

TO THE HONOURABLE THE LEGISLATIVE ASSEMBLY OF MANITOBA

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

Meetings

Your Committee met on May 29, 2024 at 6:00 p.m. in Room 255 of the Legislative Building.

Matters under consideration

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

Committee Membership

- Mr. BLASHKO
- Hon. Min. FONTAINE
- Mr. JACKSON
- Mr. JOHNSON
- MLA LAMOUREUX
- Hon. MLA LINDSEY (*Chairperson*)
- MLA MOROZ

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

Officials Speaking on Record

- Mr. Rick Yarish, Clerk of the Legislative Assembly of Manitoba
- Mr. Tim Abbott, Deputy Clerk of the Legislative Assembly of Manitoba

Amendments to Rules Considered and Reported

At the May 29, 2024 meeting, your Committee agreed to report the following amendments to the *Rules, Orders and Forms of Proceedings of the Legislative Assembly of Manitoba*:

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

THAT sub-rule 1(1) be repealed and replaced with the following:

Procedure generally

1(1) Proceedings in the House and in any Committee are to be conducted in accordance with these Rules and with the sessional and other orders of the Assembly.

THAT sub-rule 1(3) be amended by adding the following definitions in alphabetical order:

“**Moderator**” means a Legislative Assembly employee who facilitates the virtual participation of Members in the proceedings;

“**virtually**” means participating in a proceeding of the House or any Committee using an approved videoconferencing platform.

THAT the following be added after sub-rule 1(3):

Proceedings of the House or Committees

1(4) A proceeding of the House or any Committee may be conducted with:

- (a) all Members physically present in the Chamber or committee room;
- (b) some Members physically present in the Chamber or committee room and some Members participating virtually; or
- (c) all Members participating virtually.

THAT the following be added after the new sub-rule 1(4):

Requirements for virtual participation

1(5) Members who are participating virtually are considered to be in their seat and must:

- (a) have their audio and video functions enabled with their faces identifiable in order to participate in proceedings, be included as part of the quorum and vote; and
- (b) keep their audio muted until recognized by the Chair, and also turn off their camera when they are away from the screen.

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

Sitting periods

2(1) The House may meet at any time during the following sitting periods, except during the Spring Sittings when the House must begin to meet on the first Wednesday in March:

November Sittings

From the first Tuesday following the Remembrance Day constituency week as described in sub-rule (2)(a) to the first Thursday in December.

Spring Sittings

From the first Wednesday in March to the first sitting day in June.

Fall Sittings

From the sixteenth sitting day before the Thursday of the week prior to the Remembrance Day constituency week, to that Thursday.

If the Thursday of the week prior to Remembrance Day is not a sitting day, the Fall sitting period shall be from the sixteenth sitting day before the Wednesday of the week prior to the Remembrance Day constituency week, to that Wednesday.

Within these periods, the House is to meet on a day fixed by the Speaker at the Government's request and, unless adjourned earlier by order of the House, is to be adjourned by the Speaker, without a motion for adjournment on the applicable day. The House then stands adjourned to the call of the Speaker.

Completion of Specified Bills

The Government may call the House into session for up to four additional sitting days in June after the first sitting day in June in order to complete consideration of Specified Bills. On the last of these four sitting days the remaining stages of Specified Bills not dealt with by the usual hour of adjournment will have all remaining questions put to a vote following the provisions outlined in sub-rule (15). The House will not rise until royal assent has been granted.

Completion of Designated Bills, the Business of Supply and BITSA

On the last Thursday sitting prior to the Remembrance Day Week, the House will not adjourn until the questions have been put and Royal Assent granted for the following items:

- (a) the Designated Bills;
- (b) the Business of Supply set out in sub-rule 77(1) including *The Appropriation Act*; and
- (c) *The Budget Implementation and Tax Statutes Amendment Act*.

Any remaining steps for these items not dealt with 60 minutes prior to the usual adjournment hour will have all remaining questions put to a vote following the provisions outlined in sub-rules (21), (23) and (24).

Constituency Weeks

2(2) The House shall not meet during the following constituency weeks:

- (a) the week in which Remembrance Day falls if it falls on a weekday, or the week following Remembrance Day if it falls on a Saturday or Sunday ("Remembrance Day constituency week");

- (b) the week designated under *The Public Schools Act* as a spring break or vacation ("Spring constituency week");
- (c) the week in which May 1 falls if it falls on a weekday, or the week following May 1 if it falls on a Saturday or Sunday ("May constituency week");
- (d) the week commencing on the third Monday of October ("October constituency week");

Days of Observance

2(3) The House shall not meet on:

- (a) September 30, the day designated as Orange Shirt Day;
- (b) November 8, the day designated as Indigenous Veterans Day.

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

Specified Government Bills

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

- (a) First Reading must be moved no later than the twentieth sitting day after presentation of the Throne Speech;
- (b) the Bill has not been included on the list of Designated Bills tabled by the Official Opposition in accordance with sub-rule (9);
- (c) the Bill has been included on the Specified Bill list tabled by the Government House Leader no later than 60 minutes prior to the usual adjournment hour on the fourteenth sitting day after the First Reading Completion Day for Specified Bills;
- (d) the Second Reading question must be put no later than the fifteenth sitting day after the First Reading Completion Day for Specified Bills; and
- (e) the Bill has been included on the Specified Bill list tabled by the Government House Leader no later than 60 minutes prior to the usual adjournment hour on the Concurrence and Third Reading Completion Day per sub-rule 2(14).

Private Members' Bills cannot be specified or designated.

THAT the following be added after sub-rule 2(7):

Emergency Provisions

2(8.1) In response to an emergency that could threaten public safety, the Speaker and the Leaders of Recognized Parties, or designates, have the authority to vary, pause, or postpone House and Committee proceedings as necessary by sending a letter signed by the Speaker and the Leaders of Recognized Parties, or designates, to all Members of the Legislative Assembly.

THAT sub-rule 5(1) be repealed and replaced with the following:

Quorum

5(1) The presence of at least 10 Members in the House, including the Speaker and any Members participating virtually, is necessary to constitute a meeting of the House for the exercise of its powers.

THAT sub-rule 5(3) be repealed and replaced with the following:

Quorum bell

5(3) If a quorum count is requested during a proceeding of the House:

- (a) the division bells shall ring for one minute during which time the doors shall remain open and Members may enter the Chamber or join the proceeding virtually;
- (b) once the division bells stop, no further Members may enter the Chamber or join the proceeding virtually;
- (c) the Clerk shall then count all Members present, including the Speaker, Members in their seats in the Chamber and Members who are present virtually, and announce the result to the House.
- (d) if a quorum of Members is not present, the Speaker must adjourn the House for the sitting day.

THAT the following be added after sub-rule 8(1):

Election of Speaker exempt from virtual provisions

8(2) The election of the Speaker is exempt from the provisions allowing Members to participate in proceedings virtually. In the event of an emergency situation requiring Members to participate virtually in the election of the Speaker, the House Leaders shall authorize the Clerk, in writing, to develop procedures to enable virtual participation during the secret ballot process.

THAT sub-rule 14(1) is repealed and replaced with the following:

Termination of debate before division

14(1) After Members have been summoned for a division, no further debate shall be permitted.

THAT sub-rule 14(2) is repealed and replaced with the following:

Entering and leaving during divisions

14(2) No Member shall enter or leave the Chamber or virtual platform from the stating of the question until the final result of the vote is announced.

THAT sub-rule 14(9)(a) be repealed and replaced with following:

(a) the Speaker shall provide an opportunity for Members who filed advance notice of pairing to declare which way they would have voted; and

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

Naming of a Member for an offence in the House

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

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

In the event of a Member disregarding an order of the Chair, the Speaker shall order the Sergeant-at-Arms to accompany the Member out of the Chamber, or direct the Member to terminate their virtual participation.

THAT sub-rule 18(4) be repealed and replaced with the following:

Suspension from service of House for Session

18(4) If a Member refuses to obey the Speaker's order to accompany the Sergeant-at-Arms out of the Chamber or terminate their virtual participation, the Speaker must then advise the House that force is required to implement the order. Any Member removed from proceedings by force is then suspended from all sittings of the House for the remainder of the session.

THAT sub-rule 19(1) be repealed and replaced with the following:

Decorum on Adjournment

19(1) When the House adjourns, Members present in the Chamber shall stand and remain in their places, while Members participating virtually shall remain in place until the Speaker has left the Chamber.

THAT sub-rule 19(4) be repealed and replaced with the following:

Use of electronic devices

19(4) Members participating in a House or Committee proceeding may use electronic devices in silent mode. When a Member is speaking in debate, such devices should be kept out of view.

THAT sub-rule 24(1) be repealed and replaced with the following:

Routine Proceedings

24(1) Routine Proceedings in the House at 1:30 p.m., and at 10:00 a.m. when it sits on a Friday, is as follows, unless the House orders otherwise:

Introduction of Bills
Committee Reports

Tabling of Reports
Ministerial Statements
Members' Statements
Introduction of Guests
Oral Questions
Petitions
Grievances

THAT sub-rule 27(4) be added:

Including names in Hansard Transcript

27(4) If a Member indicates that they wish to include in the Hansard transcript the names of individuals referenced in their statement or their response, up to 50 names will be permitted and included in the transcript. Members are responsible for the accuracy of their lists, which must be in a legible form and be provided to Hansard before 5:00 p.m. on the same sitting day the Statement is read in the House.

THAT the following be added after Rule 28:

Introduction of Guests

29(1) Immediately prior to Oral Questions, any Member may be recognized to introduce guests in the Chamber;

29(2) Each introduction shall be no more than 30 seconds in duration;

29(3) The time allowed for Introduction of Guests shall not exceed five minutes;

29(4) A Member may not use the time allotted for Introduction of Guests to make any positive or negative comment on Government or Opposition policies or Ministerial or Departmental action;

29(5) If a Member indicates that they wish to include in the Hansard transcript the names of individuals referenced in their introduction, up to 50 names will be permitted and included in the transcript. Members are responsible for the accuracy of their lists, which must be in a legible form and be provided to Hansard before 5:00 p.m. on the same sitting day the introduction is made in the House.

THAT Rule 40 be repealed and replaced with the following:

Order in addressing the Chair

40 Every Member in the Chamber wishing to speak shall rise in their place and address themselves to the Speaker. Members participating virtually shall signal their intention to speak and should speak from a seated position once recognized.

THAT Rule 44 be deleted.

THAT sub-rule 45(4) be repealed and replaced with the following:

General rule on rotation

45(4) When a Member speaks in a debate, in the absence of a debate rotation, the Speaker must not recognize another Member from the same party to speak until an opportunity to speak has been provided to Member from another party or an Independent Member.

THAT Rule 52 be repealed and replaced with the following:

Closure of debate

52(1) Immediately before the Order of the Day for resuming an adjourned debate is called, or if the House is in Committee of Supply or any other Committee of the Whole House, a Minister of the Crown who has given notice at a previous sitting of their intention to do so, may move that the debate shall not be further adjourned, or that further consideration of any resolutions, clauses, sections, preambles or titles shall be the first business of the Committee and shall not be further postponed. In either case the question shall be decided without debate or adjournment.

Effect of adoption of closure motion

52(2) Where the motion for closure is resolved in the affirmative, no Member shall thereafter speak more than once, or longer than 30 minutes in any such adjourned debate; or, if in Committee, on any such resolution, clause, section, preamble or title; and if the adjourned debate or postponed consideration has not been resumed or concluded before 2:00 a.m., no Member shall speak after that hour, but all such questions as must be decided in order to conclude the adjourned debate or postponed consideration shall be decided forthwith.

THAT sub-rule 53(1) be repealed and replaced with the following:

Procedure on Point of Order

53(1) A Member addressing the House, if called to order by either the Speaker or on a Point of Order raised by another Member, shall cede the floor while the Point of Order is being stated.

THAT sub-rule 55(1) be repealed and replaced with the following:

Conduct during the putting of the question

55(1) When putting the question, the Speaker should be heard in silence.

THAT sub-rule 57(1) be repealed and replaced with the following:

Maintenance of order

57(1) When any matter is being debated, the Member who has been recognized by the Speaker holds the floor until their time has elapsed or the House rises. With the exception of raising a Point of Order or Matter of Privilege, if another Member seeks to interrupt the Member holding the floor the Speaker shall call the second Member to order.

THAT sub-rule 70(1) be repealed and replaced with the following:

Motions moved and seconded

70(1) Motions shall be moved and seconded before being debated. Members must be at or in their seats to move or second a motion.

THAT sub-rule 76(2) be repealed and replaced with the following:

76(2) The Rules of the House shall be followed in a Committee of the Whole House, as applicable, with the following exceptions:

- (a) Members participating in the Chamber are not required to rise in their place to speak;
- (b) a Secunder is not required for moving motions;
- (c) there is no limit on the number of times a Member may speak in a debate;
- (d) with the exception of opening statements in the Committee of Supply (see sub-rule 78(2)), speeches in a Committee of the Whole House shall not exceed five minutes.

THAT sub-rule 78(10) be repealed and replaced with the following:

Recorded Votes in Committee of Supply

78(10) Where, immediately following a voice vote, two Members request a recorded vote, the division bells shall summon the Members of all sections of the Committee of Supply to the Chamber, and a division shall take place.

THAT sub-rule 78(11) be repealed and replaced with the following:

All sections of the Committee of Supply to meet

78(11) For the purposes of conducting a division pursuant to sub-rule (10), all sections of the Committee of Supply must meet together in the Chamber section.

THAT sub-rule 78(12) be deleted.

THAT sub-rule 78(13) be repealed and replaced with the following:

Committee of Supply sitting on Fridays

78(13) When the Committee of Supply sits on a Friday:

- (a) no request for a quorum count is permitted;
- (b) a motion for the Committee to rise may only be decided on a voice vote;
- (c) a request for a division on any question with the exception of a motion for the Committee to rise must:
 - i. be deferred to the next Sitting of the Committee of Supply and be considered then as the first item of business,

- ii. not be further deferred;

(d) after a division has been deferred, that section of the Committee must rise.

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

THAT sub-rule 85(2) be repealed and replaced with the following:

Committee membership lists

85(2) At least one hour prior to the start of each Committee meeting, the Whip or the Whip's designate must provide to the Committee Clerk a signed list of Members from their Caucus to serve on the Committee for that particular meeting. Changes can also be made during the meeting by the Whip or Whip's designate providing written notification to the Chairperson.

THAT sub-rule 89(1) be repealed and replaced with the following:

Presentation of Committee Reports

89(1) A report from a Standing or a Special Committee shall be presented by the Chairperson, and shall be read by the Clerk.

If the Chairperson is unable to present, the Vice-Chairperson may present the report. If neither the Chairperson nor the Vice-Chairperson is able to present, any Member who served on the Committee for the meeting(s) reported may present the report.

THAT sub-rule 92(2) be repealed and replaced with the following:

Presentations to Bills

92(2) After First Reading of a Bill is adopted, members of the public may register to make presentations to a Standing or Special Committee considering a Bill, with the following Rules to apply:

- (a) presentations may be made either in person or virtually;
- (b) presentations are allowed from presenters residing outside of Manitoba, but only the first two out-of-province presenters may present virtually. All other out-of-province presenters must appear in person unless the House Leaders provide written permission prior to the meeting, or the Committee grants leave.

THAT the following be added after sub-rule 92(2):

Hearing presentations on Bills

92(3) The following rules are to apply to each public presentation:

- (a) each presenter may use a maximum of 10 minutes to present to the Committee;
- (b) with the unanimous consent of the Committee, a presenter who has spoken for 10 minutes may be granted additional time to conclude their presentation;
- (c) following each presentation a five-minute question and answer period between the presenter and Members may occur. Questions shall not exceed 30 seconds each.
- (d) during question and answer periods on presentations to Government Bills, questions may be addressed to presenters in the following rotation:
 - i. the Minister sponsoring the Bill, or another Member of their caucus,
 - ii. a Member of the Official Opposition,
 - iii. a Member of another Recognized Party (if present),
 - iv. an Independent Member.
- (e) during question and answer periods on presentations to Private Members' Bills, questions may be addressed to presenters in the following rotation:
 - i. the Member sponsoring the Bill, or another Member of their caucus,
 - ii. a Member from each other Recognized Party,

iii. an Independent Member.

THAT Rules 93 to 95 be deleted.

THAT Appendix D is amended by repealing step No. 8 and replacing it with the following:

8. Speaker reads messages. (all Members in the Chamber stand)

Agreements

Your Committee reached the following agreements during the meeting on May 29, 2024:

- THAT these amendments to the *Rules, Orders and Forms of Proceedings of the Legislative Assembly of Manitoba* come into force at the beginning of the second Session of the 43rd Legislature.
- THAT the Clerk may renumber the *Rules, Orders and Forms of Proceedings of the Legislative Assembly of Manitoba* and make other minor corrections that in no way alter the intended meaning of these amendments.
- THAT the Clerk is authorized to make minor corrections to the French version of the Rules, Orders and Forms of Proceedings of the Legislative Assembly of Manitoba to ensure the equivalence of both versions of the Rules, ensuring that they in no way alter the intended meaning of these Amendments.
- THAT the Clerk prepare revised rule books incorporating all amendments, additions and deletions.
- THAT these amendments to the *Rules, Orders and Forms of Proceedings of the Legislative Assembly of Manitoba* are permanent.
- THAT the document entitled “Legislative Assembly of Manitoba Rule Change Proposals – May 2024 – Virtual Rules and Other Minor Amendments” be included at the end of the Hansard transcript of this meeting.

Submitted by,

Hon. Tom LINDSEY, Chairperson
May 29, 2024