into Committee of Supply," that's impossible; that's the problem and not, like I say - I just want to reiterate - not adjourning after Supply has finished its business in the evening.

MR. CHAIRMAN: Mr. Fox.

MR. P. FOX: Well, Mr. Chairman, I realize the problem we have and, first of all, I'd like to have a question answered if someone can. What does the House of Commons do with its Committees? The House is running at all times and yet it has Committees running at the same time. The House may adjourn, but the Committees will meet the following day anyway before the House comes to order. So what I am looking at as possibly what we should do is indicate in our Rules that the Committee of Supply shall meet at the call of the Committee of Supply Chairman, or whatever, and then we don't have to worry about when we adjourn the House. We adjourn the House when we've done its regular business and Supply will carry on whenever and whatever is required. So maybe we should be looking at it from that angle.

MR. CHAIRMAN: Mr. Anstett.

MR. A. ANSTETT: Mr. Chairman, what the House of Commons does is refer those Estimates which do go Committee, and that's a very small portion of the total Estimates in any one fiscal year now, to Standing Committees which are struck, either Standing Committees for other purposes or Standing Committees specifically struck to consider Estimates of specific departments; they are not Committees of the Whole House and that's the anomaly. We still do Supply in a Committee of the Whole House —(Interjection)— That would be a complete restructuring. If we were to change that, it would be a complete restructuring of our Supply procedure and I'm not sure to get around one procedural problem we want to do that. There was some reluctance years ago to referring Estimates to Standing Committees; it was felt we wanted them to be Committees of the Whole then and, personally, I still agree with that. I prefer the Committee of the Whole system, even with the split Committee. I think it's on the whole proven itself to work very well.

The difficulty of going into Standing Committees with the Estimates is (1), the elimination of the Grievance procedure; and (2), the then question of the membership of the Committees. The dual Committee system without everybody being members of both Committees works very well, but if you are going to have ongoing Committee meetings that are sitting, particularly outside the normal hours of Sitting of the House, to consider Supply, then questions of attendance for members, participation in the debate, mem-

bership on the Committee, and everything else start to enter into it. I'd just as soon, unless there's a general will to restructure the whole Estimates process, I'd just as soon leave that one alone.

MR. CHAIRMAN: Mr. Mackintosh.

MR. G. MACKINTOSH: The problem arose because there was no private members' business for quite a number of sittings and that is very unusual. Perhaps the problem is not as great as it appears to be after this last Session. I don't know what's going to happen next Session, but I think I reasonably suspect that there'll be more Private Members' business, in which case the problem will not be recurring. I think that the chance that there will be no Private Members' is such that we should be able to deal with this problem on an individual basis. In other words, that the Speaker come back into the House at 4:30 and if there's no Private Members' then we adjourn. I think that would be the solution, simply we adjourn at 4:30 where there's no Private Members' business and don't get into the practice of trying to adjourn the House at 3 o'clock or whenever.

MR. CHAIRMAN: Mr. Graham.

MR. H. GRAHAM: Mr. Chairman, I think it could be very easily solved with one Motion, or one little Rule, that the House cannot adjourn before 5:30 unless all the items on the Order Paper are completed.

MR. CHAIRMAN: Mr. Anstett.

MR. A. ANSTETT: That might present some difficulty, Mr. Chairman, if the Government House Leader chooses to call Supply ahead of other Government business.

MR. H. GRAHAM: That's quite all right. All we say is the House cannot adjourn before 5:30 unless all the items on the Order Paper are dealt with, so that when you go into Committee of Supply at 3:30 or at 4 o'clock, whether there's Private Members' Hour or not, the House will not formally adjourn until 5:30, and we come back again at 8 o'clock in Committee of Supply again and continue on.

MR. A. ANSTETT: For clarification, Mr. Chairman, if there is no Private Members' Hour we go into Committee of Supply at, let's say, 3:30; it's agreed between the House Leaders that there'll be no Private Members' Hour but the members, not officially notified of that because there's no announcement because they're in Committee of Supply, would just continue to sit to 5:30, Committee rises or Committee is interrupted for the supper hour adjournment and we then proceed into the House to adjourn the House.

MR. H. GRAHAM: What's wrong with that?

MR. A. ANSTETT: I would think that perhaps the more workable format would be to say, automatically every day we interrupt at 4:30. If there's no Private Members' business and if there's an agreement to dispense, it's announced at that time in the House, the

adjournment is then moved, and we return to Committee.

MR. G. MACKINTOSH: It's a minor inconvenience and that's all.

MR. A. ANSTETT: More along the lines of what Mr. Mackintosh is suggesting. Now I know there was a reluctance last Session, particularly of members who were in this Committee Room to go back into the House at 4:30. They said: "Oh, the heck with it, let them adjourn the House, we'll just carry on here." We had a very casual relaxed attitude toward those particular portions of the Rules and that's what got us into trouble. I don't know what the answer is.

MR. CHAIRMAN: Mr. Mackintosh.

MR. G. MACKINTOSH: I think the conclusion that must be made is that, sure, we can do almost anything by unanimous consent but some things that we do just cannot be construed as making sense under just the basic tenants of Rules of the Assembly and I think that's one of them. I think it's a minor inconvenience to go and adjourn the House at 4:30 if there's no Private Members' business.

MR. CHAIRMAN: Mr. Santos.

MR. C. SANTOS: Mr. Chairman, I sense that people are satisfied with what is being done except with a minor inconvenience and I don't see any problem at all.

MR. CHAIRMAN: Mr. Ransom.

MR. B. RANSOM: Mr. Chairman, I'd like to make it clear that we're not satisfied with what was being done, we're satisfied with the Rules that exist.

MR. C. SANTOS: That's what I mean.

MR. B. RANSOM: I believe that it had come to the point in the last Session where the Rules were beginning to be abused and we were doing things that really were incorrect by dealing with two Motions at the same time, by leave, and then after a period of time the Government House Leader moved a little bit toward the position that you just did that, that you didn't even have to ask leave to do that anymore. All I'm saying is if we simply work according to the Rules as they now exist I don't anticipate a great deal of difficulty.

MR. CHAIRMAN: Mr. Anstett.

MR. A. ANSTETT: Mr. Chairman, can I suggest that we have an understanding that adjournments would take place, if there was not to be Private Members' Hour, shortly after 4:30, after the reconvening of the House out of Committee at 4:30, and if there was Private Members' Hour at 5:30, the way it was done in the past. Then we don't run into any problem with the two Motions being proposed at 3:30. In other words, sticking with the Rules but having an agreement that we won't attempt, even by leave, this double Motion of both adjournment and going into Committee prior to

4:30, because that's what creates the clumsy and awkward situation. That is an abuse of the Rules and leads to some difficult situations. So if we agree without any changes in the Rules that we will not adjourn the House out of Committee of Supply until after the commencement of Private Members' Hour, I think we're probably okay.

MR. CHAIRMAN: If that seems to be a consensus of the Committee then all it would need would be the will of this Committee to be communicated to the Government House Leader and for him to, you know, take that into account and act appropriately in the next Session. It would need no Rule change.

Mr. Graham.

MR. H. GRAHAM: As long as there's no Rule change that's fine.

MR. CHAIRMAN: I ask the Government House Leader's colleagues to communicate that to him.

MR. A. ANSTETT: We'll mail him a transcript.

MR. CHAIRMAN: With or without interjections? That being the case can we move onto the next item, Bill No. 30, which was, as you recall, referred to this Committee by the House at the end of the last Session. I'm not sure if members have studied the matter or wish to deal with it, and how they wish to deal with it, or whether they wish to caucus the matter and perhaps take it up at our next meeting. What's your will and pleasure?

Mr. Anstett.

NO. 7 - BILL 30 - THE LEGISLATIVE ASSEMBLY MANAGEMENT COMMISSION ACT

MR. A. ANSTETT: Mr. Chairman, as I understand the will of the House near the end of the last Session there was some concern about proceeding with the basic subject of providing a new management vehicle for the Assembly, which is basically what Bill 30 was, strictly a management vehicle in the form of the Commission. Technically it's not Bill 30 which is before us but rather the subject matter of providing a management vehicle somewhat different than the Board of Internal Economy for the Assembly. The reason it was referred was to air the differences that were held between members on the question of how to find a management vehicle that would address the concerns that members share. I think probably the best way to start is to discuss the concerns that members had with that particular approach and to discuss alternative approaches to providing some form of new vehicle which hopefully would be an improvement upon the existing Board of Internal Economy system.

MR. CHAIRMAN: What's your will and pleasure? Mr. Graham.

MR. H. GRAHAM: Mr. Chairman, at the present time we're operating under a Board of Internal Economy that is comprised of the Speaker and two Ministers of

the Crown.

I think there's a general consensus in the Assembly that the membership of that Committee should be altered in some respect. That, I think, is a consensus of all members. I've heard no objection to the enlargement of that Committee. There have been concerns expressed by some members of the Assembly as to the scope and authority of that Committee having any degree of change from what presently occurs and that is the area where I think there is concern. It's that field I think that members should address, should consider carefully, and while there was no specific instructions given in the referral Motion, it was just referred to the Rules Committee, not with any intention of reporting, or any direction to discuss the matter and report at the next Session, it was just referred, period. So what the Rules Committee does with it, in the end result, will only be a recommendation that will be included in the report which then is dealt with by the entire House. What the Rules Committee wants to do so far is up to the members. How far they want to go with any recommendation is open for debate.

My only concern is whether or not we should make a recommendation or a report on it; that I leave up to members.

MR. CHAIRMAN: Mr. Ransom.

MR. B. RANSOM: Mr. Chairman, I would assume that Bill 30, having been a Government Bill, the subject matter which is referred to the Standing Committee on Rules of the House, that the Government side should be making a procedural recommendation to the Committee as to how they wish to deal with the subject matter referred to it and that the Committee in a subsequent sitting or sittings can then proceed, either in that manner or in one perhaps slightly altered at the suggestion of the Opposition members of the Committee.

I believe that the item is on the agenda this afternoon to determine what procedure is to be followed in dealing with that subject matter and not to actually begin any discussion of the subject matter this afternoon.

I would like to know what suggestion the Government side has to make in terms of dealing with the subject matter.

MR. CHAIRMAN: I don't recall any previous instance where a Bill was referred to the Rules Committee. Bills have been referred to other Standing Committees. I don't have any precedents to assist us in this regard.

Mr. Fox.

MR. P. FOX: Mr. Chairman, I am of the opinion that Bill 30 is only a vehicle to carry us into a particular direction. I'm not certain, and maybe that's my shortcoming, that I understood it had any parameters that other people didn't want, and if there are, then we should discuss those because, as I said, I was under the impression that Bill 30 only created a vehicle which would look after members' services and make recommendations as a whole. Now if — (Interjection) — Pardon? Well all right then, if it goes beyond that, then we should discuss the areas that it should be limited in.

MR. CHAIRMAN: Mr. Anstett.

MR. A. ANSTETT: Mr. Chairman, I thought I addressed Mr. Ransom's concern in my opening remarks on the subject. It's not the Bill that's referred. It's the subject matter of the Bill, the subject matter being to provide a vehicle for the management of the Assembly and it was my feeling that the job given to the Committee, by that referral of the subject matter, and it's referred as subject matter because it hasn't had Second Reading, and that's why the Bill can't be referred - subject matter can only be referred prior to Second Reading - for the express purpose of the Committee putting their heads together and deciding what basic provisions we want to see in a Bill which is going to restructure the management of the Assembly.

Now Bill 30 set out some of the kinds of provisions which could be in a Bill of this type, so it certainly can be a document from which we can take off on that subject, but I don't have, and I don't know if anyone else has, as Mr. Ransom says, on the Government side, any set preconceived notions that it has to be one particular vehicle versus any other vehicle. Since there was some reluctance to accept the vehicle that was proposed at the last Session - one of the reasons for the referral to the Committee was to say, "Okay, what things do we want to see in the form of a new Bill at the next Session and what things do we not want to see in that Bill?"

Obviously the one thing on which it appears we have agreement is the one to which Mr. Graham made reference, expanded membership over the existing Board of Internal Economy. I think, by that, he means membership from the Opposition and also membership from the Government backbench. Beyond that there's a whole series of questions which I think we can address in terms of the management of the Assembly. What agencies of the Assembly would come under that administrative vehicle; the exact membership of that vehicle; the powers of that management vehicle, etc. and those are the kinds of things I assumed we would discuss when we discuss the subject matter. From that would come a recommendation, I assume, as Mr. Ransom suggested, in the Rules Committee Report, which would say that the Committee agreed that a Legislative Assembly management vehicle of some sort be established with provision for the following powers.

I think that's all we're looking for. From a procedural point of view I think that's the mandate we've been given. Now, whether or not the Government accepts that, since it's a Government Bill, and because it requires a Message it will be introduced by probably the Government House Leader or the Premier again, if it's the will of the House to go ahead with something like this again, and that might not necessarily follow exactly what the Rules Committee recommends, but certainly the Government is saying to this Committee, tell us what you want on this subject, because what was presented last Session obviously did not meet with approval.

MR. CHAIRMAN: Mr. Ransom.

MR. B. RANSOM: Mr. Chairman, my question is how do we approach it from a procedural point of view? Is

it the intention of the Government, in referring this subject matter to the Committee, that the Committee will review Bill 30 as it was presented to the last Legislature as the starting point and look for satisfactory changes to that Bill as presented, or does the Government wish, by referring the matter to the Committee, simply to go back to Square One and have the whole subject matter discussed as though Bill 30 had never been presented to the Legislature? I'm interested in how we plan to approach this as a Committee, that we're not simply going to sit down and say, "Well, now we're going to discuss the subject matter referred. Has anybody got any comments?" I don't think that's going to be a very effective way of trying to arrive at a report out of the Committee.

MR. CHAIRMAN: Mr. Anstett.

MR. A. ANSTETT: Mr. Chairman, I agree with Mr. Ransom. I would just as soon start with Bill 30 as a reference point, but I have approached it the way I have today by saying I'd rather deal with the subject matter because I'm not sure we can get agreement that Bill 30 should be the beginning reference point and I don't want to preclude in any way the ability of the Committee to cover the whole waterfront if that's desired.

Bill 30 is dead; it died at the end of the last Session. The subject matter is referred. If we want to use Bill 30 as a reference, great, but I don't want to say, on behalf of the Government, we should start with Bill 30. If it's the Committee's wish and we agree that Bill 30 is a good reference point, fine. I think it would be a fine place to start, but I don't think by my saying that, I should preclude us starting from scratch if members say Bill 30 is garbage, throw it out, let's start from scratch.

MR. CHAIRMAN: Mr. Sherman.

MR. L. SHERMAN: Could I just ask for clarification, Mr. Chairman. Without intending in any way to be argumentative, why are we doing this? Mr. Anstett has stated that Bill 30 is dead; it died on the Order Paper in the last Session.

Now is it the Government's intention to develop and proceed with the development of legislation that would establish a management vehicle for the Assembly and replace the Board of Internal Economy and, if so, why is the Rules Committee involved, other than the fact that it was referred to the Rules Committee? But leaving that question aside for a moment, why are we not starting then simply with a presentation that says, this is the desired objective and these are some of the things that have to be considered and if Bill 30 is a useful reference point it can be introduced as a reference point. But I'm really not quite clear, other than the fact that it was referred on a Motion by Mr. Penner, as to precisely what this Committee is supposed to be doing in this respect. Is it Government policy to proceed with this kind of proposed legislation and has the Government made the decision that it wants the Rules Committee to draft that legislation for it? That's my question.

MR. CHAIRMAN: I'm not sure to whom that question

was addressed or was it a rhetorical question?

MR. L. SHERMAN: I'm sorry, Mr. Chairman, I guess it was put rather rhetorically but, through you, Mr. Chairman, to a Government spokesman who, in this case, I would suggest probably it would be Mr. Anstett in the absence at the moment of the Attorney-General.

MR. CHAIRMAN: I have Mr. Santos, Mr. Graham, on my list and then Mr. Anstett.
Mr. Santos.

MR. C. SANTOS: I do not pretend to speak for the Government but I could only surmise and answer rhetorically a rhetorical question.

I suppose the intention is to have an idea what the points of concern are within the Rules Committee if there is to be any change in the structure of the Board of Internal Economy at all.

MR. L. SHERMAN: Well that's one answer.

MR. CHAIRMAN: Mr. Graham.

MR. H. GRAHAM: Mr. Chairman, the subject matter of Bill 30 is changes to the Board of Internal Economy and I would think that rather than dealing with Bill 30 perhaps we should be looking at - I forget the number of the Bill - the Board of Internal Economy. That is the subject matter that has been referred to this Committee and I would hope that the Government would show us some of their proposals in that field so that we can have a base to start from.

MR. CHAIRMAN: Mr. Anstett.

MR. A. ANSTETT: Yes, Mr. Chairman. I think Mr. Santos hit the nail on the head when he said that one of the reasons the Government moved a Motion to refer this to the Committee was to get a feel for how both sides of the House felt about the management of the Assembly and whether or not it needed restructuring.

There had been, and by the way that Motion was passed without objection from either side of the House, because at that point I believe both sides felt that this matter needed more discussion in a smaller group such as this Committee.

MR. L. SHERMAN: Then it was Wednesday, June 30th.

MR. A. ANSTETT: I daresay I agree very strongly with Mr. Sherman that the fact that it was Wednesday, June 30th, had more to do with it than anything else but that's neither here nor there at this point.

It was also the desire to try and reach as much as possible a consensus because this deals with something which is not of the Government but rather of the Assembly and is crucial to all members, so it was referred to the Committee for that very reason. Now if members want to start with what was the Government's position last Session in the form of Bill 30 as a reference point, or with The Board of Internal Economy Commissioner's Act, really makes no difference to me. Personally, not speaking for the Government, I think Bill 30 was an excellent Bill, and if we want to

start with that as a basic reference point, that's fine with me. In fact, if you want to recommend that we recommend Bill 30 be reintroduced, that's fine with me. But I know that there are members, certainly on the other side of the House and perhaps on the same side on which I'm a member, who have reservations about some of those provisions and I think this is an excellent vehicle for discussing those reservations because the members of the Rules Committee are the ones who have, because of the membership on that Committee, the most interest in the operation of the House and the administration of its affairs.

One reason for starting with this as a working document, rather than The Board of Internal Economy Commissioner's Act, would be the fact that The Board of Internal Economy Commissioner's Act does not deal with the other areas for which the Assembly has responsibility - Chief Electoral Officer, Provincial Auditor and Ombudsman - and those are agencies of the Assembly rather than of the Government. I felt one of the most significant things about this proposal was that it finally made that distinction and brought those agencies of the province, which report directly to the Assembly, under the control of Members of the Assembly rather than under the control of the Government. So from that perspective I see it as having some advantages as a starting point.

MR. CHAIRMAN: Mr. Scott.

MR. D. SCOTT: I would like to concur with Mr. Anstett on his final statement there, and in response to Mr. Graham's comment on where do we start, I think you already have a position. You're asking for Government positions; the Government had a position, it's Bill 30, and if we're going to start from any point we may as well start from the position of Bill 30. The Government referred it to this Committee because of the basic stonewalling - I suppose it was expected - on behalf of some members opposite who were uncomfortable with the Bill and we thought this would be the logical vehicle to refer it to and that would be the Rules Committee. So it's referred back to the Rules Committee for comment, to go through and to see if there are areas within the Bill and maybe we should proceed clause-by-clause, go back into Supply again and run through it so that we can at least pinpoint the areas where the Members of the Committee are comfortable or uncomfortable with the Bill as it now stands.

I think there's little doubt in my mind that there won't be Bill 30 in some measure coming back to the House in the next Session when we meet again this fall and it is carried over to the spring.

MR. A. ANSTETT: Unless there is total objection.

MR. D. SCOTT: Yes. The Government would like to be able to come back with a proposal for the Bill that has the Opposition or the Members of the Opposition, who have concern of the Bill, have that taken into consideration. If we can come off with a compromise here, that's all the better. It takes the rancour out of the Bill. It shows a co-operation and of the House being a co-operative venture where people can co-operate and work even if they come from different perspectives.

MR. CHAIRMAN: Mr. Ransom.

MR. B. RANSOM: Well, Mr. Chairman, I point out to Mr. Scott that although Bill 30 may have been the Government's position, it was by Government Motion that Bill 30 was withdrawn from the Legislature and referred . . .

MR. D. SCOTT: Referred, as I said.

MR. B. RANSOM: . . . the subject matter referred to the Committee. Normally, in my understanding of how the Rules Committee operates, that if a member of the Committee has a suggestion to make or the Government has a position to put forward, they put that position forward to the Committee for consideration. I must, in all honesty and frankness, come to the conclusion that the Government really has not given consideration to how it wanted this Committee to deal with the subject matter of Bill 30. The Government House Leader is not here to advise the Committee how he intended to deal with it, and I believe that what we've been hearing from Mr. Anstett and Mr. Scott are their personal views, which they're entirely entitled to give, of how we should proceed, but we really are getting no leadership from the Government of how it intended to proceed with this item. In the absence of that, I think it's very difficult for the Committee to come to a conclusion on how to proceed.

MR. CHAIRMAN: Mr. Fox.

MR. P. FOX: Well, Mr. Chairman, you know we sit in an Assembly which is supposed to be democratic and supposed to try to enhance and make our society more participatory, and I over the years have fought to get more democratic services for the members because I think this is one area where we haven't had it.

Now the members opposite have been on both sides of the fence on this particular issue, and a Bill was proposed and it wasn't acceptable to a number of members of the present past Session, so consequently the Government - since it felt it was the democratic area for members into which they should have some input - said, "Let's put it to a Rules Committee."

Now, you don't have to take this vehicle, you can create your own, but I think the subject matter is before us and we should make a decision whether we want to proceed with democratic services for members, whether we want a Committee of this kind or whether we're happy with the past, or do something, but let's not just ask for leadership. I think the leadership was given to us to participate, I think that's fairly democratic, and I don't know what more we can do than to put it before an all party Committee like this instead of just having Government thrust the Bill down our throat. This is our services we are discussing and I think we should be able to come to some terms as to where we have consensus and where we don't have consensus. If we do that, we'll have accomplished at least what was intended by the House Leader or by the Government when it said, "Put this bill before the Rules Committee."

MR. CHAIRMAN: Mr. Anstett.

MR. A. ANSTETT: Yes, Mr. Chairman, Mr. Ransom is exactly right. The Government does not have a position; if Mr. Penner was here he would tell you there is no position on Bill 30, because - and this was Mr. Ransom's point in the last Session and the point of several of his colleagues in the Opposition - the passage of Bill 30 or anything dealing with this general subject matter required as much as possible the consensus of all members in the House. Now Mr. Penner has acceded to that request and that's why it's here. Now for Mr. Penner to do what Mr. Ransom is asking, provide the leadership and direction and tell this Committee what the Government wants them to do, would be counterproductive.

In effect, the Government said, "We'd like to do Bill 30." — (Interjection) — Oh you don't like it, okay this is the kind of thing where we should get our heads together and try to develop a consensus. Now if no consensus is possible, then the Government will have to take the bull by the horns and introduce a bill, and go ahead anyway, but Mr. Ransom is asking Mr. Penner, if he were here, to take a position which he decried in June and said "No, we don't want you to do it that way, we want as possible to have consensus." That's why it's here without a direction to the Committee, so that the Committee can hammer this out, and I would suggest, Mr. Speaker, that that's the best way to do it. I agree with that approach.

I was the one who worked through much of the spring trying to get a consensus, not only on the Bill, but on some of the things which we hoped would flow from it. I hoped we would start that process again in this Committee. I don't know why we can't.

MR. CHAIRMAN: Mr. Scott.

MR. D. SCOTT: I think the purpose of the referring here was to create some discussion, to get some discussion going back and forth, between the two sides of the House. For us now to go back and ask, you know, the Government per se to come back and present the Bill again, or redrafts of the Bill, I don't think is really going to serve the purpose of why it was referred to here in the first instance; that is, to get some commentary, to get some criticism, of how deep is the criticism towards different aspects of this Bill or another proposal.

What we're asking for here is for participation to bring forward to the House a bill that has basic consensus from the two sides of the House. We tried to do that through an informal mechanism previously between the two Caucuses. It went through right until the end, then fell apart in the House, not in the informal Committee as much as in the House. What we're trying to do now is use a more formalized structure of an established Committee to hammer it back together again and put something through, because we don't want it just to come forward *carte blanche* and say, "This is Bill, we're going to go ahead with it." If that's what we're left up to. I suggest that'll be what we're doing, what we end up doing, but before that we want to give it another try to give an honest forum for the presentations to be made by Members of the Opposition as well as the Members of the Government Benches. We could spend all afternoon talking back and forth of what we're going to do; are we going to

refer it on later or just return it, if you want to just reject it and send it back to the Government *carte blanche*, I guess that's up to the Committee to do, but I would suggest that we should start and use Bill 30 as a starting point and just start and move through the Bill and see which areas are areas of contention and then what can we do among those areas of contention and that we can readdress. I would suggest that we start that right now, going clause-by-clause, and start with Clause 1.

MR. CHAIRMAN: Mr. Santos.

MR. C. SANTOS: Thank you, Mr. Chairman. I think Bill 30 is quite distinguishable from the ordinary class of Government Bills because while the normal typical Government Bill deals with the Executive, the Cabinet and the bureaucracy, Bill 30 is dealing with the structure, the management and the functioning of the House itself, the institution of the Legislature itself. All the more reason there is justification for the Government to refer the Bill to the Rules Committee of the House. I think the Government should be commended for doing that, because by tradition and practice this Rules Committee had proceeded by the practice of arriving at the consensus no matter how difficult or how slow the process may be.

It being the case, I have heard one point of consensus mentioned by Mr. Graham that at least the Board of Internal Economy can now be broadened in its membership. That seems to be a point of consensus, a good start.

Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Sherman.

MR. L. SHERMAN: Mr. Chairman, I want to thank Mr. Anstett, Mr. Fox and Mr. Scott for answering my question. They answered the question that I asked and that being the case I have no difficulty with a discussion and examination in this Committee of the subject matter of Bill 30, but I raised the question because I wanted to know what the Government's intentions were. The Government's intentions have been spelled out for us; they wish to reintroduce a Bill of this nature, they wish to have it drafted in a way that's acceptable, and they're asking the Rules Committee to do that.

In that case, Mr. Chairman, then I think we're all agreed that we need a starting point and I don't think that clause-by-clause examination of Bill 30 is a truly meaningful or legitimate starting point. I think then that we should start with the principle of the Bill, the same as if the Bill were being introduced again in the Assembly. In this case, it's being introduced in this Committee and before we get into clause-by-clause, which simply is an extension and explanation of the practical application of the principles of the Bill, I think that the spokesmen for the Government, whether they be all here at the present time or whether there be others, should put the case for this kind of legislation and present the Committee with the principle, either of Bill 30 or of the new Bill that the Government is contemplating and hopes to put before the next Session of the Legislature.

I do concede that Mr. Scott and his colleagues answered my question. My only point of difference with

them would be that the starting point should be the principle of the Bill, not clause-by-clause examination of a Bill that's already printed and therefore, by implication and assumption, has had acceptance in principle. It hasn't had acceptance in principle.

MR. CHAIRMAN: Mr. Ransom.

MR. B. RANSOM: Mr. Chairman, my understanding, and I must refer back to the telephone conversation that I had with you, Sir, was that this item was placed on the agenda this afternoon in order that the Committee might hear how the Government, or how it was recommended that the Committee would proceed to deal with that subject matter, as opposed to sitting down this afternoon and beginning to deal with the subject matter. I may have misunderstood that conversation, but that was certainly what I took from the conversation. That's why I've been asking the questions from a procedural point of view and that's why I have not come to the Committee this afternoon prepared in detail to begin consideration of this subject matter. I, first of all, wanted to know what framework, what approach the Committee was going to use in the discussion of the subject matter so that we could deal with it in a more efficient and effective manner.

MR. CHAIRMAN: Mr. Anstett.

MR. A. ANSTETT: Mr. Chairman, through you to Mr. Ransom. I certainly, and I know Mr. Penner was not party to laying out a framework for the discussion, and if you got that impression, that's unfortunate. I agree with Mr. Sherman's concise appraisal of the situation. I also agree with him, rather than with Mr. Scott, that the way to deal with it is to examine the principles that are involved in the Bill and relate to the subject matter and that that's the way to start. Now if members are not prepared to do that today then we can come back at a subsequent meeting and discuss in general the principles that are contained in Bill 30 and the whole question of the management of the Assembly and then proceed from there to discuss details, either in the format of the Bill or details in the format of recommendations for a restructuring. Either way is acceptable to me, but I think certainly the first point of discussion should be the basic principles that are outlined in the subject matter that's in the Bill and whether or not we want to move in that direction. If that's the way members want to proceed, I'm willing to start that off now or start it off at the beginning of the next meeting. —(Interjection)— Mr. Ransom indicated some reservations about commencing today.

MR. CHAIRMAN: Mr. Ransom.

MR. B. RANSOM: On a Point of Order. My understanding was, the conversation with Mr. Speaker was that, first of all, in selecting the date for this Committee meeting, there was consideration given to whether the Government House Leader and the Opposition House Leader could be present. The subject matter of Bill 30 was one of the items that I was advised was to be dealt with.

The Government House Leader was here this morning and obviously has some commitment to keep this

afternoon, and so I find it difficult then to see us proceeding with the subject matter under those circumstances, given the background leading up to today's Committee meeting.

MR. CHAIRMAN: When I spoke to you, Mr. Ransom, you were right about one thing, the availability of the Government House Leader and the Opposition House Leader. That was a matter of courtesy as far as all matters were concerned. As far as this matter was concerned, there seems to be a little bit of confusion about whether or not it's Bill 30 that was put down on the agenda as a matter of shorthand as much as anything else.

I had doubted whether the Government Members had discussed this matter among themselves or whether the Opposition had also discussed the matter among themselves and perhaps putting it on the agenda for this meeting would cause something to happen, at least the subject matter to be addressed by the groups if not by the meeting itself.

Would it assist the Committee at all if, for our next meeting, that the main principles embodied in a Legislative Management Commission were enumerated for the members so that they could perhaps better discuss them and consider them? Also I would attempt to list on that list those matters that can be dealt with by Statute and, if so, by which Bill, and which matters can be dealt with non-statutorily, which will perhaps assist the members.

Reference was made to the Board of Internal Economy. There has been one sort of unofficial change to that over the last few months in that the two Chairmen of the Caucuses have been invited to attend those meetings. So there is a little bit more input as far as that is concerned.

Would that offer be satisfactory to the Committee?
Mr. Ransom.

MR. B. RANSOM: Well, it would certainly be helpful, Mr. Chairman, because it would give us a point from which we could begin.

MR. CHAIRMAN: If that is where the members want the starting point to be as opposed to Bill 30, which seems to be an awkward point to some Members.

Mr. Anstett.

MR. A. ANSTETT: Mr. Chairman, I'm not sure I understand what you're proposing exactly. You suggested you'd deal with what matters could be handled by Statute and what matters could be handled without statutory provision. What were you referring to?

MR. CHAIRMAN: Within Bill 30 there are a number of principles if you like, things that the Bill itself would accomplish and there is a general, I believe, wish on the part of members to accomplish certain things for the Members of the Legislative Assembly, referring perhaps to services to Members and to other things. Now they can all be put together in one package and called Bill 30 or bill something else or they can perhaps be all or partly accomplished by making other changes, some of which will need a change in Statute, others will not. It will be, I'm sure, of assistance to the members to have that sort of information before them,

to at least know, you know, what is required.
Mr. Anstett.

MR. A. ANSTETT: Mr. Chairman, I think we may be biting off more than we can chew if we decide to approach it that way. Bill 30 was strictly a vehicle, that's why I ask the question about statutory versus nonstatutory provisions. If we are going to, in this Committee, get involved in the discussion of Members' services and everything that could eventually flow from Bill 30, then we have a lot more on the table than what was proposed in the subject matter of Bill 30; that's beyond the referral. I don't think the Committee has authority to get into that. We're restricted to the subject matter of creating an administrative vehicle. If we start getting into all the details of provision of services, statutory items, nonstatutory items, those things which can be accomplished one way or accomplished another, we're going to have a nightmare before us and we're going to be meeting regularly for some time. I don't think there's any advantage to that. I think the principles are fairly straightforward right in Bill 30, but to get into all that other material is - well it's both beyond the reference and also beyond the capabilities of this Committee at this point. I think we need to go one step at a time, provide a vehicle first.

MR. CHAIRMAN: My offer was not intended to go beyond Bill 30, only to list those principles, as you mentioned, that are contained within it.
Mr. Ransom.

MR. B. RANSOM: Well, I'm prepared to accept your offer, Mr. Chairman.

MR. CHAIRMAN: Is that agreed? Agreed and so ordered. Before the next item on the agenda, at the last Rules Committee meeting mention was made about re-presenting our Rule Book in the form of putting the material on the word processor and having it typed out that way. A sample has been made for your interest and we have additional copies. We'll pass them around, perhaps you'd like to look at what the word processor can produce.
Mr. Mackintosh.

MR. G. MACKINTOSH: If I might add, there was agreement, as noted, in principle at the previous meeting of the Committee and I'd just like to preempt any rejection of the new Rules format when they're distributed after the cost has been laid out. So this is your last kick at the cat, if you may.

MR. A. ANSTETT: Why? Is it going to be more expensive?

MR. G. MACKINTOSH: Much cheaper.

MR. A. ANSTETT: Oh. That's what I thought.

MR. CHAIRMAN: This will make sure that all members have an up-to-date Book of Rules and if there are any changes in the future that the word processing machine can call up the appropriate page and changes can be made right on it.

MR. L. SHERMAN: Need to purchase a few pair of glasses by a lot of Members of the Assembly, Mr. Chairman.

MR. G. MACKINTOSH: The print is smaller than it used to be, but that's necessary in order to have it in the same format in the binder that we presently use.

A MEMBER: Why do we have to have it in that binder?

MR. G. MACKINTOSH: There's no reason we have to have it in that binder. The binders are available. We're the only ones, I think Nova Scotia is the only other jurisdiction that has a similar format, but that was the wish of the Committee at the previous meeting.

MR. CHAIRMAN: This involves a photo reduction of the printed page. If members want to do away with that I suppose they can go to a larger size, which would entail the purchase of additional binders.

Can I pass around this to show you. The top page is an instance, I'm told, of what the page looks like before it is photo-reduced. We would save the cost of about \$2 a page in photo reduction, but it would mean buying larger size binders at . . .

What's your will and pleasure? Do you want to stick to the same size as the sample or go to the larger one?
Mr. Ransom.

MR. B. RANSOM: Mr. Chairman, I think the important thing is the legibility of the Rules, not the size of the binder that they're in. I think we find that the reduced size is a little difficult to immediately grasp, that it would be better to go to the same size of binder as we use for the Statutes and Regulations.

MR. CHAIRMAN: We may not need it as large as that.
Mr. Mackintosh.

MR. G. MACKINTOSH: It would also be an option of the Committee that we could look at the saddle stitch book; do away with the binder idea altogether.

MR. CHAIRMAN: Mr. Fox.

MR. P. FOX: We have a four-year period for most members and there are amendments made from time to time during a term of a member and the loose-leaf type is much more amenable to that format. The other one you'd have to replace completely each time you made an amendment and I think it's not worth it.

MR. G. MACKINTOSH: I'll pursue whether in a tartan binder or in a binder of similar size.

MR. H. GRAHAM: Doesn't matter what colour it is.

MR. G. MACKINTOSH: No. I say I would hate to see members bring their Government Telephone Directory into the House every day.

MR. A. ANSTETT: As long as it's not blue. Basic blue, tradition.

MR. CHAIRMAN: If it's easier on members' vision, perhaps we should go to the nonreduced size. May I

ask you to take care of that Mr. Mackintosh?

NO. 8 - TIME LIMIT ON BELLS

MR. CHAIRMAN: Item No. 8, it is put down there for your consideration. Should there be a time limit on the ringing of Division bells?

Mr. Ransom.

MR. B. RANSOM: Mr. Chairman, did this just strike out of the blue or is somebody suggesting this, how did it get on the agenda for Rules Committee?

MR. CHAIRMAN: It probably arose because of the situation in Ottawa and it was mentioned to me on more than one occasion. I put it on the agenda there to see what the reaction of members was. There is no recommendation either way.

Mr. Ransom.

MR. B. RANSOM: Well, my recommendation would be, Mr. Chairman, then that there be no change from the present Rules. I don't believe that we've had anything that one would consider to be an abuse of the Rules especially. There are times perhaps when members feel that bells may ring a bit too long, but that's largely something that can be resolved between House Leaders in the general, and in the specific sometimes, as we know, it's a tool that's available to the Opposition to carry out their job as Opposition. I personally don't think there should be any change in the existing Rule.

MR. CHAIRMAN: Mr. Anstett.

MR. A. ANSTETT: I concur with Mr. Ransom, Mr. Chairman. This was not on the agenda at our request and we have no interest in changing the rule.

MR. CHAIRMAN: Any other opinions?

Mr. Fox.

MR. P. FOX: Mr. Chairman, we discussed this when I was Speaker many years ago and the consensus, after due discussion, was that we leave things as they are and I don't see that anything really has altered in this Legislative Assembly to make us change our mind. We have generally tried to operate the Rules on a consensus basis and that includes the participation in the House in respect to Division has been on consensus. I can't see any reason why we should change it because something occurred in another jurisdiction. They had a totally different situation there then we generally have and I don't think it really applies.

MR. CHAIRMAN: If that's the consensus, we shall not move on No. 8.

Then to No. 9.

NO. 9 - OTHER MATTERS

MR. CHAIRMAN: Mr. Penner had asked that something to do with Question Period be on the agenda. In his memo to me he said, "I would like to add to the agenda a discussion on the enforcement of the Rules pertaining to Question Period. I believe it would be

useful to explore this area with representatives of both parties present." Now Mr. Penner is not here. Is there anyone else wishing to proceed on his behalf with that matter?

Mr. Mackintosh.

MR. G. MACKINTOSH: Perhaps, if I might, I can offer the Committee somewhat of a factual background in this regard. It will just to be very general.

Question Period Rules are almost nonexistent in Canada, and in Beausiesne, as you note, there a number of guidelines and they can be argued either way, they are very general guidelines, I think all of us would have to agree.

The House of Commons Question Period has developed in a very different way than the Manitoba Question Period has developed. The Speaker in Ottawa has much more latitude in regard to Question Period and to preamble questions. Manitoba has developed on a different stream. All I want to add there is that Manitoba operates on practice alone. There is the occasional reference to Beausiesne's Fifth Edition Guidelines, but in the main it has operated on a practice for many years and there has been really no guideline other than the Speaker's latitude or lack of it.

MR. CHAIRMAN: Mr. Sherman.

MR. L. SHERMAN: Mr. Chairman, beyond the request by the Government House Leader, did he indicate what his concern was about the Rules of Question Period?

MR. CHAIRMAN: No, I've read to you the only reference. It's a very short paragraph and I don't know what he had in mind.

Mr. Ransom.

MR. B. RANSOM: Mr. Chairman, I suppose we can't really give it much discussion without the Government House Leader here to tell us what his concern was, but I believe at times there was concern in terms of the length of both questions and answers, and I know that I had a bit of independent research done in terms of the length of questions and answers that were asked and provided by both the Conservatives and the NDP when one was in Government and one was in Opposition and vice versa. I'm quite prepared to say that if there's a truly independent evaluation done, you'll find that the answers provided to questions during Question Period during the last Session were much longer than the questions, whereas the opposite situation prevailed when Conservatives were in Government and the NDP were in Opposition. I believe that's a demonstrable fact if one reviews the questions.

I believe it is a concern. I believe we would benefit as a Legislature from a simple tightening up of both the questions and the answer: that they be forced to be a little more concise and a little more relevant. I don't believe that a change in the Rules is required to do that, and I certainly don't wish to reflect, Sir, upon your handling of the House. I believe it is in your hands though if the situation is to be tightened up. The Rules are there to allow it and if perhaps some of the other Committee Members would care to give their

views on that subject, it might be of some assistance to you in managing the House.

MR. CHAIRMAN: Do any other members have assistance or can offer advice?

Mr. Scott.

MR. D. SCOTT: Mr. Chairman, I, for one, agree with probably sentiments that will come from quite a few members that Question Period does, from time to time, get a touch out-of-hand, both with the rhetoric that is included in both sides of the person asking the question and the person answering the question. I think that there is a reasonable limit of a person to be able to ask a question without a great long preamble prejudicing what the answer should be before he answers or basically stating what the answer should be in the format with which he asked the question.

On the other hand, from the Minister's perspective, they should be given the leverage, I guess, or the ability to be able to respond in a rather complete matter to a question that is raised. That, I think, has been abused. Certainly there are some instances where it was clearly abused this past Session on some Minister's behalf and also on some people's when they were asking the question as well. I don't want to see, or would not like to see, us have to get into the point of establishing Rules and perhaps just a little bit tighter rein on things from your perspective of how much preamble is allowed. If it doesn't work, if it doesn't stop in years to come, I think we're going to be forced into making more definitive Rules towards the Question Period and perhaps looking at other Legislative Assemblies across the country as to what Rules, if any, they have in place, how the evolution of Question Period has moved in the jurisdictions as well.

It would help speed up the House in the one instance and help reduce some of the potential for building of rancour within the House and I, for one, am one who likes to cut that down as much as possible.

MR. CHAIRMAN: Mr. Santos.

MR. C. SANTOS: Thank you, Mr. Chairman. I think, like a woman's skirt, a question should be long enough to be interesting, brief enough to cover the essentials, and the answers should be long enough to be interesting, brief enough to cover the essentials. The answer should be measured by the kind of question that was asked. A long question obviously will evolve a long answer and a brief and precise question will certainly elicit a brief answer, I hope.

MR. CHAIRMAN: Mr. Sherman.

MR. L. SHERMAN: Mr. Chairman, I presume that this perhaps is what the Attorney-General's concern is, the Government House Leader's concern, in putting the item on the agenda, although no doubt we would want to discuss that further with him to identify his concern correctly.

I recall meetings of the Rules Committee some years ago when we were discussing the advisability of permitting television cameras in the House for Question Period and I think there were members who, at that time, pointed out that we had to live with 20th

Century communications and there was no way that the access of the television camera could be permanently prevented or forestalled, but I think it was recognized at that time those aspects and episodes in the House that are televised would, for a time at least, probably bring some new difficulties with them, such as, attempts to usurp time and utilize time to personal, individual advantage. I think it's something we have to live with and I think also it depends on the type of House that you're in. We have, in this Legislature, just two competing factions, just the Government and one Opposition Party.

It may be different when we go into the next Session but up until this point in time there has just been the two and, of course, in previous Sessions, in previous Legislatures, there has been a broader fragmentation than that and spokesmen for minority groups in the House have naturally been entitled to some time and it's taken a certain amount of time away from the Official Opposition. So there are different factors that obtain in the makeup of the present Legislature, although as members suggest that may change a little bit when the next Session goes in with some changes in the Government Caucus. But I think you just have to live with the situation depending on the nature and make-up of your House and recognizing the fact that television coverage is still relatively new. I think, in large part, Members of the Legislature have adjusted to it very well, but I think that some of those difficulties that were suggested and anticipated at the time that television coverage was being considered were anticipated realistically and have occurred, to a certain degree, as a result.

I would, short of imposing a time limit on questions and answers - and I'm not suggesting this be done - but short of imposing a time limit such as a two-minute limit on a question and a two-minute limit on an answer, I don't see, Sir, how you can effect much in the way of a significant shortening of questions and answers, other than through a very tight regulation from the Chair.

So, the question really comes down to the position of the Speaker, the occupant of the Speaker's Chair, and what he or she is prepared to establish as the tone and tenor of Question Period. It's really a Speaker's decision, not a Committee's decision, in my view, short of invoking something like a time limit.

MR. CHAIRMAN: Does anybody else wish to speak? I thank the members for those remarks.

Mr. Scott.

MR. D. SCOTT: I just wanted to bring up another matter before we adjourn.

MR. CHAIRMAN: I've told the members on a few occasions before that there is a requirement on the part of Beauchesne that a preamble ought to be able to be framed in one well-ordered sentence, I believe, is the term. Mind you, one sentence can go on for some length, but it is not a paragraph and if members insist on asking long questions they must be prepared to accept long answers. I don't intend to sit in the Chair with a stopwatch and put any sort of time limit on members. I don't think the House wants that and I don't think the members want that, but as Mr. Sher-

man has pointed out, the House is made up of politicians and they're making their remarks before a television camera which affects a lot of people out there. I expect the members to act like politicians; I don't expect them to act any differently. It's up to themselves to order their questions in the most appropriate manner. A short question will probably get a short answer. If you wish to ramble on with a question to make political points, you must expect to have them made in reply.

I think the Question Period in the First Session worked reasonably well. I would expect the co-operation of all members to make the next Session work equally well or even better.

Mr. Scott, do you have another point?

MR. D. SCOTT: Yes. One of the reasons I had an interest for coming onto the Committee is just basic decorum of the House and to speed up proceedings to some extent and to make the proceedings of the House a touch more - I dare not say worthwhile - but sometimes I wonder what we're all about in there for hours and hours on end with very little becoming resolved and sometimes just no possibility of any kind of resolution either. I appreciate fully it's a forum for expression of opinions, opinions both of an individual nature and of a party nature, of philosophies and virtually everything else under the gamut as well, but it I think does promote, as we have it right now, a lot of antagonism. I think, in some instances, both in the past and perhaps in the future as well with a - I don't want to say a more co-operative House - House with more decorum in it, we could possibly see us meeting in the House more frequently in the year for shorter Sessions perhaps, or go on to some other vehicle rather than just the traditional Spring Session; getting more work done, having a stronger role for the Opposition to play, let alone members of the Government, as well, of course.

Some of the things I would just like to put out to you for thought, I guess, for future meetings and maybe people coming back with specific proposals. What I'm thinking of, in particular, are speaking limits. We've got a 40-minute speaking limit right now on most Bills and on the Throne Speech and on the Budget. I can get up and ramble on for 40 minutes quite easily - (Interjection) - No, I wouldn't say I say nothing. I certainly do wax eloquence for most of the 40 minutes, but I think I'm guilty, as many other members are guilty, of abusing House time by, I guess, frivolous commentary of what messages are in their pockets or what they're supposed to pick up for lunch or whatever else may be brought on the table.

I would like people to consider the possibility of reduction of the speaking limit on general Bills to 30 minutes with the exception of the lead Opposition spokesman and the Minister responsible and to give those people, I guess, basically an open time limit, let's say an hour or something, so that the people who are the main spokesman for the two sides can go on in more detail than the individual members. Most members are going to pick specific parts of a Bill or specific parts of an item, which they are more familiar with or have more interest in, to concentrate their time on. I think the debate may rise in level rather than just continue to ramble on.

Private Members' Hour - a 20-minute time limit there - I'm sure most of us could get said in 15 minutes what we're saying in our 20-minute time period. It would give more potential, you would get an extra speaker on every day virtually with an extra 5-minute period. Take that broken down, so that gives that much more possibility for people to be able to express their opinions on the matters brought forward by individuals into the House.

I really think that the Private Members' Hour is a very important hour of the day and I would like to see, you know, the legislative process perhaps opened up a touch more for more individual presentations, or Opposition presentations, because right now basically Government has a monopoly on the House. We pay far too little attention to matters outside of Question Period and matters outside of Government legislation that's been brought forward. I fully concur and recognize that the basic purpose of the House is to bring forward legislation which the Government wishes, through its legislative program in Estimates and Budget, but we should be looking at ways to expand that as well for more member participation.

In the Estimates themselves, when we are considering Estimates, I believe members once they start to speak after, you know, after a Chairman is interrupted, or after the Minister has spoken, members can then speak for 30 minutes without interruption. That's an awful long time, I think, in nine cases, or 19 cases out of 20 perhaps, not nine out of ten, it's worse than nine out of ten, that people use the time just as rambling time. We saw that time and time again this past year.

I must admit fully that I being a newcomer to the Legislature, I've not sat in years past and I recognize and accept that the conditions are probably worse in the amount of time that people spent just rambling and raving in some instances perhaps. But I think that the Estimates process itself could be sped up with time limits on encouraging people to make more five or perhaps a ten-minute limit on it other than again the lead government spokesman, or the lead critic for that department, and letting him have a longer, say, perhaps in particular in regards to his rebuttal on the start off or following the Minister's comments at the start, or perhaps the beginning of each major appropriation.

Another thing I would like to toss out for a possibility as well is the idea of having time limits on the whole Estimates process. Like, do we want to just leave it to the pleasure of the members of the Committees as to how long they're going to carry on over the whole process, or would there be consideration of a time limit using perhaps this past year as a base, or maybe going below that, or maybe somewhat above it as well, I don't know, and in letting the Opposition decide how much time they wanted to spend on each one of the various departments. So if they wish to pick out one or two departments as priorities and they had a limit of say 200 hours, for instance, or 250 hours, then they could spend 50 or 60 hours on one department if they so desired, and then other departments move along that much quicker. I guess it's a bit of frustration in having to sit here through so many of the late hours of the evening, and just for such a long length of time, and I really question how much we're really accomplishing. If the Opposition had more of an opportunity to be able to make amendments during the legislative

process. It would be a more meaningful process for them as well I'm sure.

I'd like us to give some consideration to perhaps these. I'm sure other members have a number of other items that they might like to suggest as well. I've discussed with other Members of the Opposition in the past the whole idea of time in the House and how to better utilize it. I'd just like to put these ideas forward for rejection, for comment more than rejection, however the members may wish to treat them. Naturally, I would prefer approval naturally, so I'll leave it at that. I don't know that it's something members wish to take up today, but it's something, I think, that we should have in the back of our minds for future meetings.

MR. CHAIRMAN: Mr. Ransom.

MR. B. RANSOM: A couple of observations, Mr. Chairman.

MR. H. GRAHAM: You have 30 minutes.

MR. B. RANSOM: I would point out to Mr. Scott that nowhere in the Rules is anyone required to speak the total amount of time that is allowed. Changing the speaking time that an individual can have with respect to Estimates is not going to change anything. If a member has opinions to express, he can express them in 15 minutes and then someone else can speak or interject and they'll go on for another 15 minutes. It hinges on individuals and how they intend to proceed rather than any change that you can make in the Rules. I'm rather, I can't go quite so far as to say shocked to hear that there's a suggestion now coming forth to limit the total time for debate on Estimates, after having watched the New Democrats in Opposition pile up the hundreds of hours on debate of Estimates during the previous Government's term, an amount of time which I believe was reduced during this past Session, certainly reduced from at least two of the previous years, to now come forward and suggest that there should be a time limit to the debate of Estimates. I would be shocked, I guess, if I thought that was a position being put forward by the Government as such. I rather think it's something that the member has not caucused with his Party and is putting it forward individually.

MR. CHAIRMAN: For Mr. Scott's benefit, we had a time limit at one time and that was traded away partly in return for a limit on Question Period, so an unlimited Question Period and a time limit on Estimates seemed to go together. I'll just throw that out for your interest.

MR. D. SCOTT: Probably be better than to go back to the old standard.

MR. CHAIRMAN: Unlimited time limit on Question Period didn't meet everyone's approval.

Mr. Anstett.

MR. A. ANSTETT: Mr. Chairman, I think there was a consensus arrived at close to 10 years ago that with regard to legislative debate there was an appropriate comparison with a balloon. If you tried to restrict it in

one spot there was enough hot air that was going to come out in some other place. If you grabbed the balloon at one point, it was just going to come out somewhere else, that things that people want to say, and I think - as I recall it was Mr. Jorgenson's comparison so I don't lay claim to it - if you try to restrict debate in any one spot it's going to come out under a provision somewhere else, which would normally pass without debate, and suddenly will become a debating item because debate has been restricted.

I think we've made quite an advance by having unrestricted Estimates debate for the last half dozen years or so simply because that is the focal point, and the appropriate focal point for most of the debate where you can address the specific appropriate item. I'd just as soon not see any change in that.

I agree with Mr. Ransom that the experience in the last Session was slightly less than the experience in the 1981 Session, I think 22 hours or something approximately less, but on something in the neighborhood of 300 hours, it's not that significant. We'll know after we go through another three Sessions whether the experience, as we approach the next election, will continue to show a reduction in Estimates time with the present Opposition over the last Opposition. I'm not sure that it necessarily makes much difference, because when we first took the Estimates time limits off in the middle '70s the time soared dramatically and the present Opposition was then in Opposition as well. So I think it's a function of what people have to say on issues they're addressing about which they have concern and I'd just as soon not see that restricted in any way, shape or form.

MR. CHAIRMAN: Mr. Santos.

MR. C. SANTOS: I concur, Mr. Chairman. People speak out of the abundance of their heart. If there is so much in them they naturally have to speak longer, but on the other hand it is not the amount we say that is important, it's the quality of what we say, because by our words we'll be justified and by our words we shall be condemned.

MR. CHAIRMAN: Mr. Fox.

MR. P. FOX: Thank you, Mr. Chairman. I've been on committees that have discussed the reduction, changes and speaking time limits and so on and I don't really feel that having a look at that again would hurt. I'm going to say I don't think we're going to accomplish much because I concur with the idea about the balloon with hot air; you push it here and it comes out someplace else. I think what we can do is possibly look at streamlining our sitting time in respect to a calendar year so that we don't sit into the summer, and I would like to throw out to the Members of the Committee, for thought, the fact that almost all Legislatures and the House of Commons are sitting twice a year or almost full time. I think that we're going to be at that same stage. In the last few years we've had beginning fall Sessions, late into the year, and then a carry-over into the next year and I think we should discuss that as to what kind of format we want to have if we're going to do that; whether it's a recess over Christmas or a recess over the summer; what we wish

to accomplish in respect to procedure, prior to the recess, so that we can consider certain items between the recess to which all members don't have to participate and so on.

I think these are some of the ideas we should think about, because I'm certain that we'll probably have a fall Session and it will all be left to the Government as to the kind of agenda, the kind of program, that is going to occur. But if we can have some input and some guidance from all the members on both sides we may be able to vary that and have a different number of months in which we sit and in which we recess.

MR. CHAIRMAN: Mr. Sherman.

MR. L. SHERMAN: Mr. Chairman, I agree with Mr. Scott's basic point which is that certainly some examination should be given by this Committee to the possibilities, as Mr. Fox has suggested, of streamlining the Legislative process.

Whether one would agree with the kinds of techniques that Mr. Scott has proposed for consideration is another question, but on the question of principle, he's right. Just on that point, I wonder if I could raise the question and I raise it sincerely because I don't recall that it was ever resolved, but I'd like to raise the question of unlimited time which is granted to the First Minister and the Leader of the Opposition or their designees on certain debates. It had always been my understanding that unlimited time was available to those persons, either the First Minister or the Leader of the Opposition or their designees on the Throne Speech Debate and on the Budget Debate, but we found in the last Session that freedom was applicable in more situations than those. When Mr. Scott and others are considering streamlining procedures, I think the question that I raise on this subject is relevant. Whether in fact it is a rule and custom of our House that there is unlimited time available on a wide number of debates for those particular personages is a question that would have to be answered first, and if that is an existing rule, custom and procedure, then I think consideration could be given to changing that and providing that flexibility only in the case of the Throne Speech Debate and the Budget Debate. — (Interjection)— Mr. Chairman, I'm asked by Mr. Anstett, what about Introduction of Bills? I'm saying that, in keeping with the spirit of the Committee, which I think is to search for ways of streamlining procedures, that I would just ask colleagues on the Committee to think about limitations on everything but the Throne Speech and the Budget Speech Debates.

MR. CHAIRMAN: Mr. Anstett.

MR. A. ANSTETT: Mr. Chairman, I was going to suggest that Mr. Fox's suggestion go on the agenda for our next meeting, the question of definitions of Sessions and Sessional lengths and recesses; but I think as well Mr. Sherman's suggestion should go on because I think that is something we should take back to our Caucuses and come back here to the next meeting and discuss. I think there's some merit in both suggestions.

MR. CHAIRMAN: Have you finished, Mr. Anstett?

MR. A. ANSTETT: If there is no further discussion on the question of streamlining the Rules, I have one other item under Other Matters.

MR. CHAIRMAN: I think, Mr. Graham wishes to speak to that.

MR. H. GRAHAM: Mr. Chairman, one of the fundamental principles of democracy is that we elect members to speak on behalf of either the constituents they represent or the people that they represent, even if it's the larger constituency of the entire Province of Manitoba. I think that was one of the considerations that we gave originally when the leader of any political party, recognized political party I would suggest, was granted unlimited time in debate, because he was speaking for the broader constituency of the entire province and I become concerned any time when we try and prevent debate occurring in today's society.

Common sense has prevailed much more effectively than defined Rules in most cases so I would not want to see that unlimited time in debate taken from any leader of a recognized political party, because it's very important that any political party that is recognized in the Legislature be given the time to espouse the policy of their particular group and the people that they represent and to put forward their views for the entire Province of Manitoba.

MR. CHAIRMAN: Mr. Anstett.

MR. A. ANSTETT: On another item, Mr. Chairman.

MR. CHAIRMAN: Does anyone else wish to speak to this item?

The next item, Mr. Anstett.

MR. A. ANSTETT: Yes, flowing from the discussion we had this morning on Appeals to Rulings, Mr. Chairman, the question arose, and we did not resolve it, with regard to a Review of Rulings. We talked about the compendium of Rulings going back to 1958, and rather than wait, I would like to suggest that we begin that review starting with the last Session, in terms of having staff prepare notes on the Rulings, the text of the rulings, the Hansard associated with each of them, distribute that prior to the next meeting and then we can discuss them here, if there is discussion of any of the Rulings from the last Session, and gradually, as we meet, work our way back through in case there are rulings about which we have concern in terms of them establishing precedents, because I think that was the nub of the discussion this morning. It wasn't so much a question of not wanting to do away with the appeal of Speaker's Rulings, but more a question of what are we getting when we get Speaker's Rulings in terms of precedents. I think that's an area in which we do need to do some work and I think probably the last Session is a good enough place to start.

I'd like to suggest that, Mr. Chairman, if it meets with the approval of the Committee we could do that at the next meeting, along with these other items, plus the subject matter of Bill 30 - we're already going to have a full agenda.

MR. CHAIRMAN: Anybody else?

MR. A. ANSTETT: Is that agreed?

MR. C. SANTOS: I just have a question.

MR. CHAIRMAN: Mr. Santos.

MR. C. SANTOS: Are we going to be selective in reviewing, for example, only those decisions that have been appealed to the House in the first instance or are we going to review everything?

MR. A. ANSTETT: The whole Rulings. I think in the paper we had this morning there were only 47 or 44 in the last three years. Only probably a fraction of those will be important Ruling about which we are concerned as precedents that the Committee might want to discuss in some detail.

MR. CHAIRMAN: Is that the agreement of the Committee? Okay, we'll see what we can do.

Mr. Tallin you had an item.

MR. R. TALLIN: Yes, I'm sorry I'm not a member of the Committee, so I should perhaps not have any right to raise new business, but there is one matter where there is an inconsistency in the practice between Standing Committees and Committee of the Whole and Report Stage of the Bills.

On Report Stage of the Bills, Ministers bring in amendments to their own Bills or the Mover of a Bill can bring in amendments to his own Bill. I suppose the reason for that is that these are a new substantive amendments when there is no Motion for a Second or a Third Reading before the Bill.

In Committee of the Whole it has always been permissible for the member sponsoring a Bill, which is practically nowadays always a Government Bill and almost always a tax Bill or a Bill relating to the Legislature itself, it's permissible for the member introducing the Bill to bring in amendments to the Bill for the purpose of improving the Bill.

For many years it was the practice in Standing Committees for the member introducing the Bill to be allowed to bring in amendments to the Bill. Over a period of time there has been objections from time to time in Standing Committees against members who are moving the Bill, moving amendments to their own Bill. In some committees they get pretty adamant about it, usually it happens with a Government Bill, the Minister then has to find someone else and wake him up and say would you move these amendments for me. Then you get the banter across the table after he's read the amendments, please explain your amendments, you see, and everybody knows that it's the Minister who's making the amendment. What has happened is, to avoid a lengthy debate, the Ministers usually always just say all right, somebody else will move them. It seems to me that it would be wise to instruct people one way or the other, either it is permissible or it is not permissible for a member who is sponsoring a Bill to move amendments at any stage of that Bill.

This is just put forward for your consideration. My feeling is that perhaps somewhere in the Rules, without amending the Rules itself, a note might be added to say that there is no Rule or no practice contrary to

or that prohibits a person from moving amendments to his own Bill.

MR. CHAIRMAN: Mr. Fox.

MR. P. FOX: Except for one problem. No, I guess in Committee it doesn't apply.

MR. CHAIRMAN: Mr. Anstett.

MR. A. ANSTETT: Before we were to agree to this suggestion and I . . .

MR. R. TALLIN: I don't want you to agree with it today, it's just something I think you should consider.

MR. A. ANSTETT: On the surface I see no reason why the sponsor of a Bill could not move amendments at Committee Stage or Report Stage, whether that's Standing Committee or Committee of the Whole, on the surface. I'm wondering why then, historically, a practice developed which said that the Minister could not amend his own Bill, because maybe, historically, there's something there which we may want to retain. If there isn't - no problem.

MR. CHAIRMAN: Can you answer that Mr. Tallin?

MR. R. TALLIN: Historically within my memory, up until 1967 or '68 the matter was never raised. When a Minister brought amendments to his own Bill in Committee they were accepted and then voted on. About the time of the late '60s a debate arose in several committees saying, when the Chairman is asking to pass a section he's really shortening down the member who is promoting the bill saying "I move that we pass Section 2," and therefore it would be improper for him to move an amendment to his own Motion. Now that argument flip-flopped back and forth for many years. You may have remembered some of the arguments we had in the Committees and in some Committees the Minister just proceeds to do it and nobody raises any question and in other Committees somebody will say, you shouldn't be amending your own Bill, and then they go through this shifting papers back and forth, and then the Minister has to keep track, or somebody else has to keep track, because the Minister is usually briefed on his own amendments. He has to then attempt to get the other member to understand where the amendments are to be made and that sort of thing.

MR. CHAIRMAN: Mr. Fox.

MR. P. FOX: Mr. Chairman, Mr. Tallin is correct in his recollection. The basic argument was that once you had a Motion on the floor, if you made it you couldn't make another Motion yourself, because that's what it amounted to. That's what it will still amount to, but if we have consensus that we should proceed this way then we can, but basically that's what it is - that you have two Motions at the same time made by the same member and you haven't voted on either one yet.

MR. A. ANSTETT: It could create a problem.

MR. R. TALLIN: It's a nuisance problem.

MR. CHAIRMAN: Mr. Santos.

MR. C. SANTOS: I suppose the objection is that since he's basically the Mover he cannot amend his own Motion. That was the basis of the objection.

MR. R. TALLIN: Yes, but you must remember that there is no substantive Motion made in the Committee that, you know, the Motion is, "Shall we pass Section 2?" It's a sort of a question as to whether you agree or not. There's no real Motion made anymore. Whether there was in the past or not I don't know, certainly not in my time. One of the difficulties is that frequently the Minister has already made commitments that, yes, we will be moving amendments or sometimes in his own statement he says "I will be moving amendments to correct some of the deficiencies in the Bill or improve the Bill," and then he finds that he can't make the amendment, he can't move the amendments.

MR. CHAIRMAN: Mr. Mackintosh.

MR. G. MACKINTOSH: Yes, I would observe that the only substantive Motion relevant is the Motion that has already been passed that the Bill be read a second time; that amendments to the clauses of a Bill are not substantive Motions. I might also add that if a Minister proposes an amendment to a clause, which appears to change the subject matter of the clause, that does not necessarily mean that it's negating the principle of the Bill, which the Government can not do after it has been read a second time. In principle, I don't see any reason why the Minister of the Government cannot have the authority to amend his own Bill, or the Government's own Bill. It only makes sense.

MR. CHAIRMAN: Mr. Fox.

MR. P. FOX: Well, just in answer to Mr. Mackintosh, the issue really is that a Chairman cannot make a Motion. When he is saying "Pass?," the Committee is taking the assumption that someone has said, "I move clause so and so, I move clause so and so," and then if the amendment comes, it's a second Motion, and that's the problem that arose. Do you follow me? The Chairman can't make any Motion; he can only take what the Committee gives him, but I think we can get around it.

MR. A. ANSTETT: There is another way to get around it, and that is for the Chairman, on consideration of a Bill, to ask for a Motion for passage of the Bill, which would not be moved by the Minister. In which case then, every subsequent request for "Pass?," as a Bill is moved through, is an extension of that Motion moved by another Minister or another backbencher or an Opposition Member. So when the Bill is called on the Committee's agenda, the Chairman asks for a Motion to pass the Bill; the Motion is moved and then you start through the Bill.

MR. G. MACKINTOSH: I was going to say Committees don't pass Bills; the House passes Bills. A Committee only considers a Bill. It only considers a Bill and it makes Motions to amend clauses and then makes that recommendation to the House.

MR. A. ANSTETT: The Committee must pass the Bill. It must pass through Committee Stage.

MR. G. MACKINTOSH: Yes, but that's not a Motion.

MR. A. ANSTETT: Absolutely it is.

MR. G. MACKINTOSH: The Committee simply considers a Bill.

MR. CHAIRMAN: Mr. Tallin.

MR. R. TALLIN: It seems to me that what you're doing is creating another nuisance. All I'm trying to do is get rid of one.

MR. A. ANSTETT: I don't really have a problem with it Rae, I think we can do it.

MR. R. TALLIN: Well, I think we can do it, but I say some instruction is needed. There are some notes at the back of the . . . there used to be some notes at the back but they're not there anymore, there used to be extensive notes at the back of the Rules. Oh, there is still one on Privileges and on Points of Orders; they are both there. You could add another note "Amendments to Bills," just by way of a note without any substantive Rule in it.

MR. A. ANSTETT: Mr. Chairman, could we maybe request a draft of an Appendix point on Amendments to Bills that could perhaps be drafted by Mr. Tallin in consultation with Mr. Mackintosh for our next meeting and then we can take it back and discuss it with our own Caucuses.

MR. CHAIRMAN: Is there anything further for the Rules Committee to discuss?

MR. A. ANSTETT: Mr. Chairman, when would you think of calling our next meeting?

MR. CHAIRMAN: Depending on what progress is made on the matters that the Committee wants done, perhaps three weeks.

Committee is adjourned.