

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

29TH LEGISLATIVE ASSEMBLY

March 26, 1997

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On December 18, 1996, the Yukon Legislative Assembly resolved:

THAT the Standing Committee on Rules, Elections and Privileges:

- (1) consider the recognition that should be provided to Cabinet commissioners in the Standing Orders of the Assembly;
- (2) report to the House any recommended amendments to the Standing Orders in reference to Cabinet commissioners,
- (3) review the current use of gender-inclusive language in the Legislative Assembly,
- (4) make recommendations to the House that reflect the wishes of Yukoners who want their elected Members to use inclusive, non-sexist and non-violent language, and
- (5) review Standing Orders 14.2, 38(2) and 44.1 and make recommendations for any amendments it considers necessary.

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

CABINET COMMISSIONERS

The Committee gave consideration to the recognition that should be provided to Cabinet commissioners in the Standing Orders of the Assembly.

The Committee recommends, in reference to Cabinet commissioners, that the following amendments be made to the Standing Orders:

- (1) adding the following new heading and Standing Order after Standing Order 10:

Cabinet Commissioners

- 10.1 A member designated as a Cabinet commissioner is a private member. With the exception of Standing Orders 11(4), 11(5) and 58(2.1), the Standing Orders apply equally to all private members including those members designated as Cabinet commissioners.

and

(2) adding the following new Standing Orders:

11(4) On Ministerial Statements, as listed in Standing Order 11(2), a member who has been designated as a Cabinet commissioner may make a short factual statement related to his or her Commission. A member for each of the parties in opposition to the government may comment thereon for not more than five minutes and the Cabinet commissioner may then give a reply of not more than five minutes.

11(5) During Oral Question Period, a member who has been designated as a Cabinet commissioner may answer questions respecting the activities of his or her Commission.

58(2.1) When the Assembly is sitting in Committee of the Whole, a member who has been designated as a Cabinet commissioner may speak to matters and answer questions respecting his or her Commission.

LANGUAGE IN THE LEGISLATIVE ASSEMBLY

The Committee reviewed the current use of gender-inclusive language in the Legislative Assembly. It was noted that the Standing Orders which were effective as of April 22, 1991, had been revised to ensure that the wording found in the Standing Orders is gender-neutral. The Committee gave consideration to recommendations it could make that would ensure that Members use inclusive, non-sexist and non-violent language. Although the Committee expressed strong support for the use of inclusive, non-sexist and non-violent language it decided against recommending any changes to the rules of the House in that respect. Rather than making the presiding officers of the House responsible for enforcing rules of debate beyond those which now exist, the Committee suggests that the onus should be placed on each Member to strive to use inclusive, non-sexist and non-violent language at all times.

REVIEW OF STANDING ORDERS 14.2, 38(2) AND 44.1

Standing Order 14.2

Standing Order 14.2 provides direction on establishing the order of private members' business on Wednesday afternoons. Standing Order 14.2(2) sets

the roster for the order of business on those afternoons when opposition business has precedence. It states that the Official Opposition shall have the first, second, fourth, fifth and sixth positions on the roster and that a party other than the Official Opposition shall have the third and seventh positions. The Committee reviewed the background to this rule and found that it was created at a time when the Official Opposition greatly outnumbered any third parties in the House. The Committee feels that this roster should be amended to recognize the priority to be given to the Official Opposition and to provide recognition of the number of members in each of the parties now in opposition. It, therefore, recommends that Standing Order 14.2(2) be amended to read:

- 14.2(2) At the beginning of each sitting a roster shall be established for the purpose of determining the order of business on Wednesdays when Opposition private members' business has precedence. The roster shall be set in the following manner:
- (a) the Official Opposition shall have the first, second and fifth positions on the roster; and
 - (b) a party or group in opposition to the government, other than the Official Opposition, shall have the third, fourth and sixth positions on the roster.

If the Assembly adopts this recommended Standing Order, the Committee intends that it should take effect immediately beginning with the first position on the roster. The Committee notes that this Standing Order continues to be based on the composition of the House at a particular time and that, if the composition of the House should change, it may well be necessary to revisit this Standing Order.

Standing Order 38(2)

Standing Order 38(2) requires that copies of documents that are tabled must be provided to all Members and that copies of documents that are filed must be provided to the Leader of the Official Opposition and the Government House Leader. The Committee feels that the requirement to provide all Members with copies of tabled documents is unnecessary and wasteful. The Committee, therefore, recommends that Standing Order 38(2) be amended to read:

- 38(2) Any document presented to the Assembly by a member for the information of members may be tabled if accompanied by sufficient copies for distribution to all House Leaders and to the Table for placement in the working papers of the Assembly.

Standing Order 44.1

Standing Order 44.1 states that a count shall be deferred in Committee of the Whole on any stage of an appropriation or taxation bill if so requested by the Government House Leader (or designate) or the Leader of the Official Opposition (or designate). The Committee feels that, in recognition of the number of members in each of the parties now in opposition, this rule should be amended to allow a deferred vote on the request of any House Leader. The Committee, therefore, recommends that Standing Order 44.1 be amended to read:

- 44.1 When, in Committee of the Whole, a count is called for under Standing Order 44 at any stage of an appropriation or taxation bill, a House Leader or designate may approach the Chair to request that the count be deferred.

Trevor Harding
Chair