



Speaker's Ruling

Recognition of Leader of the Opposition, Alberta, November 16, 1984



Gerard Amerongen

Background: The untimely death of Mr. Grant Notley (see People section) left the Legislature without a leader of the Official Opposition. The New Democratic Party now had only one member and there were two independents.

The Ruling (Speaker Gerard Amerongen): There appear to be three possibilities (1)—to designate the Independents as the Official Opposition, which would make the leader of the Independents the Leader of the Official Opposition; (2)—to designate the hon. Member for Edmonton Norwood, (Ray Martin, NDP); (3)—to designate no one as Leader of the Opposition and to arrange a sharing of salaries as permitted by section 47 of the *Legislative Assembly Act*. None of these would be totally wrong; neither would any of them be totally right.

As recently as March 11, 1983, it was necessary to deal with such a question in a different context. As is well known, we had at that time an opposition consisting of two equal parts. Because of that equality within the House, it was necessary to try to find outside the House a possible basis for selecting an Official Opposition.

Such a basis was found in the results of the 1982 provincial general election.

These results show that New Democratic party candidates in that election received a far greater number of votes than those cast for any other nongovernment party. Hence it seems likely to the point of certainty that a larger number of voter concerns from around the province, and thus a larger amount of work, would be directed to the NDP members rather than to the Independents.

It therefore seemed just and equitable that the additional funding and staffing provided for the Leader of the Opposition should go to the leader of the New Democratic Party, and that is what was done on the basis of the statement made to this House on March 11, 1983.

That statement also acknowledged that the election of an Official Opposition at that time rested on a very narrow basis and that a change in opposition numbers in the House could or would result in changing the designation of an Official Opposition. In this regard the following points must be recognized: (1)—The present change in number in the opposition has not resulted from a resignation, retirement, or change of allegiance in this House but from the sudden death of a member. (2)—The number change may be temporary, depending on the result of a by-election which must be held by April 17, 1985. (3)—The Legislative Assembly estimates approved by this Assembly last spring provided Official Opposition funding for the current fiscal year to March 31, 1985, on the basis of the NDP being the Official Opposition. (4)—As a result of that funding, certain staffing and other arrangements are in place. (5)—There is no provable reason to assume that the preponderance of opposition work resulting from certain voter concerns or inquiries will now shift from the NDP to the Independents. (6)—The statement on the Official Opposition made to this House on March 11, 1983, was not intended to refer to a temporary or short-term change in numbers. The simple reason is that such a very temporary situation was not expected or even foreseen. (7)—The designa-

tion of the hon. Member for Edmonton Norwood as Leader of the Opposition would mean, in effect, a leader in this House without followers in the House. When the late and respected Ernest Watkins was the only member of his party in this House, he remarked in regard to the possibility of his being designated a leader in the House that he could talk to himself, he could be beside himself, but he could not lead himself. (8)—What we are concerned with here, however, is a special workload and function deriving in part from our *Standing Orders*. This function is quite apart from leading a group. In other words, here we are not concerned so much with leadership of a group in the House but with additional functions, staffing, and funding which should be available to someone in the opposition.

Referring now to the *Legislative Assembly Act*, section 47, there is authority for the Speaker to divide among two or more members the salary which would otherwise be payable to the Leader of the Opposition, if there were one. Under the circumstances, this would not solve the problem and would not give us a Leader of the Opposition as contemplated in our *Standing Orders*. What has occurred to this House is a disruption which should be minimized to the extent possible.

It is not for a Speaker to guess when either a general election or a by-election may be held. However, there are certain legal and practical considerations which are known to anyone who cares. Accordingly it seems safe to say that the date of the by-election will be very much closer to the end of the fiscal year than we are today. Disruption in staffing, funding, and other arrangements will likely diminish as we get closer to the end of the fiscal year.

Pending the outcome of the forthcoming by-election, and for all the foregoing reasons, I recognize the hon. Member for Edmonton Norwood as Official Leader of the Opposition for the time being.