

Legislative Assembly of Alberta

Title: Wednesday, November 21, 2001

8:00 p.m.

Date: 01/11/21

[The Speaker in the chair]

THE SPEAKER: Please be seated.

Transmittal of Estimates

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Mr. Speaker, I have received a certain message from Her Honour the Honourable the Lieutenant Governor, which I now transmit to you.

THE SERGEANT-AT-ARMS: Order!

THE SPEAKER: The Lieutenant Governor transmits supplementary estimates of certain sums required for the service of the province for the fiscal year ending March 31, 2002, and recommends the same to the Legislative Assembly.

Please be seated.

The hon. Minister of Finance.

MRS. NELSON: Thank you, Mr. Speaker. I wish to table the 2001-02 supplementary estimates. These supplementary estimates will provide additional spending authority to the office of the Ethics Commissioner and five departments of government. When passed, these estimates will authorize a \$355,113,000 increase in voted operating expense and capital investment plus an \$80 million increase in nonbudgetary disbursements. The increase in government spending will be more than offset by the corrective fiscal actions announced on October 18, 2001. Also, \$2,797,000 will be transferred from the office of the Chief Electoral Officer to the support of the Legislative Assembly.

Mr. Speaker, section 8 of the Government Accountability Act requires that the government table a new and amended consolidated fiscal plan when there is another set of estimates. This afternoon I tabled an amended fiscal plan 2001-2002 quarterly budget report for the second quarter in this Legislative Assembly.

head: Government Motions

Referral of Supplementary Supply Estimates

18. Mrs. Nelson moved:

Be it resolved that the message of Her Honour the Honourable the Lieutenant Governor, the 2001-02 supplementary supply estimates for the general revenue fund, and all matters connected therewith be referred to Committee of Supply.

[Government Motion 18 carried]

19. Mrs. Nelson moved:

Be it resolved that pursuant to Standing Order 58(6) the number of days that the Committee of Supply will be called to consider the 2001-02 supplementary supply estimates for the general revenue fund shall be one day.

[Government Motion 19 carried]

Auditor General and Information and Privacy Commissioner Search Committee

20. Mr. Hancock moved:

Be it resolved that

(1) A Select Special Auditor General and Information and

Privacy Commissioner Search Committee of the Legislative Assembly of Alberta be appointed consisting of the following members, namely Mrs. Tarchuk, chairman; Mr. Ducharme, deputy chairman; Ms Blakeman; Mr. Friedel; Ms Graham; Mrs. O'Neill; Dr. Pannu; Dr. Taft; and Mr. Tannas for the purpose of inviting applications for the positions of Auditor General and Information and Privacy Commissioner and to recommend to the Assembly the applicants it considers most suitable for appointment to those positions.

- (2) The chair and members of the committee shall be paid in accordance with the schedule of category A committees provided in the most current Members' Services Committee allowances order.
- (3) Reasonable disbursements by the committee for advertising, staff assistance, equipment and supplies, rent, travel, and other expenditures necessary for the effective conduct of its responsibilities shall be paid subject to the approval of the chair.
- (4) In carrying out its responsibilities, the committee may with the concurrence of the head of the department utilize the services of members of the public service employed in that department or the staff employed by the Assembly.
- (5) The committee may without leave of the Assembly sit during a period when the Assembly is adjourned.
- (6) When its work has been completed, the committee shall report to the Assembly if it is then sitting. During a period when the Assembly is adjourned, the committee may release its report by depositing a copy with the Clerk and forwarding a copy to each member of the Assembly.

[Government Motion 20 carried]

THE SPEAKER: The hon. Government House Leader.

Amendments to Standing Orders

21. Mr. Stevens moved:

Be it resolved that the Standing Orders of the Legislative Assembly of Alberta be amended as follows:

1. Standing Order 4 is struck out and the following is substituted:
 - 4(1) If at 5:30 p.m. on Monday, the business of the Assembly is not concluded, the Speaker leaves the Chair until 8 p.m.
 - (2) If at 5:15 p.m. on Monday, the Assembly is in Committee of the Whole and the business of the committee is not concluded, the committee shall rise and report immediately.
 - (3) If at 5:30 p.m. on Tuesday or Wednesday, the business of the Assembly is not concluded, the Speaker leaves the Chair until 8 p.m. unless, on a motion of the Government House Leader made before 5:30 p.m., which may be made orally and without notice, the Assembly is adjourned until the next sitting day.
 - (4) If at 5:30 p.m. on Tuesday or Wednesday, the Assembly is in Committee of the Whole and the business of the committee is not concluded, the Chairman leaves the Chair until 8:00 p.m. unless, on a motion of the Government House Leader made before 5:30 p.m., which may be made orally and without notice, the Assembly is adjourned to the next sitting day.
 - (5) At 5:30 p.m. on Thursday the Speaker adjourns the Assembly, without question put, until Monday.

2. Standing Order 5 is amended by adding the following after suborder (1):
 - (1.1) If, during a sitting of the Assembly, a question of quorum arises, the division bells shall be sounded for one minute and if a quorum is then not present, the Speaker may declare a recess or adjourn the Assembly until the next sitting day.
3. Standing Order 7 is amended by striking out suborder (1) and substituting the following:

7(1) The ordinary daily routine business in the Assembly shall be as follows:

 - O Canada* (First sitting day of each week)
 - Introduction of Visitors
 - Introduction of Guests
 - Ministerial Statements
 - Oral Question Period, not exceeding 50 minutes
 - Recognitions (Monday and Wednesday)
 - Members' Statements (Tuesday and Thursday)
 - Presenting Reports by Standing and Special Committees
 - Presenting Petitions
 - Notices of Motions
 - Introduction of Bills
 - Tabling Returns and Reports
 - Projected Government Business (Thursday)
4. Standing Order 8 is amended
 - (a) by striking out suborders (1) to (3) and substituting the following:
 - 8(1) On Monday afternoon, after the daily routine, the order of business for consideration of the Assembly shall be as follows:
 - Written Questions
 - Motions for Returns
 - Public Bills and Orders other than Government Bills and Orders
 - (2) On Monday evening, from 8 p.m. until 9 p.m., the order of business for consideration of the Assembly shall be as follows:
 - Motions other than Government Motions
 - (3) On Tuesday, Wednesday and Thursday afternoons, on Monday evening commencing at 9 p.m. and on Tuesday and Wednesday evenings, the order of business for consideration of the Assembly shall be as follows:
 - Government Motions
 - Government Bills and Orders
 - Private Bills
 - (b) in suborder (4) by striking out "55 minutes of debate" and substituting "60 minutes of debate and 5 minutes for the mover of the motion to close debate".
 - (c) by adding the following after suborder (4):
 - (4.1) Before the mover closes debate on a motion under suborder (4), a member may move a motion, not subject to debate or amendment, that provides for the motion under consideration to be moved to the bottom of that item of business on the Order Paper.
 - (d) by striking out suborder (6) and substituting the following:
 - (6) Before the mover of a motion for second or third reading of a Public Bill other than a Government Bill closes debate, or the time limit is reached for consideration at Committee of the Whole under suborder (5)(a)(ii), a member may move a motion, not subject to debate or amendment, that the votes necessary to conclude consideration at that stage be postponed for 10 sitting days or the first opportunity after that for the consideration of the Bill, unless there are other Bills awaiting consideration at that stage in which case the Bill will be called after the Bills at that stage have been considered.
5. Standing Order 18 is amended
 - (a) in suborder 1(h) by adding " , except as provided under Standing Order 49" after "committee";
 - (b) by adding the following after suborder (2):
 - (3) In this Standing Order, "adjournment motion" includes daily adjournment motions and any motion to adjourn the proceedings of the Assembly for a specified or unspecified period.
6. Standing Order 20 is amended by striking out suborder (1) and substituting the following:

20(1) In a debate on a motion, if a member moves an amendment, that member may only speak to the amendment and the main question in one speech.
7. Standing Order 21 is struck out and the following is substituted:

21(1) A member of the Executive Council may, on at least one day's notice, propose a motion for the purpose of allotting a specified number of hours for consideration and disposal of proceedings on a Government motion or a Government Bill and the motion shall not be subject to debate or amendment except as provided in suborder (3).

 - (2) A motion under suborder (1)
 - (a) that applies to a Government Bill shall only refer to one stage of consideration for the Bill;
 - (b) shall only apply when the Bill or motion that is the subject of the time allocation motion has already been debated in the Assembly or been considered in Committee of the Whole.
 - (3) A member of the Executive Council may outline the reasons for the motion under suborder (1) and a member of the Official Opposition may respond but neither speech may exceed 5 minutes.
8. Standing Order 23 is amended by striking out clause (g) and substituting the following:
 - (g) refers to any matter pending in a court or before a judge for judicial determination
 - (i) of a criminal nature from the time charges have been laid until passing of sentence, including any appeals and the expiry of appeal periods from the time of judgment, or
 - (ii) of a civil nature that has been set down for a trial or notice of motion filed, as in an injunction proceeding, until judgment or from the date of filing a notice of appeal until judgment by an appellate court, where there is probability of prejudice to any party but where there is any doubt as to prejudice, the rule should be in favour of the debate;
9. Standing Order 29 is struck out and the following is substituted:

29(1) Time limits on speaking in debate in the Assembly on Government motions, Government Bills and orders and private Bills shall be as follows:

 - (a)(i) the Premier,
 - (ii) the Leader of the Official Opposition, and
 - (iii) the mover on the occasion of the Budget Address

shall be limited to 90 minutes' speaking time;

- (b) the mover in debate on a resolution or on a Bill shall be limited to 20 minutes' speaking time in opening debate and 15 minutes in closing debate;
 - (c) the member who speaks immediately following the mover in debate on a resolution or on a Bill shall be limited to 20 minutes;
 - (d) except as provided in clauses (a) to (c), no member shall speak for longer than 15 minutes in debate.
- (2) (a) Subject to clause (b), following each speech on the items in debate referred to in suborder (1), a period not exceeding 5 minutes shall be made available, if required, to allow members to ask questions and comment briefly on matters relevant to the speech and to allow responses to each member's questions and comments;
- (b) the 5 minute question and comment period referred to in clause (a) is not available following the speech from
- (i) the mover of the resolution or the Bill in opening or closing debate, and
 - (ii) the member who speaks immediately after the mover.
- (3) Time limits on speaking in debate on motions other than Government motions, public Bills and orders other than Government Bills and orders, written questions and motions for returns shall be as follows:
- (a) the Premier and the Leader of the Official Opposition shall be limited to 20 minutes' speaking time;
 - (b) the mover in debate of a resolution or a Bill shall be limited to 10 minutes' speaking time and 5 minutes to close debate;
 - (c) all other members shall be limited to 10 minutes' speaking time in debate.
10. Standing Order 30(4) is amended in clause (a) by adding "the debate proceeds and" before "the Speaker".
11. Standing Order 32 is amended by adding the following after suborder (2):
- (2.1) When a division is called in Committee of the Whole or Committee of Supply, a member may request unanimous consent to waive suborder (2) to shorten the 10 minute interval between division bells.
12. Standing Order 34 is amended by adding the following after suborder (2):
- (2.1) Amendments to written questions and motions for returns must
- (a) be approved by Parliamentary Counsel on the sitting day preceding the day the amendment is moved, and
 - (b) be provided to the mover of the written question or motion for a return no later than 11 a.m. on the day the amendment is to be moved.
13. Standing Order 37 is amended by adding the following after suborder (3):
- (4) For the purposes of this Standing Order and Standing Order 37.1, a tabling must be in paper form.
14. The following is added after Standing Order 37:
- 37.1(1) Documents may be tabled by providing the required number of copies to the Clerk before 11 a.m. any day the Assembly sits.
- (2) When the Clerk receives a tabling under suborder (1) that is in order, the Clerk shall read the title of the tabling when Tabling Returns and Reports is called in the daily routine.
15. Standing Order 39.1 is amended by renumbering it as Standing Order 39.2 and adding the following before Standing Order 39.2:
- 39.1(1) The sequence of motions other than Government motions shall be determined by a random draw of names of members who have submitted written notice to the Clerk no later than 3 days prior to the date of the draw.
- (2) The draw referred to in suborder (1) shall be held on a date set by the Speaker in the July preceding the session that the motions are expected to be moved.
- (3) Prior to a motion other than a Government motion being moved, members may switch the positions in accordance with the guidelines prescribed by the Speaker.
- (4) A member who has a motion other than a Government motion on the Order Paper may, upon providing 4 sitting days' notice, withdraw the motion before it is to be moved in the Assembly.
- (5) When a motion is withdrawn under suborder (4), the Order Paper shall indicate "withdrawn" next to the motion number.
16. Standing Order 48 is amended by renumbering it as Standing Order 48(1) and by adding the following after suborder (1):
- (2) Dissolution has the effect of nullifying an order or address of the Assembly for returns or papers.
17. The following is added after Standing Order 48:
- 48.1 A member of the Executive Council may, on one day's notice, move a motion to reinstate a Government Bill from a previous session of the current Legislature to the same stage that the Bill stood at the time of prorogation and the motion shall not be subject to debate or amendment.
18. Standing Order 49 is struck out and the following is substituted:
- 49(1) At the commencement of each session, standing committees of the Assembly must be established for the following purposes:
- (a) Privileges and Elections, Standing Orders and Printing, consisting of 21 members,
 - (b) Public Accounts, consisting of 17 members,
 - (c) Private Bills, consisting of 21 members,
 - (d) Alberta Heritage Savings Trust Fund, consisting of 9 members,
 - (e) Legislative Offices, consisting of 11 members.
- (2) At the commencement of the first session of each Legislature, the Assembly must establish the Special Standing Committee on Members' Services consisting of 11 members.
- (3) The Assembly must determine the membership of the committees established under this Standing Order by resolution which shall not be subject to debate or amendment.
- (4) The composition of the membership of the committees established under this Standing Order must be proportionate to the number of seats held by each party in the Assembly.
- (5) The proportionate membership of committees as prescribed under suborder (4) may be varied by an agreement among all House Leaders.
- (6) The Clerk of the Assembly shall post in the Legislature Building lists of members of the several standing and special committees appointed during each session.

19. Standing Order 52 is struck out and the following is substituted:
52 The Standing Committee on the Alberta Heritage Savings Trust Fund shall report to the Assembly on the Fund as prescribed in the Alberta Heritage Savings Trust Fund Act.
20. Standing Order 56 is amended by striking out suborders (2) to (8).
21. Standing Order 57 is amended by striking out suborders (1) to (6).
22. Standing Order 58 is struck out and the following is substituted:
58(1) In this Standing Order, "sitting day" means any afternoon or evening that the Committee of Supply considers estimates for not less than 2 hours unless there are no members who wish to speak prior to the conclusion of the 2 hours.
(2) The number of sitting days that the Committee of Supply is called to consider the main estimates shall equal the number of members of the Executive Council with portfolio.
(3) The Committee of Supply shall consider estimates in the following manner:
 (a) the Minister, or the member of the Executive Council acting on the Minister's behalf, and members of the opposition may speak during the first hour, and
 (b) any member may speak thereafter.
(4) Subject to suborder (5), the vote on an estimate before the Committee of Supply shall be called after it has received not less than 2 hours of consideration unless there are no members who wish to speak prior to the conclusion of the 2 hours.
(5) On Tuesday, Wednesday or Thursday afternoon, during the consideration of the main estimates, the Committee of Supply shall be called immediately after Orders of the Day are called and shall rise and report no later than 5:15 p.m.
(6) The Leader of the Official Opposition may, by giving written notice to the Clerk and the Government House Leader prior to noon on the day following the Budget Address, designate which department's estimates are to be considered by the Committee of Supply on any Tuesday, Wednesday or Thursday afternoon during the period in which the main estimates are to be considered by Committee of Supply.
(7) When the Leader of the Official Opposition fails to provide notice in accordance with suborder (5), the Government House Leader shall designate the department for consideration by Committee of Supply for that afternoon.
(8) The estimates of the Legislative Assembly, as approved by the Special Standing Committee on Members' Services, and the estimates of the Officers of the Legislature shall be the first item called in the Committee of Supply's consideration of the main estimates and the Chairman shall put the question to approve the estimates forthwith which shall be decided without debate or amendment.
(9) In respect of the supplementary estimates and interim supply estimates, a member of the Executive Council may, with at least one day's notice, make a motion to determine the number of days that the Committee of Supply may be called, and the question shall be decided without debate or amendment.
23. Standing Order 59 is amended
 (a) in suborder (1)
 - (i) by striking out "Monday," and
 - (ii) by striking out "midnight" and substituting "11 p.m.";
 - (b) by striking out suborder (2).
24. Standing Order 60 is struck out and the following is substituted:
60 Committees of the whole Assembly shall rise and report prior to the time of adjournment.
25. The following is added after Standing Order 68:
68.1(1) The sequence of Public Bills and Orders other than Government Bills and Orders shall be determined by a random draw of the names of members who have submitted written notice to Parliamentary Counsel no later than 3 days prior to the date of the draw.
(2) The draw referred to in suborder (1) shall be held on a date set by the Speaker in the July preceding the session that the Bills are expected to be introduced.
(3) Members may switch their positions in accordance with guidelines prescribed by the Speaker.
26. Standing Order 83 is amended
 (a) in suborder (2) by striking out "received, shall be read by the Clerk if the member so requests" and substituting "presented during the daily routine";
 (b) by adding the following after suborder (2):
 (3) Petitions must be submitted for approval by Parliamentary Counsel at least one sitting day prior to the petition being presented in the Assembly.
27. Standing Order 83.1 is amended
 (a) in suborders (1) and (2) by striking out "read and received" and substituting "presented";
 (b) by striking out suborder (3).
28. Standing Order 102 is amended by renumbering it as Standing Order 102(1) and adding the following after suborder (1):
(2) The Clerk shall be responsible for the printing of the Votes and Proceedings and the Journals of the Assembly.
29. Standing Order 109 is struck out and the following is substituted:
109 The Speaker shall, after the end of the fiscal year, prepare an annual report on the Legislative Assembly Office and lay the report before the Assembly if it is then sitting or, if it is not then sitting, within 15 days after the commencement of the next sitting.
30. Standing Order 114 is amended by striking out suborder (2).
31. This motion supersedes the House Leader agreement for the 25th Legislature dated April 10, 2001.
32. This motion comes into force on the first day of the Second Session of the 25th Legislature.

MR. HANCOCK: Thank you, Mr. Speaker. Motion 21 is of particular significance to our House in that it deals with amendments to the Standing Orders of our Assembly. As you will be well aware, having been one of the authors of the last major revision of the Standing Orders of our Assembly, amending Standing Orders is a very important process, one that has significance to how we carry out our duty and our business in the House, and therefore is of importance to every single member of the House.

The Standing Orders are the orders which allow us to carry out our business in an appropriate manner and protect the rights of each individual member in the House, ensure that each individual member has the opportunity to be heard on issues and that rules of order appropriate to the doing of our business apply. So I'm pleased tonight to commend to the House the proposed changes in the

Standing Orders which have been put forward in Motion 21.

There are a number of changes, many of which are for clarification of the Standing Orders in some cases. Therefore, I will not dwell on each and every one of the changes being put forward. But there are some changes of considerable significance and import to the House and to the members of the House.

One of the first changes pursuant to these Standing Orders is with respect to the business done under private members' bills and motions. Currently, as you are well aware, we have private members' bills and motions conducted over two afternoons in the Assembly, Tuesday afternoon and Wednesday afternoon. For the period of time after the calling of Orders of the Day on Tuesday until 3:30, private members' bills are considered, and then we break and have an hour to consider private members' motions from 3:30 to 4:30, and then an hour for government business from 4:30 to 5:30. On Wednesday afternoon, after dealing with written questions and motions for returns, we deal with private members' bills for the balance of the afternoon.

This has been the subject of a great deal of discussion over the years that I've been here, a short number of years compared with the 22 years that you've served as of today, Mr. Speaker, but during the period of time that I've been here, that I've been House Leader, I've heard a number of concerns raised and comments about the disjointedness of having the two days for private members' bills, the short period of time and the effectiveness of the ability of private members to effectively use the short period of time on Tuesday afternoon. Those sorts of concerns have been raised.

The second concern that's been raised by members during the period of time that I've had the privilege of being Government House Leader is the number of people who do not get the opportunity to address bills before they have to vote on them. As you know, under the private members' bills procedure we have in fact closure on private members' bills. We have, I believe, a one-hour time period on second reading, a two-hour limit in committee, and one hour approximately in third reading. After that period of time the bills automatically come to a vote, which in essence is what closure is. It puts a definitive end to the time for the discussion of a bill.

In many cases, as I say, during the period that I've been here, there have been bills that have had some degree of controversy to them, as private members' bills are wont to have, and members have wanted to be able to speak to a bill, but because of the 20-minute speaking time and the one-hour speaking period, there's been a very limited opportunity for members to do so. It doesn't happen on every bill, but there are certain bills that come forward that people want to be on the record for before they vote because they feel that voting without being on the record can be problematic. Members want to be passionate about the bills that they bring forward.

8:10

Now, private members' bills are significantly different than government bills in that with government bills members at least on the government side of the House have had many opportunities to debate the issues. The issues have gone out for public consultation, they've come back, they've been raised through a standing policy committee, they've gone to cabinet, they've gone to caucus, and then they come to the Legislature. So often we see in the Legislature that it's primarily the opposition that is raising debate in the House on government bills. This makes some sense, because government members have had an opportunity to debate the bills, to effect the changes that they wanted in the bills, to effect compromises if compromises were necessary, and to deal with the issues that were raised. So when they come to the floor of the House, it's the opposition members who are seeing the bill in its bill form for the

first time and then have to go out and get input from their various stakeholder groups, the people that they consult with, and then bring that information to the floor of the Assembly. So it's not uncommon to see most of the debate on government bills in the Legislature coming from the opposition side. It's very understandable. I sometimes wish that I had more of an opportunity to explain to constituents why that process is as it is.

On private members' bills we don't have that same opportunity. Members have not had the opportunity to go out and consult. They're not assured that the department has gone out and consulted. The issues can sometimes be fairly narrow issues, but they can be fairly significant issues. I would raise, for example, the issue of putting kindergarten into the School Act. Regardless of which side you were on the issue, it was important to explain, because the bill itself may not exactly do what you wanted it to do. Because of the process it is necessary to be able to stand up in the House and distinguish why you're voting for or against a bill.

So all of that is to say, Mr. Speaker, that it's necessary to have the opportunity to afford more members the opportunity to speak on private members' bills. One of the changes being proposed for the Standing Orders is to move the speaking time from 20 minutes to 10 minutes so that more members will have the opportunity to speak, also, as I indicated, to reduce the fragmentation of dealing with private members' bills, to consolidate all of it on Monday afternoon, to have the full Monday afternoon for private members' bills, and then at 8 p.m. on Monday deal with private members' motions for an hour. By doing that, we reduce the fragmentation, we make it easier for members to develop a strategy to bring their bills forward, to talk to their colleagues and try to ensure passage. Essentially, we also reduce the amount of non-usable or noneffective time in the House. Sometimes we find that Tuesday afternoons from 4:30 to 5:30 is not really an effective time for government business because of the very short time that's available.

One of the first proposals being brought forward in the Standing Orders motion is to make those changes with respect to private members' business. It also will have the effect of increasing the time on private members' motions from 55 to 60 minutes. An additional five minutes may not appear to be significant, but when you only have an hour to deal with a motion like that and, again, sometimes on some fairly important questions that people want to raise which have not previously been vetted through a policy development process of government, it's important to have that time.

On the order of business in the House it's being proposed that we change the order of business under Standing Order 7. The rationale for that change really is to make it more certain for people watching the business of the House – and we hope that many people do – to know when question period is going to start. Currently, as we enter the House at 1:30, we have a Routine which provides quite appropriately for *O Canada*, if it's the first day that we're sitting in the week, Introduction of Visitors, and then Presenting Petitions, Reading and Receiving Petitions, tablings, and all sorts of other business of the House, which can be very short or can be quite lengthy. So visitors coming in, particularly school children, don't necessarily have a good predictable way of knowing when the question period is going to start and when it's going to end. People who are watching who aren't particularly interested in the preambles to question period really want to get on with watching question period. Sometimes, in discussions I've had with people, they get quite bored with the process before question period actually comes on.

So those are the things that we can accomplish by amending Standing Order 7 to reorder the process so that we start the day, again, with *O Canada*, if it's the first day of the week, then do Introduction of Visitors and proceed to Introduction of Guests,

Ministerial Statements, which I'm sure you'll agree, from at least my past experience in the House, do not come up very often, and then right into Oral Question Period. Immediately start the day with the issue that everybody is looking for, with the topics that everybody is looking for, get on with it, get that 50 minutes of holding the government accountable right on the table right off the bat and deal with it. Then after question period we can deal with the other issues, which are important but which do not command as much public attention. We'd do Recognitions, Members' Statements, presenting of reports, presenting of petitions, Notices of Motions, Introduction of Bills, Tabling Returns and Reports, and Projected Government Business if it's a Thursday.

It's proposed to do the reordering in that manner essentially to make it more certain. It won't make it completely certain because, of course, introductions of visitors and introductions of guests do take some flexibility, but it makes it more certain as to when question period will start and, therefore, more certain as to when it will end and doesn't preclude us from doing all of the other business which is necessary.

One of the things that members might notice in the proposed reordering of Standing Order 7 is that the reading and receiving of petitions no longer appears in that process. We have currently in our Standing Orders a process whereby members come forward with a petition and then come forward another day for reading and receiving of the petition, and the period of time in between would appear to be historically to allow the table to determine whether the petition is in fact in order to be read and received. In my humble submission, Mr. Speaker, there's a redundancy there which is not necessary and again takes up the time of the House without any useful purpose. There's nothing wrong with taking up the time of the House if we're accomplishing something, but in that case it doesn't have a useful purpose. So the revised Standing Orders, if approved, will provide that petitions should be determined to be in order through the Clerk's office prior to being presented in the House, and if in order then they're presented in the House, and there's no need for the redundancy of both the presenting and the reading and receiving.

When I was mentioning private members' bills, there's one item that I neglected to mention that is very important, and that is the provision of an opportunity for a member to make a motion before the mover closes debate that would provide for the motion under consideration to be moved to the bottom of that item of business on the Order Paper or a similar one for private members' bills to propose that the consideration of the bill be postponed for 10 days.

Again, these two amendments to the Standing Orders are being proposed in response to the submissions of many members to myself over my time as Government House Leader but also to the various rules committees that I've sat on and now the rules committee that was struck to look at these from the government caucus. The purpose of that, again, is to provide an opportunity when members are not ready to vote: not ready to vote because they haven't been able to canvass their constituents, not ready to vote because they haven't had an opportunity to speak to the issue, not ready to vote because it's an issue of some controversy that needs to be canvassed more, not ready to vote because they don't believe that the bill is in appropriate order. The concept of the bill is good, but the format of the bill perhaps might not be acceptable. For any one of those reasons, when a person does not wish to vote against a bill or for a bill but doesn't want to be forced to do that because of any one of those very good reasons, then they might move a motion which would move the bill off the Order Paper or down to another position on the Order Paper without having to take a position on the bill because they might not be in a position to do so.

There are two very significant changes to the bills which I think will enhance the business of the House, and one of them has to do with the time and the process of speaking to a bill. Essentially the amendment which is being suggested in the Standing Order changes before us tonight is that instead of having a speaking time of 20 minutes allotted to a member on any given piece of business that the speaking time, except for the mover and the person speaking immediately after the mover, be shortened to 15 minutes, but the remaining five minutes, Mr. Speaker, is not being taken away. It's not proposed that we reduce the amount of time available for people to speak in the House but, rather, that the last five minutes be utilized in the same manner as is utilized in the House of Commons of Canada for questions and comments.

8:20

Very often we see in the House – and I'm sure as Speaker you will concur – situations where people are moved by a speech to shout a comment across the floor . . .

MRS. NELSON: No.

MR. HANCOCK: It happens.

. . . to participate in debate in perhaps an unruly way. Sometimes people cannot hold themselves back from participating, and an evocative response from a speaker's comments is quite appropriate, but it would be more appropriate if those evocative comments could be put on the record at an appropriate time and in an appropriate manner. The five minutes at the end of a member's speech would allow other members in the House to ask appropriate questions in an appropriate way, to hold a speaker accountable for their remarks perhaps, to question remarks, to provide comments on those remarks. So they can talk in the time which would otherwise have been used probably inappropriately – or ineffectively would be better language – ineffectively not inappropriately, at the end of a member's 20-minute speech. As we all know or as we all should know, you can't speak for more than five minutes very effectively and continue to hold attention. In fact, I've heard it said – I can't attest to this personally – that after 10 minutes you lose your audience entirely, and after 15 minutes they start dreaming about inappropriate things, and I won't take that comment any further.

So what I'm trying to suggest to the House is that by reducing the length of speeches to 15 minutes – and I'm sure very shortly people will understand the reason for that – and then allowing a time for short, sharp questions and comments at the end of the speech, while it's still relevant to the comments that were made by the speaker, is a very effective use of House time and a very effective debate technique. In fact, if any of us have had the opportunity to observe modern debate through debate societies, what's happening in our high schools, you'll see that that's exactly what they've put in place with respect to the rules of debate in high schools. I've watched and I've judged some of those debates. It's a very effective technique.

That's one of the major changes and I suggest a very effective change for the business of this House which will encourage more members to get involved in the discussions in this House, adding to the debate in the House by encouraging more members to be involved and using that time, which, as I said before, is not very effectively used now anyway.

Now, there was another important change that's being made, but the comments that have been tossed at me have . . . There is a change being made to the sub judice rule. Although some have suggested that that's a difficult change, it's really only a change which closes the gap, Mr. Speaker. Currently the sub judice rule provides for a rule against discussing matters which are before the

courts, after a charge has been laid and before conviction if it's a criminal charge, and then after an appeal has been filed. There is a very short period of time between a conviction and the time for filing an appeal, and the sub judice rule as it's written now would not apply to that period, and it should apply to that period. So the change to the rule is very simply to close that gap, because it would be inappropriate to have comments made about a matter which was still before the courts but not technically before the courts, because the appeal hadn't been filed.

MR. MacDONALD: I've got two years to launch an appeal.

MR. HANCOCK: You have no appeal at all. [interjection] It's 35 days usually, 35 or 45 days depending on the case.

Now, the other major change which I'd like to address before my time is up . . .

MRS. NELSON: It is up.

MR. HANCOCK: Is it up? Unanimous consent to continue, Mr. Speaker?

THE SPEAKER: The hon. Government House Leader has asked for unanimous consent to continue his remarks.

[Unanimous consent denied]

THE SPEAKER: The hon. Official Opposition House Leader.

MS CARLSON: Point of order.

THE SPEAKER: I'm recognizing you to participate. On a point of order?

MS CARLSON: On a point of order.

Point of Order Dividing a Motion

MS CARLSON: Thank you, Mr. Speaker. I rise in regard to *Beauchesne* 557(1) and page 478 of Marleau and Montpetit.

Beauchesne 557(1) says:

A motion which contains two or more distinct propositions may be divided so that the sense of the House may be taken on each separately. The Speaker has a discretionary power to decide whether a motion should be divided.

Mr. Speaker, we are asking for this particular motion to be divided because, in fact, it has many distinct propositions, 32 significant changes to our Standing Orders, and we believe they are more properly dealt with in this Assembly if we deal with them separately.

Marleau and Montpetit on page 478 say:

When a complicated motion comes before the House (for example, a motion containing two or more parts each capable of standing on its own) . . .

We have 32 parts capable of standing on their own in this case. . . the Speaker has the authority to modify it and thereby facilitate decision-making for the House. When any Member objects to a motion that contains two or more distinct propositions, he or she may request that the motion be divided and that each proposition be debated and voted on separately.

The final decision on this, Mr. Speaker, lies with you, and I am certain that you will find that Motion 21 before us is complicated and contains many distinct propositions.

Furthermore, you will find that there is a precedent for this in this House. Page 204 of *Hansard* from February 27, 1995, contains an

example of such a request being made by the Member for Red Deer-North at the time, and the Speaker then ruled in favour of dividing the motion in two parts.

While this decision does rest with you, Mr. Speaker, we would like to recommend a process for dividing the motion up. There are some natural divisions within this motion that would speed up and facilitate debate. I would ask you to consider grouping sections 1, 3, 4, 26, and 27 together. These all deal with interrelated matters concerning the daily routine and order of business. I would ask you to consider grouping sections 20, 21, 22, and 23 together, which all deal in some way with the budget process. We would ask that the rest of the parts of the motion be dealt with individually.

Thank you.

THE SPEAKER: The hon. Government House Leader on this point of order.

MR. HANCOCK: Well, thank you, Mr. Speaker. I would have to speak against the point of order and request that you do not divide the motion. I think the Standing Orders stand as a book. They are interrelated for the most part. Most of the issues that we're talking about impact on each other, and the Standing Orders are not complicated at all nor are the amendments being put forward to the Standing Orders. All parties have had access to the amendments for a considerable period of time and have had a chance to look at them. The committees have met with the House leaders from the opposition parties to make sure that they were aware of what was coming forward. Everybody's had a chance to look at them, so I would suggest to you that these are neither complex nor in need of separation, because in fact they deal with one purpose, and that is the order of business of this House and how we conduct that order of business.

THE SPEAKER: Any other members on this point of order?

The point of order raised by the Opposition House Leader is one that does come up from time to time, and it certainly does come up with respect to dividing a motion.

8:30

In anticipation of all possible points of order that might be raised during this particular debate, the table officers undertook some research with respect to this. So while this is unusual, to have this type of point of order, at the same time it is not unusual. The hon. Opposition House Leader has correctly pointed out some text with respect to this. We're guided, essentially, by the customs and traditions and actions of this House, plus of course learned practices found elsewhere. The Opposition House Leader has correctly quoted from page 478 of a pretty definitive document, the *House of Commons Procedure and Practice*. I'll quote what it reads from pages 478 on to 479:

When a complicated motion comes before the House (for example, a motion containing two or more parts each capable of standing on its own), the Speaker has the authority to modify it and thereby facilitate decision-making for the House. When any Member objects to a motion that contains two or more distinct propositions, he or she may request that the motion be divided and that each proposition be debated and voted on separately. The final decision, however, rests with the Chair.

[In the Canadian House of Commons] in 1964, a complicated government notice of motion was divided and restated when the Speaker found that the motion contained two propositions which many Members objected to considering together. In 1966, faced with a similar request, the Speaker ruled against taking such action . . . In 1991, in response to a request to divide a motion dealing with proposed amendments to the Standing Orders, the Speaker undertook discussions with the leadership of the three

parties in the House, subsequently ruling that, for voting purposes, the motion would be divided into three groupings, in addition to the paragraphs relating to the coming into force of the motion.

So, in essence, in the case of three events in the Canadian House of Commons, on one occasion the Speaker ruled in favour of the division of the motion, in the other case the Speaker ruled against the division of the motion, and in the third case the Speaker undertook discussion and consultations with the House leaders and then came back with a ruling at a subsequent time. This really helps the Chair this evening. It makes it very, very clear.

Beauchesne, sixth edition, page 172, clearly states in 557:

A motion which contains two or more distinct propositions may be divided so that the sense of the House may be taken on each separately. The Speaker has a discretionary power to decide whether a motion should be divided.

The hon. member has done her homework as well because, without any doubt, in the history of the Assembly in this province not too many years ago a former Government House Leader rose on a point of order requesting that an opposition motion be divided into two parts. On February 27, 1995, on page 204 the then Government House Leader basically quoted what I've already quoted and asked that a motion being put forward by the then hon. Member for Calgary-Buffalo in fact be divided into two sections and each one dealt with separately. Quite a few members of this Assembly were here to observe that particular procedure at that particular time. There are options, and there are opportunities.

Okay. What we have before us tonight is a really significant adjustment to the Standing Orders of the Legislative Assembly in the province of Alberta. In 1982 there was considerable debate in the session when there were major changes made to the Standing Orders. A certain procedure was taken. There was considerable procedural debate before anything happened, and then certain things took place.

In 1993 very significant changes were made to the Standing Orders. There was a minimal amount of debate in the Assembly because there was unanimous consent of all members of the Assembly for these very significant changes. The chair has no way of knowing what it will entail in the ensuing minutes as the Assembly chooses to deal with this particular motion. But the Government House Leader has helped me with respect to, I believe, the decision I'm going to come to.

The Government House Leader said in his opening remarks that these are "changes of considerable significance and import." Then he further said, "very significant changes . . . which . . . will enhance the [progress] of the House." Now, when one looks at the Standing Orders proposed changes before us tonight here in the Assembly, it would strike me that to expedite progress with respect to the resolution of this particular motion, it would be very much in order for debate to ensue on all of the clauses of the motion at the same time. Let there be a debate, and when an hon. member stands up, the hon. member basically will talk about and can talk about all 32 sections of the particular motion in the one discussion. It would seem to me that that would enhance the progress of the House.

The second point, the point of order raised by the hon. Member for Edmonton-Ellerslie to basically look at a division of votes. The hon. member has helped us with respect to this as well by basically saying that in a grouping of a certain number of them, they essentially dealt with the routine of the House; other groupings of them dealt with the budget. Then the member said that, well, then they wanted all the other ones dealt with individually. Well, if there are 32 of them and the Speaker extrapolates nine, that would mean there would be 23 other votes. That would be 25 votes in all. It would strike one that that wouldn't really ensure the progress of the House to the degree that one would hope to in the first part.

The chair would have no difficulty whatsoever perhaps suggesting

that there be three separate votes: 1, 3, 4, 26, and 27 might be in one; vote 2 being 20, 21, 22, 23; and the third vote, all of the other three together. That would allow a bit of focus with respect to voting, but it would also ensure that the focus of the debate on this particular motion be on the whole 32 clauses at the one time, that there are not 32 separate debates, that there's one debate on the motion.

The chair, to ensure the maximum amount of progress, would rule that the point of order is a valid one and, with the help of the Government House Leader's fine determination and definition of the significant changes, would rule that there be three votes along the order so requested.

The hon. Opposition House Leader on the debate now on the motion.

Debate Continued

MS CARLSON: Yes. Thank you, Mr. Speaker. Just as a point of clarification as I start my debate time on this motion, we will all be speaking for a 20-minute period to the entire motion, and at the end we will have three distinct votes. Yes. Thank you very much.

So, Mr. Speaker, with regard to this motion we in the Official Opposition are very unhappy with several pieces of the motion, but particularly we are extremely unhappy with the process by which this particular change to the Legislature was brought forward. I remember in my first years here, in 1993, Mr. Speaker, when you were the Government House Leader and when you in conjunction with our House leader set about to revise the Standing Orders in a very significant fashion and in a fashion that facilitated the procedures within the House in a very commendable manner. Your approach was quite different than the approach we see now. Your approach was to get together with the Opposition House Leader and sit at a table and negotiate and, inasmuch as you could for the various issues, find a basis of consensus that wasn't: oh, well, I guess we have to put up with that to get this. It was a serious consensus agreement that was negotiated between the two of you. I remember that you and our House leader spent a great deal of time on this, and our House leader would come back at various stages to our caucus and state progress.

The manner in which that negotiation was conducted was that, first of all, we came up with a list of suggestions we had. You had your list. The two of you sat down together, dropped off the table those issues that there was absolutely no seeing eye to eye on, leaving on many actually relatively contentious issues where you felt there was some middle ground that you could find. Some really good work was done, some serious time was put in, but at the end of the day we got changes in the form of a House leaders' agreement and some changes to Standing Orders that were significant and were accepted by both sides of the House.

8:40

After the election in 1997 we entered into that process again with the then Government House Leader and the Opposition House Leader. While the changes weren't so significant in nature, there was an excellent House leaders' agreement that was brought forward based on consensus, based on each caucus bringing their issues to the table, where the two House leaders discussed what they could find some middle ground on, took it back to their respective caucuses, talked that process through, came back again, and worked until they had some settlement. That was a fair and reasonable, democratic kind of way to handle changes to House procedures. Unfortunately, Mr. Speaker, that is not what this government chose to do after this most recent election.

The Government House Leader and both opposition House leaders

had some discussion during the spring session that the government was quite interested in seeing some major revisions to Standing Orders and that we would be contacted at some point in time to start the negotiation process, that they would be striking a committee within their caucus and the matter would go forward. We thought that the matter would be dealt with, and I seriously was led to believe and to this day understand, Mr. Speaker, that the Government House Leader was going to proceed in a similar fashion, where we would bring our issues to the table with the three of us and see where there was some progress and where there wasn't and negotiate in that fashion.

Well, Mr. Speaker, that's not what happened this time. The Government House Leader repeatedly asked us for a list of the changes we wanted that he could discuss with his caucus. There was no give-and-take. There was no sitting down and finding out what was reasonable. Well, it is not the habit of the Official Opposition of any province to submit their ideas to a government caucus for approval prior to them hitting any kind of House leaders' agreement or Standing Order changes. This was to be a negotiated process, and repeatedly the Government House Leader or his representative, the Deputy Government House Leader, asked for that kind of submission, so that we could in essence give our ideas to the government caucus, they could yea or nay them within their caucus, bring forward their ideas, and it would be rammed through the House. Well, that's not a negotiated process. That isn't consensus-building. That is the heavy foot of a large majority government coming down and trying to stifle the voice of any opposition in this province. We do not think that serves democracy in any fashion and would not participate at that level.

What happened then was that the Deputy Government House Leader called a meeting to discuss the changes. If I remember correctly, both the other opposition House leader and I were under the understanding that this was where we were to bring our ideas, and we would start the process. Not so, Mr. Speaker. We sat down at the table in that room and were told in no uncertain terms that these were the Standing Order changes that were going to go through, that that member did not have the authority from his caucus to negotiate, that there might be some minor pieces of flexibility within the agreement but his direction was to ram these Standing Orders through. He wasn't interested in listening to what we had to say at that time. That was the most undemocratic meeting I have been in in all my years in this Legislature. It was deeply offending for a parliamentary and democratic process, and it won't soon be forgotten that the Deputy Government House Leader was smirking, no less, at his ability to use his majority government to ram through exactly what changes they wanted.

In subsequent meetings we did bring forward some suggestions that we had in terms of strengthening Standing Orders. We made some suggestions for changes in their position. Very few of the suggestions we made to their changes in Standing Orders were accepted. They were barely even countenanced in the meetings. In essence, none of ours were accepted, Mr. Speaker, and the deputy House leader didn't care. He stated that former meetings had not resulted in the kind of substantive changes that this government wished to see to Standing Orders, that they didn't have the tolerance to continue in that fashion, and that they were going to make the decisions as they saw fit. So here we see ourselves this evening with this motion before the House.

Both opposition House leaders suggested that some more time be taken on this to see if there weren't some areas where consensus could be found, where we could bring in a reasonable House leaders' agreement, but government wasn't prepared to do that. They wanted this motion before the House in this fall session and continue to proceed in that fashion.

Mr. Speaker, we have some real problems with some of the motions that we see here before us, not the least of which is the change to the speaking times. We see a huge majority government, 74 seats out of a total of 83, who wish to further stifle debate by the opposition parties in this province by reducing debate time from 20 minutes to 15 minutes. They state in their position that the five minutes of questions and answers at the end of the 15 minutes will encourage their members to speak and to ask questions, perhaps, I would say, to pay attention in debate. But what happens is that we don't actually have the ability to ask questions of those people who have the most information about the matters up for debate.

Mr. Speaker, when we heard from the deputy House leader that there was absolutely no room to move on the issue of the 15-minute speaking time, then we suggested a change in terms of the mover of the bill and the critic of the bill or the first person to speak to it in debate also having the ability to be asked questions after their 20 minutes of speaking time, because in fact they are the people most knowledgeable about the bill under discussion. Legitimately there are often questions to be asked of the mover of the bill or the critic of the bill that could strengthen and enhance the debate and sometimes, I am sure, diminish the amount of debate time overall on the bill as clarifications were made up front and early in the debate time. It has been customary in this House for the mover of a bill not to come back and answer questions on the floor of the Assembly. Occasionally there have been briefings or discussions by movers of the bill with critics after the bill has been introduced but not often. All members are not privy to those conversations, so there are some problems around that. We had asked at least for that kind of an amendment to be made, but the Deputy Government House Leader wouldn't move at all on that issue. It was 20 minutes and that was it. No questions for the mover or the first person to speak, just those subsequently.

Why is it, Mr. Speaker, that we would want to continue to have at least 20 minutes of speaking time for private members in this Legislature when in fact in this session we have seen some legislation flow through this Legislature at all stages in record time? There have been few bills that we have spoken our full 20 minutes to as an entire caucus, in fact not one single one this session. Why? Because for the most part those pieces of legislation were not hugely controversial. Most of them were minor housekeeping pieces of legislation and didn't warrant long, extended debate, but there are times in this Assembly when we see legislation that does warrant serious debate. Why would we want to prolong debate on a piece of legislation? It isn't because we want to be obstructive to the government, while members may think that's true. The fact of the matter is that as an opposition we have a responsibility to ensure that people in this province hear what it is the government is proposing to pass as legislation.

8:50

So we must give those stakeholders an opportunity to review the legislation, to digest the content of the legislation, to talk to other directly affected people about the legislation, and the time then to get back to us with any concerns or issues that they have. In fact, it has been the case since I was elected to this Legislature in 1993 that there are many times when we have protracted debate on a piece of legislation where the government will do one of two things. They will amend the legislation with some of our ideas or some of the ideas that they ultimately hear from stakeholder groups and strengthen the legislation or will postpone the legislation, send it out to the communities for further review and revision, and bring it back at a later time, or we will see the legislation disappear. All of those can be really good practices. This government always states when they

bring in a new bill that they have consulted the stakeholders and that they're very happy with the legislation. Often that is exactly how the piece of legislation rolls out, but sometimes that isn't the case, Mr. Speaker, and we see pieces of legislation that people have missed on the first, cursory glance or they haven't completely understood long-term implications, and further revisions are needed.

It is a responsibility for opposition parties in any province on contentious or potentially contentious bills to expand the amount of time that they are debated in order to give stakeholders time to consult. Now, if this government had a different process of bringing in pieces of legislation where they would share them with us and stakeholder groups in their drafted form before being tabled or would table them and then would extend the time period before they were debated by two or three weeks or we were in the Legislature for a greater number of days, which would give stakeholders more opportunity to review what's under debate, then we might not need that kind of a process where we use the committee stage and we use amendments to extend debate time on legislation. But that hasn't been the practice of this particular government, Mr. Speaker. So for that reason there are times when it is very important for us to be able to extend the talking time on bills. With our time reduced to 15 minutes and the question-and-answer periods, we have a reduced capacity to do that, so it reduces our capacity to meet the needs of Albertans. This government finds that entirely convenient for them, but in the long run it is not entirely convenient for Albertans, so we are not very happy with that particular motion.

Some of the other motions, Mr. Speaker, we are happy to agree to, reluctantly in some cases, and those are most of the housekeeping matters that we see in the Legislature. For instance, while putting all of the private members' business on one day is a good idea, we actually lose at least a half hour of speaking time to private members' business. So that's of concern to us. We heard the Government House Leader state that his members wish to debate more private members' business, but now we have less time to do that with this motion.

Also, they place the day on Mondays, Mr. Speaker. While the Government House Leader was quite happy to point out that this Legislature has not traditionally sat during time periods when there have been statutory holidays on Monday, in fact statutory holidays most often fall on Mondays, which means that we could lose additional time for private members' business. So that's an issue that needs to be also discussed in this particular matter. Those are certainly concerns for us.

There are many other issues that I wish to speak about, Mr. Speaker, but I also wish to introduce an amendment. So before my speaking time has expired, I will introduce our first amendment on this motion, and that amends section 7. I will send that to Parliamentary Counsel now to be distributed to the House.

THE SPEAKER: An amendment has been forwarded here, and it will be circulated to everyone. Hon. Opposition House Leader, it says, "Ms Blakeman to move that Government Motion 21 be amended by striking out section 7."

MS CARLSON: I'm moving it on behalf of the Member for Edmonton-Centre.

THE SPEAKER: You're moving it. It basically says: "be amended by striking out section 7." That's what it is as it is being circulated. So the Government House Leader is aware of that, and other members will be as well. That's basically what it says. It'll come to you in a matter of seconds.

If you wish to proceed, then, with the discussion on your amend-

ment. So on the amendment, very focused: by striking out section 7. There'll be no discussion in this debate on the amendment about anything else but section 7.

MS CARLSON: Thank you, Mr. Speaker. Section 7 amends Standing Order 21, which is the closure Standing Order. The original intent, what the government wants to do here, is to replace the existing closure with a new form of closure called time allocation. This was not a change in the Standing Orders that the Official Opposition was in support of. We have serious concerns about this. If the government is going to bring in closure, then let them name it as what it is, which is closure on a bill. The government has indicated that no bill would have more than one motion on the Order Paper at the same time. That part about it is good, but the essence of having this in there is a very bad change to the Standing Orders as we see it.

The new closure would require that the bill or motion that will have closure must have some consideration at some point, so they'll give us some time to speak to it, but for the government to decide how much time the Official Opposition should spend debating the closure is truly an abuse of executive power and certainly nothing that we could agree to. This form of closure is basically, Mr. Speaker, a one-sided formalization of informal agreements usually reached between House leaders. We did not like it. We asked them to withdraw it, and they didn't want to do that. They wanted to go forward with it. It's certainly an issue for us.

Time allocation is not traditionally named as closure. Certainly we will be using that as a basis whenever we can when the government does bring this in. On an informal basis in this Legislature I think we have done a very good job over the past years, certainly while I have been the House leader, in terms of coming to informal agreements on how much speaking time we will have to a variety of bills. I would suggest that the Government House Leader could not disagree with me in terms of how that process has also worked this fall. If we have made an agreement about how many speakers we will have to a bill and the time that we will spend on it, we have kept that agreement, Mr. Speaker, and we don't see that this new formalized time allocation should be brought in at this particular point in time. We are also very concerned that this is the beginning of a very slippery slope where we will see all bills being presented with time allocation motions at the committee stage, which is the time when we have the opportunity to speak to it at length.

Thank you, Mr. Speaker. I will close my debate at this time.

9:00

THE SPEAKER: On the amendment, the hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I'm pleased to have the opportunity to deal with section 7, because I didn't actually get to it in my remarks.

I would first of all just like to confirm what the Opposition House Leader has said in one portion of her remarks, and that is that the business of the House normally works very, very well when all House leaders get together and determine how we're going to make progress, determine what bills are going to come up and how much time we need to spend on them. I'm sure the Opposition House Leader would also agree that the process works very well and that we're very accommodating to make sure that bills come up when they are going to be able to speak to them directly after having consulted with stakeholders, et cetera. One would not expect that that process would be changed in any way by removing closure from our Standing Orders.

In fact, it's really ironic that the opposition would move an amendment to this motion to delete section 7 when the whole proposal under section 7 is to remove closure, which the opposition has in the past found so offensive, from the Standing Orders and replace it with a much better, much friendlier, much more process-oriented way of dealing with those few bills that come forward which are the subject of a lot of debate and for which there does need to be a method to move them along after appropriate amounts of debate have taken place. It's only really in committee stage where it's most effectively needed. With time allocation instead of closure, rather than the Government House Leader or a member of Executive Council bringing in a closure motion which arbitrarily cuts off debate at midnight on the day that the motion is brought forward, we now with this provision would have a much, much better system, a much friendlier system, a much more opposition-oriented system which would allow us to discuss with the opposition first how much time should appropriately be given to the debate of the bill so that all parties in the House and all members in the House could have an appropriate time to get their arguments on the floor but also a finite time for debate so that at some point in time you move on. As I say, we don't see that happening tremendously often, but it does happen.

Now, it is very ironic that the opposition would want to retain closure under the Standing Orders that we have now rather than what is proposed, which is a much better way of dealing with House business in those certain times when there is disagreement, when there does need to be a way of ascertaining how much more time will be spent on a bill. It doesn't happen on a daily basis.

In fact, I would close my remarks on my opposition to the amendment being proposed by the Opposition House Leader by saying that at least in my experience in this House we enjoy a great deal of co-operation among House leaders on almost all the bills that come before the House in terms of how we deal with them. There are a few controversial bills where you never will be able to come to those sorts of agreements, and it's quite appropriate for both sides of the House and for all members of the House to utilize the rules of the House and the procedures of the House to get their points across.

Right now we have to deal with those utilizing closure, which is a sledgehammer approach, when under the proposed Standing Orders without this amendment we'll be able to use a much gentler process, a much friendlier process, a much more process-oriented process of coming to termination on a debate after an appropriate period of time. Even this provision as it currently stands in the motion would allow for a short discussion of the reason for putting time allocation on a bill, which is again better than the existing provision in the Standing Orders.

So, Mr. Speaker, I would urge members of the House to vote against this amendment and by doing so remove closure from our Standing Orders and replace it with a much better process.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. This is a particular amendment which was expected by us in the third party, and certainly we had a very good series of discussions between the House leaders on these matters. I'm inclined to agree with the Government House Leader that in this particular case it is a gentler form of closure. But it is closure, and one of the concessions obtained in the discussion was the elimination of the other, traditional form of closure, which is encompassed by the government's proposals. So we see this type of provision of time allocation replacing closure. The old form of closure is removed, and this is put in its place. That was not the original proposal from the Deputy Government House Leader. They wanted to have both weapons in their arsenal.

The problem, Mr. Speaker, is that it is closure with a smile rather than closure. There is a real fear on the part of the opposition, including here in the New Democrat opposition, that this will be used more frequently, more routinely than closure has been traditionally. Governments are reluctant to use closure because it is seen as a very undemocratic form of shutting down debate. While we appreciate the elimination of closure altogether, the difficulty we have with the proposal the government has made is that the government may be disposed to make use of time allocation much more frequently and make the argument that in fact they're allowing us one or two or three speeches before closure and that therefore the democratic requirements of the House are satisfied.

Mr. Speaker, I'm not convinced that we should go in this direction. I frankly would like to see closure eliminated altogether. I haven't had enough time in this place to make a really good assessment of what use the government will make of this new time allocation, and I am fearful about the state of democracy should it be approved. So, in that case, I think I shall be supporting the Official Opposition motion.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. It's a pleasure to rise and speak to the amendment this evening that was proposed by the hon. member from Calgary-Centre and presented to the Assembly this evening.

MS CARLSON: Edmonton-Centre.

MR. MacDONALD: Edmonton-Centre. Pardon me. I've got my centres confused. Perhaps I'm looking forward to another four years of better times.

This amendment that was presented by the Opposition House Leader: I think when we consider exactly what has happened in this Assembly in the last number of years and the frequent use of closure, one would have to say to the hon. Member for Edmonton-Highlands that sometimes it's better to dance with the devil you know than the one you do not. This motion is closure in another form. The Government House Leader assured all members of this Assembly that we're going to remove closure, which in my view is a guillotine on democracy. It is a severing of debate, and each and every member of this Assembly has the right to debate. There will be many times in the future when we will be thankful that we supported this amendment, because we will know exactly, precisely what is going on.

9:10

Now to describe section 7 of Motion 21 – and I believe this was a quote – it's much "friendlier." Closure is not friendly. It never was friendly, and it never will be. We think of Bill 11 and closure. [interjections] I hear groans, but Bill 11 is a perfect example of individual members of this Assembly exercising their democratic right, and finally there was the introduction of closure. Hon. members of the Assembly and members of the general public who were on the steps of the Assembly and out front in the plaza knew what closure was about. This is the reason why we have this current section 7. The government is now sensitive to the outcry. I believe the hon. Government House Leader actually felt guilty whenever closure was used. Now, Mr. Speaker, closure is going to be much friendlier. Closure is not going to be the sledgehammer that it was described as before. The former Member for Calgary-Buffalo was fond of saying that democracy is dying a thousand deaths. Death by a thousand cuts, he would say. It's a thousand clips.

I heard another member of Executive Council speak, Mr. Speaker, and in relation to this amendment "a member of the Executive Council" is mentioned twice. This Executive Council in my view – and it is reflected in this amendment – poses a threat . . .

AN HON. MEMBER: To democracy.

MR. MacDONALD: Exactly. They pose a threat to democracy.

Now, we all know that the executive enjoys tremendous power in this province, in this scheme of the government. We've seen tremendous growth in the role and the duties of the Executive Council. This is why the amendment presented here this evening is prudent, and this is why the hon. Member for Calgary-East should vote for the amendment. It's because the executive's effective control of this Assembly is perhaps going to be going too far.

We look, for instance, at the mysterious ruling in regard to the risk management fund. There are some people in this province who view that ruling on the risk management fund as an overstepping of the executive's power and not taking into consideration the Legislative Assembly Act. This is important, Mr. Speaker.

AN HON. MEMBER: It's not relevant.

MR. MacDONALD: It is relevant, and it is noteworthy because this practice will continue. Who knows but that perhaps a group of citizens will band together and take their government to court? Who knows? Perhaps that will happen if we allow section 7 to pass as it is. The Legislative Assembly Act has the utmost authority, not members of the Executive Council, in my view.

Now, we always seem to get caught up in this Assembly and forget that each branch of the government has a role to play. The role of the Executive Council or a member of the Executive Council is not to evoke some sort of silent closure or closure by another name. As one hon. member said earlier: the voters voted; there are now seven members of the opposition, and there are two members of the third party. There's this vast majority. I cannot understand why with this vast majority you need a silent form of closure so that the people, if they do come to protest a bill or a motion and they're on the steps of the Assembly or they're in the plaza, perhaps standing there beside one another with candles, a peaceful form of protest . . .

MR. MASON: Candles in the wind.

MR. MacDONALD: Candles in the wind.

Perhaps they'll be standing there in silence, and there will be no warning of closure. I'm sure there will be, because the Opposition House Leader is very diligent. But this is not in the interest of Albertans; it's not in the interest of any branch of this Assembly.

I would urge, in closing, that everyone vote in favour of this amendment. Mr. Speaker, it is important for me to remind all hon. members of this Assembly again, in particular members of the Executive Council, that they cannot overstep their boundaries, which are outlined in the Legislative Assembly Act. With this section 7 I'm afraid that they may.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to also speak to the proposed change in the Standing Orders and the amendment proposed to section 7 of Motion 21. My colleague the Member for Edmonton-Highlands has quite eloquently presented the position that we as a caucus take on that particular section of this motion to

amend the Standing Orders. To us this particular section reflects the general spirit of the overall amendments to the Standing Orders, which in our view would seriously weaken the democratic parliamentary process, which is so essential to protect in terms of health, in terms of vibrancy, in terms of vigor if Albertans are to benefit from the debates and benefit from the laws and the statutes that arise from that intense and prolonged debate. That's what this Chamber is about.

All of us on all sides of the House are here to serve Albertans, to serve their best interests, to serve in the best way that we know how. In my view, the best way that I know to serve those interests is by allowing a free and open debate on some of the bills that speak to the very essence of who we are: a democratic society, an open society, a society that will not tolerate imposition either through the conscription of the democratic parliamentary process or through other means. This particular section to which the amendment is being proposed in my view threatens to close debate without calling closure.

We were hoping that through negotiation among the three House leaders, which, as you so rightly pointed out, has happened so often in the past in this House, we would be able to come to this House with an agreement on the changes that we all thought would ultimately serve the best interests of Albertans and of this House. Unfortunately, we weren't able to come to that agreement. In fact, we weren't given the opportunity to take the right steps, to take the first steps that would lead us in the right direction. We were presented with a unilateral decision, presented with a decision of the caucus, not a decision that arose out of frustrations which were the result of a stalemate in negotiations among the three House leaders. There were no such negotiations. It was a unilateral action. A sort of ultimatum was served on us: take it or leave it.

9:20

Then, of course, there was some indication given: we are somewhat flexible on this and that, and we'll make some accommodation. It was in that sense that my colleague from Edmonton-Highlands said that we thought at one time we were making some headway, that if we could get rid of that closure with a fist and replace it with some new rules that were reasonable but would not amount to closure with a smile, we would have made some progress in this House towards opening up the parliamentary process to more debate, to more overall scrutiny by our electors and citizens.

This proposed change in the Standing Orders doesn't do anything like that. When I look at the amount of debate we will have before a member of the Executive Council would stand up in this House and propose a motion to limit the debate to a specified number of hours, we will have only five minutes each. We will not be able to speak for more than five minutes to say why we don't like the decision of the minister or member of the executive to limit debate to a certain number of specified hours. What those specified hours will be will also not be negotiable. They're entirely unilateral, at the pleasure of the minister, at the pleasure of the member of the executive, except that we'll have five minutes of opportunity to complain about it.

To me this is a terribly restrictive way of dealing with the opportunity to debate matters in this House. There is really not much opportunity here to debate such a motion. It is so important. It has such an important impact on how much debating time we'll have in this House. So it's a unilateralism. It's an exercise of majoritarian power. I would have thought that in the interest of protecting the noblest traditions of parliamentary democracy, a government that enjoys such a huge majority would in fact show generosity, would in fact show a greater tolerance towards the opposition. The opposition's job is to be in opposition, to present

adversarial argument, to challenge the government and, by challenging the government, help it refine the legislation that it brings before the Legislature. What this particular proposed change does is remove that possibility from the Legislature, from the opposition to play its role that properly only it can play.

This change as proposed in the amendment that I'm speaking to relates to this notion of inappropriateness that the Government House Leader allowed to slip out, that somehow when opposition parties and opposition caucuses stand up and speak, they use the time inappropriately. I would say that he did amend himself a little later to say "ineffectively." Well, Mr. Speaker, whether what we say is effective or ineffective, I think it's like looking at what's beautiful and what's not. It's in the eye of the beholder. What to the Government House Leader might be ineffective and might be a waste of time would be seen perhaps entirely in a different light by many Albertans and not only by the speakers in this House.

I guess there has to be some general recognition, a genuine recognition that there is a role for the opposition in a democracy, and that role must be respected and enhanced. There is an enhanced obligation on a government that has a massive majority to make sure that opportunity for the opposition is nurtured. It is through this kind of oppositional discourse that we enter into a process of negotiation. It is through negotiation behind the door sometimes that we accomplish things that we wouldn't be able to do simply through confrontation day in and day out. That's what seems to be missing in this proposed change in the Standing Orders, and that's why I'm opposed to the Standing Order and I will support the amendment before us, which is to strike out that number 7.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. I'd also like to add a few comments on this amendment. What I see with this proposed change in the Standing Orders certainly is a new form of closure. It reminds me of a statement we used to have on the railroad when I worked there: don't force it; get a bigger hammer. That's exactly what this is.

I think back to the days when we had Premier Lougheed here. In all the time that he was here, closure was used somewhere in the neighbourhood of seven times, but under the current Premier closure has been used somewhere in the neighbourhood of 25 times. I think what has happened here is that over time this current government just doesn't like the heat they're getting when it comes to using closure, so they want to use a much softer brand here.

I'd just like to point out to members as well what would have happened if this particular piece of legislation had been put into effect when we were debating Bill 16 last spring, a contentious bill that the minister at that time would have invoked, what powers this amendment would give him as a member of Executive Council. With Bill 16 we know that he had to chart his ship through some very rough seas, through some very rough waters. He took time out over the summer to continue consultation, to continue change, whatever. Probably the best comment that can be made about Bill 16 is that I hear that the Catholic boards feel they have won the battle of this bill and the public boards feel they have got the better part of this bill. Because legislation was given time, because we had input from the opposition, from the third party, because we had stakeholder consultation and closure was not used, we've come up with a piece of legislation that I think and I'm sure all members in here think and I know the minister thinks is a very good piece of legislation and one that will fit the needs of Albertans.

9:30

Now, then, what will happen if we leave section 7 in is certainly

that it will allow the abuse of the executive power, and what it will also do is it will limit the role of the opposition or the role of the third party. It will prevent us from questioning. It will prevent us time from seeking further stakeholder consultations. It will prevent us from having alternatives to suggestions which could be coming forward in legislation. So I would certainly urge all members present here in the Assembly this evening to support this amendment.

I don't think democracy is served, Mr. Speaker, when we can limit debate. We all know that democracy only works when the questions asked of government are answered by government, and by limiting, by shortening, by using these types of rules, we certainly do not enhance democracy in this province. We limit it.

I know that if the former hon. Member for Calgary-Buffalo were here, he certainly, as the Member for Edmonton-Gold Bar had stated, would be musing that this is the death of democracy, that it is death by a thousand cuts.

I also have to bring up the point that the hon. Government House Leader said, that the process of consultation generally works very well in this Assembly. This is one case where there was a consultation. As the Member for Edmonton-Ellerslie brought up, it's certainly a great diversion from what has happened here in the past. It reminds me of, you know, the two most famous lies: trust me and the cheque is in the mail.

You are asking the opposition, you are asking the third party to say, "Well, we won't use this very often," but we will use it, and if there is contentious legislation, certainly we will. We won't hesitate to use it. So if this is a friendlier process, then the friendliness is only to serve the government needs and certainly not the needs of the opposition and certainly not democracy.

So I would urge all members to vote for this amendment by striking out section 7.

Thank you, very much, Mr. Speaker.

THE SPEAKER: The Assembly has before it an amendment to Motion 21. The motion moved by the hon. Member for Edmonton-Ellerslie on behalf of the hon. Member for Edmonton-Centre is that "Government Motion 21 be amended by striking out section 7."

[Motion on amendment 1 lost]

THE SPEAKER: For our administrative records we will refer to this as amendment 1.

At this point in the discussion, on this particular motion, we have heard from the hon. Government House Leader, and we've heard from the hon. Opposition House Leader, so now we are back to the debate on Motion 21.

The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I want to begin by registering on behalf of my colleague the hon. Member for Edmonton-Strathcona and myself the strongest possible protest to the way that this matter has been handled by the government. First of all, the norms that have developed for the dealing of the rules of this Assembly, which are not the rules of the government but the rules of the Assembly, have been violated in a way that I've not experienced.

Now, I'm not a long-serving member yet of this Assembly, Mr. Speaker, but I have read somewhat on the history of our system and familiarized myself to a small degree with some of the precedents of this place. The abandonment of a process of negotiation between House leaders and the introduction of essentially a fiat in its place is something that I don't think this place has yet seen, and I think that it's a very, very sad day.

First of all, our caucus, which is a small caucus in this Assembly, was asked to submit, essentially, proposals for changes to the rules to the government caucus, to the Progressive Conservative Party's caucus. We may not be equal in size, Mr. Speaker, but we are equal in status. Our caucus will not and will never submit proposals to the Conservative caucus with respect to the rules or any other matter, and I'm sure that that goes equally for the Official Opposition caucus. We are prepared to sit down and negotiate with anybody, and we will make proposals to the Government House Leader. We'll exchange proposals. We'll take them back to our caucus, and the government should take our proposals back to their caucus. I think that that is a fair way, which shows respect for all parties in this House. We will not now or in the future be making submissions for the disposal of any other caucus in this place. We will sit and discuss them as equals or not at all.

[Mr. Shariff in the chair]

I want to say as well that the manner in which this was presented to us was offensive. It was presented in a way that there won't be negotiations around a House leaders' agreement, as we had expected, but that these decisions have already been made, more or less, by the government caucus, and that they will be imposed on you through the use of the majority which exists in this Assembly. We took very strong exception. You saw then the perhaps unique experience of a joint media conference between House leaders of the Liberal caucus and the New Democrat caucus, not because we necessarily have anything more that we agree about except that the role of the opposition needs to be protected, and it is really being under attack by the government in this respect. We need to stand up and be counted when it gets tough.

I think the process has been wrong from the start. It really put us on very bad footing. We did come back to the hon. House leader, and we did get some small concessions that he was prepared to negotiate a little bit around some of the points. We think that we did make some progress. In fairness, Mr. Speaker, I think I can say that, that after our initial protest we did make a bit of progress, but the fact remains that these rule changes have the cumulative effect of reducing the ability of the opposition to do its job, and they are going to be imposed by the majority in this Assembly. That is not really serving the interests of our parliamentary tradition or of the citizens of this province, and I think that is something that I would wish at least that members on the opposite side would think about or maybe ask a few questions about, because it's not a good precedent at all.

Now, I want to deal with some of the sections. Section 3 changes the order of business of the Assembly and essentially moves the tabling of documents in this Assembly behind the question period. I understand well why the government may wish to do that, because of course you can table things before question period. The public is watching, and it can delay question period. It can throw people's schedules off, and of course then the public is more likely to see what is being tabled. But there is a courtesy that exists around tabling, which we've tried to respect at least until this has been put forward, and that is, when you ask a question of a minister as it relates to some document, you table the document at a time before the question period. Usually the efficiency of the table officers and of government staff is such that the minister or at least the Premier gets the tabled document before he hears the question from the opposition, so he knows what the opposition is talking about when it asked its question. So how is that going to happen now in question period?

9:40

MR. SMITH: Just send a copy over.

MR. MASON: Well, we could as a courtesy, but courtesy is a two-way street, and that remains to be seen.

The proper way of dealing with it, Mr. Speaker, is to have the tablings first. That's why the tablings are first. The government may not always like the way the opposition has made use of the tablings, and I can certainly understand it from their point of view. Nevertheless, the tablings go before the question period for a reason, and I don't think that the government has thought through all of the potential consequences of making this change.

Section 4, Mr. Speaker, deals with the private members' business. I appreciate the sentiment that the Government House Leader expressed about allowing more people to talk to private members' business, and by making the change so that the speaking time is shorter, that may be the case, but if I were a member of the government caucus who's not a member of Executive Council, I would be concerned about a diminution in the ability of private members to bring forward their bills and get them dealt with and get them passed into law.

I will give credit where credit is due. In this Assembly private members have a greater opportunity to actually get their bills dealt with and passed into law than in many other Assemblies. I think it goes to some of the work that's been done in the past, including by the Speaker of this Assembly, that has allowed private members to have an opportunity to do that. But the changes here will reduce the amount of time by between half an hour to an hour per week on private members' business. As it stands now, the Assembly rarely gets through more than one-fifth of the private members' bills and even a lower percentage of motions, and we think that this rule change will make the situation worse.

With no government business on Mondays we're concerned that cabinet ministers might be less inclined to be present in the Assembly. That, of course, hurts our opportunities to ask the questions. Generally, we're concerned that the opportunities for private members may be reduced by consolidating it on Monday, reducing the total amount of time available, and allowing more people to speak, which is good on the surface, but we don't know the effect that that's going to have on the actual number of bills that actually come forward to a vote.

Now, we've come to the question of time allocation. We're not finished with that, although the Official Opposition's motion was defeated. The time allocation is a concern, and I spoke briefly about it in my remarks. The question here is: when does the government use closure, and when will the government use time allocation?

Now, the Government House Leader gave us a good definition of when the government would use closure. He said in one of our meetings that when it's clear that the opposition is in a filibuster mode, the government imposes closure. Well, we don't like it, we think it's undemocratic, but fair enough. The question is: when will the government use time allocation? I believe, based on discussions we had with the Deputy Government House Leader, that they will use it in anticipation of delaying tactics by the opposition and not just when those tactics are readily apparent. So we may have a very well-managed and efficient House, but if the opposition can't do its job, if it can't delay, then it has very, very little power indeed.

I want to talk about the opposition's role in delaying government business because I know that it's considered by many members opposite to be a nuisance, a waste of time, and something which really gets in the way of progress. But I want to indicate, Mr. Speaker, that an opposition, especially an opposition of this small size, has very little power in an Assembly like this. But the power to delay a controversial or badly-thought-out piece of legislation is a good thing, and it's good not just for us; it's good for the government as well. There were many times in this Assembly when the

government for internal political reasons brought forward a bill that they had not thought through the consequences of. I think we saw an example of that with the education bill that did not receive its readings in the spring session. It went back, there was more discussion, and I think it came back a better piece of legislation.

Now, if it weren't for the opposition, there's no way the political dynamics on the government side would have allowed that bill to be held up, but the opposition played a role. Even in Bill 11 – and I know that the opposition tactics in Bill 11 still grate on many, many government members. But that was a bill of foremost concern to the people of Alberta, and it should have been held up and every opportunity given for the opposition and for the public to discuss and debate the bill. The government brought forward amendments. The government proceeded in its wisdom to pass the bill eventually, and you know, they won the election anyway. The fact of the matter is that it was a great change; it was a fundamental policy that the people of Alberta wanted to talk about. If we had just left it up to the government, if the people in the opposition here had just left it up to the government, much of that debate would not have occurred because they would have put it through expeditiously. So I argue that the ability of the opposition to delay is a necessary evil in terms of government business, and it's a very positive benefit, on balance, with the entire democratic system.

Section 8 deals with the changes to the sub judice rule, and I want to talk a little bit about that because we have a serious concern that many matters of considerable public import are tied up before the courts for extended periods of time, effectively preventing people from raising this in the Legislature. Particularly when a matter is not before the courts – that is to say in the interval period between the rendering of a decision and the filing of an appeal – it should not be beyond the ability of members to raise those issues in this House.

Section 9 I wanted to deal with a little bit, about speaking times. We had made proposals that the government minister and the critic should be subject to the five-minute question period after the full 20 minutes, and we regret the fact that that was not agreed to by the government. We have no problem with this five-minute rule at the end of people's speaking time. We thought that it should come at the end of the 20-minute speaking time on all the motions, but we were prepared to accept it on a 20-minute speaking time period for the minister moving the legislation and the critic, then the five minutes after the 20 minutes of speaking time, and go to the 15 and five for everybody else except for the closer of the motion. That would have been acceptable. We don't think that the mover of the motion and the person responding on the other side should be exempt from the five-minute rule, but we do believe that they should retain their full 20-minute speaking time.

9:50

Now, I want to deal last with a section that we did not discuss, as I recall, in any of the meetings with the Deputy Government House Leader or the Government House Leader, and I think this is perhaps the most dangerous, the most insidious bit in this regulation of all. That is in section 17, that when a bill dies on the Order Paper – suppose it's at committee stage or at third reading stage – then when the House again sits, on a day's notice it can be raised and put back on the Order Paper at exactly the stage of debate it was in the first place.

So you can image how that might affect things, Mr. Speaker. We could have a situation where a very, very contentious bill was debated, held up by the opposition, there was lots of public concern, and the government leaves it to die on the Order Paper. It takes time for the public to become aware of legislation before this House. It takes time for them to become clear on the implications of what that

legislation might be. It takes time for the opposition to reach out to community organizations, all sorts of organizations in the province and indicate that people should be concerned about a particular piece of legislation. That just doesn't happen overnight. So then the government lets the bill die on the Order Paper, takes a few months off, and recalls the Assembly. It's at third reading, and they can whip it through in a couple of days. Nobody really is going to be aware of that bill because the debate has died away. I think this is a very, very dangerous thing. It could permit the government to put contentious pieces of legislation through in two or three different sessions with no opportunity whatsoever for the public to become involved in the debate and no opportunity for members to actually canvass the public.

I really urge members opposite that if there's one piece that you're going to agree to take out of these rules, this should be it. This was not one we had an opportunity to discuss with the government or to propose changes or amendments to, yet I think it's one of the things that is the most onerous of all, the greatest threat to public debate and public discussion, and the greatest threat to our democratic process in this Assembly.

So, in conclusion, Mr. Speaker, we in the New Democrat opposition do not oppose everything in here, and we are certainly not opposed to sitting down and having a discussion with government House leaders, with our compatriots here in the Official Opposition and working out ways to make this place function more democratically and more efficiently.

[The Speaker in the chair]

We do not accept the process that's been imposed on us for dealing with these Standing Order changes. We express our strongest reservations about some of the content of them, and we certainly think that it's difficult to accept a process where these kinds of things are imposed. We think that the opposition role is being gradually but steadily eroded, and it's being eroded by a government with an overwhelming majority. The question, Mr. Speaker, is why. Why do they feel the need to erode the opposition's ability to engage the public in democratic debate? I don't know. They certainly don't need it.

Thank you very much, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Speaker. I have been anxious to participate in this debate on the main motion, Motion 21, this evening. I never cease to be amazed in this Assembly.

Now, the hon. Government House Leader, perhaps a little over an hour and a half ago, maybe a little bit more time than that, was confidently assuring all members of this Assembly that if we were to limit time, it would allow more members time to speak. I have been listening, but it's only opposition members who have spoken on this motion this evening. I just don't understand how the hon. Government House Leader can make that statement, yet it's certainly not backed up – it doesn't have, I guess, the solidarity of this caucus, because none of them seems to be too anxious to participate in the debate, Mr. Speaker.

Now, the first item I would like to bring to this Assembly regarding this motion – and it was touched upon by the hon. Member for Edmonton-Highlands – is the change in the rotation or the ordinary daily Routine in the Assembly. We're going to have a new list here. He talked about Tabling Returns and Reports. It was just yesterday that if tablings are done before question period, it gives the members of the opposition time to quietly read them at their desks.

If there is a deficiency or if there needs to be something that's brought to the attention of the government in one of those reports, well, they have the opportunity in question period, which is going to follow the minister's tabling of the report. For instance, yesterday there was a tabling of a report on AADAC, and it was the hon. Member for Edmonton-Riverview that pointed out that there was a 37 percent increase in the salary of the CEO from one year to the next. Teachers, let alone school principals, could only dream of that sort of pay raise perhaps every generation, but this fellow received it in one year. AADAC also had a spin doctor listed there for the first time in that annual report. That could be the basis of a question from the hon. Member for Edmonton-Highlands.

Now, more importantly, and this is specifically for the Member for West Yellowhead who was in the Assembly whenever the bill was introduced – and I believe it was called the victims of sexual sterilization act. Any hon. member can correct me if I'm wrong. That was introduced before question period. With this new law bills will be introduced after question period, and members of the opposition will not get the opportunity to scrutinize the bills during question period. You are severing, you are restricting, you are limiting our effectiveness as an opposition.

The former Member for Edmonton-Highlands was the first member of any opposition party, to her credit, to bring this hideous

piece of legislation to the public's attention. It was followed by questions from the Member for Edmonton-Ellerslie, the former Member for Edmonton-Glenora, and three other members of the opposition. There was a firestorm around this bill. The public was up in arms. It was the wrong thing to do, and the government, wisely, withdrew that legislation. But now what's going to happen with this new daily Routine? We as members of the opposition will no longer have the opportunity to bring that to the public's attention. This is done on purpose, Mr. Speaker.

With those remarks – I had certainly more to say on this motion, if you could call it that. At this time in light of the hour I would, please, Mr. Speaker, like to adjourn debate on Motion 21.

Thank you.

[Motion to adjourn debate carried]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I would move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 9:59 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]