



Yukon Legislative Assembly

Standing Committee on Rules, Elections and Privileges

35th Yukon Legislative Assembly

Second Report April 2022

Standing Order 76 – The Guillotine



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Second Report

On May 17, 2021, the Yukon Legislative Assembly adopted the following motion, as amended:

THAT the Hon. Richard Mostyn, the Hon. John Streicker, Patti McLeod, Brad Cathers, and Annie Blake be appointed to the Standing Committee on Rules, Elections and Privileges established pursuant to Standing Order 45(1);

THAT the committee meet a minimum of four times each calendar year;

THAT the committee convene no later than 30 days after the adoption of this motion by the Assembly;

THAT the committee have the power to call for persons, papers, and records and to sit during intersessional periods;

THAT the committee review, as necessary, such standing orders as it may decide upon;

THAT the committee, following the conduct of any such review, report any recommendations for amendment to the Assembly; and

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the committee.
(Motion No. 9)

Pursuant to this Order of the House and Standing Order 45(1), the Standing Committee on Rules, Elections and Privileges met in 2021 on June 11, August 17, September 21, and December 21, and in 2022 on February 10, 17 and 24, to review the Standing Orders of the Yukon Legislative Assembly.

Emily Tredger served as a substitute for committee member Annie Blake at the meetings from June 2021 to February 2022. On April 14, 2022, the Legislative Assembly amended the membership of the committee with the adoption of Motion No. 302, thereby replacing committee member Annie Blake with Emily Tredger.

This second report contains the committee's recommendations on Standing Order 76.

Standing Order 76 – The Guillotine

Colloquially referred to as “the guillotine”, Standing Order 76 of the Standing Orders of the Yukon Legislative Assembly states:

- 76 (1) On the sitting day that the Assembly has reached the maximum number of sitting days allocated for that Sitting pursuant to Standing Order 75, the Chair of the Committee of the Whole, if the Assembly is in Committee of the Whole at the time, shall interrupt proceedings at 5:00 p.m. and, with respect to each Government Bill before Committee that the Government House Leader directs to be called, shall:
- (a) put the question on any amendment then before the Committee;
 - (b) put the question, without debate or amendment, on a motion moved by a Minister that the bill, including all clauses, schedules, title and preamble, be deemed to be read and carried;
 - (c) put the question on a motion moved by a Minister that the bill be reported to the Assembly; and
 - (d) when all bills have been dealt with, recall the Speaker to the Chair to report on the proceedings of the Committee.
- (2) On the sitting day that the Assembly has reached the maximum number of sitting days allocated for that Sitting pursuant to Standing Order 75, the Speaker of the Assembly, when recalled to the Chair after the House has been in the Committee of the Whole, shall:
- (a) call for the report from the Chair of the Committee of the Whole;
 - (b) put the question, in the usual fashion, on the motion to concur in the Chair’s report on the proceedings of Committee of the Whole;
 - (c) with respect to each Government Bill on which debate has been adjourned at the Second Reading stage and designated to be called by the Government House Leader, put the question, without further debate, on the motion that the bill be read a second time, and, if that motion is carried, order that the bill stand immediately ordered for Third Reading; and
 - (d) with respect to each Government Bill standing on the Order Paper for Third Reading and designated to be called by the Government House Leader,
 - (i) receive a motion for Third Reading and passage of the bill, and
 - (ii) put the question, without debate or amendment, on that motion.

- (3) On the sitting day that the Assembly has reached the maximum number of sitting days allocated for that Sitting pursuant to Standing Order 75, the Speaker of the Assembly, if in the Chair at the time, shall interrupt proceedings at 5:30 p.m. and shall:
 - (a) with respect to each Government Bill on which debate has been adjourned at the Second Reading stage and designated to be called by the Government House Leader, put the question, without further debate, on the motion that the bill be read a second time, and, if that motion is carried, order that the bill stand immediately ordered for Third Reading; and
 - (b) with respect to each Government Bill standing on the Order Paper for Third Reading and designated to be called by the Government House Leader,
 - (i) receive a motion for Third Reading and passage of the bill, and
 - (ii) put the question, without debate or amendment, on that motion.
- (4) The Assembly shall then proceed with any routine business associated with the end of a Sitting including receiving the Commissioner to grant assent to bills and passing an end-of-Sitting adjournment motion.
- (5) The normal time of adjournment shall not apply if it is reached during the course of the proceedings identified in this Standing Order. Further, a motion to adjourn the House shall not be permitted on the last sitting day of a Sitting until such time as all business identified in this Standing Order has been completed.
- (6) The provisions of this Standing Order shall apply in any situation in which this Standing Order may be found to be in conflict with any other Standing Order.
- (7) The provisions of this Standing Order shall apply to an interim supply appropriation bill on the final sitting day prior to the end of the fiscal year in which the bill is introduced.

Committee Consideration of Standing Order 76

On June 11, 2021, the committee identified Standing Order 76 as a priority for future consideration. The committee considered the guillotine and its implications for the management of the Assembly's time at the committee's meetings on December 21, 2021, and February 10, 17 and 24, 2022.

Recommendation

Upon consideration of the matter, the committee recommends:

THAT Standing Order 76 of the Standing Orders of the Yukon Legislative Assembly be amended for the duration of the 2022 Spring Sitting by deleting all instances of the words "Government Bill" and substituting in their place the words "appropriation bill".

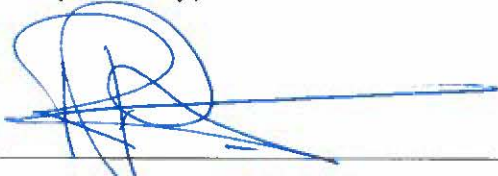
The provisional Standing Order 76 for the 2022 Spring Sitting would then be (emphasis added):

- 76 (1) On the sitting day that the Assembly has reached the maximum number of sitting days allocated for that Sitting pursuant to Standing Order 75, the Chair of the Committee of the Whole, if the Assembly is in Committee of the Whole at the time, shall interrupt proceedings at 5:00 p.m. and, with respect to each **appropriation bill** before Committee that the Government House Leader directs to be called, shall:
- (a) put the question on any amendment then before the Committee;
 - (b) put the question, without debate or amendment, on a motion moved by a Minister that the bill, including all clauses, schedules, title and preamble, be deemed to be read and carried;
 - (c) put the question on a motion moved by a Minister that the bill be reported to the Assembly; and
 - (d) when all bills have been dealt with, recall the Speaker to the Chair to report on the proceedings of the Committee.
- (2) On the sitting day that the Assembly has reached the maximum number of sitting days allocated for that Sitting pursuant to Standing Order 75, the Speaker of the Assembly, when recalled to the Chair after the House has been in the Committee of the Whole, shall:
- (a) call for the report from the Chair of the Committee of the Whole;
 - (b) put the question, in the usual fashion, on the motion to concur in the Chair's report on the proceedings of Committee of the Whole;
 - (c) with respect to each **appropriation bill** on which debate has been adjourned at the Second Reading stage and designated to be called by the Government House Leader, put the question, without further debate, on the motion that the bill be read a second time, and, if that motion is carried, order that the bill stand immediately ordered for Third Reading; and

- (d) with respect to each **appropriation bill** standing on the Order Paper for Third Reading and designated to be called by the Government House Leader,
 - (i) receive a motion for Third Reading and passage of the bill, and
 - (ii) put the question, without debate or amendment, on that motion.
- (3) On the sitting day that the Assembly has reached the maximum number of sitting days allocated for that Sitting pursuant to Standing Order 75, the Speaker of the Assembly, if in the Chair at the time, shall interrupt proceedings at 5:30 p.m. and shall:
 - (a) with respect to each **appropriation bill** on which debate has been adjourned at the Second Reading stage and designated to be called by the Government House Leader, put the question, without further debate, on the motion that the bill be read a second time, and, if that motion is carried, order that the bill stand immediately ordered for Third Reading; and
 - (b) with respect to each **appropriation bill** standing on the Order Paper for Third Reading and designated to be called by the Government House Leader,
 - (i) receive a motion for Third Reading and passage of the bill, and
 - (ii) put the question, without debate or amendment, on that motion.
- (4) The Assembly shall then proceed with any routine business associated with the end of a Sitting including receiving the Commissioner to grant assent to bills and passing an end-of-Sitting adjournment motion.
- (5) The normal time of adjournment shall not apply if it is reached during the course of the proceedings identified in this Standing Order. Further, a motion to adjourn the House shall not be permitted on the last sitting day of a Sitting until such time as all business identified in this Standing Order has been completed.
- (6) The provisions of this Standing Order shall apply in any situation in which this Standing Order may be found to be in conflict with any other Standing Order.
- (7) The provisions of this Standing Order shall apply to an interim supply appropriation bill on the final sitting day prior to the end of the fiscal year in which the bill is introduced.

Following the adoption of such a sessional order, and its implementation in the Legislative Assembly for a Sitting, the committee may reconsider Standing Order 76 and potential amendments to it.

Respectfully,

A handwritten signature in blue ink, consisting of a large, stylized 'R' followed by a horizontal line extending to the right.

Hon. Richard Mostyn, Chair
Standing Committee on Rules,
Elections and Privileges

A handwritten date in blue ink, written as 27/04/22.

Date