

**Title: Tuesday, March 21, 2006 Private Bills Committee**

Date: 06/03/21

Time: 8:30 a.m.

[Dr. Brown in the chair]

**The Chair:** Good morning, everyone. We'll call the meeting to order. Welcome to the first meeting of the Standing Committee on Private Bills for the Second Session. My co-chair is my colleague from Calgary-West, Mr. Liepert. I've received regrets from Mr. VanderBurg and Dr. Morton, and Mr. Rodney and Ms DeLong have both been delayed in transit.

**An Hon. Member:** No. Alana is here.

**The Chair:** Is she? Okay. So others are on their way.

Welcome also to our Senior Parliamentary Counsel, Shannon Dean, who is back with us again to ensure that the bills that we have before us are compliant with the Standing Orders. Also with us is Florence Marston, the administrative assistant to the committee again.

I don't think it's necessary for me to go through the nature of private bills. Last year we talked a little bit about this, so I think everyone is familiar with that. The rules on private bills are found in Standing Orders 84 to 101. The Clerk has advertised in accordance with the Standing Orders. The petitioners that we have have also advertised the nature of their applications, with one exception, and I gather that that's now compliant. Is it, Shannon?

**Ms Dean:** We're still awaiting confirmation from the Edmonton Community Foundation with respect to their advertising. I anticipate that that will occur later this week, but perhaps when we review each of the petitions, we can discuss that then.

**The Chair:** We had four petitions put before the Assembly yesterday, which was a prerequisite to our meeting today. Our job as a committee is to hear the evidence and the submissions regarding each of those four bills during our deliberations and to make a recommendation to the Assembly that the bills proceed as they are, proceed with amendments, or that they not proceed. Once they're introduced to the House, of course, they proceed as would any other bill. There is also an obligation on government departments to scrutinize all of these private bills.

Now, on the agenda we have a couple of other items to deal with. We have the approval of the agenda for today. Could I have a motion to approve the agenda as circulated?

**Mr. Oberle:** I'll move approval.

**The Chair:** Mr. Oberle. All in favour? Carried.

The next item of business is the approval of the minutes from Tuesday, November 22, 2005.

**Mr. Lindsay:** I'll move those.

**The Chair:** Mr. Lindsay. All in favour? The motion is carried.

We move on to a review of the petitions received. Ms Dean, would you like to summarize the four petitions for us?

**Ms Dean:** Thank you, Mr. Chair. The first petition we received is from the Royal Trust Corporation. They are requesting an amendment to the Burns Memorial Trust Act. Mr. Rodney has agreed to sponsor this bill. The purpose of the amendment is to allow the trustee to determine the amount of trust income to be distributed to beneficiaries provided that the amount is not less than the amount

prescribed in the regulations under the Income Tax Act for disbursement quotas for private foundations. The impetus for this request is arising out of some 2005 changes to the regulations under the Income Tax Act. I won't go into that any further. You'll get more information in my report, and you'll also have an opportunity to question the petitioner at the time of the hearing. The petitioner has fulfilled all of the Standing Order requirements.

The second petition that we received, Pr. 2, is an amendment to a 1962 private act. This act incorporated a hospital in Mundare called the Mary Immaculate hospital. Mrs. Jablonski has agreed to sponsor this bill. Now, the petitioner here is requesting amendments that will update the corporate governance provisions of the original 1962 act and will clarify the current membership and operation of the hospital. In particular, the Sisters Servants of Mary Immaculate wish to withdraw from the membership in the hospital with a view to passing the sponsorship and control to the Alberta Catholic Health Corporation. The petitioner has fulfilled all of the Standing Order requirements. Again, you'll get a more lengthy report from me on all of the amendments before the hearing.

The third petition, Pr. 3, is a petition from the Edmonton Community Foundation for amendments to its private act. Mr. Lukaszuk has agreed to sponsor this bill. The foundation is seeking amendments that will update and modernize its corporate governance provisions. In particular, they would like to simplify the objects of the foundation. They'd also like to change the current method of appointment for directors to the board. Currently the governors and three appointing organizations directly appoint board members. What they would like is a committee of nominators, who would select board members from time to time. They are also seeking an amendment that will clarify the power of the board to indemnify its members, officers, and employees and to obtain liability insurance for this purpose.

Now, the chair alluded to the fact that this petition has not fulfilled the advertising requirements under the Standing Orders. This is not necessarily unusual. It happens from time to time. A couple of years ago it did occur, and at that time the committee entertained a motion whereby the committee, if it approved it, would recommend to the House that the Standing Order requirements be waived for advertising subject to the condition that the advertising does occur before the committee conducts its hearing with the petitioner. So it may be an appropriate time now for that motion to be made.

**Mr. Lukaszuk:** Thank you, Madam Counsel. As such, I will move that

with respect to the petition for the Edmonton Community Foundation Amendment Act, 2006, the Standing Committee on Private Bills recommends to the Assembly that Standing Order 89(1)(b) be waived subject to the condition that the committee be provided with confirmation that advertising has been completed before the committee hears the petition.

**The Chair:** Discussion regarding the motion? All in favour? Any opposed? Carried.

**8:40**

**Ms Dean:** The fourth and final petition we received this year is from the Calgary Olympic Development Association for an amendment to the Canada Olympic Park Property Tax Exemption Act. Ms DeLong has agreed to sponsor this bill. The association is seeking exemptions from municipal taxation and assessment to include all the lands and improvements held by the association, including the surrounding buffer lands and improvements. Currently the act provides that as long as the association is the owner of the ski jumps, the maintenance building, the training centre, and bobsled and luge

run, all of this property and 50 per cent of the value of the maintenance building shall be exempt from assessment and taxation by the municipality. So what they're looking for is a broader tax exemption for a larger set of lands. This petition has fulfilled all of the requirements in the Standing Orders.

**The Chair:** Any questions about any of the bills?

**Mr. Liepert:** I'm assuming that on the fourth bill we'll have opportunity to ask questions later.

**The Chair:** There will be a submission. As well, any other interested parties that would be affected – I presume that would include the city of Calgary – will be able to make their submissions.

**Mr. Liepert:** Okay.

**The Chair:** If there's no other discussion regarding the four bills

that have been presented, I think we can move on to the schedule of hearings. It's been the practice of this committee to meet on Tuesday mornings during session at 8:30. The suggestion has been made that we would meet to deliberate on the first two bills, Pr. 1 and Pr. 2, on April 11 at 8:30 a.m. Is the committee agreeable to that date? Anyone not? Okay.

Then the second meeting that's been proposed is April 25 at 8:30 a.m. That would be to consider the second two bills, Pr. 3 and Pr. 4.

A third meeting has been proposed for our deliberations and our decisions regarding the bills on May 2 at 8:30 a.m.

Could I have a motion to approve those dates? Dr. Swann. Any discussion? All in favour? Okay.

Any other business to be brought before the committee this morning? Then could I have a motion to adjourn? Mr. Johnson. All in favour? Carried.

[The committee adjourned at 8:43 a.m.]