



**Third Session — Thirty-Second Legislature**  
of the  
**Legislative Assembly of Manitoba**  

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**STANDING COMMITTEE**  
on  
**RULES OF THE HOUSE**

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33-34 Elizabeth II

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*Chairman*  
*Hon. J. Walding*  
*Constituency of St. Vital*



MG-8048

**VOL. XXXII No. 8 - 10:00 a.m., TUESDAY, 26 FEBRUARY, 1985.**

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Second Legislature**

**Members, Constituencies and Political Affiliation**

Name	Constituency	Party
<b>ADAM, A.R. (Pete)</b>	Ste. Rose	NDP
<b>ANSTETT, Hon. Andy</b>	Springfield	NDP
<b>ASHTON, Steve</b>	Thompson	NDP
<b>BANMAN, Robert (Bob)</b>	La Verendrye	PC
<b>BIRT, Charles T.</b>	Fort Garry	PC
<b>BLAKE, David R. (Dave)</b>	Minnedosa	PC
<b>BROWN, Arnold</b>	Rhineland	PC
<b>BUCKLASCHUK, Hon. John M.</b>	Gimli	NDP
<b>CARROLL, Q.C., Henry N.</b>	Brandon West	IND
<b>CORRIN, Q.C., Brian</b>	Ellice	NDP
<b>COWAN, Hon. Jay</b>	Churchill	NDP
<b>DESJARDINS, Hon. Laurent</b>	St. Boniface	NDP
<b>DODICK, Doreen</b>	Riel	NDP
<b>DOERN, Russell</b>	Elmwood	IND
<b>DOLIN, Mary Beth</b>	Kildonan	NDP
<b>DOWNEY, James E.</b>	Arthur	PC
<b>DRIEDGER, Albert</b>	Emerson	PC
<b>ENNS, Harry</b>	Lakeside	PC
<b>EVANS, Hon. Leonard S.</b>	Brandon East	NDP
<b>EYLER, Phil</b>	River East	NDP
<b>FILMON, Gary</b>	Tuxedo	PC
<b>FOX, Peter</b>	Concordia	NDP
<b>GOURLAY, D.M. (Doug)</b>	Swan River	PC
<b>GRAHAM, Harry</b>	Virten	PC
<b>HAMMOND, Gerrie</b>	Kirkfield Park	PC
<b>HARAPIAK, Hon. Harry M.</b>	The Pas	NDP
<b>HARPER, Elijah</b>	Rupertsland	NDP
<b>HEMPHILL, Hon. Maureen</b>	Logan	NDP
<b>HYDE, Lloyd</b>	Portage la Prairie	PC
<b>JOHNSTON, J. Frank</b>	Sturgeon Creek	PC
<b>KOSTYRA, Hon. Eugene</b>	Seven Oaks	NDP
<b>KOVNATS, Abe</b>	Niakwa	PC
<b>LECUYER, Hon. Gérard</b>	Radisson	NDP
<b>LYON, Q.C., Hon. Sterling</b>	Charleswood	PC
<b>MACKLING, Q.C., Hon. Al</b>	St. James	NDP
<b>MALINOWSKI, Donald M.</b>	St. Johns	NDP
<b>MANNES, Clayton</b>	Morris	PC
<b>McKENZIE, J. Wally</b>	Roblin-Russell	PC
<b>MERCIER, Q.C., G.W.J. (Gerry)</b>	St. Norbert	PC
<b>NORDMAN, Rurik (Ric)</b>	Assiniboia	PC
<b>OLESON, Charlotte</b>	Gladstone	PC
<b>ORCHARD, Donald</b>	Pembina	PC
<b>PAWLEY, Q.C., Hon. Howard R.</b>	Selkirk	NDP
<b>PARASIUK, Hon. Wilson</b>	Transcona	NDP
<b>PENNER, Q.C., Hon. Roland</b>	Fort Rouge	NDP
<b>PHILLIPS, Myrna A.</b>	Wolseley	NDP
<b>PLOHMAN, Hon. John</b>	Dauphin	NDP
<b>RANSOM, A. Brian</b>	Turtle Mountain	PC
<b>SANTOS, Conrad</b>	Burrows	NDP
<b>SCHROEDER, Hon. Vic</b>	Rossmere	NDP
<b>SCOTT, Don</b>	Inkster	NDP
<b>SMITH, Hon. Muriel</b>	Osborne	NDP
<b>STEEN, Warren</b>	River Heights	PC
<b>STORIE, Hon. Jerry T.</b>	Flin Flon	NDP
<b>URUSKI, Hon. Bill</b>	Interlake	NDP
<b>USKIW, Hon. Samuel</b>	Lac du Bonnet	NDP
<b>WALDING, Hon. D. James</b>	St. Vital	NDP

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

**Tuesday, 26 February, 1985**

**TIME — 10:00 a.m.**

**LOCATION — Winnipeg, Manitoba**

**CHAIRMAN — Hon. J. Walding (St. Vital)**

**ATTENDANCE — QUORUM - 5**

*Members of the Committee present:*

Hon. Mr. Anstett

Messrs. Enns, Fox, Graham, Mercier, Santos  
and Scott

**MATTERS UNDER DISCUSSION:**

1. Adoption of Agenda
2. Guaranteed Minimum Debating Time for Constitutional Matters
3. Consideration of a Proposed No Smoking Policy to Apply to Committee Meetings
4. Consideration of Possible Changes to Practices in Private Members' Hour
5. Proposed Rules Amendment Respecting Visual Aids in Standing and Special Committees and in the Section of the Committee of Supply Meeting Outside the Chamber
6. Proposed Amendment to New Rule 81(9) Approved on January 21
7. Proposed Rules Amendment Respecting Time Limit on Speeches for Private Member's Business Called on Government Time
8. Clarification of Sub-Rule 21(3)
9. Other Business
10. Time and Date of Next Meeting

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**MR. CHAIRMAN:** Order please. There being a quorum the committee will come to order.

The agenda has been circulated to members along with the latest background material. You have had the opportunity to read it, can we adopt the agenda, as printed? (Agreed)

**2. GUARANTEED MINIMUM DEBATING  
TIME FOR CONSTITUTIONAL MATTERS**

**MR. CHAIRMAN:** Item No. 2 is the Guaranteed Minimum Debating Time for Constitutional Matters. Is there any discussion?

Mr. Anstett.

**HON. A. ANSTETT:** Mr. Chairman. I believe there was a suggestion at the last meeting that we would be discussing this amongst ourselves on both sides. The discussion centred upon when the committee stage would take place, as I understand it, and the possible options for dealing with that.

Our position at the last meeting was that we believe there should be some flexibility so that the committee stage could be held when the House wasn't in Session, for example; or during a recess; or there could be a referral by the L-G-in-Council, as The Legislative Assembly Act provides. The concern, as I understand it, was that the original amendment proposed by Mr. Mercier, that is, Appendix "B", made reference to the amendment, or resolution actually being moved, and the interpretation was that debate had to have commenced. We had some difficulty with that and, after some discussions, we still have some difficulty with that and would suggest that the mechanism should be such that since resolutions only receive one reading, and not three readings, that the opportunity for a committee stage should be possible any time after formal notice of motion has been filed so that the public is aware of the government's, or any member's, attention clearly stated in a notice of motion filed with the Clerk, even if the House isn't in Session, will be on the Order Paper at that next ensuing Session so that if reference to committee is desired at that stage, rather than in the middle of the set debate time, that that would be desirable. So that it could be either/or.

In addition, have some difficulty with requiring it during the set debate time because we do not believe on this side that constitutional amendments generally would be affected by the minimum debated time, in effect, the guaranteed minimum is just that. In most cases the debate on those amendments would last a much longer period if there was a great deal of interest on the part of members, and the length of time during a legislative session would be determined by the amount members wish to speak.

So, for that reason, we'd like the flexibility to ensure that the committee stage can be basically either/or; either during the actual debate in the Legislature, during an interruption in that debate; or prior to that debate actually commencing.

**MR. CHAIRMAN:** Any further discussion?

Mr. Graham.

**MR. H. GRAHAM:** Thank you, Mr. Chairman.

I find it rather strange that the government would dig in its heels the way it has on this proposal, because we saw what happened to them before when they dug their heels in on a constitutional proposal. I suppose I can appreciate the fact that they want to limit public input to that period before any debate takes place in the House.

**MR. CHAIRMAN:** Mr. Santos.

**MR. C. SANTOS:** Mr. Chairman, he's imputing motives. The member is imputing motives that we are trying to limit debate.

**MR. CHAIRMAN:** Mr. Enns.

**MR. H. ENNS:** No, he has read the list that the Speaker sent out to all of us in anticipation of the Session.

**MR. H. GRAHAM:** Thank you very much, Mr. Chairman.

I remember when this constitutional debate, which we had - and its the only one of any significance that I can recall in fifteen years - but when that first became an issue the subject matter was taken to the public by the Attorney-General and he said he was holding public meetings, but they were informational meetings and he wasn't going to allow the public to reply.

Now the words that the Government House Leader has used at the present time would, in my mind, allow a similar procedure to take place again and call it a public meeting, so I think that what the Government House Leader has left us with here is very imprecise and unclear. I think if you are dealing with constitutional matters, they are very very important matters, and I think we have to have things very clearly spelled out in what the proposal is that the government is putting forward.

**MR. A. ANSTETT:** Mr. Chairman, despite all the rhetoric, I'm glad that is the only sticking point the Member for Virden sees; since it is, I'll put his mind to rest.

The proposal that we discussed last spring was for a guaranteed minimum debating time and a guaranteed method of public input using the mechanism of a Standing or Special Committee of the Legislature. That mechanism under our rules and practice is a mechanism guaranteeing public input in the form of delegations, presentations to the committee, standard format, questions and answers in the committee, and then a report by the committee.

That is the mechanism that I understand that members agreed upon in principle at this last meeting, and the question is really the question of timing. No one is suggesting something less than that full range of public input, and I believe members on both sides agreed to that close to a year ago. The question is finding the mechanics of guaranteeing that in a reasonable way that does not unduly restrict the House or members.

**MR. H. ENNS:** Mr. Chairman, just so that it isn't left on the record the Government House Leader suggested that the issue raised by my colleague for Virden is the only matter that's standing in the way of us accepting whatever his proposal is. Let it be very clear that we don't like any part of it. We, quite frankly, would like him to repeal the rule that places limitations on bell ringing. We don't simply think that you, by any measure of force, ought to bring forward a constitutional request for change, and I remind members opposite that we, after considerable debate in the House in the Rules Committee, were forced by government majority to accept limitation of bell ringing and there was a commitment made at that time that this government was prepared to acknowledge the difference, the need for, perhaps, greater debate with respect to constitutional matters. My colleague, Mr. Mercier, introduced in the heat of the debate of the bell ringing rule change, a proposed amendment which was rejected, if I recall, in an off-hand, in a cavalier manner,

by the Government House Leader. I believe that's correct.

So let it be very clear, Mr. Chairman, this item doesn't have to appear on the Rules Committee Agenda again. Withdraw the limitation with respect to bell ringing and acknowledge the need that constitutional change at no time should be forced through any legislature by use of numbers and majority.

**MR. H. GRAHAM:** Harry, don't use the word cavalier, because Cavalier is in North Dakota.

**MR. CHAIRMAN:** Order please.  
Mr. Anstett.

**HON. A. ANSTETT:** Yes, Mr. Speaker, I am very disappointed. I thought this item was on the agenda at the agreed, mutually agreed, request of both sides that if we weren't going to proceed with the matter in Committee of the Whole last session, that we would refer the matter to the Rules Committee and deal with it here. I believe the Opposition House Leader knew in advance because I advised him of same; that we agreed in principle with both items, guaranteed minimum debating time and the guaranteed committee stage referral, and had been saying so for months, something which just occurred when Mr. Mercier moved the amendment. But the mechanics proposed in Mr. Mercier's amendment were unacceptable, and it was referred to this committee to see if we could hammer out mechanics so that the actual operation of the rule would work in a fashion that allowed both the guaranteed debating time and a guarantee of public input, and I believe we're agreed on that.

Now if Mr. Enns is saying that he wishes to throw Mr. Mercier's proposal in the garbage and trade that against unlimited bell ringing, Mr. Chairmain, we're not prepared to remove the limit on bell ringing; we've had that debate and we're not prepared to entertain that, but if Mr. Enns wants to throw Mr. Mercier's proposal in the garbage, he's his colleague, we won't stand in the way of him denying his colleague the opportunity to make that proposal. We will offer the public of this province our guarantee, as government, that whether the opposition wants to deal with this item on the Rules Committee agenda or not; do you want it taken off, just say so, but we will offer a guarantee, and I hope we'll hear the same from them, should they ever form government, that there will be a guaranteed minimum debating time on amendments, and a guaranteed committee stage at which the public can have input through the normal . . .

**MR. H. ENNS:** Those kinds of guarantees were never necessary when you had a government responsive to people.

**MR. A. ANSTETT:** . . . a guarantee that there will be public input through the normal committee mechanism.

We have said that repeatedly, we are not prepared to play games with the rules and prevent the House from making decisions by getting rid of a limit on the bells; we are prepared to deal with this item and provide the guarantees, but if the Member for Lakeside wishes to throw the Member for St. Norbert's proposal in the

garbage, we'll acquiesce and agree to have it removed from the agenda, but we want the public of this province to know that we support public input and a guaranteed minimum debating time.

**MR. CHAIRMAN:** Any further discussion?  
Mr. Graham.

**MR. H. GRAHAM:** Thank you very much, Mr. Chairman. You know, it's amusing to listen to the Government House Leader. The fundamental question, I guess, is one of whether the public has any faith in the word of this government.

When it came to the constitutional debate that we have had, and I think it's always bad to make rules dealing with the experience of one debate, I think it's a dangerous precedent, but this government doesn't seem to worry about precedent or anything else.

I just got a letter this morning for an Order-in-Council that was passed proroguing the House. I always thought that the House was recessed and the House would have to come back into session to wind up, but this government, by decree, is going to close it, but that's beside the point. It's a question of whether this government can be believed or not, and this is why we're trying to get into the Rules of the House some definite concrete proposals that would make it mandatory that any constitutional debate, after it has started in the House, so we know definitely what the proposal is and debate has started, prior to the sixth day of debate the public will have an opportunity to be heard, because we don't know what this government proposes. You never know what this government is going to propose.

I think it's probably bad to be setting a rule just to govern the debate when one party is in power. The debate has to cover whoever is in government, and the rules have to apply to the debate in the Legislature, and it doesn't matter who is government or who is in opposition at the time that debate arises.

What we are trying to do is protect the public's right to be heard after the matter has had some discussion in the Assembly so the public can then be heard. This government refuses to do that, absolutely refuses to allow the public to be heard once debate has been started in the House, and let the record be clear on that.

Mr. Chairman, I have to say that I'm very sorry that this government is so inflexible and so afraid to allow the public to be heard once debate has started on that matter, and I'll leave it at that.

**MR. CHAIRMAN:** Mr. Fox.

**MR. P. FOX:** Mr. Chairman, it seems to me that the Member for Virden has got himself mixed up; the inflexibility is with himself and with his group, because he's the one who insists that it be only done one way, and that is when the debate has started. We are giving more flexibility to the public because we can have it before the debate starts.

The reason that this is probably reasonable is because we may, according to the Constitution at the federal level, be between Sessions and it may be necessary that some of the other provinces have already made

this decision and we, too, should be involved and we will not be having a sitting. We could, therefore, call a committee together and have the airing and the input from the public before we've had a chance to debate the question, but the question will be open and will have been debated at other levels and will be available for the public to have its decision-making process and to have its input.

So, we are being more flexible than the Member for Virden and he should take that to heart.

**MR. CHAIRMAN:** Mr. Mercier.

**MR. G. MERCIER:** Mr. Chairman, I think the Government House Leader put his finger on the nub of the problem when he indicated that the government wishes to indicate to the public that they want to guarantee a minimum debating time.

Mr. Chairman, I don't really think we're going to get very far with this particular item on the agenda because I think we're really talking about one of the fundamental issues in an election campaign - which I hope will be held shortly - and that will be the question of whether or not this government is trusted by the people of Manitoba with the conduct of administering the affairs of this province.

This government indicated in the previous constitutional discussion, I think, that it was not prepared to listen to the people of Manitoba, and that will be a fundamental issue in the next election. I think until that is held, we're not going to get any further with respect to this item.

**MR. CHAIRMAN:** Is there any further discussion?  
Mr. Anstett.

**HON. A. ANSTETT:** Well, Mr. Speaker, I'm not clear on what is being suggested by members opposite.

I only offered my assurance of the position of the government, because the opposition position was unclear. I thought the opposition position had been clear in the past, that they wanted, and agreed to, the principle of a guaranteed minimum, which we all agreed would very seldom be used, if at all, because constitutional matters are very important and not the kind of thing on which one wants to limit debate; and also, that there should be a guaranteed mechanism to ensure that through our standing or special committee mechanism the public would have input and an opportunity to offer their insights into any such proposal. I thought we agreed on that.

Now if there's no longer agreement on that, or if the Member for St. Norbert believes that that matter should be settled in the next election, well I'll accede to the suggestion of the Member for Lakeside that this item be dropped from the agenda. But I don't want that construed by members opposite that the government in any way has backed away from its commitment, which was made last Spring in the Legislature, and which I reiterated this morning.

**MR. C. SANTOS:** I think if people are reasonable, and we are, we can agree on the principle that there must be public input on any kind of constitutional change because that's the only way a democratic society can

function. The only disagreement I can perceive is on the mechanism, we want some flexibility in the sense that the input can come even before debate is started in the House, and if input from the public is to be meaningful, it should be allowed to come in at any time, even before the issues are crystallized, so that those who make the policy choices will be in a position to take into account how the public feels.

I think that's an important part of the flexibility that we want into the mechanism, and that's important insofar as the survival of the democratic system is concerned, being responsible to how people feel about basic constitutional changes that will affect them, not only once, but on a more or less permanent basis in the structuring of their society.

Thank you, Mr. Chairman.

**HON. A. ANSTETT:** Perhaps one last appeal to members of the Opposition who have some concern about the flexibility we're suggesting. We're suggesting that it occur only after notice of motion has been filed so that the public and members of the House are aware of the intentions of either the government or the individual member who is proposing a resolution, that the hearings could be held either during the session, or during recess, or intersessional. I am not clear on what the objection, the real objection of members opposite, is to that. I know that they had some concerns about the way the present government held informational meetings followed by public hearings, with regard with the last constitutional amendment before this Legislature.

But, on the other hand, I have to remind them that the flexibility we're proposing would allow standing committee hearings to be held the way they were handled, both in this Legislature and in the last Legislature when former Premier Lyon held hearings around the province on a constitutional question, not a specific amending resolution, because at that time there was no amending formula, but on a much larger question, the whole Constitution, and which were held without any resolution before the House on referral to a committee; and then, as I recall, with no subsequent debate.

I suppose what we're offering members opposite is the flexibility to do what they did, as well as do what we did. It is very seldom you can have it both ways, and that's what we're offering.

**MR. CHAIRMAN:** If there is no further discussion, is there then a consensus not to proceed with this item, but to move to Item 3 on the agenda?

That being the case . . .

Mr. Anstett.

**HON. A. ANSTETT:** We would like to proceed with this item. If members opposite do not wish to, then we'll accede to their suggestion that it be dropped from the agenda.

I would like some indication as to how they wish to proceed.

**MR. H. GRAHAM:** Mr. Chairman, let it be clear that there has never been any proposal from this side at all not to proceed with this; it is the government that is suggesting that.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. CHAIRMAN:** Are you finished? Mr. Graham, proceed.

**MR. H. GRAHAM:** When all the rest of this chit-chat is finished, I would like to proceed, Mr. Chairman.

The thing that we have to look at is, up to this point in time, we have had one major constitutional proposal before this House, and it has ended up in sheer disaster, so we are trying to devise rules for the conduct, because we ended up in the last one, the government just withdrew everything and closed the House down. So, we are trying to establish rules for debate in the Assembly, and I think it's very important that we do that.

We have put forward some suggestions which there was a great deal of thought went into. The government apparently does not want to accept that.

What they have come up with is an alternative which guarantees the public nothing.

If you look back at the record, the original proposal that the government made last year would not allow any debate; they've changed their mind. They had informational meetings, then they changed their mind again, and they changed their mind at the last. The whole question is one of trust and belief in this government.

We would like to see some very definite guidelines placed in our rules for the conduct of any future constitutional debate, and the only real example we have to base it on is the abysmal action of the present government in the last constitutional debate.

We would like to see some rules put forward. We have put forward what we consider to be eminently fair proposals; the government is unwilling to adopt them. They have come forward with their set of proposals, which we consider to be eminently unfair to the public, so we are at, probably, an impasse here, but it is not a suggestion of mine anyway that this thing be dropped; I'm sure it won't be dropped.

**MR. CHAIRMAN:** Anybody else?

Mr. Santos.

**MR. C. SANTOS:** Mr. Chairman, whenever we are trying to change the rules, we have to remind ourselves that the rules will operate whichever party may be in government, so the rule has to be far-reaching in foresight and scope. The rules have to be more or less designed in such a way that whichever party is in power it will have the necessary discretion and flexibility when and how to hold a public hearing.

There can be no debate, to my mind, that there must be some public input in any kind of constitutional change, because no government can truly claim to be democratic if it puts any kind of change without the concurrence of the majority of the citizens.

**MR. H. GRAHAM:** That's right, let's have an election.

**MR. D. SCOTT:** That's what elections are all about. It's Republicanism you've got there, my friend; let's not preach parliamentary democracy.

**MR. CHAIRMAN:** Have you finished, Mr. Santos?

**MR. C. SANTOS:** They are talking so I might as well stop.

**HON. A. ANSTETT:** Mr. Chairman, two points.

First, last February, a year ago this week, the government withdrew nothing, the government prorogued the Legislature - just to correct any mistaken impression the Member for Virden has. Nothing was withdrawn; the government said, when it prorogued the Legislature, that it believed its proposals were correct, and still believes so; that the Legislature was prorogued because the opposition was not prepared to vote on those matters. The members opposite should be aware of that. Those statements were made a year ago, and there is no reason to change those statements.

The second point, and the Member for Virden obviously wasn't fully aware - perhaps I didn't explain it correctly - but the intention of my proposal at the last meeting was to make it clear that we had a commitment to see certain things occur, and we were prepared to provide in the rules for the two concerns that were raised in discussion in Rules Committee last year, by members on both sides.

In Appendix "B", which is the motion proposed by the Member for St. Norbert, the language in 36.1(1)(b) suggests "prior to the sixth day of debate on such a motion." If the member wishes to have some detail from us I can suggest the following prefix on that amendment: "After notice of motion of an amendment under 36.1(1)(a), and prior to the sixth day of debate . . . "so that the opening is there, that sometime between the notice of motion being filed and the sixth day of debate, the committee stage will take place. That's what I've been proposing. If the member wants to see it in writing, I have now pencilled it in, I'll provide it to it. But that is the only flexibility we're talking about here. Now if members still don't want to proceed on that basis, we're prepared to see the matter die at their request, but that doesn't change our commitment.

**MR. G. MERCIER:** Mr. Chairman, the Government House Leader, I think, justifies our concerns in his comments. He indicates the government still thinks that the proposed constitutional amendment to this government is correct. He's proposing, along with what they've already done, for example, to file a notice of motion in July; call public hearings in the summer months; House comes back into Session, it will be 10 days minimum debating time, no further public hearings at that stage, 15-minute limit on bell ringing, and the constitutional amendment is passed. That's what causes concerns on this side, Mr. Chairman, that is why I sincerely believe that the issue of the trust of the people of Manitoba has to be decided in an election before we proceed any further with these rule changes which we believe to be inadequate to protect the people of Manitoba, given the view of this government, and contrary to the expressed view of well over 80 percent of the people of Manitoba.

**MR. H. ENNS:** Mr. Chairman, I just underline what Mr. Mercier has already said and remind all honourable members opposite that, particularly with this government and with this house leader, we have in opposition experienced a usage of rules, the likes that

many of us, particularly those that have been around for awhile, have never seen before, unprecedented use of closure - which has always been in our Rule Book - the unprecedented use of that mechanism which has long been in our Rule Book, but never used in the matter that I'm sure those rule makers anticipated it would be used, which indeed, caused the kind of understandable reaction that called for the counter-reaction.

Mr. Chairman, yes, we are not prepared to put the people of Manitoba's trust in the hands of this government and this Government House Leader's manipulation of the rules.

**HON. A. ANSTETT:** I'll resist the temptation to reply to my honorable colleague with whom I usually get along very well and I wouldn't want to spoil that relationship, Mr. Chairman.

Mr. Chairman, we're prepared to entertain discussion of the amendment proposed by Mr. Mercier as Appendix B in this report as I suggested. We're prepared to debate that suggestion that the committee stage can take place sometime between notice of motion being filed with the Clerk of the Assembly and the sixth day of debate. If members opposite are not willing to do so, and they don't want to discuss this matter further until after the next election, I have every confidence that as government House Leader, after the next election, I would be willing to entertain the discussion again at that time.

I do want to make it clear for the benefit of Mr. Mercier that what I said earlier was that the proposal of February 1984 was correct. That was in the past tense, the proposed amendment died when the Supreme Court heard it. It is not correct today because it is not alive today, but it was not withdrawn by the government. That was the point I was making. That matter will be decided by the Court and that will be the decision, and those of us who believe in the rule of law recognize and accept that. But to suggest that it was withdrawn is incorrect.

The fact of the matter, Mr. Chairman, is that once the House prorogued the proposal died and the courts have been seized of it ever since. That doesn't change the fact that we still need a mechanism. I don't expect that we'll need it to deal with the subject matter of the last constitutional amendment, but I expect now that the constitution has been repatriated that eventually most provinces will want to put in place a mechanism under their rules to deal with what are very special matters. We are the first to be addressing that question. If members feel that they don't want to be first, that's fine, we can drop it from the agenda and wait until after the election. I'm willing to accede to that request, but I want it on the record that that's at the opposition's suggestion, not at ours.

**MR. CHAIRMAN:** Is there any further discussion? Can we then move on to Item 3 on your agenda?

### 3. CONSIDERATION OF A PROPOSED NO SMOKING POLICY TO APPLY TO COMMITTEE MEETINGS

**MR. CHAIRMAN:** Background Paper No. 2.

Mr. Enns.

**MR. H. ENNS:** Mr. Chairman, we're prepared to move this along. There was the question of the committee outside of the House which we had some discussion about when last the Rules Committee met, and some suggestions were made that perhaps the rules, as generally applicable to that meeting place hall apply. If the facility has a ban on smoking, then no smoking applies; if the facility allows smoking normally at public meetings, then it might be difficult to try to oppose for that one occasion the no-smoking rule, but I raise that only to remind us that we did discuss that the last time.

**HON. A. ANSTETT:** Mr. Chairman, I believe the rule, as drafted, would apply to any location in which the House, Committees of the Whole, or Standing Committees, held their meetings; it would only be in the case of Standing or Special Committees that we would be meeting outside of this building I would expect and in those cases, I believe, the intent of the policy actually would be that smoking would not be permitted. I agree with the honorable member that there may be locations where ventilation was sufficient to allow smoking, but to get involved in determining which halls had that provision that was adequate to overcome the inherent objection would be a difficult one. I think it could be something that could be decided by a committee travelling on the road; on the other hand, the interests of uniformity, rather than have the committee face that as its first item of business every time it sits down for a meeting, we could agree with the policy as proposed.

**MR. CHAIRMAN:** Mr. Scott.

**MR. D. SCOTT:** I hear some voices from the members opposite that we should let the committees decide on each location. What that then does is it puts people who are non-smokers, and don't want to be subjected to smoke, in a committee hearing if it's held outside the Legislature, in a position where they are then going to have to express displeasure with that, and then you're going to have members opposite I'm sure raising the spectrum, as they so often do in their wonderful rhetorical way, of they've taken the rights of people away and all this sort of stuff. They can smoke as much as they if they step outside.

I think it's a very dangerous precedent for us to be considering as a House, because generally when any committee of the Legislature goes out and holds hearings in other locations, those hearings and the rules under which those hearings are held are the same as in this building. The rules that are established for this building carry throughout, no matter where we go. That's why there's no placarding; that's why there's no demonstrations, and that sort of thing, permitted in committees outside the Legislature Chamber, the same as within the Chamber. I don't think that we should be making exceptions here any more than we should be making exceptions in other situations, be it placarding, be it demonstrations, or whatever it may be that one is considered with the decorum of the House, and the decorum of the House extends beyond just this building when this building's committees and this Legislature's committees go to areas outside.

The issue is twofold: one is decorum for the House - it may well raise some respect for the Legislature and the legislative process when people come in and they see it as a special place that they have to take special consideration of in their conduct; there is also the other issue which I feel is a primary issue, one of health. To think that non-smokers, such as myself, do not have any health consequences of sitting in a room where a number of people are smoking is totally false, because we do suffer the same consequences virtually as the people who are actually smoking. Your cigarette spends more time sitting in the ashtray burning than it does in your lips, with you huffing and puffing on the thing.

I was just looking at an article the other day - and this is something that we are probably going to have to consider - all public institutions, let alone private institutions as well, may come under it, and this is an appeal that is going on currently via an employee of the Government of Canada claiming that working in an environment where there are smokers is a threat to his health. I'm not sure which legislation it is that he is appealing under, but it's one of the Federal Department of Health regulations, that one must maintain a place of work where the workers are not subjected to health risks. One of the largest health risks that we have, and probably the largest health risk that we have in workplaces throughout the country, are from fellow workers who are smoking. In fact, if I could quote from here a couple of items, one is that a specialist from the United States Environmental Protection Agency by the name of James Repace, R-E-P-A-C-E, for the benefit of Hansard, says that tobacco smoke contains some sixty known or suspected cancer-causing substances . . .

**MR. H. ENNS:** Sixty?

**MR. D. SCOTT:** Sixty, yes, six-zero. . . . some such as - I'm going to have a tough time pronouncing these and Hansard is going to have a tougher time getting the spelling of them - they mention two different chemicals that are so toxic that Treasury Board standards prohibit even minute levels in the workplace. I think that is something - I'm on this little initiative, I guess, within Rules Committee to both raise the decorum and level of respect for the legislative process, and also on the basis of health, non-smokers' health being affected and having no recourse, in effect, against smokers' wish and will to pollute the air where people are working.

I feel very strongly that we should not limit the non-smoking provision of committees strictly to the Legislature and that it should cover, as all the other rules and policies of legislative standing committees carry with them, that when they go forward the rules that apply in a Legislative Building apply to all other centres, and I don't think we can make exceptions for that.

**MR. G. MERCIER:** Mr. Chairman, the Government House Leader, at the last meeting, indicated that there was a consensus within his caucus that they would support the proposed policy. He indicated also that he did not want to proceed with a policy at the Rules Committee level without a consensus between the government and the opposition.



Acting on that position our House Leader raised the matter with our caucus, and our caucus' consensus is that we can support the policy with the exception that committees meeting outside of the Legislature determine the policy to be in effect for those meetings. We should recognize that if a committee is meeting outside the Legislature, within the boundaries of the City of Winnipeg, they would be governed by the City of Winnipeg smoking by-law, so we're really only talking about outside the City of Winnipeg.

That's the consensus of our caucus. I can support the policy; others rather strongly resent the policy, but we were asked to come back with a consensus and that is the consensus. We offer that to the Government House Leader and see whether or not there can now be a consensus within this committee. Surely it's not all that Mr. Scott would like; probably it's not all that I would support, but certainly it's a large step forward.  
Mr. Enns.

**MR. H. ENNS:** Thank you, Mr. Chairman.

That was the understanding that we left last Rules Committee meeting, that it was the Government House Leader's request that we deal with this matter with consensus, and the Member for St. Norbert has expressed the consensus to which we are empowered by our caucus to put forward at this Rules Committee meeting.

**HON. A. ANSTETT:** I would like to ask the Clerk, first of all, if there's any difficulty in terms of the drafting of the policy with respect to standing and special committees meeting outside of the Legislative Building.

I take it that since this is not a rule, but rather more a general policy statement in which the House would concur on the report of the committee, that there shouldn't be a difficulty making the distinction being suggested.

**MR. CHAIRMAN:** Mr. Remnant.

**MR. CLERK:** Mr. Chairman, no, I don't foresee any difficulty. I would take the proposed policy as worded; reword Item (c) so that it applies only to meetings being held in - I understand the distinction is meetings inside the city, and I would add a subsequent section to it empowering committees meeting outside the city to make the decision themselves, which I understand is the committee's intent.

**HON. A. ANSTETT:** I think the intent would be outside the Legislative Building, and practically that would mean outside the city, but any standing or special committee meeting outside the Legislative Building.

**MR. CLERK:** That change could be accomplished by rewording (c) and adding a (d) that deals with meetings outside the building.

**HON. A. ANSTETT:** I suspect, Mr. Chairman, if I may, that members on both sides of any standing or special committee meeting outside of the building would bear in mind local conditions, ventilation, etc., to ensure that any disruption from a health point of view - second-hand smoke, etc.- to the environment in which the

committee was meeting, which I think is the nature of the concern that raises this issue, could be made on that individual basis. I think that's not an unreasonable suggestion because when we meet in local communities we're often meeting in environments where people are used to a certain behaviour being allowed in that environment - I think in many legion halls where we held meetings in the mid-70's where rooms became somewhat stuffy after a while with cigarette and cigar smoke, but that was the practice in those halls and had been allowed for decades and instituting a new rule because we were the committee might well have met with some local resistance.

I think one of the considerations we would want understood was that adequate ventilation be a consideration in the locating of meeting places for travelling committees in the future if the committee is inclined to allow smoking, but providing that option to the committee is not something that would be of major import, it does not occur that often. I think the major change in limiting smoking here in the Legislative Building meets the objective of, I think, the vast majority of members on both sides, and I think we, on this side, are agreeable. I don't know that this has to come back, since it is not a specific rule I'm sure the Clerk can draft our intent in the Report of the Committee.

**MR. CHAIRMAN:** Is that the consensus of the committee? (Agreed) If so, we'll do that and add it to the Report of the Committees.

#### 4. CONSIDERATION OF POSSIBLE CHANGES TO PRACTICES IN PRIVATE MEMBERS' HOUR

**MR. CHAIRMAN:** Moving right along to Item 4 on your agenda - Possible Changes to the Practices of Private Members' Hour, Background Papers 5 and 12.  
Mr. Anstett.

**HON. A. ANSTETT:** Mr. Speaker, I believe at the last meeting there were really four issues identified that we were going to discuss with our caucuses. They may not have been identified specifically in this order, but I believe the point of suggesting that we reduce Private Members' Hour by one day, to four days of the week with no sitting on Friday; that we reduce the speaking time to 15 minutes from 20 minutes; that we provide that items could be called three times so that there would be three days for debate. There was a concern, and we were going to discuss this as well, that bills or resolutions should be, or should not be, required to be put to a vote at the end of the period; in other words, the question was: could motions still be "talked out?"

The other question we were going to address, as I recall, was how we dealt with amendments to resolutions. It isn't a problem for bills because that's only done at committee stage, but it could be a problem with a bill on a dilatory amendment for a hoist, or a reasoned amendment for a referral.

I think the first two items - four days, 15 minutes, calling of items three times - we may well have fairly easy agreement on. The question of compulsion for a vote, I'm personally reluctant to see because when we

have time allocation that then denies members the right to speak on something on which they must vote. I know that time allocation has become popular in many Legislatures, including the House of Commons, but requiring a vote at the end of time allocation on Private Members' Hour seems to run contrary to some of our principles.

The question of amendments, we've had some discussion on our side, and the feeling was that one possible way of dealing with this item would be to prohibit amendments on the last day of allotted debate. In other words, you would have to make the amendments at either the first day the item is called or the second day, but that no amendments would be allowed on the third day of allotted debate. That's one way of getting around the question of the very last speaker before the vote proposing an amendment. Now I'll toss that out for discussion. I'm not proposing that be the way we do it, but proposing that we discuss that to see if there are any wrinkles or problems with it that haven't occurred to us on this side.

**MR. H. GRAHAM:** Mr. Chairman, just dealing that the last point raised by the Government House Leader about prohibiting amendments on the last day. I would ask the honourable member to cast back through his memory, and I think he would find that quite often amendments are raised to cover a very valid point that was raised in debate. A person speaking in debate has brought forward a point that either had slipped the attention of the person drafting the proposal or hadn't even considered it. So to limit it to the third day, I think, is treading on a little bit of thin ice there. I would hesitate to prohibit amendment at any time because an amendment is designed to improve. That is the purpose of amendments. Sometimes a negative amendment improves the proposal, depending on the opinion of the person who is making the proposal.

So, I would hesitate to adopt the proposal that the Government House Leader has made to prohibit any amendment on the third day.

**MR. H. ENNS:** Mr. Chairman, the Government House Leader is correct that there is a degree of unanimity with respect to items 1, 2 and 3, limitation of time with respect to the four days, the Friday, the reduction in the speeches, the length from 20 to 15. There is obviously some difficulty to overcome the question of amendments, and I would suggest to the Honourable Government House Leader that we are very close to bringing about a change, and perhaps it's something we could work out as between House Leaders and present in a final form to our respective caucuses.

The difficulty with throwing this into the caucus, you get just about as many opinions as there are members present at that particular caucus, and having discussed this on several occasions with my caucus, I think if we are serious about a change, let's work out a package that we can put before our caucuses and have our caucuses either accept, reject or amend.

Now that may make one or two more efforts around this Rules Committee, but, as my Member for Virden often points out, there ought to be a great deal of concern about how we treat the Members' Hour. I know there is a practice, and understandably so, sometimes

to somewhat denigrate its importance in the system, but it is very important. It is an opportunity for each independent member, regardless of status, party status in the House, to avail himself to equity and equitable treatment in that Chamber, and an opportunity for him to present his views. So while we may not always use our Private Members' Hour to the best advantage, that's a matter of our responsibility and our practice. But when it calls for a restriction of that right, that understandably raises some sensitivity, I'm sure, in both caucuses.

However, not to prolong the debate on this matter, there is a very real desire, I think, on the part of our caucus to make some changes to our practice with respect to Private Members' Hour, and I would ask the Government House Leader to consider at some subsequent meeting whether or not we couldn't hammer out the details and present them to our respective caucuses. — (Interjection) — Pardon me, I might just add, if I may, that that would not preclude for instance from us to, even if the actual rule change were not in place, we could, as we have been doing certainly with, for instance, Item 1 of the three or four items where we talk about the deletion of Friday as a Private Members' Hour, we do that by leave as we have been doing all these many years.

**HON. A. ANSTETT:** Mr. Chairman, I'm certainly agreeable to the suggestion of my colleague opposite. I believe he has indicated there is agreement on limiting Private Members' Hour to four days, excluding Friday, calling time allocation to three calls for each item and limiting speeches, reducing the time for speeches from 20 minutes to 15 minutes. I wasn't clear on whether there was agreement, although I detected agreement from his colleagues, that there should be no compulsion for a vote, so that the only outstanding item, as I understand it, is how we deal with amendments.

I'm agreeable to sitting down with my colleague and see if we can hammer that out, take it to our caucuses, and then bring it back at the next meeting.

If we're agreed on all those other items, perhaps at the same time we could direct the Clerk and Legislative Council to spend some time drafting the other rule changes required, and perhaps they, at the same time, might come up with some suggestions that Mr. Enns and I could consider on how we deal with amendments.

I would also like to suggest, assuming we do get agreement on that last item, that we do not change the rules, but rather do this on a trial basis this Session, have a motion of concurrence in some new rules, but not that they be inserted in the Rule Book, but rather that they supersede the Rule Book for this one Session on a trial basis, and then we would either modify them or pass them prior to the next Session, either of this Legislature or the next Legislature.

**MR. C. SANTOS:** I could support that position, Mr. Chairman. I see some merit in not immediately changing the Rule Book. It should almost always be wise for us to see how it works out in practice, and if everything works right, then the Rule Book can be changed. But there are certain changes that we immediately jump on, and we don't foresee certain consequences. There are some unwanted results that we never expect. Things

like that happen and to preclude a situation like that, I think we should experiment little by little in changing the rules.

Thank you, Mr. Chairman.

**MR. CHAIRMAN:** Before proceeding with it, may I just ask whether members have considered the previous change in Private Members' Hour as it relates to Item (c) in here, whereby Private Members' Hour business can be called on government time. Is that to be considered as one of the three hours or times, or is this a manner of getting extra time if it should be required? Let's have the argument now, rather than at some time in the future when it arises.

Mr. Anstett.

**HON. A. ANSTETT:** Mr. Chairman, I think the change we made with regard to the calling of Private Members' Business in government time was made in relation to the final days of the Session as an alternative, because of the anomaly created when we didn't have Speed-up. It does open the door though to that business being called at any time during the Session on government business, and I think once that is done, it in effect removes it from the time allocation mechanism under Private Members' Hour.

On the other hand, that then gives a Government House Leader the potential of showing preference to some private members' business, and that's the difficulty. We agreed at the last meeting that the time-limit rules of Private Members' Hour would apply to that business regardless of when it was called. I'd appreciate hearing from other colleagues. As Government House Leader, perhaps my view is somewhat coloured.

**MR. H. GRAHAM:** Thank you very much, Mr. Chairman.

Dealing with the subject matter of Private Members' Hour called on government time, our Rule Book is very specific on it. It deals only with special rules applying to Private Members' Hour, not private members' business, so that whenever private members' business is called on government time, the normal rules of debate occur. However, I think there was a consensus at our last meeting that when that occurs that the 40-minute speech would be shortened down to the same time as applies in Private Members' Hour, and I think that is the only thing that was really considered at that time. I, myself, would be quite happy with that proposal. If we want to expand it to something further, I would have to think a little bit about it.

**MR. G. MERCIER:** Mr. Chairman, I would think that if the Government House Leader decides to call a private members' bill as part of government business, there should be no time limit on the debate.

**MR. D. SCOTT:** How do you mean?

**MR. H. GRAHAM:** The number of speakers.

**MR. G. MERCIER:** The number of speakers or the three hours should not apply.

**MR. D. SCOTT:** Have we not moved away from three hours and gone to three times? It was my understanding that it was . . .

**HON. A. ANSTETT:** Three times, but that was . . .

**MR. D. SCOTT:** . . . three times, but then if you have an hour and a-half worth of House time during the day in which it is called, does that count, or if you have two hours, does that count as two times? To me it would count one time. — (Interjection) — It would count one time, right.

**MR. H. GRAHAM:** If it's called in government business, it doesn't apply at all.

**MR. D. SCOTT:** As a time?

**MR. H. GRAHAM:** Yes.

**MR. D. SCOTT:** I can accept that. One thing is that it expands the opportunities for members to contribute to debate that may be considered to be particularly important from the Government House Leader's point of view, and I think that is warranted to give additional time to it.

One thing it would prevent, and maybe one wouldn't want to prevent it, maybe one would want to enhance it, is that it prevents the government from being able to speed up the passage - although you can't guarantee passage because you don't have to vote on anything - but speed up the dealing with a particular issue. But since you don't have to vote on it, it doesn't matter if it's sped up or not; it just gives it additional time for debate.

If you had a compulsory voting thing and you were limited to three times, and if you came up two weeks, you could call it later that same week and finish a third time, you wouldn't have to have a vote on it, but since it's general agreement that we did not want a compulsory vote, it would not speed up the time of dealing with the resolution, it would just gain additional time for that resolution. I think that's valid.

**HON. A. ANSTETT:** I think Mr. Graham makes a valid observation. I'm thinking more practically here than what would actually be in the rule, but I think practically there would only be a couple of occasions where private members' business would be called outside of Private Members' Hour and that would be during the dying days of the Session, or, for example, let's say on a Wednesday afternoon when we have exhausted debate on bills, and we're ready to go into Supply but nobody expected Supply, so the appropriate Minister or the opposition critic isn't there and it's 3:30. We could call private members' business at that time, whatever the next item up was in the proper order and go right from 3:30 to 5:30. That would count as one time, and the Speaker would interrupt proceedings at 4:30 to call Private Members' Hour, and having done that, if the House Leader had brought forward the next item in Private Members' Hour, the interruption would only be a very short interruption to allow whoever was speaking to basically continue.

**MR. D. SCOTT:** If that was in the next . . .

**HON. A. ANSTETT:** If that was the next item in the sequence, right, and I think the House Leader would

do that, so as not to be pulling something prejudicially, would call whatever that next item was, in consultation with the Opposition House Leader. If members weren't ready to proceed with bills or supply, for whatever reason, and there was additional time. That would count as one time because it was debated in Private Members' Hour that same day.

The fact that it was debated during government business time would really be irrelevant and wouldn't matter. I think the point is valid, but in practice, I can't see it being abused. The potential for abuse is that the Government House Leader would show preference to some items. But we debated the question of the abuse of that preference when we agreed to allow the calling of private members' business during government time.

I think generally we could apply the rules to Private Members' Hour and any private members' business conducted outside of Private Members' Hour operates under the rules for government time and government business, except that we continue to apply the 15-minute limit, or whatever the time limit is.

**MR. G. MERCIER:** Mr. Chairman, I think the more practical application of this will be because the Government House Leader and the government want to pass one of the private members' bills, probably brought forward by one of their backbenchers. I think that would be the most realistic situation where it will occur, because there certainly should not be the private members' limit on debate, and the ordinary rule should apply.

**HON. A. ANSTETT:** If there is agreement, and I think there is, that we'll only apply the one rule from Private Members' Hour to private members' business conducted during government time and that's the speech limit, either 20 or 15, then the only outstanding issue that Mr. Enns and I will be discussing is the question of how we deal with amendments within the context of time allocation, and the concern, as I understand it, being that they come at the last minute, by the last or second-last speaker, or any speaker, I guess, on the last day.

Before we leave this item, I would like to ask if any members have any suggestions that Mr. Enns and I could consider as part of our discussions, for some guidance for us.

**MR. MERCIER:** Mr. Chairman, my personal viewpoint would be that, particularly since we're considering this on a trial basis, was that we allow amendments at any stage, to begin with, and see how that works out, rather than restrict members from making amendments.

**MR. D. SCOTT:** The application, I guess, of the rules is generally sufficiently loose in Private Members' Hour, that if a person is all geared to make a speech on a resolution and an amendment is put forward they'll make the same speech anyway. They're not going to throw their speech away and say, I lost my chance to speak. They'll speak . . .

**MR. H. ENNS:** The rules have to be applied and we've a speaker that believes in the rules being applied fairly and equitably.

**MR. D. SCOTT:** If that's the case, I'd like to see it reinforced to make people speak according to what the topic of debate is. I'm sure that we would have much shorter debates in the House if we had to stick to the issue before the House, rather than getting off on all kinds of tangents.

**MR. CHAIRMAN:** Is the consensus then that whatever change is suggested under this item would be made on a one sessional trial basis, and that the committee will adopt a final rule at a future meeting, or do you wish to go ahead and draft those things on which you have agreed so far and add other items later?

**HON. A. ANSTETT:** I think there may be agreement to draft everything but the question of how we deal with amendments, and we may or may not want to have a rule on how we deal with amendments. Mr. Mercier's suggestion might well find merit with the rest of the committee.

**MR. G. MERCIER:** Just to clarify one item. The Government House Leader referred to three calls, and then there seemed to be some discussion. If the matter were called one day with half an hour to go, then two days where there were full debates, is he suggesting that would be all the debate, because my understanding was that there would be three hours of debate on an item, if that was the wish of the House?

**HON. A. ANSTETT:** I'm amenable to Mr. Mercier's suggestion. I thought, from a practical point of view, three calls was much simpler, and I would expect that one of the things we would do under the rules would be to put behind each resolution, first time, second time, third time, whatever, so that members knew, so that there was a record of which time that was. That would guarantee at an absolute minimum two hours-plus, but it would have the potential of reducing it from a full three hours; that's correct, it could be two hours and five minutes. I would not expect that would be the case. Normal practice is, if you finish an item much after 5 o'clock you don't start the next one.

**MR. H. GRAHAM:** Why not?

**HON. A. ANSTETT:** But in Private Members' Hour we normally don't.

**MR. H. GRAHAM:** No, but if we are trying to maximize the use of our Private Members' Hour.

Mr. Chairman, the point I wanted to raise here was the fact that there has been concern expressed, and this was primarily the reason why this whole subject matter came up, was that Private Members' Hour was not being fully utilized. Now if we finish debate on a subject, say five after five and there are 25 minutes left, the point that the Honourable Government House Leader is trying to make about the number of times it is called becomes very important, and this is where there is a big difference between what he is suggesting and what my colleague, Mr. Mercier, is suggesting. If there is a maximum of three hours debating time in Private Members' Hour, then you can call that even if there is only 15 minutes left in the one day and you've

got 15 minutes of that three hours used. What it does do is give notice to the rest of the Assembly that when that three hours is up there is going to be another subject matter introduced in Private Members' Hour following the completion of that three hours, or there is going to be a vote or something of that nature. So we will not be dealing with just one subject on any given day in Private Members' Hour. That's a fundamental difference.

**HON. A. ANSTETT:** I understand the member's point, and I'm not at all unsympathetic to it. The difficulty is, I believe, both caucuses organize themselves to deal usually with one item in Private Members' Hour, although on occasion they are ready to deal with a second. The question comes, if at 5:15 we decide to call it 5:30, having concluded debate on an item at 5:15, at which time the Speaker called for further speakers, there were further speakers, but the three hours had lapsed, he therefore declared the item dead. Somebody got up and he said, the time has expired, then the item is dead. So the next resolution is called, but rather than speak to that resolution members agree to call it 5:30. Who do you charge that 15 minutes to, that next resolution on which members didn't want to speak, or is that dead time and doesn't count against anything? So, instead of keeping track of how many times the item is called, we put the lapsed time beside the item - 2 hours, or 2 hours, 10 minutes, so we know that there is 50 minutes left. I have no problem with that.

**MR. H. ENNS:** Mr. Chairman, we perhaps haven't paid quite enough attention to this item, but I just want to make it very clear that it was hours that we were talking to with respect to our caucus. I can recall making the point that with 15 minute speeches, in effect, we're looking at the possibility of 12 speakers which, from practice, generally gave the subject matter a pretty good airing, but the fact that it could, under the other system be - I'm not suggesting that it would be done, but the possibility is there - cut by a further third. I think that is a limitation that we wouldn't be able to take back to our caucus.

**HON. A. ANSTETT:** Mr. Chairman, for the benefit of the Clerk who is going to be drafting these preliminary rules for consideration at our next meeting, subject to the amendment question we are agreed then that it'll be three hours, with provision for lapsed time to show on the Order Paper, rather than three calls.

**MR. CHAIRMAN:** In order to draft the rule that you want Mr. Remnant has two questions, I believe.  
Mr. Remnant.

**MR. CLERK:** Mr. Chairman, since we already show on the Order Paper when a matter is standing in a member's name and he has commenced speaking, we show the time remaining. I wonder whether it might not be, rather than showing elapsed time, time that has been already taken up so that members have to do a subtraction exercise from three hours as an alternative. What's the feeling about showing on the Order Paper the amount of time that's left on a particular item? That was one question.

The other question, which perhaps can't be sorted out at the moment, is Mr. Anstett, I think, talked about when three hours is concluded, finished, the debate is terminated, period. I wasn't sure that there had been a decision in listening to the committee's discussion as to whether or not matters would or would not go to a vote, and at the present moment matters in Private Members' Hour do go to a vote.

**HON. A. ANSTETT:** As I understand it, we are agreed that there would be no compulsion for a vote to take place. If we are agreed on that, and I believe we are, then the only mechanics that would work would be for the Speaker to call the time, the end of three hours, and he could ask - I think it's fair ball for the Speaker to ask if a member is just rushing to finish the last minute and still allow a vote to test the water - are you ready for the question? If any member rises, then members wish to continue to speak, then he declares debate concluded and the question is not put.

So I think the rules should be drafted, as I understand it, so that at the conclusion of the time, if no other member wishes to speak, the vote will be taken. If any other members wishes to speak, the item should be dropped from the Order Paper. — (Interjection) — Well, whatever the mechanics are.

**MR. G. MERCIER:** Mr. Chairman, I thought the concept we were talking about was that three hours has gone by and there has been no vote, it is simply automatically removed, debate ends and it's removed from the Order Paper.

**HON. A. ANSTETT:** I guess my question would be: how does the Speaker know that someone sitting down at two hours, 59 minutes and 55 seconds is sitting down so the vote can take place, or that someone else wishes to rise to speak to prevent a vote from taking place.

**MR. CHAIRMAN:** The question, "Are you ready for the question?", will either provoke someone to stand up, or they remain seated for a vote.

**HON. A. ANSTETT:** If someone stands up, the Speaker says that the time allotted for discussion of this item has expired, next item. You probably don't even need a rule, just normal practice takes care of it.

**MR. CHAIRMAN:** Do we then have consensus on all of the rules changes that are required, or do the House Leaders still have to get together to decide on something?

**MR. H. ENNS:** On the matter of amendments, I prefer we ask the Clerk's Office to proceed with drafting the rules on which there is agreement on this whole question of time allocation, hour limitation.

**MR. CHAIRMAN:** Had you not agreed that amendments would be allowed?

**MR. H. ENNS:** Well, I'm prepared to . . .

**MR. CHAIRMAN:** At any time?

**MR. H. ENNS:** From the point of view that we are not engraving these in stone at this time, I'm prepared to go along with Mr. Mercier's suggestion, which seemed to be reasonably acceptable to the government and the Government House Leader, for the purposes of giving the Clerk's specific instructions to proceed with no limitation as to when amendments can be introduced to resolutions.

**HON. A. ANSTETT:** I think we're amenable to that suggestion.

Mr. Scott just asked me a question, and I believe the Clerk may know the answer, and that is: What has Ontario's experience been with the no-amendment provision during their time allocation?

**MR. CLERK:** I could find that out. I don't, Mr. Chairman, have the answer to what their experience is. It's a provision in their standing orders that private members' resolutions may not be amended, period.

**HON. A. ANSTETT:** Oh, it didn't come with time allocation?

**MR. CLERK:** Amendments cannot be accepted.

**HON. A. ANSTETT:** Subject to any further discussions, I think we could draft the rules and just ignore the amendment question for now. We're only doing this on a trial basis and I think Mr. Mercier's suggestion is a fine one to avoid trying to draft rules that are going to be overly restrictive and make this trial awkward. We can find out if it'll work.

**MR. H. GRAHAM:** Mr. Chairman, I'm very much in agreement with trying something here without having any definite clear rule, because I think the area where we're going to have the biggest problem is whether or not a question can be called and how it can be called. I think we have to put this in practice for a little while.

The calling of the question I think will be the No. 1 problem that we will be facing with this in the future.

**MR. CHAIRMAN:** One thing that occurs to me is that generally if the House discusses something and comes to a decision, that matter might not be brought up again at the same session. However, if the three-hour limit on a particular resolution expires and the matter is not decided, is there anything then to prevent a member from raising the very same resolution the next day?

Mr. Anstett.

**HON. A. ANSTETT:** I believe so. I believe the rules don't require that a vote take place, but rather that debate on a matter having been concluded. I don't believe the House has to decide the question. I'm thinking here of the citation in Beauchesne's Fourth Edition, which I don't have with me, which makes reference to that.

Mr. Chairman, subject to further comments from other members, I would not at all be reluctant to say that when the time allocated for a debate in Private Members' Hour has lapsed that that debate is concluded, whether or not the question is put not being

material to the decision; and if the rule says: "no member shall revive a debate already concluded," then that would not be an opportunity to introduce the same resolution with one minor change to revive the debate.

**MR. CHAIRMAN:** If there is then nothing further on that, Mr. Remnant, do you have enough information to draft the rule which will be in effect on a trial basis for one Session only?

There being no further debate on Item 4, can we then move to Item No. 5 on your agenda?

## **5. PROPOSED RULES AMENDMENT RESPECTING THE USE OF VISUAL AIDS IN STANDING AND SPECIAL COMMITTEES AND IN THE SECTION OF THE COMMITTEE OF SUPPLY MEETING OUTSIDE THE ASSEMBLY CHAMBER**

**MR. CHAIRMAN:** Item No. 5 - Visual Aids, Background Papers 10 and 13.

**MR. G. MERCIER:** We were to have a draft rule, Mr. Chairman, according to my notes of the last meeting.

**MR. H. GRAHAM:** We have the draft rule here.

**MR. G. MERCIER:** Oh, I never got it.

**MR. CHAIRMAN:** You'll find it on Paper 13.

**MR. G. MERCIER:** I never got the Background Papers.

**MR. CHAIRMAN:** There are two draft rules.

**HON. A. ANSTETT:** I believe we just got these this morning, Mr. Chairman, perhaps we could take a moment to review them.

**MR. H. ENNS:** This matter was discussed with our group, and I must report to the committee that we really don't believe any changes are necessary. I appreciate the fact that one particular agency has traditionally used visual aids. I'm only empowered by my caucus to recommend to the committee to proceed with business as usual on this item. I don't particularly see whether that requires a rule change to make it possible for Manitoba Hydro to continue to do so. We expressed some concerns, I think some legitimate concerns, that the expansion of this rule, even to the point where it has been suggested with the background material that we have, that the committee can be requested by any Minister, or any other person, for the privilege of using audio-visual displays would in fact change the nature of the presentation before standing committees, or at least certainly could do so, considerably more information being directed perhaps at people other than the committee members, to media members, to general audience that may be present on certain issues. It detracts from the kind of purpose and the concept of what goes on at a committee is to be

a detached, cooler, less formal review of the issues before us. When I say less formal, than that is compared to the House sitting in Session where it has its origin and its conclusion very often. We have this interregnum where we, as responsible lawmakers, examine this question. I would think I want to be careful about, and I think obviously our caucus wants to be careful about, seeing that regime interrupted, Mr. Chairman.

**HON. A. ANSTETT:** Mr. Chairman, I know we agreed on this side at the last meeting that the potential for abuse was opened up, and this would be a very fine line to try and draw. In view of the reservations expressed by members opposite we are prepared to drop this item and not pursue it. I appreciate the undertaking given by the Opposition House Leader that our denial of a change on these grounds, and I reluctantly concur with him because I see even in the draft rule which is carefully worded that that fine line is easily crossed, that this would in no way deny the existing practice to continue for agencies such as Manitoba Telephone or Manitoba Hydro, both of which have used displays in the past. I also assume that this would not deny, for example, the Minister of Natural Resources the opportunity to pass out to members the large water project maps that he uses when discussing Capital Estimates, and then using those as a reference in the discussion. But, even though technically those cross the line, drafting the rule then draws the line much further down the road to a popular show and tell which then becomes a media event. I see the concern there, I think that's very real. If Ministers or Crown corporation officials want to have a media event, Room 68B is set aside for that purpose, and maybe that's where we draw the line. Tell them to use that room for those kinds of events. So we're prepared to see the item die, Mr. Chairman.

**MR. CHAIRMAN:** Is it the consensus of the committee then to not proceed and to delete this item from the agenda? (Agreed)

## 6. PROPOSED AMENDMENT TO NEW RULE 81(9) APPROVED ON JANUARY 21ST

**MR. CHAIRMAN:** Item No. 6 - Proposed amendment to new Rule 81(9). I believe this reflects the will of the committee expressed at the last meeting. Background Paper No. 14.

This is only if a breach of the petition is noted is it reported to the House, otherwise it is assumed to be in accordance with the necessary regulations.

Mr. Anstett.

**HON. A. ANSTETT:** Mr. Chairman, I thought the rule - and I may be misreading it here - I thought the intention was, as you say, that the Speaker would only report to the House if he was of the opinion there was a breach.

**MR. CLERK:** Are you on Page 1 or Page 2, Mr. Government House Leader?

**HON. A. ANSTETT:** My apologies, Mr. Chairman, I was on the wrong page.

**MR. CLERK:** Mr. Chairman, if I might explain, what appears on Page 1 of the paper is what was contained in the massive amendments relating to petitions, public bills and private bills that was approved by the committee back on January 21st. In examining it, subsequent to that decision, we realized there was a problem in the wording of 81(9). At the last meeting of this committee we put forward a proposed change; there was an aspect of that that the committee was not entirely happy with. We are now proposing a replacement 81(9), as contained on Page 2 of Background Paper 14-85.

**HON. A. ANSTETT:** Pass.

**MR. CHAIRMAN:** Is it agreed to have that recommendation included in the committee's report? (Agreed)

## 7. PROPOSED RULES AMENDMENT RESPECTING TIME LIMIT ON SPEECHES FOR PRIVATE MEMBER'S BUSINESS CALLED ON GOVERNMENT TIME

**MR. CHAIRMAN:** Item No. 7, Background Paper No. 15, again drafted in accordance with the committee's wishes from the last meeting with the recommendation on the third page.

Mr. Anstett.

**HON. A. ANSTETT:** The only note I would make, I believe, that reflects the committee's direction would be that the 20 minutes be changed to . . .

**MR. H. GRAHAM:** We haven't changed those rules yet.

**HON. A. ANSTETT:** No, we have to leave it at 20, but that the trial rules should be referenced to apply to this rule, as well as the Private Members' Hour rules.

**MR. CHAIRMAN:** Is that agreed? (Agreed)

## 8. CLARIFICATION OF SUB-RULE 21(3)

**MR. CHAIRMAN:** Moving on to No. 8. This is a bit complicated. Do you want me to try to explain or do you wish to read the Background Paper?

**HON. A. ANSTETT:** Let us read first, and then you can explain.

Mr. Chairman, you had offered to explain the problem. I don't know if members require that explanation having read the paper, but I personally would benefit, from your perceptions, an expanding on this.

**MR. CHAIRMAN:** I'll try.

This matter deals only with items not appearing on the Order Paper; we have other rules dealing with those, but this is only the five items appearing on Page 1 which do not appear on the Order Paper.

Our present Rules 21(3) and 21(4) deal with the first three items that are on there; in fact, Items 1 and 2 are referred to in both 21(3) and 21(4), there is a slight redundancy there.

Item 3 on there is covered under Rule 37. There remain then Items 4 and 5. They are presently included in Item 21(3), in that they appear to be required to lapse at the end of that particular sitting day. It refers to the previous question and it refers to matters of privilege. The question then is whether matters of privilege should lapse at the end of a sitting day, and if it is important enough for the House to set aside its regular business to discuss a matter of privilege, then surely it's important enough to continue the next day to conclude the matter if it has not done so.

There has been two decisions over the last little while which have been opposite. In one case, the matter lapsed, and in another case, it continued on until the next day. We have had only one case where the previous question was raised. Where that would normally lapse under 21(3) it was, in fact, continued until the next day. So there is a problem; was that done properly, or was that what should have happened?

So what we are asking the committee to do is to look at the last two items 4. and 5. on Page 1 and decide whether they are to conclude on that day, or whether some other means of handling them should be incorporated in the rules. Now is the time to make that decision, because I'm sure that they will arise again and cause an argument in the House if they are not so decided on at this stage.

Does that make it clear?

Mr. Anstett.

**HON. A. ANSTETT:** Just one question so I completely understand this, or more completely.

Is the Background Paper suggesting that on the last time we debated the previous question we had a precedent which could have forced conclusion of the debate that same day last February? Both a precedent and a rule, actually.

**MR. CLERK:** Mr. Chairman, I am not aware of any precedent relating to the previous question. There was a precedent relating to a matter of privilege. One of the concerns that's stated in the paper is that it is not apparent when that rule was adopted, that there was any recognition by the committee that it might be applied to the previous question and to matters of privilege. Looking at the minutes of the meeting, looking at the correspondence, while the rules were being drafted, between my predecessor and Legislative Counsel, there doesn't appear to be any recognition that this rule could apply to the matters now being discussed by this committee today.

**HON. A. ANSTETT:** I can confirm. My recollection is that that was not even considered at the time. My question would be, under Rule 21(3), is it now possible to limit debate on the previous question to the current sitting?

**MR. CLERK:** I believe so.

**MR. CHAIRMAN:** That's what it says.

**MR. CLERK:** A matter of privilege and the previous question . . .

**HON. A. ANSTETT:** That puts far too much power in the hands of the government under any set of rules.

**MR. CLERK:** Under that rule, in my opinion - and my advice, Mr. Chairman, has been that I believe that rule means that a debate on a matter of privilege, or on a previous question motion, should be terminated under Rule 21(3) at the adjournment hour on the day on which it is commenced.

**HON. A. ANSTETT:** Which is tighter than closure.

**MR. CLERK:** Well, yes, and the problem you've got is it is terminated, it isn't brought to a vote, it's just terminated. It isn't brought to a vote and then what do you do tomorrow? You can't raise it again because of the provisions of the rule. That's what I'm referring to in Item 4 on Page 3, "The application of the motion for the previous question to a particular debate is rendered ineffective."

**HON. A. ANSTETT:** So you only apply it to opposition motions, never to government motions.

**MR. CHAIRMAN:** Since at that time the previous question was raised on a matter of privilege; if the privilege dies at the end of the day, then surely you can't have the previous question on a non-existent question.

**HON. A. ANSTETT:** Oh, this one gets very complex.

**MR. CHAIRMAN:** So, whatever the committee wants to do about it, the right rules can be drafted.

**HON. A. ANSTETT:** Mr. Chairman, I think clearly we have to solve the problem. This can lead to some very difficult situations for the Chair, but also depending on whose ox is being gored for the respective house leaders, and I think the situation needs to be addressed.

I have one further question in terms of understanding this. I would have thought - I realize this may not be the nub of the issue in terms of matters to address - but I would have thought that matters of grievance, in addition to the limit in 21(4), would be considered items on the Order Paper because the motion for Ways and Means and Supply is always on the Order Paper after the - well, Supply is on after the Throne Speech finishes, Ways and Means after the Budget finishes, and you don't have the opportunity for the grievance on either one until after one they appear on the Order Paper.

So I am not sure we have to be concerned about that unless the Clerk can advise that it does not qualify as a motion on the Order Paper because of its format. I would think that it does.

**MR. CLERK:** Mr. Chairman, I think the Government House Leader is correct. It is in here, because it's been previously dealt with almost as a separate entity. It is specifically addressed by Sub-Rule 21(4); it was one of the two matters which gave rise to the adoption of Sub-Rules 21(3) and 21(4) in 1979. The concerns, then, related to grievances and to matters of urgent public importance.

**MR. CHAIRMAN:** Yes, Items 1 and 2 are not considered important.

**HON. A. ANSTETT:** I think I can put a perspective on this.



As I recall, the discussion in 1979 centred on the fact that we were changing the form of the motion with respect to urgent public importance. It had previously been that the House do now adjourn to discuss, and we changed it to set aside the ordinary business. When we was a motion to adjourn, then we debated the motion to adjourn up to the normal hour of adjournment on a matter of urgent public importance, so you knew the debate was concluded at that day's adjournment hour.

In changing the rule to set aside the ordinary business, we never addressed the question of "For how long?" so you set aside the ordinary business, and clearly the intent is to set it aside for that day, not for a week or two weeks. Otherwise, governments would always deny, in a vote, the proposal to set aside the ordinary business and there never would be that debate. I think, clearly, the intention has always been that matters of urgent public importance are debated on that day up to the normal hour of adjournment, or until the debate is concluded and voted upon, and not carried on.

I would suggest then, if members are agreed on that interpretation - and historically I think that's how we got into the box and why the rule was drafted that way. Well, that's part of the discussion, as I recall it, that the previous question, and matters of privilege, should not come under this rule, and since everything else is addressed, maybe we can get rid of the rule and place a specific rule in the section on matters of urgent public importance that the debate concludes that day at the normal hour of adjournment if the question is not sooner put, and then we don't have a problem with matters of privilege and previous question, because I think it places far too much power in the hands of a Government House Leader to terminate debate on matters of privilege or motions to the previous question on the day in which they're moved. Those debates can and have gone on for more than one sitting day.

So that would be my initial reaction. I'm not sure it's something we want to decide today; I think it's something we may want to think about. I think as a matter of principle, privilege and previous question should not be terminated as 21(3) would allow them to be terminated, but matters of urgent public importance clearly have always been intended to be concluded on the day on which they are raised.

So if we address it that way, I believe we could possibly request the Clerk to draft rules; closure and grievance are already taken care of. That may be the way to go on this.

Of course, if I were Opposition House Leader I might well want to just leave the rule the way it is.

**MR. CHAIRMAN:** Mr. Santos and Mr. Mercier.

**MR. C. SANTOS:** Mr. Chairman, if the history of the adoption of this Rule 21(3) shows that it was never in the contemplation of the Rules Committee to embrace previous question and matters of privilege, I do not see any justification of extending the application of the rule as it now stands to these two matters, because they were never considered by the committee to be included and embraced in the scope of the rule. Why should it be applied to these two points when it was never intended to be so.

I perfectly agree with the House Leader that these two matters, previous questions and matters of privilege, should not be subsumed under Rule 21(3).

**MR. CHAIRMAN:** It was probably an oversight and not the intent of a previous committee, but since it has been written in a rule that way it must apply, since it is written that way.

Mr. Mercier.

**MR. G. MERCIER:** Mr. Chairman, the manner of question of privilege, I may have, but I don't recall it, having gone past a day, but I think if it is a matter of privilege then it . . .

**HON. A. ANSTETT:** Last winter.

**MR. G. MERCIER:** Last winter?

**HON. A. ANSTETT:** Two weeks.

**MR. G. MERCIER:** Well, I think it should not terminate at the end of a sitting day, and the rule should incorporate that. The question of motion of previous question, a motion that a question be put, what has been the practice of the House, Mr. Chairman, to end debate on that at the end of the day?

**MR. CHAIRMAN:** I can only recall one instance in my 14 years, I believe, and on that occasion we continued the same debate on the next day, it didn't conclude.

**MR. G. MERCIER:** Can a member speak more than once?

**MR. CHAIRMAN:** No. In fact, if you recall the instance, there were I think 23 speeches on it, and then it came to a vote and the bells rang. That was the history of it.

**A MEMBER:** I don't recall that.

**MR. CHAIRMAN:** I do.  
Mr. Enns.

**MR. H. ENNS:** It's, I suppose, one always lives with new nuances to the rules that we think we've been operating under for a period of time. Opposition may well want to look at how the rule would apply for the opposition in a particular instance, particularly on the question of the previous question.

**MR. H. GRAHAM:** Let's take a look at it from the point of government.

**MR. H. ENNS:** Yes, it's a question of having to look at it from that point of view as well. I think that we would want to have an opportunity of examining that with our respective caucuses and see what, in fact, is the desire and wish of our particular caucus. I thank the Speaker for bringing this to our attention, we'll take it back to our caucus.

**MR. CHAIRMAN:** Do you wish to address the other matter, the privilege?

**MR. H. ENNS:** Well, your recommendation is for it to terminate.

**MR. CHAIRMAN:** No.

**MR. H. ENNS:** Oh, pardon me, to proceed.

**MR. CHAIRMAN:** To proceed to a conclusion.

**MR. H. ENNS:** I'm sorry, I didn't . . .

**HON. A. ANSTETT:** Mr. Chairman, I feel very strongly that there really are the two questions, previous question and privilege, all the balance are addressed on the understanding that we agree that urgent public importance relates to that day; I'm not clear that all members do but, if we do, I think we should clarify that in the rules as well.

**MR. CLERK:** It's specifically clarified in 21(4).

**HON. A. ANSTETT:** I thought that was only grievance.

**MR. CLERK:** No, grievance and urgent public importance, both.

**HON. A. ANSTETT:** Okay.

**MR. CHAIRMAN:** The question is only on Items 4 and 5 on the first page.

**MR. CLERK:** The sub-rule raised under 27(1) is a matter of urgent public importance. The reference to is a matter . . .

**HON. A. ANSTETT:** Oh, sorry. So the matter then, Mr. Chairman, relates to previous question and privilege. I believe that Beauchesne's Citations 452 through 460 are clearly predicated on the assumption that that debate continues until the question is resolved. I believe to do otherwise would negate the whole use of the previous question and would make the whole matter useless. At the same time, to shut off debate on a matter of privilege at the normal hour of adjournment denies members the opportunity to debate those matters, and they're often matters of some import to members, particularly if there is a debate ensued, the speaker has declared there is a prima facie case of privilege, and to cut off that debate on a substantive motion without question put I think is a real affront to members. I think we have to deal with this from the perspective of not limiting either one. I think we may benefit from an opportunity to consider this on each side and discuss it with our caucuses, but the infringement on member's right of debate in both cases, I think, would be very substantial if we allowed the rule to continue.

**MR. H. GRAHAM:** Mr. Chairman, there may be some precedent right here in Manitoba. My memory's not too good, but I believe there was a considerable use of the rules quite a number of years ago in debate in the Chamber here when Mr. Molgat and Mr. Campbell were pressing for an inquiry into water haulage contracts, and I think you may find some very interesting information if we went back through that period.

**HON. A. ANSTETT:** Except the rule was changed in 1979.

**MR. H. GRAHAM:** Well, it doesn't matter, but it could give you some very good background information.

**MR. CHAIRMAN:** Now that the matter has been aired, can we defer it until a future meeting to allow members to discuss the matter with their colleagues? (Agreed)

## 9. OTHER BUSINESS

**MR. CHAIRMAN:** The next item is Item No. 9 - Other Business. Is there any other business to come before the committee?

Hearing none, the date of the next meeting. The House meets again a week tomorrow, do you wish to try a meeting before then or a couple of weeks into the Session perhaps?

Mr. Anstett.

**HON. A. ANSTETT:** Yes. Mr. Chairman, since I do not anticipate that a motion for concurrence in the Rules Committee Report would be possible prior to the conclusion of the Throne Speech, that gives us an extra couple of weeks, could I ask that the committee not report its deliberations to date?

**MR. H. ENNS:** We don't have to report at all if we haven't completed our business.

**HON. A. ANSTETT:** Well, we have some items that we have completed and could report. I'm suggesting we defer those, that we target as our first meeting two weeks from today, which is a House sitting day anyway. By then the Opposition House Leader and I will have had an opportunity to discuss the question of amendments in Private Members' Hour - I don't even know if we have to discuss that, I think we probably agreed. We'll have the draft rules by then, because I realize staff have other things right now in terms of getting ready for the Session. I don't think they want to try and do this in one week, so if we make it two weeks from now, which would be the 12th, the two House Leaders will by then have had an opportunity to meet and discuss this last item, as well as any other items and agree on the nature of our report on those and put everything in one report.

**MR. H. GRAHAM:** Mr. Chairman, knowing that the House cannot deal with the same matter twice in one sitting, the Report of the Rules Committee, I don't think is a high priority immediately for the first item of business in the new Session, is it?

**HON. A. ANSTETT:** Mr. Chairman, I believe that all of the Report of the Committee has been passed with the concurrence of members on both sides, and therefore the concurrence motion to be applied, particularly the rules on private bills and petitions and with respect to Private Members' Hour should pass and be operative, particularly the new rules as they affect the public and the rules as they affect Private Members' Hour. The trial will only benefit if its applied to the full Session.

So it would be my hope that with the co-operation of members on both sides that concurrence in the committee's report would pass fairly quickly, and that

we could move with it as one of the first items of government business after the Session has started. If it's something that's going to be debated at length, and obviously it might only get called that once, I'm not going to use up a lot of time to pass it, but if it can be passed easily, then we'll get on with the rules.

**MR. C. SANTOS:** If we ever assign a date, could we meet on a Monday instead of a Tuesday?

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

**HON. A. ANSTETT:** Mr. Chairman, the Tuesdays and Thursdays, once the House is sitting, are the normal sitting days for committees. Mondays have generally been avoided because of the travelling requirements of rural members coming into the city after having been home to their constituencies for the weekend. So we've traditionally avoided Monday mornings.

If members opposite have no difficulty, we could schedule the next meeting for the 11th instead of the 12th.

**MR. C. SANTOS:** Well, I just make a request, that's all. Can we try it at least once?

**HON. A. ANSTETT:** Is that inconvenient, Harry, for you, Monday?

**MR. H. GRAHAM:** Don't worry about me, I've always been able to . . .

**HON. A. ANSTETT:** Gerry?

**MR. G. MERCIER:** No problem.

**HON. A. ANSTETT:** No problem.

**MR. CHAIRMAN:** Then the 11th? How about the following Monday? It will give the staff a bit more time.

**HON. A. ANSTETT:** The 18th?

**MR. CHAIRMAN:** The 18th? (Agreed)

Then let us make that 10 o'clock on the 18th to give members a little more time to consider 21.

There being nothing else before the committee, committee rise.

**COMMITTEE ROSE AT:** 12:21 P.M.












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