



Province of Alberta

The 29th Legislature
Fourth Session

Alberta Hansard

Tuesday evening, May 8, 2018

Day 26

The Honourable Robert E. Wanner, Speaker

Legislative Assembly of Alberta The 29th Legislature

Fourth Session

Wanner, Hon. Robert E., Medicine Hat (NDP), Speaker
Jabbour, Deborah C., Peace River (NDP), Deputy Speaker and Chair of Committees
Sweet, Heather, Edmonton-Manning (NDP), Deputy Chair of Committees

Aheer, Leela Sharon, Chestermere-Rocky View (UCP),
Deputy Leader of the Official Opposition
Anderson, Hon. Shaye, Leduc-Beaumont (NDP)
Anderson, Wayne, Highwood (UCP)
Babcock, Erin D., Stony Plain (NDP)
Barnes, Drew, Cypress-Medicine Hat (UCP)
Bilous, Hon. Deron, Edmonton-Beverly-Clareview (NDP)
Carlier, Hon. Oneil, Whitecourt-St. Anne (NDP)
Carson, Jonathon, Edmonton-Meadowlark (NDP)
Ceci, Hon. Joe, Calgary-Fort (NDP)
Clark, Greg, Calgary-Elbow (AP),
Alberta Party Opposition House Leader
Connolly, Michael R.D., Calgary-Hawkwood (NDP)
Coolahan, Craig, Calgary-Klein (NDP)
Cooper, Nathan, Olds-Didsbury-Three Hills (UCP)
Cortes-Vargas, Estefania, Strathcona-Sherwood Park (NDP),
Government Whip
Cyr, Scott J., Bonnyville-Cold Lake (UCP)
Dach, Lorne, Edmonton-McClung (NDP)
Dang, Thomas, Edmonton-South West (NDP)
Drever, Deborah, Calgary-Bow (NDP)
Drysdale, Wayne, Grande Prairie-Wapiti (UCP)
Eggen, Hon. David, Edmonton-Calder (NDP)
Ellis, Mike, Calgary-West (UCP)
Feehan, Hon. Richard, Edmonton-Rutherford (NDP),
Deputy Government House Leader
Fildebrandt, Derek Gerhard, Strathmore-Brooks (IC)
Fitzpatrick, Maria M., Lethbridge-East (NDP)
Fraser, Rick, Calgary-South East (AP)
Ganley, Hon. Kathleen T., Calgary-Buffalo (NDP),
Deputy Government House Leader
Gill, Prab, Calgary-Greenway (UCP),
Official Opposition Deputy Whip
Goehring, Nicole, Edmonton-Castle Downs (NDP)
Gotfried, Richard, Calgary-Fish Creek (UCP)
Gray, Hon. Christina, Edmonton-Mill Woods (NDP)
Hanson, David B., Lac La Biche-St. Paul-Two Hills (UCP)
Hinkley, Bruce, Wetaskiwin-Camrose (NDP)
Hoffman, Hon. Sarah, Edmonton-Glenora (NDP)
Horne, Trevor A.R., Spruce Grove-St. Albert (NDP)
Hunter, Grant R., Cardston-Taber-Warner (UCP)
Jansen, Hon. Sandra, Calgary-North West (NDP)
Kazim, Anam, Calgary-Glenmore (NDP)
Kenney, Hon. Jason, PC, Calgary-Lougheed (UCP),
Leader of the Official Opposition
Kleinstauber, Jamie, Calgary-Northern Hills (NDP)
Larivee, Hon. Danielle, Lesser Slave Lake (NDP),
Deputy Government House Leader
Littlewood, Jessica, Fort Saskatchewan-Vegreville (NDP)

Loewen, Todd, Grande Prairie-Smoky (UCP)
Loyola, Rod, Edmonton-Ellerslie (NDP)
Luff, Robyn, Calgary-East (NDP)
Malkinson, Brian, Calgary-Currie (NDP)
Mason, Hon. Brian, Edmonton-Highlands-Norwood (NDP),
Government House Leader
McCuaig-Boyd, Hon. Margaret,
Dunvegan-Central Peace-Notley (NDP)
McIver, Ric, Calgary-Hays (UCP),
Official Opposition Whip
McKittrick, Annie, Sherwood Park (NDP)
McLean, Hon. Stephanie V., Calgary-Varsity (NDP)
McPherson, Karen M., Calgary-Mackay-Nose Hill (AP)
Miller, Barb, Red Deer-South (NDP)
Miranda, Hon. Ricardo, Calgary-Cross (NDP)
Nielsen, Christian E., Edmonton-Decore (NDP)
Nixon, Jason, Rimbey-Rocky Mountain House-Sundre (UCP),
Official Opposition House Leader
Notley, Hon. Rachel, Edmonton-Strathcona (NDP),
Premier
Orr, Ronald, Lacombe-Ponoka (UCP)
Panda, Prasad, Calgary-Foothills (UCP)
Payne, Hon. Brandy, Calgary-Acadia (NDP)
Phillips, Hon. Shannon, Lethbridge-West (NDP)
Piquette, Colin, Athabasca-Sturgeon-Redwater (NDP)
Pitt, Angela D., Airdrie (UCP),
Official Opposition Deputy House Leader
Renaud, Marie F., St. Albert (NDP)
Rosendahl, Eric, West Yellowhead (NDP)
Sabir, Hon. Irfan, Calgary-McCall (NDP)
Schmidt, Hon. Marlin, Edmonton-Gold Bar (NDP)
Schneider, David A., Little Bow (UCP)
Schreiner, Kim, Red Deer-North (NDP)
Shepherd, David, Edmonton-Centre (NDP)
Sigurdson, Hon. Lori, Edmonton-Riverview (NDP)
Smith, Mark W., Drayton Valley-Devon (UCP)
Starke, Dr. Richard, Vermilion-Lloydminster (PC)
Stier, Pat, Livingstone-Macleod (UCP)
Strankman, Rick, Drumheller-Stettler (UCP)
Sucha, Graham, Calgary-Shaw (NDP)
Swann, Dr. David, Calgary-Mountain View (AL)
Taylor, Wes, Battle River-Wainwright (UCP)
Turner, Dr. A. Robert, Edmonton-Whitemud (NDP)
van Dijken, Glenn, Barrhead-Morinville-Westlock (UCP)
Westhead, Cameron, Banff-Cochrane (NDP),
Deputy Government Whip
Woollard, Denise, Edmonton-Mill Creek (NDP)
Yao, Tany, Fort McMurray-Wood Buffalo (UCP)
Vacant, Fort McMurray-Conklin
Vacant, Innisfail-Sylvan Lake

Party standings:

New Democratic: 54 United Conservative: 25 Alberta Party: 3 Alberta Liberal: 1 Progressive Conservative: 1 Independent Conservative: 1 Vacant: 2

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STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Coolahan
Deputy Chair: Mrs. Schreiner

Cyr	Luff
Dang	McPherson
Ellis	Turner
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Standing Committee on Alberta's Economic Future

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Connolly	McPherson
Coolahan	Piquette
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Miller	

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Special Standing Committee on Members' Services

Chair: Mr. Wanner
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Babcock	Nixon
Cooper	Piquette
Dang	Pitt
Drever	Westhead
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Standing Committee on Private Bills

Chair: Ms Kazim
Deputy Chair: Connolly

Anderson, W.	Orr
Babcock	Rosendahl
Drever	Stier
Drysdale	Strankman
Hinkley	Sucha
Kleinsteinuber	Taylor
McKitrick	

Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Fitzpatrick
Deputy Chair: Ms Babcock

Carson	Loyola
Coolahan	Miller
Cooper	Nielsen
Goehring	Nixon
Gotfried	Pitt
Hanson	van Dijken
Kazim	

Standing Committee on Public Accounts

Chair: Mr. Cyr
Deputy Chair: Mr. Dach

Barnes	Malkinson
Carson	Miller
Clark	Nielsen
Gotfried	Panda
Hunter	Renaud
Littlewood	Turner
Luff	

Standing Committee on Resource Stewardship

Chair: Loyola
Deputy Chair: Mr. Drysdale

Babcock	Loewen
Clark	Malkinson
Dang	Nielsen
Fildebrandt	Panda
Hanson	Rosendahl
Kazim	Schreiner
Kleinsteinuber	

Legislative Assembly of Alberta

7:30 p.m.

Tuesday, May 8, 2018

[Ms Sweet in the chair]

The Acting Speaker: Please be seated.

Government Motions

The Acting Speaker: The hon. Government House Leader.

Amendments to Standing Orders

19. Mr. Mason moved:

Be it resolved that the Standing Orders of the Legislative Assembly of Alberta be amended as follows. Standing Order 56 is amended by striking out suborder (2.1) and substituting the following:

(2.1) A temporary substitution in the membership of a standing or special committee may be made upon written notification signed by the original Member and filed with the Clerk and Committee Chair, or through an email communication sent directly from the original Member to the Clerk and Committee Chair, provided such notice is given

- (a) on a business day, not less than 24 hours prior to the meeting for the substitution of the Chair or Deputy Chair, and
- (b) prior to the scheduled start of the meeting for the substitution of any other Member.

Mr. Mason: Thank you, Madam Speaker. By way of explanation I should indicate that these changes would make it easier for all caucuses to manage unexpected absences from committee duties. Under the current rules 24-hour notice is required for committee substitution. This can make substitutions for Monday meetings as well as Tuesday mornings quite difficult to manage. The change would allow for substitutions to take place up to the scheduled start time of the committee in the event of committee members. The 24-hour notice is maintained in the case of chairs and deputy chairs.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Nixon: That's the place, Madam Speaker. Thank you very much. First of all, I just want to thank the Government House Leader for this particular change to the standing orders. It's a good change. It's a change that was a result of some positive conversation on both sides of the House, and it will allow greater flexibility for MLAs to make substitutions at committee meetings.

However, there was an element that we talked about that did not make it into the final motion before the House, and that is the issue of subs for chairs or deputy chairs. The current standing order means that when a noncommittee member substitutes for a chair or a deputy chair, that substitute automatically becomes the chair or the deputy chair for the meeting. Now, sometimes, Madam Speaker, that's not a big deal, but other times to have a chair or deputy chair who is not a member of the standing committee and doesn't know the history of that standing committee can cause some complications.

Therefore, I'd like to propose an amendment to this government motion, which I support. I have the appropriate copies for the pages.

The Acting Speaker: Hon. member, if you can just wait until I have a copy, please.

Thank you, hon. member. The amendment will be referred to as A1. Please go ahead.

Mr. Nixon: Thank you, Madam Speaker. I move that Government Motion 19 be amended, in the proposed amendment to Standing Order 56, by adding the following after suborder (2.1):

(2.2) Notification of a temporary substitution under suborder (2.1) for the Chair or Deputy Chair may designate an existing Member of the committee to act as Chair or Deputy Chair, as the case may be, and another Member as a temporary substitute.

Madam Speaker, this amendment proposes to allow a chair or a deputy chair, when making a notice of substitution, to effectively divide their substitution. They can choose to make a committee member the chair or deputy chair for the duration of the meeting and also allow a noncommittee member to sit as a substitute. I should also point out that it allows the chair or deputy chair flexibility in that they can still choose a noncommittee member to substitute for the chair or deputy chair.

In case members are having a hard time following this concept, allow me to explain with a little example. Take the Public Accounts Committee, which is chaired by my good friend the Member for Bonnyville-Cold Lake. In the unlikely event he needs a substitute, currently when he is advised that the Member for Olds-Didsbury-Three Hills is going to fill in for him, his substitution notice also would make the Member for Olds-Didsbury-Three Hills the chair. I see all sorts of problems with that, but I digress, Madam Speaker. This is problematic because the Member for Olds-Didsbury-Three Hills hasn't been a member of Public Accounts for the Legislature, so he hasn't received the same level of training as the Member for Bonnyville-Cold Lake and has less knowledge of what is currently going on inside the Public Accounts Committee.

An Hon. Member: It's too complicated for him.

Mr. Nixon: Yeah. And we also get a little sick of hearing about the outstanding constituency of Olds-Didsbury-Three Hills.

What we are proposing is that when the Member for Bonnyville-Cold Lake sends his notice of substitution, it can advise that the Member for Calgary-Fish Creek will be taking over as committee chair and that the Member for Olds-Didsbury-Three Hills will be a substitute sitting as a regular member, able to vote on motions but not sitting as the committee chair.

I should also add that the new provision in Government Motion 19 isn't affected and that the chair or deputy chair could still have 24 hours to submit their notice of substitution, as set out in section (2.1)(a).

I hope I can find the support of all members of the House for my amendment, Madam Speaker, and encourage everybody to vote for it.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak to the amendment on Government Motion 19? The hon. Government House Leader.

Mr. Mason: I would indeed, Madam Speaker. You know, I'm leaning very heavily toward supporting it except for the scary examples that the Opposition House Leader used. Nevertheless, I'll overlook that and just indicate to all members that I do support this amendment. I think it's a helpful amendment, and it will make management of the committees easier for all involved.

So I urge all members to support this amendment.

The Acting Speaker: Thank you, hon. member.

Any other members wishing to speak?

Seeing none, I will now call the vote on amendment A1 as proposed by the hon. Member for Rimbey-Rocky Mountain House-Sundre.

[Motion on amendment A1 carried]

The Acting Speaker: We are now back on the motion as amended. Any other members wishing to speak?

Hon. Government House Leader, would you like to close debate?

Mr. Mason: Yes, please, Madam Speaker. Vote yes.

The Acting Speaker: Thank you, hon. member.

I will now call the question.

[Government Motion 19 as amended carried]

The Acting Speaker: The hon. Government House Leader.

Amendments to Standing Orders

18. Mr. Mason moved:

Be it resolved that the Standing Orders of the Legislative Assembly of Alberta be amended as follows. Standing Order 7 is amended by striking out suborder (7) and substituting the following:

(7) The items in the ordinary daily routine will be deemed to be concluded at 3 p.m. and the Speaker shall notify the Assembly unless notice has been provided under suborder (8).

(8) The Government House Leader, or member of the Executive Council acting on the Government House Leader's behalf, may provide notice to the Assembly prior to 3 p.m. on that day that the daily routine shall continue beyond 3 p.m.

Mr. Mason: Thank you very much, Madam Speaker. This amendment corrects what I believe to be a loophole in the existing standing orders that requires unanimous consent to be granted in order that Routine proceedings be extended beyond 3 o'clock. As you know, from time to time the Routine does extend to and beyond 3 o'clock. This is often a result of a combination of other factors, whether there's been a ministerial statement, how many guests are introduced, and whether there are interruptions to the clock during Oral Question Period.

Members have no doubt seen it from time to time. Upon seeing the clock approaching 3 and knowing that there may be unfinished business, the Government House Leader seeks unanimous consent of the Assembly to extend the Routine past 3. In such situations there is uncertainty for members who may have important members' statements scheduled for that day. There may also be occasions where important legislation needs to be introduced or notice of an important motion needs to be provided.

Madam Speaker, there was indeed an instance in this Chamber in the last few years where unanimous consent was requested but not granted, which thereby impacted the government's ability to introduce legislation. On April 4, 2016, the government had intended on providing oral notice of a bill to be included in the following day's Order Paper, that bill being Bill 5, the Seniors' Home Adaptation and Repair Act, sponsored by the hon. minister of housing. However, Routine proceedings were longer than is normal that day because at the opening of the proceedings the Speaker made a statement regarding the hiring of a Clerk of the Assembly, and brief comments were made by a number of members following his statement in order to welcome the new Clerk to his position. At approximately 3 o'clock the Deputy House Leader at the time sought unanimous consent to extend the Routine. Consent was not granted. As a consequence, introduction of that bill was delayed until the following day.

7:40

I think this is an important matter, Madam Speaker. It is possible, I know from personal experience, for the opposition to use a variety of tactics to make sure that the Routine is not completed by 3 o'clock. It can happen inadvertently, just by a combination of factors, but it is also subject to ingenious tactics by skilful opposition leaders. Therefore, it can prevent the government from introducing an important piece of legislation in which there may be some time constraints.

For that reason we are proposing this change, and we would hope that members on both sides would support this. Thank you.

The Acting Speaker: Thank you, hon. Government House Leader.

Are there any other members wishing to speak? The hon. Member for Olds – for Rimbey-Rocky Mountain House-Sundre.

Mr. Nixon: Perfect. Thank you, Madam Speaker. I'm glad you got all the towns this time. I don't want to be mistaken for my friend from Olds-Didsbury-Three Hills. There is a slight height difference. I don't know if anybody has noticed.

Mr. Mason: And width, too.

Mr. Nixon: And width, too. For sure. Thank you to the government for pointing out my width compared to the hon. Member for Olds-Didsbury-Three Hills.

The reason the Government House Leader needs this government motion is because, as he said, one time the Official Opposition hurt his feelings because we didn't give unanimous consent to the government, and it had to delay by one day introducing a piece of government legislation. One day, Madam Speaker.

I would say that it seems a little petty to me to now make a standing order change because of that, but I guess they get to do it. They're in government. I should also add that the Government House Leader continues his government trademark consultation style, which is really where they tell us what they're going to be doing but don't actually listen to our concerns. Now, no surprise there, Madam Speaker, because they're so used to not listening to Albertans' concerns on issues like carbon tax or farmers' concerns on Bill 6.

But I digress, Madam Speaker. In fact, I am even inclined to advise my caucus to let the Government House Leader go ahead with making this unnecessary change to the standing orders. I still kind of don't understand, though. I mean, at the end of the day, previous governments seemed to implement their legislative agenda just fine without this change, but I guess this government needs all the help they can get by changing the rules of the Assembly in their favour. You might even say that they're stacking the deck.

However, before we let the Government House Leader continue to weigh the rules of the Assembly in the favour of cabinet members, I'd like to propose an amendment, and I have the appropriate copies.

The Acting Speaker: Thank you, hon. member. If you could just wait until the table has the required copies.

Please go ahead, hon. member.

Mr. Nixon: Well, Madam Speaker, I move that Government Motion 18 be amended, in the proposed amendment to Standing Order 7(8), by striking out "The Government House Leader, or member of the Executive Council acting on the Government House Leader's behalf," and substituting "Any member."

Madam Speaker, this amendment suggests a crucial change to how the Government House Leader proposes to change the rules. Instead of consolidating the power in the hands of the Government

House Leader or other members of cabinet, it allows any member to make the request to extend the daily Routine. It doesn't even stop the Government House Leader from being able to be the one to make that request. On that note, I want to remind all members and particularly the Government House Leader that all MLAs have a role to play in the management of House affairs, and it's not exclusive to cabinet.

I hope the government members support this amendment.

The Acting Speaker: Thank you, hon. member. Your amendment will be referred to as A1.

Are there any other members wishing to speak? I will recognize the hon. Government House Leader, followed by the hon. Member for Calgary-Elbow.

Mr. Mason: Thank you very much, Madam Speaker. Well, we didn't know that this amendment was coming, so I'm formulating my thoughts here as I go. Now, the Official Opposition House Leader's ... [An electronic device sounded] From now on I'm having overtures when I speak.

This amendment means that any member can extend Orders of the Day. Let's think this through. It is possible, as I've already indicated, for brilliant and insightful Opposition House Leaders to find a way to extend Orders of the Day, potentially, for a very long time, almost indefinitely, by constant use of – and I hate to give them ideas – introductions of guests, you know, points of order, tablings. There are lots of ways to do that. Then the amendment would allow any member to automatically extend the Routine so that Routine could be extended throughout the whole afternoon. It would allow a small minority or even an individual, for example the hon. Member for Strathmore-Brooks, to extend this.

The intention here, Madam Speaker, is to provide an option so that the government can actually make sure that if it has a bill to introduce, it can introduce the bill. That's the only reason for this particular motion to change the standing orders. I think that what the hon. Opposition House Leader is proposing could be fairly dangerous and may have, you know, unintended consequences, and I'm sure the Official Opposition doesn't want to be known as the Official Opposition of unintended consequences. So I suggest that members defeat this amendment.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Nixon: Well, thank you, Madam Speaker. A couple things. I think the Government House Leader just did a very good job of proving my point that the intent of his amendment is to consolidate all of the power on this issue in cabinet and/or the Government House Leader, not to share that ability with all members of the House, which was the point of my amendment.

Also, the argument of dangerous. Let's be clear. This Government House Leader brought forward a change to the standing order because he was embarrassed because once this government slipped up and got caught and wasn't able to get a bill forward.

I do ask the hon. Government House Leader on 29(2)(a) if Bill 5, that he refers to as his reason for bringing this forward in this Assembly, did in fact pass the Assembly, or did something tragic happen along the way and Bill 5 was not able to make it through the process as a result of that standing order being utilized? I'd be interested to hear his answer.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to respond? The hon. Government House Leader.

Mr. Mason: Thank you very much, Madam Speaker. You know, the hon. Official Opposition House Leader is a skilled debater, and he has cleverly pointed out that, in fact, the government was able to get the piece of legislation through. However, there have been important time constraints on bills; for example, if we're facing some sort of a court-imposed deadline to make changes to legislation would be one possibility. There are a number of other reasons why it might be very harmful to the province of Alberta and to the government of Alberta were the government not able to give notice of a piece of legislation which is required. That is simply the case.

It is not an attempt to put all power in the hands of the Government House Leader. That, I think, the hon. Official Opposition House Leader would have to admit, is rather a gross exaggeration. It is simply to make sure that if the government wishes to proceed with a piece of legislation and there's a time limit on that, it cannot be held up by mischievous tactics by the opposition. That's all there is, Madam Speaker.

7:50

You know, there are many, many tactics that the opposition can use, and I know very well what many of those tactics are. I think the Official Opposition is learning as they go, and after another term in opposition I'm sure that they're going to become quite proficient, Madam Speaker, at some of the tactics that are available. We've been very sparing in terms of changing the rules in order to shift things in this House because we don't wish to shift things, quite contrary to what the suggestions are opposite. We don't wish to shift the balance heavily in favour of the government.

Now, I did have to face a Deputy Government House Leader, Ron Stevens, who called myself and the Liberal House leader to a meeting and read us a long list of changes that severely circumscribed the ability of the opposition to do its job, and then those were put through despite our objections. It actually led to an extraordinary circumstance where, as the NDP House leader, I held a joint news conference with the Liberal House leader, and that was almost unheard of. I think that at that time our relationships with the PCs were much better than our relationships with the Liberals. You know, that shows the extent of the threat that we faced from the PC government.

We've never done anything like that, Madam Speaker. We actually and I personally respect the role of the opposition in this place. It is essential to hold the government to account, and with a really good opposition they will actually put forward alternatives to what the government is doing; for example, perhaps a shadow budget or something like that. You know, the opposition is actually quite necessary.

The Acting Speaker: Thank you, hon. Government House Leader.

I did recognize the hon. Member for Calgary-Elbow to go first, and then I'll recognize the Member for Calgary-Hays.

Mr. Clark: Thank you very much, Madam Speaker. I'm not generally in favour of this motion, so I'm a bit conflicted on whether or not I'll support the amendment. I'm also not certain whether the term "polishing a turd" is, in fact, parliamentary. If it is not, I apologize and withdraw that term. If it is, then let's keep it in *Hansard*. But it's there now because *Hansard* is forever.

Madam Speaker, my concerns with this amendment are similar to the Official Opposition House Leader's concerns. When we get back onto debate on the main motion itself, I will elaborate on those

concerns. I'll vote in favour of the amendment. I think that it's at least going to blunt the power that is put in the hands of government.

I guess the question I would have for the Government House Leader if perhaps he'd like to rise under 29(2)(a) and answer the question – you know, beyond the one case of Bill 5 that we had in this term, he's talked about that it could be very, very harmful to extend daily Routine. Potentially there's a bill that needs to be passed very urgently, and somehow the Official Opposition or any other private member would withhold unanimous consent or would propose that we extend daily Routine ad infinitum just for the simple purpose of frustrating whatever this particular bill happens to be. It seems far fetched to the point of just being inconceivable that something like that could actually happen. What seems more likely is that the government is just caught out not well prepared.

I think that this amendment would make what's a bad idea, I guess, slightly better, so I would speak in favour of the amendment. I look forward to having more to say when we get back on debating the main motion.

Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)?

Seeing none, I will now recognize the hon. Member for Calgary-Hays.

Mr. McIver: Thank you, Madam Speaker. What we have here is a classic case of a solution looking for a problem and not finding one. The reason why this amendment is a good one is that the Government House Leader just finished giving zero examples of the government not being able to get their legislation through. He gave one example where they got their legislation through one day later than they would have liked to have, and I'm not even sure that happened because I'm not sure, at the end of the day, because of the way they can put things on the Order Paper or not put things on the Order Paper, whether the third reading was completed at the same time, perhaps even earlier. It takes me back to the fact that the Government House Leader is doing this with exactly zero examples of where it was a genuine problem for the government.

Further, he gave an example where Ron Stevens – may he rest in peace – got the Government House Leader in front of media when they paid attention to them. I think he will even agree with me right now that at that point, when the NDP got in front of the media, they owed the government a thank-you card and a bouquet of flowers because at the time I think they had a hard time getting in front of the media, not like now, where they get all the airtime.

But, Madam Speaker, I think the Government House Leader, respectfully, has killed his own argument by giving zero examples where it's been a problem for the government and one example where it was an opportunity for him as an opposition caucus leader or House leader at the time.

And what's further troubling to me, Madam Speaker, because I'm used to being insulted around here, is the fact that the Government House Leader would consider all of his private members as – his word, not mine – dangerous. It's what he just said. The only people that won't be able to do this if he votes against this will be private members, including the government's own private members, which are now considered, in the words of the Government House Leader, dangerous. I think at this point, since the Government House Leader has . . .

The Acting Speaker: Hon. Government House Leader, are you calling a point of order?

Mr. Mason: Yes. A point of order, please, if you don't mind.

The Acting Speaker: Okay. Please proceed.

Point of Order

Allegations against a Member

Mr. Mason: Well, under 23(h), (i), and (j) I just want to correct what the member is saying. I never called any member of this Assembly dangerous. I said that it would create a dangerous situation, potentially, where the rules could be used in a way to prevent the Assembly from doing its job. That's the danger that I'm referring to, so I would ask if he would please withdraw those remarks.

The Acting Speaker: The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Nixon: Well, thank you, Madam Speaker. First of all, clearly, this is a matter of debate. The hon. Government House Leader is attempting to use a point of order to clarify his comments. He should probably be more careful with his comments when he gives them. But there are also 29(2)(a) and other ways to clarify the hon. member's comments. If he didn't mean to call his private members dangerous, I think it's probably fair that he at some point will rise and apologize for that misconception. But he shouldn't rise on a point of order which is clearly a matter of debate, and we should move on with the hon. Member for Calgary-Hay's comments.

The Acting Speaker: Thank you, hon. member.

At this point, I think it is a differing of opinion. It has been clarified by the hon. Government House Leader.

Hon. Member for Calgary-Hays, if you could please continue.

Mr. McIver: Thank you.

Debate Continued

Mr. McIver: Let me say this. While I may agree with the hon. Government House Leader's private members on that side on many occasions, I've never considered them to be actually dangerous because they're nice people.

On that note, and because the Government House Leader has given zero examples – that would be zero examples – where the government didn't get their agenda through, I would finish my debate the same way I started it. This, in fact, is a solution in desperate search of a problem.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak under 29(2)(a)? Seeing none, I will now call the question on the – oh. The hon. Member for Banff-Cochrane.

Mr. Westhead: Thank you, Madam Speaker. I just would like to speak against the amendment. The reason, you know, put forward for this amendment was that there's a contention that this puts all the hands in the power of the Government House Leader or his or her designate. I think that's not quite true because any member of this Chamber has the ability to ask for unanimous consent to extend the Routine past 3 o'clock, so members of the opposition and private members would have the opportunity to request that Routine be extended. Therefore, a mechanism does exist for that to occur, and for that reason I can't support the amendment.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)?

Seeing none, are there any members wishing to speak to amendment A1? The hon. Member for Lac La Biche-St. Paul-Two Hills.

8:00

Mr. Hanson: Thank you very much. I'd like to stand and speak in support of this amendment. I'd just like to point out that the Government House Leader, while he's given zero examples of why this is necessary, that could be substantiated by any major cause of alarm for any of the bills – as was said, it may have delayed it by a day. It may have actually pushed it ahead. But I'd just like to bring to your attention that, you know, we've been trying to get changes to the standing orders from the Resource Stewardship Committee so that we can actually allow the committee to do some work and have been stymied on multiple occasions. We've given multiple examples of why that was necessary and were voted down at every turn by this government.

So I don't understand why we have to change the standing orders on an irrelevant, really, example that was given by the Government House Leader when we have multiple reasons to change the standing orders to allow our committees to do some actual work while they're waiting for reports, and we get voted down at every stand.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)?

Mr. Nixon: Absolutely, Madam Speaker. I already spoke to the amendment.

The Acting Speaker: The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Nixon: Perfect. Thank you to the hon. member for his comments. I do have a question for him. I wonder what he thinks about the deputy whip's comments that essentially cabinet now has special privileges, with a reduced threshold compared to private members, which he did not refer to in his comments. If opposition MLAs would need unanimous consent, cabinet ministers would not, which is the point of that. I wonder what you think, you know, the private members of this Chamber must feel like knowing that this government continues to come to this Chamber thinking that cabinet is above even their private members. I mean, the Government House Leader has already called them dangerous. Clearly, he comes into this House with a motion to treat private members differently, including his own private members. How do you think they feel about that, hon. member?

The Acting Speaker: Hon. member, would you like to respond?

Mr. Hanson: Absolutely.

The Acting Speaker: The hon. Member for Lac La Biche-St. Paul-Two Hills.

Mr. Hanson: Thank you very much, Madam Speaker, and thank you for the question. You know, as a member not sitting in the Executive Council, I would have trouble, even as a government member, if my voice wasn't considered as relevant as anybody else's in the House. We were all elected by the people of Alberta, and I think that we should all have the same rights and the same say in the House. I don't believe I recall an instance where someone other than the Government House Leader or his stand-in would call for unanimous consent to extend past 3 o'clock at any other time, so I don't understand why we need to change the orders.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak under 29(2)(a)?

Seeing none, are there any other members wishing to speak to the amendment? The hon. Member for Barrhead-Morinville-Westlock.

Mr. van Dijken: Yes. Thank you, Madam Speaker. It troubles me. I'm going to speak in support of the amendment because I do believe that what is currently happening here gives me cause for concern. The Government House Leader has proposed a motion – I would suggest it's probably on behalf of Executive Council, so on behalf of the government – to possibly strip the ability for all members in this Legislature to be able to exercise their due diligence in all matters. I do have concern a little bit with regard to the process and with regard to how we are currently moving forward. I believe that there may have been a step in the consultation missed here.

You know, we have a Standing Committee on Privileges and Elections, Standing Orders and Printing, and conveniently a motion is put before that committee when government feels like it's a good idea. Yet in something like this, which I believe should be brought before the committee for discussion and some consultation, the process gets skipped. I think we can do better. I think we can do better in this House, and I think that good governance would require us to try and do better.

So I'm going to support this amendment based on the fact that I believe it's in the best interests of all members of this Legislature to be properly consulted. If the government can put forward an argument, possibly before the committee, as to why this is very necessary, then I suspect the committee would come before the Legislature here and make a recommendation as such.

But now here we are. We're sitting with a motion from the Government House Leader on behalf of, essentially, Executive Council, I would suspect, and I am not prepared to support the motion the way it is. I believe the amendment will help to improve it.

Thank you.

The Acting Speaker: Thank you, hon. member.

Are there any members under 29(2)(a)? The hon. Member for Lac La Biche-St. Paul-Two Hills.

Mr. Hanson: Thank you very much, Madam Speaker. I'd just like to ask the hon. Member for Barrhead . . .

Mr. van Dijken: Barrhead-Morinville-Westlock, BMW.

Mr. Hanson: BMW. It gets stuck in my head.

You said that it would be a little bit more convenient to take this to the Standing Committee on Privileges and Elections, Standing Orders and Printing. I'd just like him to comment on when the next meeting is because I believe it's tomorrow at 6:15. Maybe it would be a great time to discuss this matter.

Mr. van Dijken: You know, if I said that it's more convenient, I would suggest that possibly it's not more convenient, but it's probably better due diligence and a better consultation process. Yes, we have a committee meeting scheduled for tomorrow evening. I'm not sure that the committee would be able to include it in the time frame that is in place.

Of course, you know, we have committees in place to do this very thing. I do believe that it's necessary to recognize that and that it's necessary to start to move in a direction that these committees be utilized in the fashion that they were designed. The way it's looking is that it's the no-meet committee or what used to be considered the no-meet committee. Maybe that's why it's called that, because in

the past it was not being properly utilized. I would suggest that we can do better, and we should do better.

So I would support the amendment to try and put into place the opportunity for the Executive Council, for government, to come before the committee and argue the case and make the case that this is a requirement.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak under 29(2)(a)?

Seeing none, are there any other members wishing to speak to the motion?

Seeing none, I will now call the question on amendment A1.

[The voice vote indicated that the motion on amendment A1 lost]

[Several members rose calling for a division. The division bell was rung at 8:08 p.m.]

[Fifteen minutes having elapsed, the Assembly divided]

[Ms Sweet in the chair]

For the motion:

Barnes	Fraser	Schneider
Clark	Hanson	Starke
Cyr	McIver	Taylor
Ellis	Nixon	van Dijken
Fildebrandt		

Against the motion:

Anderson, S.	Horne	Miranda
Carlier	Kleinstauber	Nielsen
Carson	Larivee	Payne
Ceci	Littlewood	Phillips
Coolahan	Loyola	Piquette
Cortes-Vargas	Luff	Schmidt
Dach	Malkinson	Schreiner
Drever	Mason	Sucha
Fitzpatrick	McCuaig-Boyd	Turner
Goehring	McKittrick	Westhead
Gray	Miller	Woollard
Hoffman		

Totals:	For – 13	Against – 34
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[Motion on amendment A1 lost]

The Acting Speaker: We are now back on the government motion. I would like to recognize the hon. Member for Vermilion-Lloydminster.

Dr. Starke: Well, thank you, Madam Speaker. I'd like to beg leave of the House to ask unanimous consent to revert to Introduction of Guests, please.

[Unanimous consent granted]

Introduction of Guests

The Acting Speaker: Hon. member, please go ahead.

Dr. Starke: Well, thank you, Madam Speaker. It's my very great pleasure this evening to introduce to you and through you to all members of the Assembly the mayor of the town of Vermilion, Caroline McAuley. Mayor McAuley has joined us this evening as I promised her that we would be in for several hours of riveting debate. When you're from Vermilion, that's great entertainment any time. [interjections] No. You've never been to a Vermilion town council meeting, let me tell you.

I should mention that Mayor McAuley is in the city to chair a series of meetings of the Recycling Council of Alberta, that she chairs, and she is certainly very passionate about that as well as many other subjects. I'd like to ask my colleagues to join in welcoming her and giving her the traditional warm welcome of the Assembly.

The Acting Speaker: Welcome.

Government Motions

Amendments to Standing Orders

(continued)

The Acting Speaker: We are now back on Government Motion 18. Are there any other members wishing to speak? The hon. Member for Calgary-Elbow.

Mr. Clark: Why, thank you, Madam Speaker. You know, it's amazing how easy it is to get unanimous consent when one needs unanimous consent. I think the timing of this is remarkable given the topic of the motion that is before us. I mean, I say that with obviously a bit of good humour, but at the same time that is my experience in this Chamber over the last three years, almost to the day. I think that members who have been here longer than I have will tell me that this has also been the experience, that almost invariably when the government requests unanimous consent to extend the daily Routine past 3 p.m., they're granted unanimous consent.

What I'm really curious about is the timing of the changes to the standing orders here. We are now three years into this Legislature, and but for one very small example, which really had no material impact on the government's ability to conduct the business important to our province, the government has decided that now is the time to bring this standing order change. So it makes me wonder why that is. What's cooking? What's coming next week? What's coming this fall such that the government feels there's some risk that a member of the Assembly might not grant them unanimous consent? I wonder. Are they going to introduce a dozen bills in a day and try to steamroll a bunch of things through the Legislature at some point? Is there some incredibly controversial bit of legislation on its way that we haven't been told about? I don't know. I have absolutely no idea.

The other thing that I think it's important for this government to understand is that at some point, perhaps less than a year from now, they may find themselves back on this side. They may find that having made this change to the standing orders is perhaps not in their interest when they do eventually, be it after this election, after the next election, after the election after that, find themselves back in opposition, as every government eventually, ultimately does. Far be it from me to predict the outcome of the next election.

I don't mean to be cynical, but is this something that the government is going to change under the auspices of it simply being a technical, small, niggling little change, use it to their advantage for a session or two, and then, right before the writ is dropped, change it back because they think that perhaps they're going to find themselves on the receiving end of some of that stuff? I don't know what the government is thinking. I do find it suspicious that this is coming up now.

The opposition, as the Government House Leader has said, who has spent a number of years in this very region here of the House very capably using whatever tools he had at his disposal to hold the government to account – sometimes those tools include withholding unanimous consent. I can't see a plausible scenario where the opposition would use a daily Routine filibuster to

somehow frustrate the government's ability to introduce bills by perhaps just tabling repeated tablings over and over and over again. Of course, that wouldn't work because it happens immediately after Introduction of Bills, so I can't really see a scenario. I suppose we could come up with several petitions, but that's not very easy. I suppose we could contrive to introduce every single one of our staff members at great length, but I know, Madam Speaker, certainly if you were in the chair, you would never allow us to go on and on like that. Members' statements can only be two minutes long. We have no control over Presenting Reports by Standing and Special Committees. We could I suppose bring some notices of motions. That's very brief, and then we're into Introduction of Bills.

8:30

I can't see a scenario where the opposition or some rogue private member on the government side, much as I would encourage you to do so and entertaining as it would be to all of us, could frustrate the ordinary business of the House in any kind of systematic way by filibustering Orders of the Day or by filibustering the daily Routine. It seems incredibly unlikely.

I'm just left wondering why. Why is the government bringing this at all, (a), and (b), why now? This is something that could have happened a year in, two years in. The Government House Leader knows the standing orders better than probably anybody in this Assembly with the possible exception of the hon. Member for Vermilion-Lloydminster. I feel like I'm learning at the knee of the masters as I go on my journey here in the Legislature, but I do wonder why.

So, Madam Speaker, I will not be supporting this amendment. I do question why the government is bringing it, and I would encourage all members of the Assembly, including government backbenchers, to shock the world, break with the government's vote, and vote against this motion.

Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)?

Seeing none, are there any other members wishing to speak to the motion? The hon. Member for Bonnyville-Cold Lake.

Mr. Cyr: When I first saw this motion, I took a look at it because I like to read the Orders of the Day. I looked it over, and I thought: well, you know, I'm just not sure what they're doing. It looks like our cabinet is unilaterally giving themselves power that they didn't have before. From what I hear from the House leader, that is the case. They are giving themselves power that they did not have before.

Now, I would like to say that unanimous consent that is being used currently, right now, is sort of like a detente. Right now what happens is that if you abuse unanimous consent, it creates problems for both the government and the opposition. I think it's reasonable to say that nobody wants to see that. Now, we may have had a procedural manoeuvre that the government may have been upset with, but that is the exception. That is not the rule of what happens in this House.

What I'd like to say, though, is that the government is clearly stating that by having this additional authority, it can stop the opposition from abusing unanimous consent. That seems strange. What it does do, though, is it gives a loaded gun to one side, and it I guess more or less takes all the weapons away from the other side. What we've got here is a government that can do exactly what the House leader said, which is saying: now we can stop members' statements from happening on the opposition side, but we can get members' statements through the government side. This is

important. We need to use unanimous consent to be able to get our members' statements through, where the Government House Leader now has the ability to press their own.

Now, why is unanimous consent so important? Because what happens is that when you abuse unanimous consent, the media understands that. What we're talking about here is the fact that – let's say, for instance, you decide to put a unanimous motion or something forward that says: we support pipelines. We say: let's put through a motion with unanimous consent. And one member speaks against that. That's all it takes with unanimous consent. That member will make it into the newspapers because of the poor choice of the direction they're going. They're more or less going against the people of Alberta. It is breaking this detente, if you will, right now. That is important, and I believe it was intentionally designed this way to create that balance. We are taking the balance away.

The government has not shown there is clear evidence that we are abusing unanimous consent. You saw just recently that we granted unanimous consent. It happens very regularly. If this was a problem, then, absolutely, the government would have to do something about it, but what we've got right now is – let's say, for instance, the Member for Rimbey-Rocky Mountain House-Sundre, our House leader, and the House leader of the government get into an argument. This seems strange, but it does happen from time to time. I know that these two individuals respect each other, but let's say that there is an argument. We're bringing a knife to a gunfight when it comes to unanimous consent.

We are no longer going to be able to push through members' statements, and that is problematic. The House leader himself said that it's for Members' Statements that he was doing this, when he said that we could, more or less, block a member's statement and it's private members' business. This is something, and if I'm wrong, then please feel free to correct me. But I am telling you that it is problematic when we break the system, and I truly believe the system was created this way intentionally to prevent this exact thing.

When the government decides that they want to start going and giving themselves additional powers, it is important that we review that. It is important that our House leaders are involved with this together and that they come to a compromise, but it is very apparent that there is no compromise here.

So we moved forward an amendment that allowed any member to move the Orders of the Day forward, and the government voted that down, again, breaking that detente. We were creating the detente. That's what's important here, that you need to create balance within this House. When you abuse the standing orders, that is incredibly, incredibly dangerous.

I would like to say: please vote down this motion. It's clear that it's an abuse. The cabinet should not have this power, and I believe that we need to go on with other business.

Thank you.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)?

Seeing none, are there any other members wishing to speak to the motion? The hon. Member for Vermilion-Lloydminster.

Dr. Starke: Oh, thank you, Madam Speaker. I felt that it was important to provide perhaps some context from our reference texts on parliamentary procedure in this regard, the third edition of *House of Commons Procedure and Practice*, the 150th anniversary edition, which was just released last year, which is some outstanding bedtime reading for those suffering from insomnia. It might be useful to read the seven-page section from 591 to 598 on unanimous consent because, in point of fact, unanimous consent is

a tool. We've heard a lot of talk in this House and other places about the tools in the tool box that can be used. In fact, unanimous consent is a tool that is used from time to time where it makes sense and where it is a useful or a propitious thing to do, whereby the standing orders are set aside for one particular and specific purpose. Or more specifically – and I'm quoting here from page 593 at the top of the page – it states here:

For the most part, unanimous consent is used as a means either of expediting the routine business of the House or of extending the courtesies of the House. During debate, unanimous consent has been sought to extend briefly the length of speeches or the length of the questions and comments period following speeches; [or] to permit the sharing of speaking time; to permit a Member who has already spoken once to a question to make additional comments, and even to alter the usual pattern of rotation of speakers.

8:40

Now, Madam Speaker, in each of those cases it reflects a courtesy that is applied to hon. members in order to expedite the work of the House. The standing orders are, in fact, the provisions that are made by the members of the House to govern themselves. What I see in this motion is a desire by the Government House Leader to strip away some of those rules that have been in fact set by members of the House and hand over more power to cabinet and to the Government House Leader. This Assembly does not belong to cabinet. This Assembly does not belong to you folks who sit in the front row of the government, who have tremendous powers in many areas and are called upon not to abuse those powers. In fact, our system has many checks and balances in place to ensure that cabinet does not have the power of abusing the powers that they're given.

However, regrettably, in the course of this motion and in complete wilful ignorance of the seven-page section on unanimous consent in the most recent edition of *House of Commons Procedure and Practice* we have a situation where the Government House Leader is seeking to shift the transfer of power dramatically in favour of cabinet. You know, for cabinet to have supremacy in the cabinet room and for Executive Council to exercise its authority and the significant powers that are vested in it by our traditions in Parliament is one thing, but here in this place we are all members. We have all been returned by the electors of our individual constituencies. To shift the rules in such a way to provide specific favour to cabinet and to members of Executive Council is not only unfair, but it's completely not in keeping with our British parliamentary traditions.

Unanimous consent is rarely abused. I think that the hon. Government House Leader, who has been here for many more years than I have, will agree that the number of occasions where unanimous consent was not provided under 7(7) are very, very infrequent. Even when they are used, it creates a very temporary interruption in the government's course of doing business.

Madam Speaker, I cannot accept and I cannot support a measure that places more power in the hands of cabinet, that places more power in the hands of Executive Council, when those powers are already significant as they stand. This Assembly and the rules of this Assembly belong to all of us, and that includes whether you're the Premier or whether you're a private member representing any constituency in our province. To shift the rules such that that balance of power is upset and that we no longer respect and identify the very clear rules that are in place, I think is a mistake.

I would urge all members of the Legislature to defeat this motion, which I believe would be damaging to our procedures here.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)?

Seeing none, are there any other members wishing to speak to the motion? The hon. Member for Strathmore-Brooks.

Mr. Fildebrandt: Thank you, Madam Speaker. You know, not many folks other than the Member for Vermilion-Lloydminster and the Government House Leader can quote from the good book of parliamentary practice like it was the gospel. I certainly appreciate their ability to reference it like we're at Sunday church here.

A lot of the members in various parties here have made, I think, very pertinent comments that we should take to heart: Calgary-Elbow, Bonnyville-Cold Lake, Vermilion-Lloydminster. They've made good arguments, so I'm not going to rehash what they've said too much, but I'll just add a few thoughts of my own. You know, our rules are evolved from approaching a thousand years of tradition. There is a careful and delicate balance of power that has evolved over that time. Each Westminster Parliament has its own particular quirks and rules and traditions, but we fall in a general tradition.

You know, when I was briefed on this by my staff, I was baffled. I couldn't figure out: what the heck is the government trying to achieve? I had to really think about it. Why would they do this? In my time here I don't believe – someone correct me if I'm wrong – there's been a time since the last election where unanimous consent has been denied, where the government has requested it. Perhaps there's been a case, but I can't remember. Perhaps it was at midnight some point. It's always been granted when asked for. So it's very difficult to see why they would want this unless there is some agenda behind it, and the Member for Calgary-Elbow has mentioned a few of those points.

You know, our traditions here are meant to balance the ability of the government to advance its legislative agenda with the ability of the opposition to hold the government to account and to at least say our piece. I'm still waiting for the day where we'll be able to get enough government backbenchers together with the opposition that we can finally defeat a government motion at some point, but I'm not holding my breath. Perhaps tonight. We'll see.

In the opposition we don't get to win votes. This isn't like the United States congressional system, where the outcome of votes is actually in doubt, where you actually have to bargain back and forth between parties. We don't really have that. All we can do as the opposition is to just have our say, hold the government accountable and have our say. That's not a lot for four years, to have your say. The Government House Leader spent – I'm not going to say how many years; I think I'd be dating him – quite a few years just being able to have his say, and have his say, he did, with every tool at his disposal.

Now, I've regularly been the lone dissenter in this House, something which I get a rather sadistic pleasure from.

Mr. Mason: A masochistic pleasure.

Mr. Fildebrandt: Masochistic. Well, I like to think it hurts you guys, but I don't think it does. Yeah, it's a masochistic pleasure that I get out of being the lone dissenter in this House for the last three years on quite a few issues.

But I've never denied the government unanimous consent. I've been the one dissenting voice many times, but it's always been on issues of policy, where we're voting on amendments or bills. It's never been on a request from the government to seek unanimous consent to reasonably expedite the business of the House. Every time I've been the lone dissenter, it's been on an issue of policy, not just to be a jerk. As much as we can be prone to do that in this business, I think that, for the most part, our better angels control us

so that when the government or the opposition request unanimous consent for something that is reasonable, it is always given.

Now, there are a few potential – maybe the Government House Leader can clarify. I do have a more technical question on what some of the repercussions of this could be. Now, Members' Statements is supposed to be before question period, but if introductions go for too long, it's often after question period. We've had a little bit of shorter introductions lately, so we often get to two, three, or even four. Today we got to four, but that still left two members' statements to be after question period. Now, my question is to the Government House Leader, and this is just a technical question that I'd like an answer for: in his opinion, would this mean that if our daily Routine ends at 3 o'clock sharp, any outstanding members' statements that have not yet been made would then be lost?

Now, if that's the case, that is taking away one of the few opportunities that private members, both government and opposition, have to make themselves heard in this place. If that is the case, then you're going to have to come back to the people about what order these members' statements are in. I'm number 5, so I'm pretty worried about what that's going to mean. One of the unintended consequences might be that I'm going to have to figure out a way to filibuster introductions every day if I want to get to my member's statement, and I don't think that would be a reasonable thing to do because we normally operate as gentlemen and gentlewomen in this place, with the best of intentions and respect for one another. That's why we operate on unanimous consent for these kinds of issues. So I hope that the Government House Leader can at least clarify that.

I do believe that this government motion to change our standing orders upsets the balance of power. I hope that they would at least think through what they're doing. But, at the very least, if the Government House Leader could answer my question about what effect this will have on Members' Statements if the daily Routine concludes before members' statements are concluded.

Thank you.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)?

Seeing none, are there any other members wishing to speak to the motion? The hon. Member for Calgary-Hays.

Mr. McIver: Thank you, Madam Speaker. Although I'm not a minister, I would like to ask the House for unanimous consent for one-minute bells on this item.

[Unanimous consent granted]

The Acting Speaker: Are there any other members wishing to speak to the motion? The hon. Government House Leader.

8:50

Mr. Mason: Thank you very much, Madam Speaker. I want to thank all members for their contribution. With respect to some of the points that have been raised, first, the Member for Calgary-Elbow asked: why the timing? In fact, this has sort of been in the works for some time, and it was brought forward because we were also bringing forward a couple of other changes to the standing orders. So this was the time that we did it. We'd circulated this, of course, to the opposition for some time, and we have brought it forward now simply because there are a couple of other changes to the standing orders that are being dealt with.

There is not – and you can take this for what it's worth – some conspiracy to introduce some very controversial bills all of a sudden. I think that will be borne out in time. Whether the member

believes me now or not, that has really nothing to do with it. It does stem, as I said, from an earlier instance, where unanimous consent to extend Orders of the Day was denied, and the government was unable to give notice, according to the schedule that had been set out, of a bill that it wished to debate the following day. So, yes, it was delayed by a day. The bill was ultimately passed; however, it flagged for us, and me in particular, the potential abuse that could happen.

Now, I know that some members of the opposition have said, you know: it's not really possible to drag things on and block things. But it is. Some other clever former Opposition House Leaders have done it. I'm not going to explain how it's done because I don't want to give anybody any ideas. But it is, in fact, in the standing orders. There are multiple provisions which identify things that the Government House Leader is responsible for doing in this House. Customarily, when the House is adjourned, the Government House Leader is given the authority to move that. I'm not going to give all of the examples, but it is not unusual.

In respect of the comments from Vermilion-Lloydminster there are limitations in *House of Commons Procedure and Practice* on the use of unanimous consent, and I don't believe that this fits within the categories of things that he is referring to.

With respect to Strathmore-Brooks' question about how it could be used for Members' Statements, I do not recall in all of the time that I've been in this place where we didn't get through Members' Statements. It's usually the last few items, if it does happen on the rare occasions, on the Order Paper under the Routine that sometimes we don't get to. This would not be a way to shorten in any way the Routine, which would still continue until 3 o'clock. It is an opportunity to extend the Routine in the case that there was some unfinished business that needed to be attended to. That can be accomplished either through any member requesting unanimous consent or, if this is approved, the Government House Leader or a Deputy Government House Leader giving notice prior to 3 o'clock.

Madam Speaker, I'm not surprised that the opposition is not happy with this, but it is the duty of the government to make sure that it can bring forward its legislative agenda, that we provide ample opportunity for full debate and for the opposition to do its job and to carry out its responsibilities. Ultimately, the government has an obligation to move forward its legislative agenda and its budgets in order that the affairs of the province can be properly conducted.

That is apparent in any readings of *House of Commons Procedure and Practice* or our own standing orders. That's the responsibility of the government, and it is given authority in the standing orders and in the long-standing rules of the Westminster system in order to be able to do that provided that it can command a majority in the Assembly. At the same time, those rules set out the rights and responsibilities of all members and of the opposition, official and otherwise, in order to hold the government to account, and they have many tools with which they can do that.

Ultimately, it comes down to the simple fact that if the government needs on an urgent basis to introduce a piece of legislation, it ought not be held up by tactics on the other side or by an inadvertent combination of circumstances so that it is accidentally unable to do that. So I feel I have a responsibility to bring these changes, and I would urge all members to support this government motion, Madam Speaker, so that we can amend our standing rules and get on to our other business.

Thank you.

The Acting Speaker: Thank you, hon. minister.

[The voice vote indicated that Government Motion 18 carried]

[Several members rose calling for a division. The division bell was rung at 8:57 p.m.]

[One minute having elapsed, the Assembly divided]

[Ms Sweet in the chair]

For the motion:

Anderson, S.	Kazim	Nielsen
Carlier	Kleinstauber	Payne
Carson	Larivee	Phillips
Ceci	Littlewood	Piquette
Coolahan	Loyola	Rosendahl
Dach	Luff	Schmidt
Drever	Malkinson	Schreiner
Fitzpatrick	Mason	Sucha
Goehring	McCuaig-Boyd	Turner
Gray	McKitrick	Westhead
Hoffman	Miller	Woollard
Horne	Miranda	

9:00

Against the motion:

Barnes	Fildebrandt	Schneider
Clark	Fraser	Starke
Cyr	McIver	Taylor
Ellis	Nixon	van Dijken
Totals:	For – 35	Against – 12

[Government Motion 18 carried]

Government Bills and Orders Second Reading

Bill 7

Supporting Alberta's Local Food Sector Act

Mr. Schneider moved that the motion for second reading of Bill 7, Supporting Alberta's Local Food Sector Act, be amended by deleting all of the words after "that" and substituting the following:

Bill 7, Supporting Alberta's Local Food Sector Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Alberta's Economic Future in accordance with Standing Order 74.2.

[Adjourned debate on the amendment May 1: Mr. Westhead]

The Acting Speaker: Hon. members, are there any members wishing to speak to the referral amendment? The hon. Member for Barrhead-Morinville-Westlock.

Mr. van Dijken: Yes. Thank you, Madam Speaker. I'm speaking to support the amendment that's been put forward by my hon. colleague from Little Bow. We're dealing with Bill 7, Supporting Alberta's Local Food Sector Act. The amendment that's been put forward before us is:

Bill 7, Supporting Alberta's Local Food Sector Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Alberta's Economic Future in accordance with Standing Order 74.2.

I was just reflecting on some of the things within the bill and also why it would be, in my opinion, a good reason to refer this bill to committee for the committee to look into the good parts of the bill and possibly the negative aspects of the bill. I was able to speak to

the bill in second reading and recognized that the bill is essentially – well, it's got a part 1 and a part 2.

Part 1 does have two parts to it. With regard to a recognition of the Alberta local food week, the third weekend in August in each year being proclaimed the Alberta local food week, I don't see that this can create any harm, so I don't know that the committee would have to spend a whole lot of time with regard to that part of Bill 7.

But then we move into the second part of part 1, local food, the local food council. I do have some concerns with the local food council, how it's being essentially structured, how it will be put together, how people will be searched out to serve on this local food council. The local food council is charged with providing a report to the minister, and the minister then is given the task from that report to digest that report and make decisions on how to move forward with reducing barriers for local food producers and how to possibly look at best ways forward for processing food distribution and how to gather it together for food distribution, increasing access to local food, and consumer awareness of local food.

What does concern me about this is that I think we need to hear from a broad spectrum of producers, processors, consumers to get an understanding of their needs and their ideas. We currently have many examples of local food production that have been able to get started, been able to produce in the province and distribute that food amongst consumers through either retailers, farmers' markets, and many other avenues where you can distribute hampers, food baskets off the farm.

I would not be in favour of a government program that would possibly negatively affect those who have already done a lot of work to establish their businesses, to establish their relationships with their consumers, with their wholesaler, with the retailers that they choose. We see or I see that there's potential for that type of a negative consequence with regard to our local food sector that's already been established, so I have some concerns on that, where government interference may not recognize how government decisions on how to proceed, how to best move forward will damage very effective and good working relationships and systems that are already in place. I do believe that if we get too involved with government and government regulation and government systems and red tape that go into these types of programs, we take a risk that we will actually reduce local food availability, and we take a risk that we possibly put in barriers that make it uneconomical for the sector to really thrive and grow and move forward.

We possibly are putting in barriers that might affect one production unit differently than other production units. A co-operative unit might be affected differently than a wholesale or retail type of an arrangement, so I think that when we're in government – like the old saying says, you know: I'm from the government; I'm here to help. Most times people take that as, "I'm from the government; I'm here to help," and they say: "Well, we don't need your help. We just want to be able to be free to do what we're already doing, and we are not willing to take the risk of government programs and plans getting in the way of a very healthy evolution of the local food business."

You know, Madam Speaker, I'm involved with the Outstanding Young Farmers program as an alumnus. Over the last 20 years that I've been involved with that program, we get to watch more and more production units and different ideas come forward, units from across Canada, young people that are trying new things, young people that are being very successful in trying new things, being very entrepreneurial. I believe that there is a certain amount of natural evolution in the transition from large acreage farms to possibly a little bit smaller acreage farms but more intensive farming practices. Much of this is occurring just from organic

growth, where these individuals see an opportunity, they see a need, they see a market, and they decide to start to feed that market.

9:10

I recall one operation, when we were developing a local food relationship with the co-operative system in Saskatchewan. This operation was selling through farmers' markets in both Saskatoon and Regina. They were a 60-acre farm that more or less didn't have opportunity because they weren't able to market beyond those farmers' markets. So they approached the co-op, and they were able to build a relationship with a retailer, and it was good for the producer, good for the retailer, good for the consumer. I think that's what we try and achieve, where we can have a win-win-win situation.

It's important that we recognize that in this bill for local food production, once the minister receives the report from the local food council, I believe that it's within a year that the — yeah:

Not later than 12 months after a Council is established . . . the Council must submit a final report to the Minister providing the advice and recommendations of the Council on the matters referred to in subsection (1),

which is essentially on how to possibly move forward.

What does concern me is that we have right now an all-party committee that's in place that could do much of this work. I believe the council is essentially put in place to get much of this information aggregated and brought together and to try to understand what's in the best interest of industry, what's in the best interest of the local food sector. An all-party committee would allow it to be a very open discussion amongst all members within this Legislative Assembly as opposed to a local food council appointed by the minister to provide a report to the minister and then the minister having the ability to put forward regulations, put forward legislation, put forward whatever the minister feels necessary to moving forward on those recommendations. I believe that that's a dangerous road to go down. I don't believe that that's necessarily the best way for government to be involved.

All-party committees are very effective in being able to be very transparent, accountable to the people as opposed to when we have the potential of a minister appointing a council. I don't know how that council — there's no description in the bill to ensure that the appointment to the council is done in a fair and a very transparent manner. Are the people that are going to be affected by this going to have the opportunity to report to the council, to witness to the council, to be part of the council? These types of things concern me, and I believe the amendment to put it before the Standing Committee on Alberta's Economic Future is a good recommendation at this time.

I also am concerned a little bit with part 2, organic agricultural products. When we take a look at organic agricultural products, I'm not sure how that fits in with the Supporting Alberta's Local Food Sector Act. Like, Alberta's local food sector's organic agricultural products are not only consumed within Alberta locally; they're consumed right across Canada, right across North America. They are marketed around the world. Organic systems are in place and CFIA standards are in place to ensure that organic products that are marketed, exported elsewhere in the world meet the CFIA regulations.

I'm a little bit concerned that we're lumping organic agricultural products within this bill. I think the Economic Future Committee would have the opportunity to delve into whether or not that's really a part of local food. I believe that it's a completely separate sector. I would suggest that organic agricultural products is essentially a brand that is being sold in the marketplace under certain guidelines, and there are consumers that are attracted to that brand name, to the name "organic" and that certification. At the same time, is it

government's place to put in place the regulations in the monitoring of organic agricultural products? That's a question I have.

You know, I was in the hog industry. We worked on, at the time, implementing a food safety program, a quality assurance program in consultation with the producers so that the producers had input into what was necessary to ensure that we had a quality, safe product. So, you know, we look at it, and I believe that there are a lot of things that are better put before the standing committee to get a better understanding of what the role of government is in this. How are we as legislators, as overseers of our society, to be involved in this in recognizing that we cannot necessarily favour one society over . . . [Mr. van Dijken's speaking time expired]

With that, I move to adjourn debate, Madam Speaker.

[Motion to adjourn debate carried]

Government Bills and Orders Committee of the Whole

[Ms Sweet in the chair]

The Deputy Chair: I would like to call the committee to order.

Bill 9 Protecting Choice for Women Accessing Health Care Act

The Deputy Chair: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Calgary-Bow.

Drever: Thank you, Madam Chair. I would like to make an amendment to Bill 9, and I have the appropriate number of copies.

The Deputy Chair: Hon. member, if you could just wait till I have the copies at the table before you proceed, please.

Hon. member, your amendment will be referred to as A1. If you could please proceed.

Drever: Would you like me to read the amendment? Okay. The bill is amended as follows: section 6(4) is amended by adding the following after clause (b):

increasing the dimensions of an access zone set out in subsection (2) in respect of a facility or class of facilities to a distance not exceeding 150 metres from the boundaries of the parcel of land on which the facility is located.

Madam Chair, it is my pleasure to rise today to make this amendment on behalf of the Minister of Health to Bill 9, the Protecting Choice for Women Accessing Health Care Act. I've been proud to spend my time as an MLA standing up for women and supporting vulnerable women here in the Legislature and when I'm in my riding and every day. I was proud earlier in my career to introduce legislation that protected women fleeing domestic violence. I removed barriers which prevented those women from being safe. One of my proudest moments was seeing that legislation receive the unanimous support of this Assembly because, Madam Chair, Alberta women deserve nothing less than our unanimous support every single day. That's why I want this legislation to have the strength to protect women every single day.

9:20

We know that the proposed legislation will help women in Alberta access abortion services without fear of interference, harassment, threats, or intimidation. But in the event that the 50-metre access zone around a facility is not enough, we need to make sure that there is a mechanism in place to increase that distance

when it's required. The proposed amendment before us would authorize regulations to be made to increase the size of access zones around facilities from the current 50 metres to a maximum of 150 metres. This amendment would also further align Alberta's legislation with Ontario's access zone legislation, which has the option to extend access zones for a facility by regulation to a maximum of 150 metres.

The amendment is necessary in order to provide flexibility for cabinet to deal with situations where the 50-metre access zone is insufficient. These situations may include protest activity outside of the currently proposed access zone if it interferes with women accessing health services. All Albertans should feel safe when accessing any health care service, including abortion services. The legislation before you will help protect the safety and privacy of women accessing abortions as well as those who provide abortion services.

I encourage all my colleagues to support this bill and the amendment that I put before you today. Thank you very much.

The Deputy Chair: Thank you, hon. member.

Are there members wishing to speak to amendment A1? The hon. Member for Calgary-Elbow.

Mr. Clark: Thank you very much, Madam Chair. I just rise briefly to speak in favour of the amendment and thank the hon. member for bringing it forward and again thank the government for taking action on something that is needed. I would hope that any time we have an opportunity to protect women's access to basic and fundamental health care, we should do so and that they should always have that right without fear of harassment or intimidation.

This is a reasonable amendment that I think ensures that the original intent and purpose of the bill is met. I look forward to hearing, perhaps, from the Official Opposition, but you can be assured that the Alberta Party caucus enthusiastically supports this.

Thank you, Madam Chair.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak to the amendment? The hon. Minister of Advanced Education.

Mr. Schmidt: Well, thank you, Madam Chair. Of course, I also rise to speak in support of this amendment. First of all, I want to thank the Member for Calgary-Bow for all of the good work that she's done, not just through this amendment but through all of her time here in the Legislature to this date, standing up for the rights of women. You know, it's quite remarkable to reflect on her legacy. She's not as experienced as many of us in this Legislature, and already she has a significant accomplishment to her name for enhancing the rights of women in this province. I know that she will live a long life with a proud legacy behind her, and this only adds to that.

One of the questions, though, that I have for the hon. Member for Calgary-Bow – you know, I'm interested to hear her opinion, hear her conjecture, perhaps. It was with great interest, Madam Chair, that I watched the proceedings of the UCP policy convention on Saturday and Sunday this past weekend, and I noticed that there were some protesters outside of the policy convention hall. Those protesters, oddly enough, were asked to move at least 50 metres away from the door to prevent offending the rather delicate sensibilities of the delegates who were there and may have had their feelings hurt by being confronted with people who didn't share their world view or their opinions on minority rights, for example, or women's rights.

According to the reports and the media those protesters were asked by the organizers of the United Conservative Party policy

convention to move 50 metres away from the door of the policy convention, which, you know, struck me as odd, Madam Chair, because 50-metre buffer zones are something that the members opposite have absolutely no opinion on. When pressed, they have absolutely nothing to say about 50-metre buffer zones. It struck me as really strange that on the matter of 50-metre buffer zones around abortion clinics the members opposite have nothing to say, but when it comes to their own policy convention, a 50-metre buffer zone must be strictly enforced.

We see the behaviour from the members opposite all the time. They have their feelings hurt and stand up on points of order and call us on points of order regularly. Of course, they do nothing, Madam Chair, to ever cause us to rise on points of order. Their behaviour is beyond reproach. If there was sarcasm font in *Hansard*, my previous comments would be reflected by being printed in that sarcasm font.

An Hon. Member: Irony.

Mr. Schmidt: Irony. Thank you. Unfortunately, *Hansard* hasn't advanced to the point yet where we use different fonts to identify whether or not the speaker was speaking ironically or seriously.

But I digress. My question to the hon. Member for Calgary-Bow is whether or not she thinks that by passing this amendment, she would encourage organizers of future United Conservative policy conventions to ask protestors to not just move 50 metres away from the doors of the convention but now 150 metres away. You know, obviously, we're intent on protecting women's rights, but I certainly wouldn't want to see the rights of protestors at UCP policy conventions impinged. Certainly, 50 metres is a generous buffer zone around a UCP policy convention although, obviously, their feelings can be hurt even outside of the 50-metre zone. There are incredibly sensitive buffer zones around UCP delegates, Madam Chair, and they can have their feelings hurt from 150 metres or possibly even greater distances away.

You know, I was wondering if the Member for Calgary-Bow could speculate, I guess, on what protestors at future UCP policy conventions can expect with the passage of this amendment and whether or not she thinks that that will affect the outcomes of these UCP policy conventions. Will they still pass these horrible resolutions that are intent on outing gay children, intent on impinging on women's rights? Will they still have the ability to go to the microphone and complain about indigenous people taking and taking and never giving back to the province of Alberta? Will we still be able to hear Heather Forsyth call feminism the F-word and barriers to women's participation in the political process as socialist crap? I am very curious if the Member for Calgary-Bow can tell us what impacts her amendments may have on future UCP policy convention protests.

The Deputy Chair: Just a reminder that there is no 29(2)(a) in Committee of the Whole.

Are there any other members wishing to speak? The hon. Minister of Health.

Ms Hoffman: Thank you very much. I want to thank the hon. member for moving this amendment on my behalf and say that one of the reasons why this came to me is because there was discussion around how half a kilometre was too big. I have to say that I agree with that. But I think that if we require more than a tenth of that, a tenth of half a kilometre, it's important for us to give us the ability through regulation to be more responsive to some of the issues as they arise. I have to say that 15 per cent of a kilometre I think is an appropriate barrier to be able to expand it through regulation,

obviously, ensuring that it never contracts but that if something does happen, we have the ability to be able to react to that.

I want to thank the member for bringing that amendment forward on our behalf and members for contributing to the discussion, those who have, to give us the ability to consider this potential opportunity to create greater protections for women should the need arise.

Thank you.

9:30

The Deputy Chair: Thank you, hon. minister.

Are there any other members wishing to speak to amendment A1? The hon. Member for Strathmore-Brooks.

Mr. Fildebrandt: Thank you, Madam Chair. I'll thank the Member for Calgary-Bow for bringing this forward and participating in the debate. However, I have to disagree with where this is going.

I've always said that I don't think it's unreasonable that we codify in law protections for women accessing abortions, that they're not being harassed or intimidated. These things are already forbidden under the Criminal Code, but I can appreciate the need to want to more specifically tighten the laws up around this. My concern has always been, though, that this is targeting a particular political, social movement, and I don't believe any law should, even if it was targeting a group that I disagree with. I very much do not believe it's appropriate in any way, regardless of your feelings on the topic of abortion, to harass women, intimidate them, film them, any of these things that some folks, however few, do endeavour to do. But all laws are about balance.

My reasoned amendment earlier, to my shock, was not accepted by the government. I did not receive unanimous consent, you could say, for the reasoned amendment to shelve this bill and bring it back this week as a broader bill.

Dealing with the matters of the bill itself here, I think we need to make sure that it is still striking an appropriate balance because however much I may disagree with what some of these folks are doing, there is a difference between quietly protesting with a sign and, you know, yelling at women as they're going in, photographing them. I think we can all recognize there is a spectrum of inappropriateness here. I think it's generally inappropriate to do it, period, but there is a broad spectrum. But if someone is protesting respectfully, as much as you can protest this respectfully at an abortion clinic, if they are by other means behaving themselves, I think we still need to recognize their right to freedom of speech and assembly and not treat them differently than others.

I've believed that at the very least we should limit the size that these zones can be. Now, this amendment from the hon. Member for Calgary-Bow extends this to quite a significant degree, 150 metres. I mean, that's quite a distance for protesting. Again, you don't have to agree with what these people are doing, but they do have a right to express themselves, however distasteful the way they're going about it may be in this particular case.

I've believed that the government's original position here went too far in terms of the size of the buffer zone, so I was prepared to bring forward amendments changing the size of the buffer zone. You'll have to forgive me; I'm a little unprepared for the change of order in which we're dealing with this. Anyway, rather than putting these forward as stand-alone amendments, I'm going to move these as subamendments. I hope that Parliamentary Counsel can bear with me, that we can make this work. If there are any issues, let me know, but I'll be distributing this now.

The Deputy Chair: Hon. member, if you could just wait till I have it at the table, please, before you proceed.

Mr. Fildebrandt: Yeah.

The Deputy Chair: Thank you.

Hon. member, your subamendment will now be referred to as subamendment SA1.

Mr. Fildebrandt: Thank you, Madam Chair. As I've said, I beg the understanding of members here. These were intended as stand-alone amendments to Bill 9, not as subamendments to a government amendment. Governments amending their own bills: I don't laugh at it. I think it's a sign that says: we can always make something better. Even if I disagree with the substance of the amendment, the government clearly believes that their bill can be better.

This amendment: Mr. Fildebrandt to move that Bill 9, Protecting Choice for Women Accessing Health Care Act, be amended in section 7 in subsection (3) by striking out "160 metres" and substituting "10 metres" and in ...

The Deputy Chair: Hon. member, I hesitate to interrupt. Sorry. I just looked at the amendment again. This is written in the format of an actual amendment, not a subamendment, so we would have to wait until the vote on amendment A1 to see if you would then introduce this as amendment A2. It's not in order as a subamendment.

Mr. Fildebrandt: Okay. Can I ask the chair just for clarification, with Parliamentary Counsel, if the amendment that I am proposing here would be in order as a stand-alone amendment if the government's amendment still passes? Our parliamentary monk here says that it does, but I await Parliamentary Counsel.

The Deputy Chair: Hon. member, yeah, because of the way that it's formatted, you will be able to introduce it because you're actually amending section 7, which is an amendment to a different section than this amendment that we're debating on the floor as A1. Right now amendment A1 is amending section 6(4), and your amendment, that you have just introduced, is amending section 7, so it's a separate amendment from this one. You'll have to wait till we vote on A1, and then you can reintroduce this one as A2.

Mr. Fildebrandt: It would be in order as a stand-alone amendment?

The Deputy Chair: It would be in order to be a stand-alone amendment, yes.

Mr. Fildebrandt: Okay. Very good. In that case I would temporarily withdraw the subamendment. I'll be reintroducing it later as a full amendment.

But I'll speak to the Member for Calgary-Bow's amendment, put forward here. I think in this debate on this issue we should try to understand that we're dealing with real people, people in a vulnerable case, and we want to protect them, but at the same time we have to protect the fundamental right to free speech and expression and assembly of everyone here.

Now, before I was trying to quote Voltaire. It turns out it's attributed to Voltaire. I think I said that it was Jean-Jacques Rousseau – it's normally attributed to Voltaire – but it was actually someone else, I think a woman from Britain who was paraphrasing Voltaire. That's a long way of saying that I was wrong and the Member for Vermilion-Lloydminster was right. But the saying attributed incorrectly to Voltaire is: I may disagree with you, but I will defend to the death your right to say it. If we believe in free speech, we believe in free speech that we disagree with. That's the real test. You know, we all here, I think, pay lip service to free

speech, but do we really stand by it when we hear something that we strongly disagree with? That's the real test here.

The Canadian Charter of Rights and Freedoms: it's an imperfect document, but one of the geniuses of that document is that all of these rights and freedoms have to be justified in a free and democratic society. That's essentially the big asterisk below the entire Charter of Rights and Freedoms, that we have all these rights and freedoms, but they're not absolutes. As Canadians we tend to be lukewarm about a lot of things. We believe in free speech, but we generally don't believe in incitement to hate and violence. The degree to which we believe there should be limits on that varies, but generally we believe that you shouldn't be allowed to incite explicit hate. So all of our rights and freedoms are subject to some caveats. You know, we all have our favourite rights and freedoms here, but as strongly as we believe in them, none of them are absolute under the Constitution, including my very favourite freedom after guns and property, free speech.

9:40

Mr. Mason: After guns?

Mr. Fildebrandt: Guns and property.

Dr. Starke: But religion falls below that yet.

Mr. Fildebrandt: Religion comes a bit below.

We've all got a hierarchy of our favourite rights and freedoms, but they're not in any particular order in the Constitution. They're all equal rights, but they're all balanced off against each other. You know, we have the right to the security of person. We have the right to the security of person, to be safe from harm, and we also have the right to freedom of speech and assembly. Sometimes those rights are in conflict with each other. In this case they are in conflict, and it's up to us as legislators and, hopefully, not the courts if we get it wrong to find the appropriate balance between those two.

I think the original legislation has already too large a zone restricting freedom of expression and assembly and that the amendment goes even further, obviously, but I certainly appreciate that the member has put it forward with the best of intentions, that she believes that this will help. I believe her concerns are genuine, but I think that they are moving the balance even further off than the original government legislation proposed. So I would ask her to consider her position. None of us, once we stand up, are ever wrong, except for myself – I like to admit if I am – but I'd like her to just consider if this amendment is striking the appropriate balance in a piece of legislation that's dealing with very delicate and competing rights right now.

Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak to amendment A1? The hon. Member for Calgary-Bow.

Drever: Thank you, Madam Chair. Well, I'm a little confused by the Member for Strathmore-Brooks' comments. He's saying that he wants to see women be protected, yet he doesn't support my amendment, where there could be situations where they need that further protection. I want to be clear about one thing. This bill is not about free speech. This bill is about protecting women. It's about protecting them from harassment. So I'm a little confused by his comments. You know, we all know that he is a libertarian, and we have different ideologies. We'll put it that way. But I think that this bill is not about partisanship. This bill is about women's rights, and as I said earlier, we should be unanimously supporting women's rights every day in this Legislature.

I appreciate his comments, but I wish he would reconsider his position on this amendment as this is a really important one. You know, I know that he's not a woman, that he'll never be in the position where he has to go to an abortion clinic, where he has to make that tough choice, but a lot of women in this province do. Put yourself in their shoes just for one minute because this bill is about them. It's not about you; it's about them. So I ask the member to reconsider his position, and again I ask the House to support my amendment.

Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak? The hon. Member for Strathmore-Brooks.

Mr. Fildebrandt: Thank you. Thank you, Member for Calgary-Bow, for your comments. I think they're reasonable, and I think they're heartfelt, but we don't deal with pieces of legislation in silos. You know, I generally don't like taxes, but we need taxes. We balance everything, and we always try to – the difference is that what we try to do is balance. Some of us think the balance should be one way, and some of us think the balance should be another. When we debate fiscal issues, I don't think I've heard anybody say that we should have a 100 per cent tax or a zero tax. We have varying degrees because government and legislation are dealing with competing interests in trying to balance things. We're not always balanced in here. I'm as guilty of that as members opposite. We are dealing with women's rights here, and we are dealing with the fundamental right to security of the person, enshrined in the Constitution. But we are also dealing with other fundamental rights and freedoms, the freedom of expression and freedom of assembly. We're not dealing with just any one right here in isolation.

As I've said, we all have our hierarchy of favourite rights. I think we all do, and it's legitimate for you to want to put more weight on one than on another. That's legitimate. We have different backgrounds here and different priorities, but I would ask you to not consider this as dealing with one specific right, just as dealing with the budget is not dealing with just the income tax. It's dealing with all revenue, it's dealing with all spending, and we take these on as a whole. We might focus on certain parts of it here and there and pick it apart, but as legislators it's our duty to try and find an overall balance.

When we're dealing with important Charter rights here, on both sides, that are competing, it's important that we get the balance right. So, unfortunately, I'm not able to vote for the member's amendment, and it might come as a great shock to her, but I do thank her still for putting it forward and participating in the debate.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak to amendment A1?

Seeing none, I will put the question.

[The voice vote indicated that the motion on amendment A1 carried]

[Several members rose calling for a division. The division bell was rung at 9:46 p.m.]

[Fifteen minutes having elapsed, the committee divided]

[Ms Sweet in the chair]

For the motion:

Anderson, S.	Horne	Miranda
Carlier	Kazim	Nielsen

Carson	Kleinstauber	Payne
Ceci	Larivee	Phillips
Clark	Littlewood	Piquette
Coolahan	Loyola	Rosendahl
Dach	Luff	Schmidt
Drever	Malkinson	Starke
Fitzpatrick	Mason	Sucha
Fraser	McCuaig-Boyd	Turner
Goehring	McKittrick	Westhead
Gray	Miller	Woollard
Hoffman		

Against the motion:
Fildebrandt

Totals: For – 37 Against – 1

[Motion on amendment A1 carried]

The Deputy Chair: We are now back on the original bill, Bill 9.
I will now recognize the hon. Government House Leader.

Mr. Mason: Thank you very much, Madam Chair. I would move that we rise and report progress.

The Deputy Chair: Thank you, hon. Government House Leader.

[Motion carried]

[Ms Sweet in the chair]

The Acting Speaker: Hon. members, I will now call on the hon. Member for Calgary-East.

Ms Luff: Thank you, Madam Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports progress on the following bill: Bill 9. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

The Acting Speaker: Thank you, hon. member.

Does the Assembly concur in the report? All those in favour, please say aye.

Hon. Members: Aye.

The Acting Speaker: Opposed? So ordered.

Government Bills and Orders

Second Reading

Bill 7

Supporting Alberta's Local Food Sector Act

(continued)

[Adjourned debate on the amendment May 8: Mr. van Dijken]

The Acting Speaker: Are there any other members wishing to speak to Bill 7? The hon. Member for Lac La Biche-St. Paul-Two Hills.

Mr. Hanson: Well, thank you very much, Madam Speaker. I'm very happy to stand and speak to Bill 7, Supporting Alberta's Local Food Sector Act, on the referral amendment. The reason that we're asking to refer is that, you know, I look across the aisle – I know that there are a few producers and farmers on this side – and I don't know how many producers and farmers there are on that side. [interjections] I'm just saying. This is why we should be consulting

the people that are actually producing the food and preparing it. It would be a good thing to have them present to committee.

I see that the Minister of Finance had a little bit too much coffee, maybe, today.

Anyway, I'm pleased to rise. That's the reason that we, Madam Speaker, go to committees, so that we can get consultation from the experts in the field, in this case the farmers and producers and food processors.

This bill basically has three parts that it deals with. The first is to establish organic standards. This means that it would now need to meet Canadian standards established by CFIA. The second is about local food week. It would coincide with Open Farm Days celebrations. These are typically held during the third week of August. The third is the establishment of a local food council. This would be in an effort to promote and support local small producers, including farmers' markets.

You know, out in the St. Paul area we have a producer that grows vegetables and is famous for his carrots. He sells them packaged to a lot of the Sobeys stores in the area. He calls them Al's Carrots. His name is Al. It's amazing. They're wonderful. My wife particularly likes them. You have to be pretty quick when they do arrive at the store because they're bought out that quickly because they're so fresh and sweet compared to other stuff that you get from other parts of the world. That's why it's important. It's a real bonus that we can actually enjoy fresh produce here during the summers at least, and we should support our local growers.

Also, I'd like to talk about the farmers' markets especially and at-gate stands, where a lot of seniors use that not so much as a form of entertainment – I don't think a lot of them make a whole lot of money on them, but they do sell a lot of pies or, you know, pickles. Especially around our community there are some babas that get in every Friday to the farmers' market and sell fresh perogies, cabbage rolls, and borscht. It gives them a chance to get out on a Friday and make a little bit of extra money. I hope that when we start introducing legislation, we don't make it so cumbersome that we affect those good people that are just trying to make a few extra dollars and occupy their time.

Before this legislation there was no Alberta standard of organic. Goods that were sold outside of Alberta or Canada needed to meet standards that are set at the federal level by CFIA, but this regulation closes the gap for Alberta. There are many stakeholders that this legislation would affect, and we believe that not enough consultation was done. Again, like I said, I'm not trying to be insulting to any of the members opposite, but I don't see a lot of farmers or producers there, so I really think that we need to gather as much information from the people that are actually doing the work as we can. I mean, we would do it in, hopefully, any other bill that we were presenting to the House. If it was a health bill or something like that, we would definitely consult the health professionals. So I see that in this one we should be consulting.

It's kind of a déjà vu moment or *Groundhog Day* or however you want to put it, but it seems that we've been down this road before with the local producers, and at that time I believe we did submit that one to committee. I think that this one should also go there and get some further study.

Further, to the title of "organic," this legislation sets out regulations to deal with standards and labelling. With so many changes coming forth, we want to ensure that all those affected by this bill have their voices heard.

10:10

We also want to ensure that there are no unforeseen consequences inflicted on Albertans. It is our duty to consult beforehand. This is why it is imperative that this bill be referred to committee, where

we can bring in the specialists. I know that the minister of agriculture probably talks to forestry, you know, when they're considering a bill or, hopefully, some of the bigger producers. If you're doing something, it's always nice to talk to the people that are actually on the ground and that will be affected by these bills. In this case it is smaller producers, and we don't want to put in legislation that is so cumbersome that it forces them out of business or forces them to work underground, where they're not going to be taxed at all.

Madam Speaker, this bill will cause Alberta to be among the other provinces with legislation. We have the opportunity to analyze what worked and what didn't work in those other jurisdictions and how those situations fundamentally differ from ours. So I would hope that in considering this bill, we would actually look at the successes or failures of the other jurisdictions before we wrote up ours. Every province finds itself in a quite different position. That is why it is our responsibility as legislators to listen to what Alberta's food producing industry believes would be beneficial and what wouldn't. The only way we're going to find that out is if we actually go to committee and have them be allowed to come and present.

Now, that being said, you have heard my frustration in the House before about the ability of our committees to actually meet with stakeholders. I've been on that Resource Stewardship Committee for three years, and we've not been allowed to meet with anybody. I hope that gets addressed in the meeting tomorrow regarding the standing orders.

Also, a part of this bill would establish a council whose mandate would be to provide a report no later than 12 months after its creation to report advice and recommendations regarding provincial policies, programs, pilot projects, or initiatives which support Alberta's food sector's sustainability and growth. This council would be dissolved upon providing that report to the minister. This is a good example of why an analysis is needed to determine the effects of this bill. We need to consult with those who will be affected prior to putting this bill into effect, not simply implementing it and then collecting information on how it affects Albertans, food production workers, and families. Again, as I said before, a lot of these producers are small. At farmers' markets a lot of grandmothers put together their produce. I would say that a lot of those people and a lot of the gardens around our area, though they're not certified organic, are probably about as organic as you can get.

We need to consult with stakeholders about what type of unforeseen costs there might be. It is not fair to simply inflict these

costs with minimal input having been heard. It is their livelihood. If you put a per capita or a per volume on product, it's easy for large producers to absorb those costs. Although they can't pass them on to the consumer, they are a lot more able to absorb those whereas a small producer, like I mentioned Al's Carrots – I would hate to see legislation that's going to make it more difficult or less profitable for him because I know exactly how much work he goes into every year.

The imposition of this bill without properly consulting those that will be affected is once again reflective of a top-down, paternalistic government that does not want to listen to Albertans. As the government continues to eliminate ABCs, this bill adds more. An example of this is the aforementioned council. It seems perfectly reasonable that an existing group with the capacity could take on this task. It seems as though this bill has not been fully thought through and will massively benefit from the opportunity to discuss the effects in committee, where stakeholders will have a chance to have their voices heard. This will have a far-reaching impact.

As such, it is the government's duty to represent the desires of Albertans. Without adequate feedback and without proper analysis of unplanned costs it is hard to imagine that they are doing their duty in representing Albertans. If the government is not giving the chance for input to those who know the sector better than any legislator, how would the government get any legislation better than just a one size fits all? Again, I'll mention the fact that not all producers are the same size. We have to protect our small market producers. For this reason I strongly urge all of my fellow members to support sending this bill to committee, where we can discuss the real effects of this bill.

Thank you very much.

The Acting Speaker: Thank you, hon. member.

Any members wishing to speak under 29(2)(a)?

Seeing none, are there any other members wishing to speak to the referral?

[Motion on amendment RA1 lost]

The Acting Speaker: The hon. Government House Leader.

Mr. Mason: Thank you very much, Madam Speaker. We have made some progress tonight, perhaps, depending on your definition on progress. I would move that we adjourn the House until 9 o'clock tomorrow morning.

[Motion carried; the Assembly adjourned at 10:16 p.m.]

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