

Submitted by the
Government House Leader
2016-11-24
P. Burns

REPORT
OF
THE STANDING ORDERS COMMITTEE

November 24, 2016

COMMITTEE

ANDREW PARSONS, MHA (Burgeo-Lapoile) Chair

SIOBHAN COADY, MHA (St. John's West)

SCOTT REID, MHA (St. George's-Humber)

STEVE KENT, MHA (Mt. Pearl North)

LORRAINE MICHAEL (St. John's East-Quidi Vidi)

Your Committee has considered certain provisions of the Standing Orders of this House of Assembly and recommends that the following changes be approved by this House and that they come into effect upon receiving approval:

1. Standing Orders 12 to 14 are deleted and the following substituted:

Quorum

12. (1) The presence of at least 10 Members, including the Speaker, constitutes a quorum for a meeting of the House for the exercise of its powers.

(2) Any Member may direct the Speaker's attention to the fact that there is not a quorum present.

(3) If at any time a question of a quorum arises, the Speaker, upon determining that there is no quorum, shall sound the division bells for 5 minutes and if following this a count of the Members shows that there is no quorum, the Speaker shall adjourn the House until the next sitting day.

(4) While the Members in the House are being counted the doors remain open and Members can come into the House during the whole time occupied by the counting.

(5) While in Committee of the Whole, if a question of a quorum arises, the Chair shall count the members present and if 10 Members, including the Chair, are not counted, the Chair shall rise the Committee and report the lack of a quorum to the Speaker who shall then follow SOs 12(3) and (4).

(6) Whenever the Speaker adjourns the House for the lack of a quorum, the time of the adjournment, and the names of the Members who were present shall be inserted in that day's Journal.

2. Standing Order 15 is deleted and the following substituted:

Lieutenant-Governor arrives

15. When the Sergeant-at-Arms announces that the Honourable Lieutenant-Governor is at the door or announces a messenger from the Lieutenant Governor, the Speaker shall take the Chair whether or not there is a quorum present.

3. Note 1, headed “**Parliamentary Calendar**” of the Appendix to the Standing Orders of the House of Assembly is deleted.

Further, your Committee has reviewed the provisions of the Standing Orders relating to the annual sitting calendar and daily sitting times of this House. Your committee recommends the following changes to be implemented for the sittings of this House for the calendar year 2017 and that the replaced provisions of the Standing Orders be held in suspension for that same period. The recommended changes are:

4. (1) Standing Orders 8 to 11 are deleted and the following are substituted:

Annual Calendar

8.(1) Unless otherwise ordered, the House of Assembly shall meet each year

(a) for the Winter-Spring sitting, commencing not later than the first Monday in March and concluding not later than the first Thursday in June; and

(b) for the Fall sitting, commencing not later than the first Monday in November and concluding not later than the first Thursday in December.

(2) The House shall not meet on the days which are paid Government Holidays.

(3) During the sittings held under Standing Order 8(1), there shall be

(a) one constituency week for every three sitting weeks unless varied by the calendar provided by the Clerk under Standing Order 8(5); and

(b) a break commencing after the end of the sitting day on Maundy Thursday until the third Monday following that date.

(4) In a calendar year in which there is a general election, the Government may indicate to the Speaker that the commencement of a sitting will be postponed or varied or that there will not be a sitting and the Speaker shall inform Members.

(5) On or before January 31 of each calendar year, the Clerk, following consultations with the Government House Leader shall distribute to all Members a calendar indicating the intended sitting days for the next calendar year.

(6) On or before January 31 immediately after the commencement of this Standing Order, the Clerk shall also prepare and distribute in accordance with Standing Order 8(5) a calendar for the sitting days of the current calendar year.

(7) If the Government advises the Speaker that the public interest requires the House to meet at any time because of emergency or extraordinary circumstances, a reason for the recall must be provided and the Speaker shall

(a) advise Members that the House is to meet at the specified time;
and

(b) advise Members of the reason for the recall.

(8) The Winter -Spring or Fall sittings of the House referred to in Standing Order 8(1) may be shortened or extended by the passing of a motion with notice made by the Government House Leader which motion shall be decided without debate or amendment.

Daily Sittings

9(1). The time for the meeting of the House is

(a) 1:30 p.m. until 5:30 p.m. on Mondays, Tuesdays and Thursdays inclusive;

(b) 10 a.m. until 12:30 p.m. and 2 p.m. until 5 p.m. on Wednesdays.

(2) At 5:30 p.m. on Monday, Tuesday and Thursday the Speaker shall adjourn the House.

(3) At 5 p.m. on Wednesday the Speaker shall adjourn the House.

(4) When the House adjourns on Thursday, it stands adjourned, unless otherwise ordered, until the following Monday.

Business to stand over

10. All business not disposed of at the termination of a sitting day shall stand over until the next sitting day when it will be taken up at the stage where its progress was interrupted.

Extended sittings

11. (1) The Government House Leader may move that the House not adjourn at 5:30 p.m. on Monday, Tuesday and Thursday afternoons but notice of this motion must be given at a previous day's sitting and once put by the Chair is not debatable.

(2) Notwithstanding Standing Order 11(1), at midnight on Monday, Tuesday and Thursday, unless the Closure Rule (SO 47) is in operation, the Speaker shall adjourn the House.

(2) Standing Order 24(3) is deleted and the following is substituted:

24(3) On Wednesday except when otherwise ordered by the House, after motion, of which due notice shall have been given, the following shall be the order of business:

(a) from 10 a.m. until 12:30 p.m., Motions of which notices have been given by the Government and Government Orders;

(b) from 2 to 5 p.m., following the ordinary daily routine of business

(i) Motions of which notices have been given by Private Members;

(ii) Motions of which notices have been given by the Government;

(iii) Member's Orders;

(iv) Government Orders.

Further, your committee has reviewed the provisions respecting strangers and recommends that the following changes be implemented immediately upon approval of this House:

5. Standing Orders 22 and 23 are deleted and the following are substituted:

Withdrawal of Strangers

22. If a Member takes notice that one or more strangers are present on the floor of the Assembly Chamber, the Speaker, or the Chairperson (as the case may be), shall, if he or she considers it proper and without permitting any debate or amendment, order that strangers withdraw.

Conduct of Strangers and visitors

23. Any stranger or visitor admitted into any part of the House or galleries, who misconducts himself or herself, or who does not withdraw when directed to do so while the House or any Committee of the Whole House is sitting, shall be taken into custody by the Sergeant-at-Arms and no person so taken into custody shall be discharged without a special order of the House.



Andrew Parsons, MHA
Chair

November 24, 2016