

Legislative Assembly of Manitoba
Summary of Rule Changes – September 2022

The Legislative Assembly of Manitoba adopted a number of changes to its *Rules, Orders and Forms of Proceedings* in June 2022, which will come in to force on September 28th, 2022. This document provides concise explanations of these changes. To see a complete description of these Rule changes, please refer to the [Hansard transcript of the meeting of the Standing Committee on the Rules of the House from Tuesday, May 31st, 2022](#). You can find the newly revised Rule Book here: https://www.gov.mb.ca/legislature/business/rule_book.html.

1) Adding three definitions to allow the use of electronic documentation
Sub-rule 1(3)

What has changed?

This is the first of a number of Rule changes designed to facilitate the use of electronic documentation in addition to hard copies in the House and Committees. Definitions contained within 1(3) are used to clarify terminology used throughout the Rule Book and replaces the need to repeat an explanation numerous times throughout the Rules. These new definitions relate to printing, distributing and tabling electronic documents in the House and Committees, something that has become a standard practice following the pandemic and introduction of virtual sittings.

2) Removing references to *The Loan Act* in definitions
Sub-rule 1(3)

What has changed?

With the passage of Bill 16 – *The Financial Administration Amendment Act* in June 2022, all references to *The Loan Act* must be removed from the Rules as the relevant resolutions previously referenced in that Act will now be contained within parts C and D of *The Appropriation Act*. There are a number of these changes throughout this Rules package. This change also removes the word “capital” as capital supply also relates to *The Loan Act*.

3) Removing references to *The Loan Act*
Sub-rule 2(1) paragraph 6

What has changed?

As with the previous Rule change, this removes another reference to *The Loan Act*.

4) Sessional Calendar Specified Bills Second Reading completion days
Sub-rules 2(10) and (11)

What has changed?

This is a substantial change to the process for dealing with the two deadline days identified in the Rules for putting the question on Second Reading of Specified Bills.

Previously, Sub-rules 2(10) and 2(11) set out two separate days with different purposes for concluding Second Reading of the Specified Bills. The first day allowed debate on all of the Bills without putting any of the questions or ringing the division bells. On the second day all questions were put, without debate, in the order the Bills appeared on the Order Paper, and bell-ringing of up to one hour on each question was permitted.

The revised Sub-rule 2(10) now provides the opportunity for a limited debate on each Specified Bill followed immediately by the questions being put in turn on Second Reading, rather than stacking the votes on the second

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night. The House can only sit until midnight on this day. The Rule also adds in greater clarity for the cut-off provisions on that day, in line with wording used in similar circumstances elsewhere in the Rules.

Sub-rule 2(11) has been amended to provide a second day for limited debate and immediate voting on any remaining Second Reading of Specified Bills (if required). The House will not see the clock until all questions have been put, however, there is now a provision detailing the process the House must take after midnight. In this circumstance, there is to be no debate and the bells can only ring for up to one minute on each question. In the event that a second day is not required, this Rule would not come in to effect.

Lastly, there is a new provision which allows the Government House Leader to announce the order in which the remaining Specified Bills will be called for debate, rather than the Speaker calling them as they are listed on the Order Paper.

5) Updating the Specified Bills Committee Completion deadline day
Sub-rule 2(12)

What has changed?

With the changes to the Specified Bills Second Reading Completion days, the trigger for the Committee Completion day needed to take into account a situation where either one or two Second Reading Completion days were required. This revised Sub-rule changes the sitting day used to determine the Committee Completion day so that the Sessional Calendar remains the same regardless of the number of days used for Second Reading completion.

6) Exceptions when calling Intersessional Committee meetings
Sub-rule 4(9)

What has changed?

This change allows for both the Standing Committees on Public Accounts and Rules of the House to meet intersessionally without having to provide a minimum of 10 days' notice (as previously required). In practice, the Public Accounts Committee's Steering Committee is responsible for scheduling PAC meetings and this change allows them to do so at short notice if this is required. The same provision applies to the Standing Committee on Rules of the House, allowing for meetings to be announced intersessionally at any time by a letter from the Government House Leader.

7) Disorder in Committees
Sub-rule 18(2)

What has changed?

The revised version of this Sub-rule grants the Chairperson of any Committee of the House broader, more flexible powers when it comes to dealing with disorder caused by an MLA in said Committee. The previous version of this Rule had the unintended consequence of creating the situation where a single MLA, who might not even necessarily be a Member of that Committee, would have had the ability to completely shut down a Committee and cause it to rise.

Under the revised version of this Rule, if a Member creates disorder in a Committee meeting and is refusing to co-operate, the Chairperson has the authority to do the following:

1. no longer recognize the Member in question to speak in debate for the duration of the meeting

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2. suspend the Committee proceedings
3. in extreme circumstances, have the Member removed from the Committee room for the duration of the meeting.

In the event that a Chairperson has to resort to using one of the above, it shall be reported to the House immediately or on the next sitting day.

8) Members' Dress Code
New Rule 20

What has changed?

Historically, the dress code for Members of the Legislative Assembly of Manitoba has been determined by long standing practice and multiple Speakers' Rulings. The new Rule 20 codifies in the Rules for the first time a dress code for Members when participating in proceedings of the House and its Committees.

When participating in proceedings of the House, Members are expected to wear "professional contemporary business", or traditional Indigenous or other cultural or ethnic attire that does not offend the dignity of the Assembly. When participating in Committees of the House a "business casual" dress code is permitted.

Any requests for exceptions or guidance on the dress code are to be brought to the Speaker.

9) Reading of an Indigenous Land Acknowledgement in the House
Rule 23

What has changed?

This change codifies in the Rules that an Indigenous Land Acknowledgement will be read by the Speaker following the Prayer each sitting day before any business of the House can begin. The wording of the Land Acknowledgement itself is not stated in the Rules as it is approved by consultation between the House Leaders. This has been happening since the Fall of 2021 by agreement of the House but has now been permanently adopted in the Rule Book.

10) Putting the question on Opposition Day Motions
Sub-rule 31(15)

What has changed?

This is a minor change to ensure clarity on what happens if there are no more speakers to an Opposition Day Motion prior to the hour of adjournment. The old wording of this Rule left it ambiguous and so this change simply states that the Speaker will put the question.

11) Speaking time exceptions during Budget debate
Sub-rule 35(9)

What has changed?

A minor change to add clarification that Leaders of Recognized parties can only transfer their unlimited speaking time to a Member of their own caucus.

**12) Tabling of electronic documentation quoted from
Sub-rule 41(5)**

What has changed?

As noted above, this is another change to allow for electronic documentation to be used in the House. This specifically relates to a document a Member is directly quoting from and is then required to table during debate.

**13) Speaking time exceptions for Leaders of Recognized Parties
Sub-rule 45(2)**

What has changed?

Similar to proposal 11, this is also a minor change to add clarification that Leaders of Recognized Parties can only transfer their unlimited speaking time to a Member of their own caucus. It also makes the terminology used when referencing the Leaders of Recognized Parties consistent with other Rules.

**14) Speaking time exceptions during Throne Speech debate
Sub-rule 48(5)**

What has changed?

This is the same as the previous proposal. It adds clarification that Leaders of Recognized Parties can only transfer their unlimited speaking time to a Member of their own caucus and makes consistent the terminology used to reference Leaders of Recognized Parties.

**15) Acknowledging electronic distribution when Reading the Question
Rule 59**

What has changed?

Another minor change to allow for the use of electronic documentation in the House. The intent of the Rule has not changed.

**16) Clarification of the Committees of the Whole House
Rule 76**

What has changed?

This Rule change completely re-writes Rule 76 for greater clarity without changing the intent or processes in the original version of the Rule. The change also adds to the Rules the long standing practice to count the Members in all three sections during a Quorum count in Committee of Supply.

**17) Removing references to *The Loan Act* in Business of Supply
Sub-rule 77(1)**

What has changed?

Yet another minor change to remove a reference to *The Loan Act*/Capital Supply.

18) Determining the Estimates Sequence
Sub-rules 78(7) and 78(8)

What has changed?

The previous version of this Rule specifically prescribed the process for determining the sequence that Departments are to be called during the Estimates process. This may or may not have been followed historically as this is a decision made between House Leaders.

The changes made remove this specific process and instead leaves it to the House Leaders of Recognized Parties to come to a decision. This agreement is then tabled in the House by the Government House Leader. In the event of an impasse when the House Leaders are unable to come to an agreement, the revised Rule allows for the Speaker to determine the sequence in consultation with the House Leaders.

19) Removing references to *The Loan Act* when presenting reports from the Committee of Supply
Sub-rule 78(14)

What has changed?

Yet another minor change to remove a reference to *The Loan Act*/Capital Supply.

20) Removing references to *The Loan Act* when dealing with the Concurrence Motion in the Committee of Supply
Sub-rule 79(1)

What has changed?

Yet another minor change to remove a reference to *The Loan Act*/Capital Supply.

21) Standing Committee Membership size and composition
Rule 83

What has changed?

Historically, Standing Committees in Manitoba have consisted of 11 Members. However, during the pandemic this number was reduced to six by means of a Sessional Order, with an exception being made for Public Accounts and Rules of the House. The new wording of this Rule introduces the process for determining the size and composition of Standing Committees, requiring the House Leaders of Recognized Parties to decide on this (along with other House Management issues) following an election or if the composition of Recognized Parties changes.

In line with other processes detailed in the Rules, in the event of an impasse there is a provision allowing the Speaker to determine the size and composition of Standing Committees, enabling the business of the House and Committees to proceed.

22) Speaking time limits during the question and answer period following public presentations during Standing Committee meetings
Sub-rule 92(2)

What has changed?

Following a public presentation to a Bill, Members of a Standing Committee have five minutes to ask questions of each presenter. It was Manitoba practice that the Chairperson used their discretion when recognizing Members to speak, often, but not always, recognizing the sponsor of the Bill first followed by the Critic or designate. The new wording of the Sub-rule sets out a rotation for Members to ask questions and introduces a speaking time limit of 30 seconds for Members only.

Another minor addition to this Sub-rule is codifying the long standing practice that members of the public cannot register to present to a Bill until it has been granted First Reading.

23) Formally establishing the Public Accounts Committees' Steering Committee and changing how PAC meetings are announced
Sub-rules 111(1) and 111(2)

What has changed?

This provision makes two significant modifications relating to the Standing Committee on Public Accounts in Manitoba.

First, it codifies the creation and operations of the Public Accounts Steering Committee which has been operating by practice in Manitoba since 2007. The Steering Committee is made up of the Chairperson, Vice-Chairperson, Auditor General, Committee Clerk and Research Officer and is responsible for setting the strategic direction of the Standing Committee and organizing meetings.

The second provision changes how meetings of the Standing Committee on Public Accounts are announced. Historically this has been done by the Government House Leader, however Manitoba was the last Province in Canada to operate in this way. Under the new Rule, the Public Accounts Committee can only meet with the joint agreement of the Chairperson and Vice-Chairperson and the responsibility for announcing a meeting has been passed to the Chairperson (or Vice-Chairperson in their absence).

24) Updated wording to Three Readings
Sub-rule 138(1)

What has changed?

The first minor change to this Rule updates the archaic term "several" when referring to Readings of a Bill, and the second change exempts Supply Bills from this Rules, as this has been a long standing practice. Out of necessity some Supply Bills need to be passed in a single day and this changes allows for that to happen.

25) Removing reference to Clerks distributing Reports
Rule 144 – repealed

What has changed?

The distribution of this list of reports is an administrative function undertaken by the Journals Branch. Such functions do not need to be included in the Rules and will continue by practice, therefore the Rule has been repealed.

26) Allowing for documentation prepared by the Law Officer to be in electronic format and hard copy
Sub-rule 148(2)

What has changed?

A minor amendment changing the reference of “printed” Bills to “prepared” both in hard copy and electronically.

27) Remittance when Bills are prepared in both hard copy and electronically
Sub-rule 150(3)

What has changed?

As with the previous Rule change, this is a minor amendment changing the reference of “printed” Bills to “prepared” both in hard copy and electronically.

28) Removing references to *The Loan Act* in APPENDIX D – Main Supply Procedure
APPENDIX D

What has changed?

There are multiple changes within APPENDIX D related to removing references to *The Loan Act*/Capital Supply. Consequently, the Main Supply Procedure (previously named the Main and Capital Supply Procedure) has been reduced by four steps.

29) APPENDIX E – Correction to speaking times
APPENDIX D

What has changed?

A small correction to remove the speaking time for Rule 134 that was inadvertently included in the last Rules change process.

30) APPENDIX E – Private Members' Resolution Question Period
APPENDIX E

What has changed?

A minor change to streamline the wording used when describing the process for the question and answer period for Private Members' Bills and Private Members' Resolution as they are the same. The revised wording to Private Members' Resolution listing adds clarity but does not change the process in the House.