



Third Session - Thirty-Sixth Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Rules of the House

Chairperson
Mrs. Louise Dacquay
Constituency of Seine River



MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Sixth Legislature

Member	Constituency	Political Affiliation
ASHTON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave	Kildonan	N.D.P.
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise, Hon.	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary	Concordia	N.D.P.
DOWNEY, James, Hon.	Arthur-Virden	P.C.
DRIEDGER, Albert	Steinbach	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
ERNST, Jim	Charleswood	P.C.
EVANS, Clif	Interlake	N.D.P.
EVANS, Leonard S.	Brandon East	N.D.P.
FILMON, Gary, Hon.	Tuxedo	P.C.
FINDLAY, Glen, Hon.	Springfield	P.C.
FRIESEN, Jean	Wolseley	N.D.P.
GAUDRY, Neil	St. Boniface	Lib.
GILLESHAMMER, Harold, Hon.	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KOWALSKI, Gary	The Maples	Ind.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
MACKINTOSH, Gord	St. Johns	N.D.P.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McALPINE, Gerry	Sturgeon Creek	P.C.
McCRAE, James, Hon.	Brandon West	P.C.
McGIFFORD, Diane	Osborne	N.D.P.
McINTOSH, Linda, Hon.	Assiniboia	P.C.
MIHYCHUK, MaryAnn	St. James	N.D.P.
MITCHELSON, Bonnie, Hon.	River East	P.C.
NEWMAN, David, Hon.	Riel	P.C.
PENNER, Jack	Emerson	P.C.
PITURA, Frank, Hon.	Morris	P.C.
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
RADCLIFFE, Mike, Hon.	River Heights	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack, Hon.	Niakwa	P.C.
RENDER, Shirley	St. Vital	P.C.
ROBINSON, Eric	Rupertsland	N.D.P.
ROCAN, Denis	Gladstone	P.C.
SALE, Tim	Crescentwood	N.D.P.
SANTOS, Conrad	Broadway	N.D.P.
STEFANSON, Eric, Hon.	Kirkfield Park	P.C.
STRUTHERS, Stan	Dauphin	N.D.P.
SVEINSON, Ben	La Verendrye	P.C.
TOEWS, Vic, Hon.	Rossmere	P.C.
TWEED, Mervin	Turtle Mountain	P.C.
VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	N.D.P.
Vacant	Portage la Prairie	

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

Thursday, June 26, 1997

TIME – 4 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mrs. Louise Dacquay (Seine River)

VICE-CHAIRPERSON – Mr. Marcel Laurendeau (St. Norbert)

ATTENDANCE - 10 – QUORUM - 6

Members of the Committee present:

Hon. Messrs. McCrae, Newman, Radcliffe

Messrs. Ashton, Helwer, Hickes, Lamoureux, Laurendeau, Mackintosh, Tweed

APPEARING:

Mr. Gary Kowalski, MLA for The Maples

MATTERS UNDER DISCUSSION:

Matters referred.

Mr. Vice-Chairperson: Good afternoon. Will the Standing Committee on Rules of The House please come to order. The standing committee will be considering proposed amendments to the rules of the House. How does the committee wish to proceed this afternoon?

Hon. James McCrae (Government House Leader): Mr. Chairman, some discussions and negotiations have been undertaken. A number of things have been the practice in this particular session by leave or by agreement as we go, and we have found that proceedings or provisions such as Thursday morning sittings and having three Estimates committees working has worked well for the people of Manitoba and

worked well enough that the parties have agreed that we could enshrine those in our rules.

The package that you have before you, Mr. Chairman, touches on the areas of agreement we have reached, and I am at the pleasure of the members of the committee as to how we get through this this afternoon. I have been pleased with the Office of the Clerk of the Assembly and the work that has been done in setting out in rule format the areas of agreement between the parties, and I would like to say that and thanks to those, too, who have been involved in the translation of all of this and getting us ready to do this.

With that, I would perhaps look for guidance from other members of the committee.

Mr. Steve Ashton (Opposition House Leader): Basically, as the government House leader outlined, there were some certain practices that we followed this session. This reflects that. A couple of the items are in from the previous session. It is basically dealing with the weekly agenda, at that level, no major changes, basically, from what has happened this session, with a couple of things that happened the previous session, and to be frank we still have some significant areas of disagreement, but these are areas which seem to have worked, and I know our caucus believes it will provide a better functioning of the Legislature.

So we have been part of the discussions and are fully in support of the proposed changes.

Mr. Kevin Lamoureux (Inkster): I just want to add a few words. I think that the member for Thompson (Mr. Ashton) is quite right. You know, in some areas maybe some were hoping to go a little bit further, and other areas maybe people had some different thoughts, but the package that we have before us, there was a general consensus.

The only thing that I wanted to emphasize, and I emphasize it because it was not necessarily incorporated into the rules, is that there are some things

such as the members' statements. In the past, what we saw was that there is Tuesdays and Thursdays recognizing that the independents would be provided opportunities to address things like members' statements as opposed to a complete rotation. There was not any desire to put it into the rules, but there was acknowledgement that there was the need to allow for independents to be able to participate, and this is a good example of that.

So even though we might have been able to see some more things with respect to the independents, we recognize the importance of trying to get a consensus and are quite content. I know the member for The Maples also might have a few words to say, too.

* (1610)

Mr. Gary Kowalski (The Maples): Yes, I view these recommended rule changes a work in progress. There are many more things that need to be dealt with, and as opposed to always being reactive, you know, when problems arise, then we make up a new rule—and I think a good example is my present situation as an independent MLA. I am not thinking even from my own situation, but in the future. I have found wide support from many people who like the idea of politicians becoming less partisan and more problem solvers, and maybe we are going to have more independent members in the future.

The rules do not speak well to the rights and privileges and the role that independent members could, or should, play as equal members in this Legislative Assembly. It is based completely on a party system, and what I am hearing from the people who have contacted me as a result of recent moves I have made is that they like the idea of politicians being less partisan and looking at solving problems. So I think there needs to be a lot more done in the rules to address the needs of independent members.

I am also concerned about certain negotiations that take place between the Speaker, and I think we should address some of those elements in the rules so it is not up to negotiations; for example, speaking order for Question Period, when a person is going to be recognized by the Speaker, how many questions, what order. I think right now that is up to negotiations, and

it depends on the personality of the Speaker, the temperament of the Chamber at the time, how the Speaker feels he or she could develop consensus. If we had it in our rules as a clear definition, that is one more possibility of friction that we take out, and I think we should have something in the rules about Question Period.

There are a number of other situations, of course; right from the outset a recognized opposition party, the definition in Section 3 of the present rules. It is confusing for many people to understand who is a recognized party here. On one hand, we have in Hansard, it indicating Liberal members of the Assembly, and on the other hand, we do not have it posted when you walk into this building where Liberal members are. You have in the phone book it indicated where the official opposition phone number is, but you do not have indicating any of the other caucus members. So I think there needs to be a lot more done, but I will not stand in the way or prolong the debate.

The only major concern I have suggested for rules changes here is members' statements. I am concerned that it is not clear on the rotation, and, again, it is going to become a matter of negotiations and I am disappointed. I do not think rules should be reactive. As a result, if an independent member is not being dealt with fairly, there are many times in this House where leave is required, and if an independent member wants to be petulant, wants to throw a monkey wrench into the proceedings of the Legislature—I do not think it is a healthy thing but it can happen if someone is ignored, and believe me, if I am ignored, I do take action. I think those rules—that should be examined by the rules committee.

Mr. Ashton: I just want to acknowledge the points put forward by the member for The Maples and also the member for Inkster (Mr. Lamoureux) and the government House leader (Mr. McCrae). I want to indicate I have some agreement.

For example, there are gaps in the rules that deal with calling of recorded votes. You need four members for a recorded vote, and yet there are assumptions about who—and it is not the Chair's fault; it is just that that is the procedure.

It seems to me there are a lot of areas with rules like that where I believe there needs to be a more formalized system. I have suggested that we could have designated people speaking for parties, but, you know, on the other hand, it should not be assumed that if an independent member gets up, they do not have the support. It would be better if there was some process of getting some indication.

I note that because the other day I just tried to put myself in the position of the members, and I think even though there may be an argument for the four members for a recorded vote, even if you are going to have that, you need a process that is not one-sided and does not treat one set of members the other way. I know when I call for a recorded vote, I guess as House leader it is assumed that I have the support, but there may be times when members of recognized parties call for a recorded vote and do not have that support. They may not be officially speaking for their party.

So I think it is a point well taken. The main message I would send, I think, from our caucus is that I think the member for The Maples (Mr. Kowalski) is quite correct when he calls it a work in progress. I do not consider this major parliamentary reform. We had broader hopes some time ago. We spent quite a few years on this. I know a number of the people in this room, the member for Inkster (Mr. Lamoureux) in particular, and myself spent a lot of time on this. A lot of those grand ideas did not work out. Some maybe were ahead of their time. Maybe some of them were—maybe we were being naive. So I want to indicate to the member for The Maples that I would hope that setting apart some obvious major areas of contention—I mean, the elected Speaker being a good example. We have raised that and we would like to see that in the rules and a lot of other issues. I would suggest that we should look down the line at this.

I, by the way, think that the rules should always evolve. I do not think that rules are set in stone. The sad part, in many ways, is that for years we went with no changes in the rules. We had contradictions in our rules, you know, absolute, direct contradictions. Some of them are dealt with here.

So I would be more than willing, and I am sure our caucus, all members, would be willing to sit down,

certainly at the next session, and look at some of these items again. Quite frankly, I think the Rules committee should meet every session, even just to sort of keep track of some of these things. That may be a way of doing it if we—and, by the way, I am saying this on a personal basis. I am not assuming anything here, but we may want to look at having a meeting next session that deals with whatever issues people have and not just have discussions between parties but have individual members come forward with ideas. So I think it is a point well taken.

Mr. McCrae: Mr. Chairman, the points made have merit. The last point about more discussions about our operating rules, those comments are welcome.

The door is open. I am sure every House leader and every caucus and every individual member would say that, because they all have something they want. I know it is true, this does not represent major parliamentary reform. Some of my fondest hopes about parliamentary reform are not in these changes today. What are in the changes are what makes some common sense, have been demonstrated to work for this Legislature, and fearing the concept of making the perfect the enemy of the good, I think what we have here is good, and we will keep striving for the kind of perfection that we are all looking for. There is no doubt but there are further changes that could be contemplated in the future, and the door is open for that as far as I am concerned.

With that, perhaps we could—I am not sure how you do it, but move the adoption of these changes and recommend them to the House.

Mr. Vice-Chairperson: Shall the proposal be considered in its entirety or on a page-by-page basis? In its entirety? [agreed]

Amendment—pass. Shall I report it to the House? [agreed]

The time being 4:20, what is the will of the committee?

Mr. McCrae: Rise.

Mr. Vice-Chairperson: Committee rise? [agreed]

COMMITTEE ROSE AT: 4:23 p.m.