

In March 2016, the Manitoba Legislative Assembly adopted rule changes to take effect on April 20, 2016, which are supplemental to rule changes adopted in June 2015. This document provides a summary explanation of these changes. Many of the changes are minor technical corrections or are deletions of rules and practices that have fallen into disuse. To see the complete description of these rule changes and a discussion by MLAs regarding these changes at a meeting of the Standing Committee on the Rules of the House, please go to [http://www.gov.mb.ca/legislature/hansard/40th\\_5th/hansardpdf/rh1.pdf](http://www.gov.mb.ca/legislature/hansard/40th_5th/hansardpdf/rh1.pdf)

### **Sessional Calendar**

#### *What has changed?*

A clarification was added so that if there is no Speaker, the Clerk is empowered to act only under the provisions of the Sessional Calendar for the purpose of calling the Legislative Assembly into session.

### **Intersessional Bill Meetings**

#### *What has changed?*

A change was added to identify that it is the Clerk and not the Speaker who tracks intersessional committee days. A provision was added to maintain the requirement of ten days' notice for an initial intersessional meeting of a Standing Committee to consider legislation while reducing the notice period to five days for subsequent meetings on the same bill. This notice provision can now be waived with written consent from the House Leaders.

### **Quorum**

#### *What has changed?*

The quorum rules were modified to stipulate that if there is no quorum at the start of a sitting day, the Speaker must adjourn the House. Clarification was also provided such that the Legislative Assembly can only prohibit or waive any requests for quorum calls but not the need for quorum itself, as the quorum requirement is a statutory provision. New rules were added to clarify that quorum counts arising in the Committee of Supply will be referred to and dealt with by the House.

### **Deputy Speaker**

#### *What has changed?*

A change was added to clarify that the Deputy Speaker is elected by way of motion.

### **Divisions**

#### *What has changed?*

Wording was modernized to: add cross references noting exclusions to this rule; add a reference to include all recognized parties; and remove a reference to the reason why a division may need to be referred. A reference was added for the practice of pairing during divisions and the requirement of formal notice for pairing. The process for requesting a recorded vote was clarified.

### **Attendance of Members**

#### *What has changed?*

The wording of the rule was clarified and simplified.

### **Decorum at Adjournment**

#### *What has changed?*

An addition was included to specify that Members are to stand and remain in their places until the Speaker has left the Chamber.

### **Decorum During Debate**

#### *What has changed?*

A provision preventing Members from crossing between the Speaker's Chair and the Member speaking in debate was deleted as this practice has fallen into disuse.

### **Strangers / Visitors**

#### *What has changed?*

The language describing persons in the Public Galleries was changed from strangers to visitors, and the action to be taken when disturbances occur in the Public Galleries was updated.

### **Tabling and Intersessional Tabling**

#### *What has changed?*

The number of required copies for tabled items will now be determined at the start of each Legislature. Reports can now be tabled intersessionally after five days instead of ten days, and reports tabled intersessionally are eligible to be referred to intersessional committee meetings for consideration. Clarification has been added that intersessional tablings cannot take place during a period of dissolution.

### **Ministerial Statements**

#### *What has changed?*

There is no longer a requirement for Ministers to provide written copies of Ministerial Statements. Written notice of Ministerial Statements must be given to the Speaker, Recognized parties and Independent Members 90 minutes prior to the start of Routine Proceedings.

### **Grievances**

#### *What has changed?*

The rule provisions were reorganized and clarified. Reference was also added to indicate Grievances are called on the day the budget is delivered but not on subsequent days of debate.

### **Opposition Days**

#### *What has changed?*

If there is no second largest Recognized Opposition Party, the Official Opposition could be entitled to all three Opposition Days. Intersessional filing provisions were added, and the provisions require notice to be filed by 12:00 noon on the last business day before the sitting period begins. An Opposition Day motion filed intersessionally is to be placed on the Order Paper on the first sitting day, though if that day is a day when the Throne Speech or Budget debate are held or is a day appointed for consideration of a Constitutional Amendment Motion, the Opposition Day motion must wait for consideration until after these other debate periods are concluded.

### **Order of Precedence**

#### *What has changed?*

An outdated practice regarding the listing of business under consideration at the time of adjournment was deleted as by practice items are listed for the following day by category and not priority. The language of the rule was also simplified.

### **Private Members' Resolutions**

#### *What has changed?*

Private Members' Resolutions are now limited to a single "Therefore Be It Resolved" clause. In addition, MLAs moving Resolutions for debate will no longer have to read the entire Resolution and instead will read just the "Therefore Be It Resolved" portion though the full text will appear in Hansard and in the Votes and Proceedings.

### **Private Members' Resolution Question Period**

#### *What has changed?*

A 10 minute question period on the Resolution will now be held immediately after the mover has spoken in debate instead of at the end of the hour of debate.

### **Private Members' Resolutions – Intersessional Filing**

#### *What has changed?*

Private Members' Resolutions (PMRs) can now be filed intersessionally for consideration during resumption of a sitting period. The notice must be filed by noon two business days prior to the resumption, with notification to go to House Leaders of Recognized Parties and Independent Members by 4:30 p.m. on the same day of filing. PMRs filed intersessionally shall appear directly on the Order Paper without first appearing on the Notice Paper.

### **Tabling Documents**

#### *What has changed?*

Tabling provisions were changed to remove from the rules a specific number of copies to be tabled, with the required number to be determined by the Speaker and House Leaders at the start of each Legislature. Once an item has been tabled, it is not required to be tabled again and nor does the item need to be processed again in the House records if already tabled. The requirement to table private documents quoted from has been expanded from the category of private letters, and clarification was also added that a Member must be directly quoting from the document as opposed to paraphrasing the document in order to trigger the requirement for the document to be tabled.

### **Speaking Time Exceptions**

#### *What has changed?*

Clarification was added that in order for a Leader of a Recognized Party to transfer unlimited speaking time to another MLA, the Speaker must be provided with written notice of this transfer before the Leader speaks in the debate.

### **Aspersions on Votes of House**

#### *What has changed?*

A rule prohibiting reflection on votes of the House was eliminated as this rule has not been enforced for many years.

### **Written Questions**

#### *What has changed?*

A provision was added for answers to Written Questions tabled intersessionally to be provided to the Member who asked the original question and for notification of the availability of the answer to be provided to all caucuses and Independent Members.

### **Referral of Bills to Committee of the Whole**

#### *What has changed?*

The rule was rewritten to more accurately reflect practices followed in Committee of the Whole for consideration of legislation.

### **Presenting Petitions**

#### *What has changed?*

Members are no longer required to read the names of the first three petitioners into the record when presenting petitions, but may read those names if they wish.

### **Referral of Petitions to Committee**

#### *What has changed?*

Petitions against legislation are no longer required to be referred to committee with the legislation, as this practice has fallen out of disuse.

### **Concurrence & Third Reading motion**

#### *What has changed?*

Bill sponsors will now be able to move Concurrence and Third Reading motions to their Bills, and have the option of speaking to the motion at the time of moving or at the end of the debate. Previously the sponsors could only speak at the time of moving the Concurrence and Third Reading motion.

### **Private Bills' Process**

#### *What has changed?*

The rule regarding Standing Committees making recommendations to the House about insufficient notice provisions for Private Bills has been deleted due to falling into disuse. Administratively, Private Bills cannot proceed if notice provisions have not been followed.

### **Updated corrections**

#### *What has changed?*

Replacing the outdated reference to “The Board of Internal Economy Commissioners” with “Legislative Assembly Management Commission”.

Correcting the description of Daily Prayer to be in the singular instead of the plural.

Moving the limitation on the number of amendments to the Budget motion from the section on Motions to the section on the Budget Debate.

Moving the limitation on the number of amendments to the Address in Reply from the section on Motions to the section on the Throne Speech Debate.

Deleting the word “address” from the motion notice provisions as Addresses for Papers were deleted from the rules in 2015.

Inclusion of motions to adjourn the House as a type of motion that is not required to be in writing.

The language regarding a motion meeting procedural requirements was updated to remove a reference to the Speaker, as this task is carried out by procedural staff.

The rule reference to “a motion for the Speaker to leave the Chair for the House to go into Committee of Supply” was deleted as this practice obsolete – a motion is no longer required to resolve into the Committee of Supply as this now happens automatically once the Government House Leader calls Supply as an order of government business.

References to various House officials and staff have been updated to reflect contemporary position titles.

The rules referring to engagement of extra employees, filling of vacancies, hours of attendance for staff and completion of work at the close of session were deleted as these are administrative rather than procedural matters. In addition the authority to hire extra employees, fill vacancies, hours of attendance for staff and completion of work at the close of session is derived from the Legislative Assembly Management Commission and not from the rules of the Assembly.

The rule provision requiring delivery of the Votes and Proceedings to the Lieutenant Governor was deleted as this rule has not been followed for a number of years at the request of successive Lieutenant Governors.

Changes were made to Appendix E – Speaking Times to correct an error regarding Leaders’ speaking time in debate on Report Stage Amendments and to also correct a reference error regarding “no confidence” motions in the listing of exceptions for Second Reading and Concurrence and Third Reading debates of Government Bills.