

**LEGISLATIVE ASSEMBLY OF THE
NORTHWEST TERRITORIES
9TH ASSEMBLY, 10TH SESSION**

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Committee Report #4-88(2)
November 3, 1988
Mr. McLaughlin

11th Assembly

**Standing Committee
on Rules, Procedures
and Privileges**

First Report

Bruce McLaughlin
Chairman

Tabled Document No. 1-83(1)
Tabled FEB. 2, 1983

FIRST REPORT
OF THE
STANDING COMMITTEE ON RULES AND PROCEDURE
TO THE
LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

FEBRUARY 2, 1983

YOUR COMMITTEE HAS NOTED THAT THE EXISTING RULES OF THIS LEGISLATIVE ASSEMBLY WERE FIRST ADOPTED IN 1967 - SINCE THEN THEY HAVE BEEN AMENDED FROM TIME TO TIME AS CIRCUMSTANCES REQUIRED. THIS HAS BEEN A CONTINUING BAND-AID PROCESS FOR OVER 15 YEARS.

IN THESE YEARS MANY CIRCUMSTANCES HAVE CHANGED INCLUDING THE FOLLOWING:

- THE NUMBER OF MEMBERS HAS ALMOST DOUBLED
- MORE THAN ONE LANGUAGE IS NOW USED IN THE HOUSE
- THERE ARE SEVEN MINISTERS
- THE HOUSE ELECTS ITS OWN SPEAKER
- ALL MEMBERS ARE ELECTED
- THERE IS A LARGE AND ACTIVE COMMITTEE SYSTEM
- NATIVE MEMBERS ARE IN THE MAJORITY
- SESSIONS ARE MUCH LONGER
- THE VOLUME OF BUSINESS IS MUCH GREATER

YOUR COMMITTEE HAS IDENTIFIED NEARLY 50 AREAS IN WHICH CHANGES SHOULD BE MADE. IT THEREFORE FEELS THAT A COMPREHENSIVE REVIEW AND REWRITE OF THE RULES SHOULD BE UNDERTAKEN PRIOR TO THE EXPIRY OF THE TERM OF THIS ASSEMBLY.

AMONG THE NECESSARY CHANGES ARE SOME ITEMS ON WHICH YOUR COMMITTEE FEELS ACTION SHOULD BE TAKEN IMMEDIATELY - THESE

AMENDMENTS HAVE BEEN DRAFTED, AND EXAMINED BY YOUR COMMITTEE AND ARE ATTACHED TO THIS REPORT AS SCHEDULE A.

THESE AMENDMENTS PROVIDE FOR:

1. SITTING HOURS FROM 1 - 6 P.M. ON MONDAYS, TUESDAYS AND THURSDAYS, FROM 9:30 - 11:30 A.M. AND 1 - 6 P.M. ON WEDNESDAYS AND FROM 10:00 A.M. - 1:00 P.M. ON FRIDAYS.
2. IDENTIFICATION OF STATUTORY HOLIDAYS TO BE OBSERVED BY THE ASSEMBLY UNLESS OTHERWISE AGREED TO.
3. THE ATTENDANCE OF THE COMMISSIONER AND DEPUTY COMMISSIONER DURING ORAL QUESTION PERIOD AT THE INVITATION OF THE SPEAKER WHEN REQUESTED BY AN MLA.
4. THE INCLUSION ON THE ORDERS OF THE DAY OF AN ITEM FOR "STATEMENTS BY MINISTERS".
5. THE SPECIFICS OF THE ROLE OF THE SPEAKER FOR THE PERIOD OF THE ADOPTION OF THIS REPORT TO OCTOBER 31, 1983 ONLY.
6. THE REQUIREMENT THAT PRIOR AUTHORIZATION OF THE SPEAKER IS REQUIRED TO TAKE PHOTOGRAPHS IN THE ASSEMBLY CHAMBER.
7. "REPLIES", FORMERLY "REPLIES TO THE COMMISSIONER'S ADDRESS", TO BE MADE THROUGHOUT A SESSION, EXCEPT ON THE OPENING AND CLOSING DAYS.

THE COMPREHENSIVE REVIEW AND REWRITE REFERRED TO EARLIER COULD BE READY FOR CONSIDERATION BY THE ASSEMBLY AT THE FALL SESSION IN 1983. SUCH A REVIEW COULD BE UNDERTAKEN EITHER BY THE PERMANENT OFFICERS OF THIS ASSEMBLY OR BY HIGHLY QUALIFIED PROCEDURAL CONSULTANTS EMPLOYED ON CONTRACT,

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YOUR COMMITTEE IN DEVELOPING THE RULES AMENDMENTS CONCERNING REVISED SITTING HOURS CONCLUDED THAT MORE EFFICIENT USE COULD BE MADE OF THE SITTING HOURS AVAILABLE TO THIS HOUSE BY RIGIDLY RESTRICTING COFFEE BREAKS TO 15 MINUTES AND BY HAVING ONLY ONE COFFEE BREAK DURING EACH SITTING.

YOUR COMMITTEE HAS CONSIDERED THE QUESTION OF MEMBERSHIP AND CONCLUDED THAT THE MAXIMUM ALLOWABLE MEMBERSHIP OF SEVEN WOULD BE MOST DESIREABLE. THE COMMITTEE FURTHER AGREED THAT YOU, MR. SPEAKER, AND THE DEPUTY SPEAKER SHOULD BOTH BE MEMBERS OF THIS COMMITTEE. I AM PLEASED TO ADVISE THE HOUSE THAT THE MEMBERSHIP OF YOUR COMMITTEE NOW STANDS AT SEVEN AND INCLUDES BOTH YOU, SIR AND THE DEPUTY SPEAKER.

IN CONCLUSION MR. SPEAKER, THE STANDING COMMITTEE ON RULES AND PROCEDURE RECOMMENDS THE FOLLOWING FOR THE ASSEMBLY'S CONSIDERATION:

1. THAT THE AMENDMENTS TO THE RULES OF THIS ASSEMBLY, ATTACHED AS SCHEDULE A, BE ADOPTED AND APPLY BEGINNING WITH THE NEXT SITTING DAY AFTER THEIR ADOPTION;
2. THAT A COMPREHENSIVE REVISION AND REWRITE OF THE RULES OF THIS ASSEMBLY BE UNDERTAKEN FOR CONSIDERATION BY THIS ASSEMBLY AT ITS FALL 1983 SESSION;
3. THAT YOUR COMMITTEE BE AUTHORIZED TO OBTAIN THE ASSISTANCE OF PROCEDURAL CONSULTANTS IN CARRYING OUT THE REVISION OF THE RULES;

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4. THAT THIS ASSEMBLY EFFECTIVE IMMEDIATELY TAKE ONE FIFTEEN MINUTE COFFEE BREAK IN EACH MORNING AND IN EACH AFTERNOON SITTING AND THAT THESE BREAKS BE RIGIDLY RESTRICTED;
5. THAT THIS ASSEMBLY ADOPT THE PRINCIPLE THAT THE SPEAKER AND DEPUTY SPEAKER BE AUTOMATICALLY APPOINTED TO THE STANDING COMMITTEE ON RULES AND PROCEDURE.

FINALLY, MR. SPEAKER, I WISH TO MOVE THAT THIS REPORT BE REFERRED TO COMMITTEE OF THE WHOLE FOR CONSIDERATION AS THE FIRST ITEM OF BUSINESS ON FEBRUARY 3, 1983.

FEBRUARY 2, 1983

B.A. McLAUGHLIN, CHAIRMAN

SCHEDULE A

PROPOSED AMENDMENTS

TO THE

RULES OF THE LEGISLATIVE ASSEMBLY

OF THE

NORTHWEST

TERRITORIES

FEBRUARY 3, 1983

AMENDMENTS TO THE RULES OF THE LEGISLATIVE ASSEMBLY:

1. Rule 2 is amended by repealing paragraph (da) and substituting the following:

"2(da) "Executive Member" means a member of the Executive Committee of the Government of the Northwest Territories,"

2. Rule 2 is further amended by repealing paragraph (ka) and substituting the following:

"2(ka) "Strangers" means any persons admitted to the Assembly Chamber but does not include the Commissioner, the Deputy Commissioner, Members, Officers or staff of the Assembly or witnesses appearing before the Committee of the Whole; and"

3. Rule 3 is amended by repealing sub-rule (1) and substituting the following:

"3(1) the Assembly shall meet on Mondays, Tuesdays and Thursdays from 1:00 p.m. to 6:00 p.m., on Wednesdays from 9:30 a.m. to 11:30 a.m. and from 1:00 p.m. to 6:00 p.m. and on Fridays from 10:00 a.m. to 1:00 p.m."

4. The Rules are further amended by adding immediately after Rule 3 the following:

Statutory
holidays

"3A. the Assembly shall not meet on New Years Day, Good Friday, Easter Monday, the day fixed for the celebration of the birthday of the Sovereign, July 1, the first Monday in August, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and Boxing Day unless specifically agreed to by adopted resolution,"

5. Rule 10A is repealed and the following substituted:

"10A(1) The Speaker shall not participate in debate in the House or in the Committee of the Whole and shall not vote except in the event of an equality of votes in the House when he shall cast the deciding vote.

(2) The Speaker shall be the Chairman of the Members' Services Board and the President of the N.W.T. Branch of the Commonwealth Parliamentary Association.

- EXPLANATORY NOTES -

1. Consequent on addition of new sub-rule 11A(1) and its affect on sub-rule 39(1)
Present paragraph 2(da) reads:

"(da) "Executive Member" means a member of the Legislative Assembly who has been appointed to the Executive Committee of the Government of the Northwest Territories."
2. To waive application of Rule 24 to the Commissioner, Deputy Commissioner or witnesses appearing before the Committee of the Whole.
Present paragraph 2(ka) reads:

"{ka) "Strangers" means any persons admitted to the Assembly Chamber who are not members or officers or staff of the Assembly; and"
3. To provide for afternoon sittings on Mondays, Tuesdays and Thursdays and morning and afternoon sittings on Wednesdays and morning sittings only on Fridays.
Present sub-rule 3(1) reads:

"3(1) the Assembly shall meet daily, except Saturdays and Sundays, from 1:00 p.m. to 6:00 p.m."
4. New. To identify the statutory holidays which shall be observed by the Assembly and to provide for sittings on these days if agreed to by the Assembly.
5. New. To add specific provisions concerning the participation of the Speaker in the House, Committee of the Whole and in Committees.

(3) The Speaker may be a member of the Standing Committee on Rules and Procedure but shall not be a member of any other Standing or Special Committee established by the Assembly.

(4) This provision shall come into force on the day this report is adopted and shall remain in force until October 31, 1983 and no longer."

6. Rule 11A and the heading immediately preceding it are repealed and the following substituted:

"COMMISSIONER AND DEPUTY COMMISSIONER

Commissioner
Deputy
Commissioner
attend question
period
Commissioner
seated with the
Assembly in
Committee of the
Whole

11A(1) the Commissioner and the Deputy Commissioner or either of them shall be invited by the Speaker at the request of a member to attend before the Assembly during the oral question period to respond to questions.

(2) the Commissioner may be seated with Members during consideration of business in Committee of the Whole but shall not be entitled to vote on any question."

7. Paragraph (d) of sub-rule 24(2) is repealed and the following substituted:

(d) use any type of photographic, television or sound equipment in the Assembly Chamber unless previously authorized by the Speaker.

8. Sub-rules 29(2) and (3) are repealed and the following substituted:

Order of
business
opening day

"29(2) the order of business on the opening day of each session preceding the daily routine of business shall be:

- Commissioner's Address
- Notice of Motion for First Reading of Bills
- Tabling of Documents

Daily
routine of
business

(3) the daily routine of business in the Assembly shall be:

- Oral Questions
- Written Questions
- Returns
- Ministers' Statements
- Petitions
- Reports of Standing and Special Committees
- Tabling of Documents
- Notices of Motions
- Notices of Motions for First Reading of Bills
- Motions
- First Reading of Bills
- Second Reading of Bills."

(EXPLANATORY NOTES)

6. To permit the Commissioner and/or the Deputy Commissioner to attend on invitation during the oral question period to respond to questions. Present rule 11A and the heading immediately preceding it read:

"COMMISSIONER

11A The Commissioner may be seated with Members during consideration of business in Committee of the Whole but shall not be entitled to vote on any questions."

7. To expand the present requirement that the use of television or sound equipment requires the prior authorization of the Speaker to include photographic equipment. Present paragraph (d) reads:

"(d) use any type of television or sound equipment to record the proceedings of the Assembly unless specifically permitted by the Speaker to record a particular portion of the proceedings; and"

8. Consequential and to add to the daily routine of business Minister's Statements and notice of motion for first reading of Bills, to clarify certain terminology and to rearrange the sequence of certain items.

Present sub-rules 29(2) and (3) read:

"29(2) The order of business at the beginning of each session preceding the daily routine of business shall be:

Commissioner's Address
Notices of Motion for First Reading of Bills
Tabling of Documents
Replies to the Commissioner's Address

- (3) The daily routine of business in the Assembly shall be:

Oral Questions
Questions and Returns
Petitions
Tabling of Documents
Reports of Standing and Special Committees
Notices of Motion
Motions
Introduction of Bills for First Reading
Second Reading of Bills

9. Rule 34 is repealed and the following substituted:

Motion of
Appreciation

"34(1) the motion of appreciation for the Commissioner's Address shall be introduced on the second day of a session.

"Replies"
on Orders
of the Day

(2) the item "Replies" shall be placed on the Orders of the Day for the second day of a session and for all days thereafter but shall not be so placed for the day that can be expected to be the last day of a session."

(EXPLANATORY NOTES)

9. To provide for the presentation of replies to the Commissioner's Address throughout a session except on the first and last days of a session.

Present rule 34 reads:

"34. the debate of the motion on the Commissioner's Address shall not extend beyond the first five sitting days of a session."

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