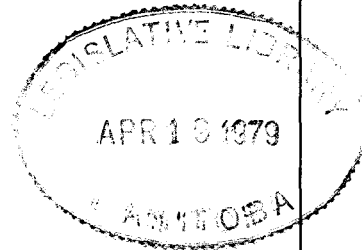




Legislative Assembly of Manitoba

STANDING COMMITTEE
ON RULES OF THE HOUSE

CHAIRMAN:
Honourable Harry E. Graham
(Birtle-Russell)



11:00 a.m., Tuesday, March 20, 1979

RULES COMMITTEE

Tuesday, March 20, 1979

Time: 11:00 a.m.

CHAIRMAN: Hon. Harry E. Graham(Birtle-Russell)

MR. CHAIRMAN: We have a quorum, I call the meeting to order. The main purpose of this meeting is at the last meeting we had recommendations for the rule changes which had been checked out by legislative counsel. We are now at the stage where we have drafted an Interim Report which I believe all members have a copy of. I would hope that at this meeting we could finalize that report and if there are any other matters that members want to bring to the attention of the Rules Committee, should we deal with that first before we complete the report or should we go through . . . It's whatever the members want.

MR. SIDNEY GREEN: Maybe we should go through it paragraph by paragraph. I have some changes -- or at least I have some questions. Can we just go through it paragraph by paragraph?

MR. CHAIRMAN: Is that my copy you have there?

MR. GREEN: Maybe I do.

MR. JACK REEVES: We'll get a half dozen more copies.

MR. GREEN: I've marked this one.

MR. CHAIRMAN: Okay, you keep that one.

MR. GREEN: I have Mr. Graham's copy; I haven't defiled it.

MR. WARNER JORGENSON: Well the first one deals with subrule 10 be amended by striking out the word "three" in the third line thereof and substituting the word "four." That's the number of people who are necessary for the calling of a vote.

MR. GREEN: That's okay. Pass or something?

MR. CHAIRMAN: Are you all agreed on subrule 10.4? Is that agreed? (Agreed)

The second one is subrule 21.3.

MR. GREEN: Mr. Chairman, I just have a question. I guess the lawyers get into difficulty with each other. I'm worried about the last sentence and ask Mr. Tallin whether it wouldn't mean the same thing if we stopped after "adjourns for the day." In other words that business is terminated when the House adjourns for the day, period, "and shall not be taken up at a next or subsequent

sitting of the House." I'm worried that two weeks later somebody properly makes a motion which may relate back to what was being -- or even the grievance motion -- and the Speaker says, "Well it says it will not be taken up at any subsequent sitting of the House." If we stopped and put a period after "day," wouldn't we get what we want? That business is terminated when the House adjourns for the day. In other words let's say it's a grievance motion which is the way I think it arose; the grievance motion is terminated or if it was a . . .

MR. REEVES: This would deal with an emergency debate.

MR. GREEN: . . . or emergency debate. It doesn't really matter. That that is terminated when the House adjourns for the day. When you're back the next day it's Orders of the Day.

MR. RAE TALLIN: I was trying to get the converse of what is in the present rule. What would you think about using the phrase "shall not be continued at the next or . . ."

MR. JORGENSEN: Is that not taken care of in another rule, Rae, where it says that the same subject can only be raised once during a session?

MR. CHAIRMAN: 27.5(c).

MR. GREEN: That rule has never been applied, let us say, to the motion to go into Committee of Supply and somebody raises a grievance. The reason we put in this rule is that we wanted to make sure that just because the debate didn't end on the day that we were sitting, the next day we weren't back on that grievance unless somebody got up and moved it. Let's say that I was speaking in the middle of a grievance at 4:15. What we said is that at 4:30 I'm finished, I don't have 15 minutes the following day. Isn't that what we were talking about? So what we were saying is that that's the termination. If I happen to pick up the floor at 4:28 I've used my time on grievance, I don't have 28 minutes the next day. I think that's what we were getting at.

The way it says here I'm worried that somebody is going to say that you can't take up grievances any more . . .

MR. TALLIN: The same grievance.

MR. JORGENSEN: The same grievance.

MR. CHAIRMAN: Well our rules already say that in Rule 27.5(c).

MR. GREEN: Mr. Tallin said that if we change the words, it shall not be taken up at any next, if we change the words "taken up" to "shall not be continued" at the next or any subsequent sitting of the House would

be better than "taken up" because then we know exactly what we're talking about. "Continued" means that there will be no continuation of that particular motion at the next . . . But if somebody makes another motion for grievance then you can deal with it. I think we're all of a mind here, I'm just worried about the fact that it's "shall not be taken up at the next or any subsequent sitting of the House." I'm aware of the rule which says that you cannot debate something which has already been debated. That has never stopped a second grievance; it's never stopped a second motion of urgency.

MR. JORGENSEN: Oh no, but it has stopped it on the same subject matter.

MR. GREEN: On the same subject matter, yes.

MR. JORGENSEN: That's just the point that I made. I happen to agree with the Member for Inkster because that is already covered in 27.5(c).

MR. GREEN: Well why don't we just use legislative counsel's suggestion, "shall not be continued at the next or any subsequent . . ." In other words that particular item cannot be continued, it's finished at the end of that day.

MR. JORGENSEN: All right.

MR. REEVES: Actually, if I may interrupt for a second gentlemen, what happened was -- and I think you were involved in it Mr. Green -- in which we had a grievance motion; we didn't finish the discussion on the one day and we carried it over the next day. I think you finished your speech the next day.

MR. GREEN: I don't doubt it. We're saying we can't do that anymore.

MR. JORGENSEN: That's right.

MR. GREEN: Well that's okay. That's legitimate.

MR. REEVES: That's all I want. I want to know one way or the other.

MR. GREEN: I mean I've done mine, nobody else can do it again. Now we close the door.

MR. JORGENSEN: There isn't a better time to change the rules.

MR. GREEN: But I think if we use the word "continued" we'll be all right.

MR. TALLIN: In both three and four.

MR. GREEN: That's right. In both three and in four.

MR. CHAIRMAN: Is there agreement on the changing of the wording in 21.3 and 21.4? (Agreed) We have agreement then on subrule 10.4.

Subrule 22.4, the amendment.

MR. GREEN: What did we do here? I can't remember.

MR. JORGENSON: Well that relates to the difficulty we were having last year when because a resolution had not been introduced -- no, it had to do with Address for Papers which are debated on Wednesdays. Because the member -- I believe it was Desjardins at the time -- was not there on Wednesdays we continued to refuse to accept his motion.

MR. GREEN: On Wednesdays, that's right. Well that's okay.

MR. JORGENSON: What it's attempting to do is provide him with an opportunity to introduce it on any one of the other days.

MR. GREEN: Provided it's in its order on the list.

MR. JORGENSON: Yes.

MR. CHAIRMAN: Any further discussion on 22.4?
22.4--pass.

22.5 . . .

MR. GREEN: The same thing. It's a complementary section.

MR. CHAIRMAN: 22.5--pass.

29.1 . . .

MR. GREEN: Now on this one we should caution the members. I would ask the House Leader when he is introducing this report to tell the members that, you know, private correspondence is private correspondence but if they start quoting from it it becomes public correspondence. You can say that I have received a letter from somebody who is very concerned but once you start to quote the letter then another member can ask for it to be put in. All of us should therefore be very careful of what we do.

MR. JORGENSON: There was a suggestion that was made that if the member was about to quote from a letter that the Speaker intervene and remind him that that letter should be tabled if he is going to quote from it.

MR. TALLIN: This only provides that another member may ask that it be tabled. It doesn't mean that it will automatically be tabled.

MR. GREEN: But he's subject then to the whim of 56 other fellows, at least 20 of them who are not friendly to him, one of whom will ask for that letter to be tabled.

MR. CHAIRMAN: After what happened in Alberta yesterday you're not too sure about who is friendly there either.

MR. BLAKE: Lougheed fired his Health Minister.

MR. CHAIRMAN: He was going to resign at the end of the week but he didn't wait until then.

MR. D. JAMES WALDING: Mr. Speaker, before we leave this, how does this solve the problem of a member using an unsigned letter or a letter that is not considered a proper letter, one without a letterhead or an indication of who it's addressed to.

MR. BLAKE: He could write it to himself; he could

use all kinds of props if you want them I guess in a speech.

MR. WALDING: What we were discussing before is that the Chairman or Speaker should satisfy himself when the member begins to quote from the letter that it is in fact a proper letter and can be quoted. I don't see anything referring to that in here.

MR. GREEN: It's Beauchesne. Beauchesne says that you cannot -- doesn't it say that you are not to read anonymous letters? I think any member could get up at the beginning or the Speaker and say, now is this an anonymous letter or is this a letter which has authority? Then if it isn't it's like any out of order debate.

There is a rule -- at least I think there is a rule. It's like saying that that is out of order, you cannot deal with that.

MR. WALDING: Yes but I want it to be out of order before it's read and not after it's read.

MR. GREEN: I agree. I think it is out of order. I think that once a person starts to quote from something which any member feels there is a problem with, or the Speaker, they could say, now is this document within the rules and at that time the member has to satisfy the Assembly or the Speaker that what he is reading is going to be filed or is otherwise within the rules of Beauchesne, before he reads it.

MR. FOX: Mr. Chairman, I think it's simpler than that. We have qualified what will be tabled and what won't be tabled. Within our normal rules we have made it more explicit that private letters can be asked to be tabled. Therefore the only thing that is necessary is a caution when a member starts to say I have a letter that he be informed that he may have to table it. Then it's upon his head whether he wants to read an anonymous letter and get the wrath of the House on himself or not. I don't think you can write into a rule that you can't have an anonymous letter, unless you want to. But the problem arises that the more you try to condense it as to what you want, the more problems you create. So I say that I think we have covered the issue to the extent that a member now, according to the rules, has to be aware that it can be tabled, whatever he's going to quote from unless it's a document that the government has which maybe for security reasons or other reasons not necessarily -- or inter-governmental. But private letters, immediately the rule says it may be tabled, may have to be tabled, so therefore the member is on his own conscience.

MR. GREEN: It seems to me Mr. Walding's point is not that he is going to force that the letter be tabled, but that the reading of it is an unfair use of debating time and an unfair use of the debating . . . I think what Mr. Walding is saying, if I understand him, he'd prefer

that the letter not be read and not be tabled. He's saying that the member is taking a chance but that the member is using the device of an anonymous letter in debate which is contrary to good parliamentary practice and I think there is something in Beauchesne -- maybe the House Leader will tell me whether I remember correctly.

. . . continued next page

MR. JORGENSEN: If I remember correctly, all Beauchesne says is that the member takes responsibility for a letter that is read into the record.

MR. GREEN: Here it is; I'm right. "A member cannot read a letter referring to anything that has taken place . . . An unsigned letter should not be read in the House."

Therefore, once a fellow starts to do a thing like that, I think that the Speaker or any member can get up and say, now just a minute, before you proceed with that, is that a letter which is subject to tabling, which means that it is signed. And if not, then I protest and I ask the Speaker to rule that he should not be permitted to proceed with the reading of that letter.

MR. JORGENSEN: The new Beauchesne, which is much more explicit in its definition of what is permissible says very explicitly that an unsigned letter should not be tabled. Don't forget, that settles it, that we hardly need this rule.

MR. GREEN: This is a good rule because the private letters -- we're talking about whether private correspondence has to be tabled. We say that it doesn't have to, but then you shouldn't refer to it. But it also says that an unsigned letter should not be read in the House and I think that Mr. Walding could get up when a person starts to do that, which I understood his objection to be, and say, now look, if that letter is a signed letter then it has to be tabled. If it is not a signed letter, then I'm asking the Speaker to tell the member to proceed with the debate without reading that letter.

MR. CHAIRMAN: If I may, can I then ask what the intention would be? Would you expect the Speaker to intervene immediately, take the time of the House up to have the letter brought up and checked, or would he do it only when asked by another Member of the House.

MR. JORGENSEN: I think another Member of the House should take it upon himself to make that inquiry immediately, that there is an indication that he is going to be reading from a letter. If he gets the assurance that that letter is signed, then he has permission to read it. If it is not signed, then he should draw it to the Speaker's attention that he has not the right to read it.

MR. GREEN: I tend to agree with Mr. Jorgenson that the Speaker sometimes gets himself into a problem if he raises an objection without a member raising it. Sometimes things will go by and nobody objects to them. The members should be on the alert. It is they who are protesting what is taking place in debate. Now, that doesn't mean that the Speaker can't do it and maybe if he sees the members are sleeping, maybe he should. But the Speaker runs a great risk by intervening in a debate and making a ruling before somebody has made a challenge because he could be in the difficult position of none of the members really agreeing with what he is saying and then having to deal with a ruling which they

didn't want in the first place. So I think that the preference is that members be watching the debate and seeing what they object to. After all, the adversaries are the members, not the Speaker. But if the Speaker sees something going by which he feels is an obvious abuse, we can't stop him from intervening. But it's the members who are essentially to safeguard the fact that the Speaker has brought to his attention breaches of the rules.

MR. CHAIRMAN: Any further discussion? The Honourable Member for Brandon West.

MR. MCGILL: Mr. Chairman, it seems to me that we also got into a little problem in determining what constitutes a signature on these letters. Do other members recall that this was a problem?

MR. BLAKE: Yes, that was my letter.

MR. MCGILL: Was that yours? Now, does this put the Speaker in a rather difficult position of having to determine immediately whether what is on that letter constitutes a signature, an acceptable signature, or whether it is not a signature?

MR. GREEN: Did the Member for Minnedosa feel that he had a signed letter and the Chairman of the Committee felt it wasn't signed?

MR. BLAKE: That's right. The letter had been written and signed and then there was an appendage on the bottom; he had added another paragraph that he hadn't signed.

MR. GREEN: I would say that you would have to raise that and it would be argued and the Speaker would rule. Common sense prevails.

MR. BLAKE: The legal counsel says if you have a typed letter that the person who typed that letter typed the signature on the bottom and that constitutes a signature.

MR. GREEN: Maybe. An X is a signature, as long as it's identified . . .

MR. BLAKE: But then you get into technicalities. You could argue that for quite a while, you know.

MR. GREEN: But that's the stuff you could argue and I don't know that you can ever rule for every . . .

MR. BLAKE: You have to take each case, I think.

MR. CHAIRMAN: Is there any further discussion on 29.1? 29.1--pass.

The next one is subrule 35.5.

MR. TALLIN: I should point out that this was offered gratuitously. It was not requested by the committee but it was a subject matter which Mr. Green did raise and I thought this might be another alternative way . . .

MR. GREEN: It's okay with me, as long as we eliminate that motion.

MR. REEVES: This does eliminate that motion.

MR. GREEN: This eliminates the motion, then I am satisfied.

MR. REEVES: Then if I pass the address, then there is no need for any motion.

MR. GREEN: I don't think my honourable friends on the other side should object to it.

MR. BLAKE: We'll still engross it and then try and . . .

MR. JORGENSEN: It can still be done. . .

MR. FOX: . . . must have a resolution . . .

MR. BLAKE: . . . after the debate.

MR. GREEN: After the debate they always moved that the speech be engrossed, etc., etc., and it's a debatable motion and we could have another Throne Speech.

MR. FOX: I concur with that Mr. Speaker. But my question is, there is supposed to be no procedure before the House unless there is a resolution of some kind to debate. Now, how are we going to enter into the Throne Speech Debate and make the motion afterwards?

MR. JORGENSEN: No, you're not. You misunderstand what is happening.

MR. FOX: That's what I'm asking.

MR. JORGENSEN: The Speech from the Throne indicates that the House thanks the Lieutenant-Governor for his gracious speech, etc., etc. That initiates the debate and provides an opportunity for the Opposition to move a motion of non-confidence, an amendment to that motion. After the debate is concluded, then this is the one that is introduced.

MR. FOX: Fine, but we do have two motions.

MR. GREEN: No, this is not. If the motion for an address to the Speech from the Throne is carried, which is the motion that is made by the mover and the seconder, the address shall be engrossed and presented to the House.

MR. WALDING: It's a mechanical function that follows the . . .

MR. CHAIRMAN: It eliminates one separate motion.

MR. GREEN: I saw it used once. I think Jake Froese was the one -- I said it was Molgat but I think Jake Froese used it and did speak on it, or he adjourned it. I think he adjourned it and the next day they agreed not to proceed.

What happened is that the First Minister of the day, Duff Roblin, made a particularly provocative closing of the Throne Speech Debate and right after he had done it, there was this motion and Jake Froese got up and spoke on this motion and then we could see another Throne Speech Debate. It has been done. That's right, nobody has every been provocative since.

MR. REEVES: . . . in that Mr. Froese had been given some assurance by presumably the House Leader or Mr. Roblin that he would have an opportunity to speak in the Throne Speech Debate and I think it left him two minutes . . .

MR. GREEN: That's what happened. Duff took too much time and Jake had been promised some time.

MR. CHAIRMAN: Are we all agreed that Rule 35.5 be added? Pass.

Subrule 49.1, Orders for Returns. This is tied into 22.4. Any discussion on 49.1? Pass.

The next one, Item Number 8, subrule 64.3.

MR. GREEN: This is the ruling in committees subject to an appeal to the committee, except in the Committee of the Whole House.

MR. CHAIRMAN: Any further discussion on 64.3?
64.3--pass.

Item Number 9, Rule 73.1, an addition.

MR. GREEN: That's to the same effect, is it not?

MR. TALLIN: Well, the difficulty is that the rules of the standing committees are usually the same as the rules of the Committee of the Whole. But unfortunately, you know, you have got a double rule in the Committee of the Whole. So I just thought it would be wise to clarify what happens in the standing committees.

MR. GREEN: This is to achieve the purpose, that in the standing committee, the ruling of the Chair will be subject to the committee?

MR. TALLIN: Yes.

MR. CHAIRMAN: 73.1--pass.

The next one, Item Number 10, Rule 94.

MR. REEVES: That refers to the Legislative Reports required by legislation that I must . . . in the House. It allowed to take out reference to the actual page.

MR. CHAIRMAN: Any discussion? Rule 94--pass.

Item Number 11, subrule 105.1. That's the time on the Private Members' Petitions.

MR. JORGENSEN: It has been increased from six weeks to ten. We always move a motion to extend the time anyway.

MR. CHAIRMAN: Subrule 105.2, complementary to . . .

MR. JORGENSEN: Yes, it deals with Private Members' Petitions.

MR. CHAIRMAN: Subrule 105.1 and 105.2--pass.

Subrule 106.1, dealing with the amounts.

MR. WALDING: Before we pass that, will that apply as of the next session or to new bills that come in in this session, or the ones that are already introduced for this session?

MR. CHAIRMAN: It will not apply until this report is adopted by the House, will it?

MR. REEVES: If we leave it until the last day, it will effectively solve your problem.

MR. WALDING: I think there are two private bills before the House now, brought in under the expectation that they would cost \$100.00 apiece. Now, are we going to change the rules half-way and say it's gone up by 150 percent?

MR. REEVES: . . . no retroactivity. In other words, these become effective as of the date the report is adopted by the House, or concurred in, whichever route you want to take.

MR. WALDING: At least I think we should have it clear.

MR. REEVES: For example, there have been many other rules in the past which we have amended. Well, let's go back to the one, the engrossment of the . . . We didn't do it this time because its report was not into the House.

MR. WALDING: I think there is a difference here though. There is money involved and it is not legislative money, it is individual's money involved.

MR. GREEN: Can't we say that this thing will become applicable starting on May 1, 1979?

A MEMBER: Or the next session of the Legislature.

MR. GREEN: Because it wouldn't be fair to have somebody's bills come in at the lower rate and then the same session . . . that this will become effective at the next session.

MR. REEVES: Absolutely. I have no intention of going back to the sponsor and saying . . .

MR. GREEN: Just so that Mr. Walding's point, which is a good one, is covered. It doesn't hurt it to say that it will become effective at the next session of the Legislature. It may be in October, who knows?

MR. JORGENSEN: That whole matter relating to Private Bills?

MR. GREEN: That's right.

MR. JORGENSEN: Starting from subrule 105.1, which includes the . . .

MR. WALDING: Well, I had your bill in mind when I brought that up.

MR. KOVNATS: I'm glad you did because I was thinking of it.

MR. CHAIRMAN: Well, do we want an amendment to the rules, or an understanding?

MR. JORGENSEN: Just an understanding.

MR. GREEN: This was for the purpose of private privilege, was it?

MR. KOVNATS: I think just an understanding is satisfactory because . . .

MR. FOX: . . . motion and never get it done. It can't be written into the rules; it has to be an understanding because once you put it into the rules, it will affect the session.

MR. TALLIN: You do it by the resolution which you adopt, on the rules.

MR. CHAIRMAN: You do it in the resolution rather than in a change in the rule.

MR. GREEN: That's right, that this particular thing, in the adoption of the report, will become effective at the next session of the Legislature.

MR. CHAIRMAN: Agreed. 106.1--pass; 106.2--pass.

MR. TALLIN: You want that to apply also.

MR. GREEN: All those with regard to the Private Members -- Private Bills, I should say.

MR. CHAIRMAN: That concludes the amendments to the Rules of the House, all those that are proposed to date.

Are there any further amendments to the rules that members would like to discuss at the present time?

There were two items that were left over from the last meeting, dealing with proposed changes. One was the question of the actual adjournment of the House at 5:30 so that we can go into Committee of Supply at 8:00, and the removal of the Mace from the House at that time rather than having it occur at 10:30, 11:00, 12:00, 1:00 and 2:00 o'clock in the morning. Are there any view on that matter? The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I don't see why the Mace has to come back to the House at 8:00 o'clock. I would like to think of a reason to impose this on you, but I can't think of one. So I would suggest that we do what we do at the end of the session, that the House Leader at 5:30 says I move that the House do now adjourn and stands adjourned until 2:00 o'clock tomorrow afternoon and the Committee of Supply will be meeting tonight at 8:00 o'clock. The committee then will report to the House at 2:00 o'clock the next day. Both chairmen of the Committees of Supply would report on receiving reports from standing committees and the committee will meet on that basis.

Now, the Committee of the Whole House usually goes out of the House and then back into the House. Is that some type of religion that it has to be that way, or can we say that the Committee of the Whole House will meet at 8:00 o'clock tonight and will meet in separate chambers. Therefore, all that is needed is a motion by the House Leader that the House do adjourn, which we do all the time at the end of the year, when we say that the Committee of the Whole House will meet tonight.

Is there some requirement that the Committee of the Whole House go out of the House and back into the House?

MR. CHAIRMAN: May I suggest a possible situation that might have some effect on this. Supposing we adjourn the House at 5:30, the committee, say, the Law Amendments Committee was meeting at 8:00 o'clock to hear briefs and there were no briefs and there is still business on the Order Paper that could have been dealt with.

MR. GREEN: We have had that happen and we've just taken the night off, that's what we've done.

MR. JORGENSEN: There is one of two things that could happen. If you feel that there isn't going to be sufficient business to carry on, then you don't move the motion.

MR. GREEN: That's right.

MR. JORGENSEN: As long as you think the House is going to be occupied until at least 10:00 o'clock.

MR. GREEN: The only problem I see is a ruling of the Committee of the Whole House, and then I would think that we should make a rule that . . . You see, right now, a ruling of the Committee of the Whole House has to come back

to the Speaker. But all the Speaker does, he doesn't rule on it, he asks for a vote. Why don't we let the chairman of the Committee of Supply ask for this vote if the House is not sitting, not in the Committee of the Whole House?

--(Interjection)-- Then we have looked after it. You see, as long as the Committee of Supply can make its own rulings, okay.

MR. JORGENSEN: I'm not concerned about if you are in Committee of the Whole House or any of the standing committees. I think the House should be available in case the business is completed earlier, and the Speaker should be available. But if you are in Committee of Supply and you know darn well that it will carry on, then I agree, I don't see any need to have the Mace in the House.

MR. GREEN: Well, then, why don't you try it today and see what happens. Rule that the House adjourn at 5:30 and if everything goes well, we'll know that we haven't done anything wrong.

MR. CHAIRMAN: Well, this will not require any change in the rules.

MR. JORGENSEN: That's not always the foolproof way of determining matters.

MR. FOX: Well, it doesn't require a change in the rules anyway. It's just a procedure . . . with the understanding that the House Leader knows what he is doing. Rae, do you see any problems there?

MR. TALLIN: No, I don't know why they have that rule.

MR. FOX: Mr. Chairman, I have one other item which I raised.

MR. GREEN: Maybe we should reduce the Speaker's salary now.

A MEMBER: Isn't it bad enough already?

MR. GREEN: I don't know, if he's going to be able to go home at 5:30.

MR. JORGENSEN: In effect, it could take, to get approval for that preliminary . . .

MR. GREEN: But we just said that that's the way it is. We're just accepting the . . . There is nothing to the contrary in the rules. The Committee of Supply, the rule says it is 10 people.

MR. JORGENSEN: I just wanted to make sure that we agreed with this.

MR. KOVNATS: Are you considering, if you were going to make a motion to reduce the Speaker's salary, to increase the chairman's salary?

MR. GREEN: That's right, because you are going to have to be there.

MR. KOVNATS: Could I see your motion?

MR. GREEN: Do you want to second it?

MR. KOVNATS: I was thinking about it.

MR. CHAIRMAN: If I may bring you back, there was another suggestion that someone had raised a comment on and I can't remember who it was. It was dealing with a change in the

rules in the House in Quebec.

MR. FOX: I raised that.

MR. CHAIRMAN: Where immediately after the budget speech, the financial critic of each opposition party may comment on it for 10 minutes. The time for these initial comments shall not count in the time allotted under Paragraph 3 and that is the traditional. I think normally the practice that we adopt here is that when the Budget Speech is completed on that evening, the House normally adjourns immediately. Do we want to utilize or make available an extra 10 minutes for each oppositon party, even if the Budget Speech goes to 10:00 o'clock?

MR. WALDING: Mr. Jorgenson wanted a little time to consider that.

MR. CHAIRMAN: Does anyone want to comment on it at this time.

MR. GREEN: I think, Mr. Chairman, that Mr. Fox brought it to our attention; he gave the reasons and I think that what we were waiting for is the Government House Leader to tell us whether he thinks that such a rule would be beneficial. We're not going to have a big debate on it. We will wait until he comes back and says whether he thinks it is advisable or not. The reasons given were that it was almost a matter of mechanics, that you don't have the Opposition persons' press conferences in the halls, that he makes his statement and it is on the record with the other. It is not a vital matter. It was a question as to whether it would facilitate anything and we are just going to wait, Mr. Chairman.

MR. FOX: Yes, Mr. Chairman. It just complements what we have done in our rules in other regards as well, in respect to Minister's Statements. We give the courtesy of a reply to the statement, not a debate, just a reply.

MR. JORGENSEN: Well, that's debatable.

MR. FOX: Almost anything is debatable if you want to look at it in that light. So therefore, as I say, since the Budget Speech is not a motion as such because the motion for the budget comes after . . .

MR. GREEN: No, that's his speech on the motion. The Treasurer, the Minister of Finance, can't speak except if there is an amendment because he has spoken on the motion.

MR. JORGENSEN: But all the votes on the amendment take place at the same time, at the last day.

MR. GREEN: I just wanted to make the point that it is a speech. It happens to be a speech on the motion. He moves the motion, Ways and Means, and makes his speech, or he makes it after, either way. They've done both ways.

MR. JORGENSEN: I think we have adopted the practice of moving that motion and I have always taken the position that the motion should be moved at the outset in order to

have a reason, provide a reason for the debate. There has to be a motion proceeding a debate.

MR. REEVES: We've done away with the Ways and Means, Mr. Green, if you will recall.

MR. GREEN: That's right, that the policies of the government, financial policies of the government be approved.

MR. CHAIRMAN: I believe also in the Quebec one that once the Minister makes that motion, I believe that their proposal does allow him to speak again.

MR. GREEN: Well, he could speak again here if there is a motion of non-confidence. The only reason he didn't speak last year is that we did not make a motion of non-confidence because the motion was one of confidence and negating it was just as good.

Now, we may want to make a motion of non-confidence, in which case he speaks again. If not, somebody else sort of carries -- seizes the last opportunity, which is what happened.

MR. JORGENSEN: Somebody else has to.

MR. GREEN: Mr. Lyon did it last year. I don't see anything terrible about that.

MR. JORGENSEN: It is necessary because the vote is taken on the last day and so there is no opportunity to debate after all the motions are . . .

MR. GREEN: Even if there is an amendment -- oh, no, if there is an amendment, there is an opportunity. Once the thing is amended, then the Finance Minister can get back into it.

MR. JORGENSEN: But here, you see, on the eighth page, that 30 minutes before the ordinary time of daily adjournment, unless debate has previously been concluded, the Speaker shall interrupt the proceedings and forthwith put every question necessary to dispose of the main motion.

MR. GREEN: But the Finance Minister always used to speak on the amendment. He is to introduce the budget, and then there would be an amendment. And the way he got back into it is that on the last day, he would get the floor on the amendment and speak. Now, if there is no amendment -- that was Don Craik's problem last year, there was no amendment.

MR. FOX: But the leader still has the . . .

MR. GREEN: Oh, they've still got the floor, yes.

MR. JORGENSEN: That's how he gets on, simply because he has the right to close the debate.

MR. REEVES: It's a substantive motion therefore the mover has the right to close it.

MR. GREEN: I disagree. He does not have the right to close the debate unless everybody else has not spoken. And therefore what happens is that if he introduces that motion now and there is no amendment, it is not likely that he will close the debate because he just won't get a change -- well, members will keep speaking.

MR. JORGENSON: Well, that was the point that I was making earlier, that once he has spoken, he has no opportunity to speak a second time.

MR. GREEN: Unless there is an amendment. If there is an amendment, he can immediately get up and speak. Let's say Don Craik introduces a motion and I get up and amend it. He can speak right then or he can wait until the end, which is what has happened.

MR. CHAIRMAN: I take it from the discussion that is going on that you don't want to come to any final conclusion on this at the present time. Is that correct?

MR. GREEN: We are waiting for . . . I gather that Mr. Jorgenson has not made up his (mind) -- either has not agreed or is still considering it, which in either case, he doesn't have to say. We'll wait until he . . .

MR. CHAIRMAN: It does present one problem.

MR. GREEN: What's the problem?

MR. CHAIRMAN: If it is a substantive motion, are you going to give specific exemption to those who make a 10-minute comment that that is not. . .

MR. GREEN: That's what it says in the Quebec rule, that it is a special allowance of 10 minutes which doesn't count in the debate.

. . . continued next page

MR. CHAIRMAN: Can you foresee that there could be a real . . .

MR. JORGENSEN: I would suggest, Mr. Chairman, that we hold on that.

MR. CHAIRMAN: Okay. Then we'll set that matter aside and it will be still on the agenda at the next meeting.

Now is there any further business that any member would like to bring forward at this time?

MR. GREEN: Mr. Chairman, in the last paragraph of this report -- a year ago I would not be raising this but now I'm raising it because there has been some misunderstanding. The Speaker was given the authority to vary these conditions on special occasions such as the Opening of the House, the Budget Speech, etc. Now I did not believe that we were giving you authority on that basis to do less and therefore I think that what we are saying, the Speaker was given authority to vary these conditions by expansion, not by reducing anything that occurs but by permitting more than what is permitted above here rather than by in any way inhibiting what is above.

Now if you tell me that you need authority to do something that we don't foresee then let us know.

MR. CHAIRMAN: I think what the member is referring to is a condition in which I asked whether or not the camera was left inadvertently. The camera was unattended, I checked it three different times, it was still unattended. I assumed that the member had gone away and left the equipment there and I asked that it be removed.

MR. GREEN: Mr. Chairman, I don't want to get into that; I want to pass that by. Now you say in this last paragraph, "Speaker was given authority to vary these conditions on special occasions." My impression of that is that on the Budget Speech you're going to permit -- or the Throne Speech there will be cameras, there will be lights, etc. It won't affect the television viewing but it will affect the physical arrangements and in that regard I have no problem in leaving this paragraph exactly as it is. What I'm worried about is that the Speaker does not feel that on these special occasions he can restrict what is above. And that's all I'm concerned with, that there is no restriction on the preceding conditions but you can vary them in order to facilitate special things happening. That's the intention and I think it should be underlined that that is the intention. That's all.

MR. REEVES: It's taken, Mr. Green, if I may explain . . .

MR. GREEN: It is now in Hansard and we all agree.

MR. REEVES: Yes.

MR. GREEN: Okay, that's all I need.

MR. CHAIRMAN: Anything further? I'll entertain a motion that committee rise.

MR. JORGENSEN: Committee rise.

MR. CHAIRMAN: All agreed? (Agreed)