

**FIRST REPORT
OF THE
STANDING COMMITTEE
ON
RULES, ELECTIONS AND PRIVILEGES**

27TH LEGISLATIVE ASSEMBLY

April, 1990

*In effect
April 30/90*

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ON
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On April 24, 1989, the Yukon Legislative Assembly resolved:

THAT the Standing Committee on Rules, Elections and Privileges review:

- (1) the Standing Orders of the Yukon Legislative Assembly, and
- (2) the addendum to the Standing Orders which is entitled "Guidelines for Oral Question Period";

THAT the Committee report to the Assembly its recommendations for amendments to the Standing Orders and to the Guidelines for Oral Question Period; and

THAT the Committee be empowered to make such interim reports as it should deem necessary.

The Committee held four meetings to consider the matters referred to it by the House and reports as follows:

Petitions

The Committee agreed that the rules respecting petitions should be amended to:

- (a) remove the requirement that petitions be dated,
- (b) allow petitions to request expenditures,
- (c) allow petitions to raise matters which have been delegated to other bodies by the Yukon Legislative Assembly, and
- (d) more clearly define the endorsement required of a member presenting a petition so as not to imply that the member is taking a position on the content of the petition.

To meet these objectives the Committee recommends that the Standing Orders be amended by:

- (1) deleting Standing Order 65(6) and substituting the following:
"65(6) Every member presenting a petition shall endorse the petition by signing the sheet containing the body of the petition or by attaching a signed statement to the petition stating: 'This petition is endorsed as containing proper matter for consideration by the Yukon Legislative Assembly.'"
- (2) adding the following new standing order:
"65(8) Petitions do not have to be dated."
- (3) deleting Standing Order 66(4) and substituting the following:
"66(4) A petition may request an expenditure, grant or charge on the public revenue."

- (4) adding the following new standing order:
"66(5) A petition may raise a matter which has been delegated to another body by the Yukon Legislative Assembly."
- (5) deleting from Appendix 2 (Model Petition) the following expression:
"Dated the (date) day of (month), 19..."

Ringling of division bells in the Committee of the Whole

The Committee agreed that the division bells should be rung when a "count" is demanded in the Committee of the Whole. It was further agreed that this method of calling in the members should be subject to the following conditions:

- (a) votes in Committee of the Whole should still be a "count" and not a recorded vote,
- (b) a five minute limit would apply to the bells, and
- (c) the House Leaders (or acting House Leaders) could signify to the Chair their willingness to proceed with a count prior to the expiration of five minutes even though not all members are present.

The Committee, therefore, recommends the addition of the following new standing order to Chapter 8 which contains rules pertaining to the Committee of the Whole:

- 44.1(1) Upon the request of two members, a count shall be called on any question.
- (2) When a count is called for, either before the question is put or after the voices have been given, the Chair shall forthwith ring the division bells.
- (3) Once the bells have started ringing, no further debate shall be permitted.
- (4) The Chair shall stop the bells, state the question and order the taking of the count after the bells have rung for five minutes.
- (5) The Chair may stop the bells, state the question and order the taking of the count prior to the expiration of five minutes if:
 - (i) all members are present in the Chamber, or
 - (ii) the House Leaders have indicated to the Chair that they would not object to proceeding with the count even though all members are not present in the Chamber.

Notice of House Business

The Committee agreed that the Standing Orders should be amended to require that a request for unanimous consent to call private members' business in an order agreed to by the House Leaders must be made, at the latest, at the time the House proceeds to Orders of the Day on the sitting day preceding the call of private members' business.

The Committee, therefore, recommends the addition of the following new standing order:

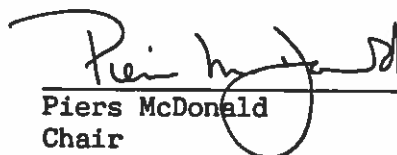
- 14.1(1) A request for unanimous consent to call private members' business in an order other than that established under Standing Order 14 must be made no later than the time at which the House proceeds to Orders of the Day on the sitting day preceding the call of private members' business.

Review of Guidelines for Oral Question Period

The Committee reviewed the current Guidelines for Oral Question Period as found in the addendum to the Standing Orders and recommends that the Guidelines not be amended.

Miscellaneous

The Committee recommends that the Clerk, when preparing consolidations of the Standing Orders of the Yukon Legislative Assembly, be authorized to edit the Standing Orders for the purpose of removing language which is not gender-neutral, changing incorrect sectional references, and re-wording archaic phraseology. It is further recommended that such consolidations be transmitted by the Clerk to the Speaker for tabling in the House.


Piers McDonald
Chair

Appendix to First Report of the Standing Committee
on Rules, Elections and Privileges

Consolidation of Rules respecting petitions
if Committee recommendations are adopted

- 65(1) A petition to the Assembly may be presented by a member at any time during the sitting of the Assembly by filing the same with the Clerk.
- (2) A member desiring to present a petition from his place in the Assembly shall do so during the Daily Routine under the heading "Petitions".
- (3) Every member offering a petition to the Assembly shall confine himself to the statement of the parties from whom it comes, the number of signatures attached to it and the material allegations it contains. In no case shall such a member occupy more than five minutes in so doing, unless by permission of the Assembly upon question put.
- (4) On presentation of a petition no debate on it shall be allowed.
- (5) A member presenting a petition shall be answerable for any impertinent or improper matter that it contains.
- (6) Every member presenting a petition shall endorse the petition by signing the sheet containing the body of the petition or by attaching a signed statement to the petition stating: "This petition is endorsed as containing proper matter for consideration by the Yukon Legislative Assembly."
- (7) Petitions may be either written or printed, provided always that when there are three or more petitioners the signature of at least three petitioners shall be subscribed on the sheet containing the body of the petition.
- (8) Petitions do not have to be dated.
- 66(1) On the next day following the presentation of a petition, the Clerk shall present a report upon the petition and such report shall be printed in the Votes and Proceedings of that day and every petition so reported upon, not containing matter in breach of the privileges of the Assembly and which, according to the Standing Orders or practice of the Assembly, can be received, shall then be deemed to be read and received.
- (2) No debate shall be permitted on the report, but the petition referred to therein may be read by the Clerk at the Table, if requested by a member.
- (3) A petition that complains of some present personal grievance requiring an immediate remedy may be forthwith debated.

- (4) A petition may request an expenditure, grant or charge on the public revenue.
- (5) A petition may raise a matter which has been delegated to another body by the Yukon Legislative Assembly.
- 67(1) The Executive Council shall provide a response to a petition which has been received within two weeks of its presentation.

Appendix 2

MODEL PETITION

To the Yukon Legislative Assembly:

This petition of the undersigned shows:

THAT [here state reason for submitting petition]

THEREFORE, the undersigned ask the Yukon Legislative Assembly to [state such action as may be desired].

[Signatures]