

35<sup>th</sup> Yukon Legislative Assembly



**Seventh Report  
of the  
Standing Committee on Rules, Elections and  
Privileges**

Standing Order 25 – Division Bells  
and  
Standing Order 76 – The Guillotine

**April 18, 2023**



# Yukon Legislative Assembly

## Standing Committee on Rules, Elections and Privileges

35<sup>th</sup> Yukon Legislative Assembly

### Seventh 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 four times in 2021 (June 11, August 17, September 21, and December 21), five times in 2022 (February 10, 17 and 24, and October 14 and 17) and once to date in 2023 (April 4), to review the Standing Orders of the Yukon Legislative Assembly.

Lane Tredger served as a substitute for committee member Annie Blake at the meetings from June 2021 through 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 Lane Tredger.<sup>1</sup>

This seventh report contains the committee's recommendations on the ringing of division bells pursuant to Standing Order 25 and the provisions commonly referred to as "the guillotine" in Standing Order 76 of the Standing Orders of the Yukon Legislative Assembly.

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<sup>1</sup> Motion No. 302 identifies Lane Tredger as Emily Tredger. MLA Tredger changed their name March 29, 2023.

## **Division Bells**

The ringing of the division bells serves a two-fold purpose: first, to alert any members who may be outside the Chamber to return to the House for a vote, and second, to give any member who does not wish to vote the opportunity to leave the Chamber.

The rules governing the ringing of the division bells are found in Standing Order 25(2) to (4):

- 25 (2) When a division is called for, either before the question is put or after the voice vote, the Speaker shall immediately ring the division bells.
- (3) Once the bells have started ringing, no further debate shall be permitted.
- (4) No sooner than two minutes nor longer than five minutes thereafter, the Speaker may again state the question following which the Speaker shall order the taking of the division.
- (5) No member shall enter or leave the Assembly during the final statement of the question, nor then leave the Assembly until the division has been fully taken and the result announced.

In current practice, if all members are present, the bells may be shut off and the division taken after a minimum of two minutes have passed, but before the full five minutes have expired. After five minutes, the division is taken regardless of whether all members are in the Chamber.

If a Member of the Legislative Assembly is absent on a sitting day, the bells ring for the full five minutes for each division unless the House has granted unanimous consent in advance to take the division before five minutes has elapsed.

### Committee Consideration of Standing Order 25

On June 11, 2021, the committee identified the length of the ringing of division bells as a priority for future consideration. The committee considered Standing Order 25 at its meetings on October 17, 2022 and April 4, 2023.

### Recommendation

Upon consideration of the matter, the committee recommends:

**THAT the existing wording of Standing Order 25(4) of the Standing Orders of the Yukon Legislative Assembly be replaced with the following wording:**

**“The Speaker shall stop the bells, state the question and order the taking of the division after the bells have rung for two minutes if all members are present in the Chamber or after five minutes if all members are not present in the Chamber.”; and**

**THAT the Standing Orders of the Yukon Legislative Assembly be further amended by adding the following new Standing Order:**

**“25(4.1) The Speaker may stop the bells, state the question and order the taking of the division after two minutes and prior to the expiration of five minutes if all the House Leaders and all independent members have indicated to the Speaker that they would not object to proceeding with the division even though all members are not present in the Chamber.”**

### **Standing Order 76 – The Guillotine**

Colloquially referred to as “the guillotine”, Standing Order 76 of the Standing Orders of the Yukon Legislative Assembly provides a procedure for concluding debate on any Government Bills identified by the Government House Leader on the final sitting day of a Sitting by immediately putting the question on all remaining readings, and in Committee of the Whole all remaining amendments, clauses and schedules, provided the bills have received at least some debate at Second Reading.

Standing Order 76 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

Since identifying Standing Order 76 as a priority for consideration at its first meeting on June 11, 2021, the Standing Committee on Rules, Elections and Privileges of the 35<sup>th</sup> Legislative Assembly has twice reported to the House with its recommendations for the guillotine, on April 27 and October 20, 2022.

As recommended by the committee, the words "Government Bill" in Standing Order 76 were substituted with the words "appropriation bill", for the duration of the 2022 Spring Sitting and again for the duration of the 2022 Fall Sitting, with sessional orders adopted by the House. The resulting provisional Standing Order 76 applied only to money bills.

On March 7, 2023, the Legislative Assembly adopted Motion No. 588 which deletes all instances of the words "Government Bill" and substitutes in their place the words "appropriation bill" in Standing Order 76 for the duration of the 2023 Spring Sitting.

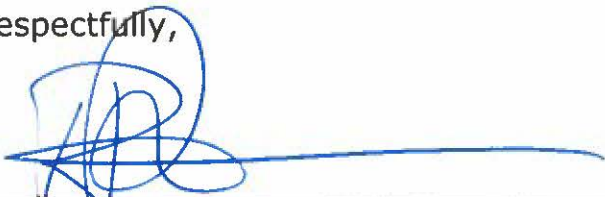
At its meeting on April 4, 2023, the committee reviewed the guillotine and the application of the provisional Standing Order 76 over the course of the last three Sittings. It is the committee's opinion that the temporary change to Standing Order 76 should be made permanent and that the guillotine should only apply to money bills.

#### Recommendation

The committee therefore recommends:

**THAT, following the conclusion of the 2023 Spring Sitting, Standing Order 76 of the Standing Orders of the Yukon Legislative Assembly be amended by deleting all instances of the words "Government Bill" and substituting in their place the words "appropriation bill".**

Respectfully,



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

April 18/23

Date