



Legislative Assembly of Alberta

The 27th Legislature
Third Session

Standing Committee
on
Private Bills

Tuesday, April 13, 2010
8:31 a.m.

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Standing Committee on Private Bills

Brown, Dr. Neil, QC, Calgary-Nose Hill (PC), Chair
Woo-Paw, Teresa, Calgary-Mackay (PC), Deputy Chair

Allred, Ken, St. Albert (PC)
Amery, Moe, Calgary-East (PC)
Benito, Carl, Edmonton-Mill Woods (PC)
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)
Boutilier, Guy C., Fort McMurray-Wood Buffalo (Ind)
Calahasen, Pearl, Lesser Slave Lake (PC)
Dallas, Cal, Red Deer-South (PC)
Doerksen, Arno, Strathmore-Brooks (PC)
Drysdale, Wayne, Grande Prairie-Wapiti (PC)
Hinman, Paul, Calgary-Glenmore (WA)
Jacobs, Broyce, Cardston-Taber-Warner (PC)
Kang, Darshan S., Calgary-McCall (AL)
Lindsay, Fred, Stony Plain (PC)
McQueen, Diana, Drayton Valley-Calmar (PC)
Olson, Verlyn, QC, Wetaskiwin-Camrose (PC)
Sandhu, Peter, Edmonton-Manning (PC)
Sarich, Janice, Edmonton-Decore (PC)
Taft, Dr. Kevin, Edmonton-Riverview (AL)
Xiao, David H., Edmonton-McClung (PC)

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Weadick, Greg, Lethbridge-West (PC)

Bill Pr. 2 Sponsor

DeLong, Alana, Calgary-Bow (PC)

Bill Pr. 3 Sponsor

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Tuesday, April 13, 2010

[Dr. Brown in the chair]

The Chair: Good morning, everyone. We'll call the meeting to order. Thank you all for coming promptly this morning. To begin, I would like to ask everyone to introduce themselves for the purposes of the record. We'll start over on the left-hand side with Mr. Olson, please.

Mr. Olson: Good morning. Verlyn Olson, Wetaskiwin-Camrose.

Mr. Hinman: Paul Hinman, Calgary-Glenmore.

Mr. Dallas: Good morning. Cal Dallas, Red Deer-South.

Mrs. McQueen: Good morning. Diana McQueen, Drayton Valley-Calmar.

Mr. Drysdale: Wayne Drysdale, Grande Prairie-Wapiti.

Mrs. Sarich: Good morning. Janice Sarich, Edmonton-Decore.

Mr. Doerksen: Arno Doerksen, Strathmore-Brooks.

Ms Dean: Shannon Dean, Senior Parliamentary Counsel.

The Chair: Neil Brown. I'm the chair of the committee and the MLA for Calgary-Nose Hill.

Ms Marston: Florence Marston, assistant to the committee.

Ms Woo-Paw: Good morning. Teresa Woo-Paw, Calgary-Mackay.

Mr. Jacobs: Broyce Jacobs, Cardston-Taber-Warner.

Mr. Lindsay: Good morning. Fred Lindsay, Stony Plain.

Mr. Benito: Carl Benito, Edmonton-Mill Woods.

Ms Calahasen: Pearl Calahasen, Lesser Slave Lake.

Mr. Bhardwaj: Naresh Bhardwaj, Edmonton-Ellerslie.

Mr. Amery: Moe Amery, Calgary-East.

Mr. Xiao: David Xiao, Edmonton-McClung.

Mr. Boutilier: Guy Boutilier, Fort McMurray-Wood Buffalo.

The Chair: Thank you, all. The first order of business is the approval of the agenda, which has been circulated on our site. Moved by Ms Calahasen. Any additions, deletions? All in favour, then? Any opposed? Carried.

The next order of business is the minutes from our previous meeting of March 23. Has everyone had an opportunity to review those minutes? I have a motion from Ms Woo-Paw to approve the minutes as circulated. Any comments, errors, or omissions in the draft minutes? Seeing none, then, all in favour of the minutes as circulated? Anyone opposed? That's carried.

We have three items of business before us this morning, the three bills that we considered at the last meeting: Bill Pr. 1, the Community Foundation of Lethbridge and Southwestern Alberta Act; Bill Pr. 2, the Canada Olympic Park Property Tax Exemption Amend-

ment Act, 2010; and Bill Pr. 3, the Lamont Health Care Centre Act. Today our job is consider the bills and to make recommendations to the Legislature on whether the bill should proceed to the Assembly as it has been drafted, to have it proceed with amendments, or to recommend that it does not proceed. When we've made those determinations today, I will report on behalf of the committee to the Legislature with respect to each of those bills, and then we'd go through the same process as any other bill; namely, through second reading, Committee of the Whole, and third reading. Any questions before we begin?

Okay. We'll move on to Bill Pr. 1, the Community Foundation of Lethbridge and Southwestern Alberta Act. Dr. Taft, did you have an issue that you wanted to raise?

Dr. Taft: No.

The Chair: Okay.

Dr. Taft: Not yet. I might in a while. I can find one if you like.

The Chair: For the record Dr. Taft has joined the committee.

Bill Pr. 1

Community Foundation of Lethbridge and Southwestern Alberta Act

The Chair: I would ask Ms Dean, our Parliamentary Counsel, just to make a few brief comments on Bill Pr. 1. I don't think we had any major issues with it.

Ms Dean: Thank you, Mr. Chair. Committee members will recall that Bill Pr. 1 is a bill which will establish a community foundation for the Lethbridge area. As far as I recall and upon reviewing the transcript, I don't believe there were any outstanding issues that committee members had with respect to this bill.

In brief, there is a precedent for this type of thing. There are other community foundations incorporated by private acts such as the Calgary Foundation and the Medicine Hat foundation.

Those conclude my comments unless committee members have questions.

The Chair: Just for the record we'll note that Mr. Sandhu has joined us. Welcome.

Mr. Sandhu: Good morning. Peter Sandhu, MLA, Edmonton-Manning.

The Chair: I'm prepared to accept a motion that this particular bill, Bill Pr. 1, proceed. Mrs. Sarich, would you like to make a motion?

Mrs. Sarich: Sure, Mr. Chair. I move that the Standing Committee on Private Bills recommend that Bill Pr. 1, Community Foundation of Lethbridge and Southwestern Alberta Act, proceed in the Assembly.

The Chair: Any discussion on the motion? Then I'll call the question. All in favour of the motion as presented by Mrs. Sarich? Anyone opposed? That's carried unanimously. Thank you.

Bill Pr. 2

Canada Olympic Park Property Tax Exemption Amendment Act, 2010

The Chair: The second bill before us this morning is Bill Pr. 2, the Canada Olympic Park Property Tax Exemption Amendment Act,

2010. You'll recall that when the representatives of the city and CODA, Canada Olympic Development Association, I believe it stands for, appeared before us, they had reached a general consensus on what the terms of that would be. The committee had some concerns regarding whether or not city council had confirmed their acceptance of those terms, and I think those have been well satisfied by the documentation before us.

I'll let Ms Dean speak to the affirmation, but I think that the concerns that the committee had with respect to tax exemptions have been met and that the city of Calgary was satisfied with the resolution that was made.

Ms Dean: Thank you, Mr. Chair. Since the hearing date we've received a number of pieces of correspondence to address some of the issues that were raised by the committee, and these have all been posted on the site. There was a letter dated March 29 from counsel for the city of Calgary, who did appear before us, and he in his letter explained the context with respect to the briefing that had been provided to city council. It had not been done in a public forum. However, you will note that there was also a letter from Mayor Bronconnier confirming those discussions and confirming that city council was in agreement with Bill Pr. 2 with the proposed amendments that had been discussed between CODA and the city representatives.

The other item, that was also posted, is a letter from CODA's counsel addressing a few of the points that were raised at the hearing. Also, I've received an e-mail from him confirming that he's in support of the wording of the amendments, that was provided by myself.

So unless there are any questions.

The Chair: Mr. Benito.

8:40

Mr. Benito: Thank you very much, Mr. Chair. I read in the newspaper, I think yesterday or the other day, about the film production facility that will be built on the site. Is that basically the reason we're putting in this Bill Pr. 2 so that we can accommodate the tax exemption of that idea, that we'll be building on this site? I'm just wondering.

The Chair: Not to my knowledge. I don't think that's the motivation. I think there was a clear articulation of the viewpoint that they weren't seeking any exemption for anything of a commercial nature, anything that would compete with private enterprise. I think it was more or less for the purposes of CODA, for the sport development, and any small ancillary shops that they might have in contiguity with those particular buildings and so on.

All right. Ms Marston has just pointed out to me that there is a specific reference in the letter from Wilson Laycraft, the counsel for CODA. In paragraph 2 there it refers to cultural activities for commercial or trade purposes or for the sale of assets in accordance will be excluded from the exemption. So anything to do with commerce, trade purposes, or for sale of goods to the public for gain is specifically excluded.

Mr. Boutilier, please.

Mr. Boutilier: Yeah. Thank you, Mr. Chair. Certainly, I would yield to the MLAs from Calgary. You know, obviously this is their backyard. I would assume that if by now we have not had substantial concerns raised, one would assume the MLAs are supportive from the Calgary constituencies.

My only question, Mr. Chair, as a follow-up to the last meeting,

was that there was an in camera session held by the city council. I just was wondering. My question to the department officials from the city at the time was if, in fact, under the Municipal Government Act it's required for a type of public endorsement relative to this initiative. Have you, unless I have missed it, received any correspondence to that effect on what would be made public by the city of Calgary support, the elected officials, not the bureaucratic officials? That came up in the last meeting.

The Chair: Well, yes. But speaking from a lawyer's standpoint, the city has clearly articulated that they are in agreement with it. We don't have a city council resolution on it, but clearly they've represented it to that effect, that they are in agreement with it. With respect to your preliminary comments there, I mean, the city of Calgary has been very diligent in making sure that there has been no loss of public taxable property here other than what those are for particular purposes of sport and charitable purposes. I'm comfortable with the resolution arrived at. We do have the letter from Mayor Bronconnier positively affirming that city council is supportive of these amendments.

Mr. Boutilier: Right. It's not with my package, but it's my understanding – and I wanted to confirm it – that the mayor has publicly indicated in the letter to you that, in fact, as discussed in the last meeting, the council are supportive of this initiative.

The Chair: Yes, they are.

Mr. Boutilier: That's what I was looking for. Under the Municipal Government Act in camera meetings – there are specific jurisdictions and purposes behind an in camera meeting, and there is a distinction between a civil servant and an elected official, and it's important to say who has the support of it. The fact that the elected official is saying he does, then that satisfies my query.

The Chair: Yeah, well, fair enough, Mr. Boutilier. I would say when someone comes before us that purports to be representing an agency or a municipal government, I think we have to take them at face value, that they have the authority to be here and the authority to speak on behalf of that body. Certainly, when somebody from the city law department appears in front of this committee, I think we need look no further. They have the ostensible authority to speak on behalf of the city, and I do accept that at face value.

Mr. Boutilier: I just don't make that assumption, Mr. Chair, because I didn't vote for a lawyer from Calgary.

Ms Calahasen: On this point. Any decisions we make in this Private Bills Committee are not contingent on whether or not a municipal government supports the action or the recommendation, are they?

The Chair: Well, I would say that this committee would take very seriously any objections that the municipality might have to this because they are the principal taxing authority.

Ms Calahasen: But not contingent on that.

The Chair: Well, no. One of our functions as the Private Bills Committee is to act in a quasi-judicial manner to judge between the various interests of the public, of other bodies, not just the petitioner that comes before us, and to weigh those things. It's incumbent upon us to weigh the relative merits of each of the parties' positions.

In this case, both of the positions have come to a resolution somewhere in the middle, in a compromise, and I think that the committee ought to be relatively satisfied with the fact that everybody is onboard with the bill as presented now.

Ms Calahasen: Thank you.

The Chair: Further questions?

Dr. Taft: For the record because I just am a bit uneasy with the process here. We were supplied with the Calgary city council minutes, and I just want to note for the record – and I'm reading from page 43 of 44 of the minutes – that the update to Calgary city council on this issue was kept as a verbal report and that for reasons that always make me a little bit uneasy, it says here “that the discussion remain confidential under Sections 24(1)(a) and (g) of the Freedom of Information and Protection of Privacy Act.” There was a vote on that. That stance of requiring that this remain confidential was opposed by Alderman Hodges. I'm always uneasy when I see a discussion dealing with tax issues and a fair piece of land being kept confidential. I have no reason why, and I'll never know why, but I have to tell you that for that reason I'm uneasy. What's the secret? Why can't the public know?

The Chair: Ms Dean, would you care to comment on that?

Ms Dean: I'm not sure if this will satisfy Dr. Taft's concerns surrounding process, but just as a footnote in terms of the facts leading up to the resolution of the differences between the two parties, the briefing for city council was given sometime during the day on March 22, and the two parties did not resolve, you know, their differences until the evening before the hearing. I think that the issue was raised in camera. I can't say for sure, but I would suspect the issue was raised in camera because they just hadn't come to a resolution.

Dr. Taft: Well, we'll never know, will we? I am just uneasy when a decision like this is made and is deliberately kept confidential, and then we're asked just to accept the outcome. I'm curious to know: what were the issues? Why was it contentious? How was it resolved? I'm not saying that I'd necessarily oppose it. It's just a process with which I am uneasy.

The Chair: Well, I think we know, Dr. Taft, how it was resolved because we do have the mayor's letter saying that council has agreed to the amended version of the bill.

Dr. Taft: Let me rephrase that, then. The process through which it was resolved: was it bulldozed through? Was it a general consensus? What's going on? Why the secret? I just wanted to get that on the record. That's a process that I for one don't like.

The Chair: Mr. Boutilier.

Mr. Boutilier: Thank you, Mr. Chair. To legal counsel. Under the Municipal Government Act the purposes for in camera meetings and the purposes for public council meetings in terms of public disclosure are very specific. I'd appreciate legal counsel's opinion if, in fact, the Municipal Government Act under the purposes of public versus in camera meetings being held have been satisfied pertaining to this issue.

8:50

The Chair: Well, Mr. Boutilier, I don't think it's the purpose of this committee or the job of this committee to determine whether the city

council carried out their business in accordance with the Municipal Government Act, with the greatest respect. What we do know is that we have affirmation, in two forms of documentary evidence that are before us here, that they have agreed to the amended bill that is before us. What we are concerned with is whether or not the parties agree here. We're to adjudicate between them. Now we've learned through these pieces of documentation that these parties have agreed and come to some consensus on what this taxing bill would say.

With the greatest respect, I don't think it's our job to be an overseer of the city of Calgary's business, and I'm going to rule that question out of order.

Mr. Boutilier: Mr. Chair, with all due respect, I was asking, based on the previous discussions that were held in this meeting, where a department official talked in camera – I'm very familiar, in terms of the issue, with the requirements by law. I'm not suggesting other than, in fact for legal counsel, if the procedure and processes have been followed based on comments that have been made by the proponents.

The Chair: Fair enough, Mr. Boutilier. You may have a very valid point; I'm not saying that you don't. I'm saying that this is not the forum to deal with that point.

Mr. Boutilier: Could you suggest to me where that point would be made?

The Chair: Well, you might want to take it up with one of the provincial authorities or with the city of Calgary, with the Minister of Municipal Affairs or with the city of Calgary, but certainly it's not our job to oversee whether or not the city of Calgary has carried out its business in accordance with some legislation or other.

Mr. Boutilier: So there's no opinion from our legal folks, in fact, on what was followed.

The Chair: I don't think one is required.

Mr. Boutilier: I disagree with you, Mr. Chair, but it's your call.

The Chair: Any other questions or comments? Mrs. Sarich.

Mrs. Sarich: Thank you, Mr. Chair. Perhaps it would be helpful if one would revisit the correspondence to the committee received from the city of Calgary, their law department, where it's quite clear in paragraph 3. It states that at this time the city, which implies the city of Calgary, “does not intend to present a resolution before City Council regarding Bill PR2.” They also ask that if it was prudent for such a resolution, they would need time to bring forward those processes.

In the preceding paragraph city council's law department also states that it's their opinion that the residents of the city of Calgary had been appropriately advised of Bill Pr. 2 through the advertisements of those processes.

Mr. Chair, you're quite right. The most recent correspondence that flowed through after that correspondence on April 9 by Mayor Dave Bronconnier for the city of Calgary indicated support by council regarding their understanding of Bill Pr. 2. Here we are today, you know, looking at all of this correspondence, and I feel very comfortable that, to the best of my recollection, I did ask questions around process as well at the last meeting. However, we have to take consideration of the correspondence received since that time, and I think that those questions have been satisfied.

Thank you.

The Chair: Thank you, Mrs. Sarich.

Mr. Benito, you had another question?

Mr. Benito: Yes, Mr. Chair. I'm just wondering. I clearly understood what you have explained about the question of Mr. Boutilier, but I'm just curious: would legal counsel be interested in answering that question just, you know, as a point of clarification?

The Chair: No. I don't think so. I just don't think it's relevant to the proceedings today.

Mr. Boutilier: It's not relevant, Mr. Chair?

The Chair: It is not relevant. It's totally irrelevant.

Mr. Boutilier: On what grounds?

The Chair: On the grounds that our job here is to adjudicate between the parties to see whether or not the bill should proceed, proceed with amendments, or should not proceed. It's not to adjudicate on the procedures of a municipal body.

I think Mrs. Sarich quite appropriately stated that there were some current concerns expressed at the last meeting. Those concerns now have been resolved by the fact that we have affirmation from the city, who had some very significant concerns at the outset with respect to allowing tax exemptions for what might be commercial enterprises or residential districts or a hotel or anything else, whatever might be built there. Those concerns have been satisfied now to the satisfaction of the city of Calgary. We have ample documentation that the city of Calgary now is in agreement with them. The concerns that were expressed at the last meeting now have been resolved, in my mind, as Mrs. Sarich has stated. Our job, as I said, is not to be one of oversight over the municipal governments of the province of Alberta. Our job is to adjudicate with respect to this piece of legislation that's before us this morning.

Mr. Boutilier: I'd like to respond, in concluding this matter, by indicating that you're satisfied that the people of Calgary are fully informed on the issue. The reason I say this, Mr. Chair, is that from the experience of members, MLAs, that have served on municipal councils, they are very familiar with the reasons behind when you can meet in public versus not in public. They're very specified. If legal counsel, I'm assuming, is satisfied by this requirement being met, then I will be satisfied as well. I don't have an answer from legal counsel, but they're satisfied. I'm assuming they are. Even though you've ruled the question out of order, I think it's very germane to the discussion. I'll leave it at that.

The Chair: I appreciate that.

With respect to the people of the city of Calgary, we do have a number of those on our committee. In addition to that, I would just point out that any private bill, before it comes before this committee in the first instance, is not only advertised in the *Gazette*, but it's also advertised in the local community newspaper. In this case it was advertised in the *Calgary Herald*. Anyone – and I say that advisedly – is entitled to come before this committee when there is a private bill to oppose it or to support it or something in between, to have it amended. So there is ample opportunity. As it turns out, we sought the opinions of various government agencies as well as the city of Calgary, and we did get the city of Calgary to appear before us. One must assume that they are representing their taxpayers, I think.

If there are no further questions, I'm going to ask for a motion that this bill would proceed in accordance with the amendments. Ms Woo-Paw, would you care to make that motion, please?

Ms Woo-Paw: Yeah. I move that

the Standing Committee on Private Bills recommend that Bill Pr. 2, Canada Olympic Park Property Tax Exemption Amendment Act, 2010, proceed with the following amendments:

A Section 3 is struck out and the following is substituted:

3 Section 2 is repealed and the following is substituted:

Exemption from property tax

2 For so long as the Lands and Improvements or any portion thereof is held by CODA and used or intended to be used by CODA in connection with sporting and recreational purposes inclusive of the cultural, educational, administration, facilitation, support and advancement of sports and recreation, any Lands and Improvements shall be exempt from property taxation.

B Section 4 is struck out and the following is substituted:

4 Section 3 is repealed and the following is substituted:

Exclusions

3(1) In this section, "Regulation" means the Community Organization Property Tax Exemption Regulation (AR 281/98).

(2) Nothing in this Act shall prevent or exempt from assessment and taxation

(a) the interest of a person who becomes an owner of any of the Lands or Improvements,

(b) CODA or the interest of a person who becomes an occupant of any of the Lands or Improvements where CODA's or that person's use of the Lands or Improvements are for commerce or trade purposes or for the sale of assets or goods to the public for gain,

9:00

(c) the interest of a person who uses any of the Lands or Improvements for gaming, which would not qualify for tax exemptions under the Regulation, or

(d) the interest of a person who uses any of the Lands and Improvements for the sale of liquor, which would not qualify for tax exemptions under the Regulation.

(3) Subsection (2)(a) and (b) do not apply with respect to the use and occupation of any of the Lands and Improvements by

(a) CODA or on behalf of CODA for commerce or trade purposes or for the sale of assets or goods for commercial purposes where such operations are used for sporting, recreational, cultural or educational purposes and such use qualifies for tax exemptions under the Regulation, or

(b) a tenant of CODA where such tenant's use would qualify for tax exemptions under the Regulation.

C The following is added after section 7:

7 The following is added after section 6:

Report of changes

7 For the purpose of the administration of this Act, CODA shall on or before August 31 of each year report to the City Assessor for the City of Calgary any changes in use, occupation or ownership of any of the Lands and Improvements.

The Chair: Thank you.

Discussion on the motion as proposed with the amendments to Bill Pr. 2? No discussion?

Hon. Members: Question.

The Chair: All in favour, then? Anyone opposed?

Dr. Taft: Am I the only one?

The Chair: One. That motion is carried. Thank you very much.

**Bill Pr. 3
Lamont Health Care Centre Act**

The Chair: Now, two options have been circulated for Bill Pr. 3, the only difference being the provision in section 8(2). Section 8(2) provides that “Section 112 of the Employment Standards Code does not apply to the members or an officer of the corporation.” I’ve asked that a copy of that particular section of the Employment Standards Code be circulated to everyone so that they are aware of what is being asked for by the petitioners in that specific instance.

I’m going to ask Ms Dean to give us a briefing on this issue particularly and on any other issues that she wishes to address. I think some of the concerns with the original bill have been satisfactorily addressed, but there’s still this one issue that’s outstanding. Do you want to speak to the liability issue in general and then to the Employment Standards Code, please?

Ms Dean: Thank you, Mr. Chair. The proposed amendment in section 8 is a result of discussions I had with the petitioners’ counsel, and they were amenable to this type of language because it mirrors what exists in the regional health authorities legislation as well as what the committee approved last year with respect to the Covenant Health private act. What the petitioner had originally proposed was a broad exemption from liability. This is what was resolved as being more appropriate because it parallels, again, the regional health authorities legislation and what the committee has approved in the past.

They have asked that another option be presented to the committee that would provide a further exemption in connection with unpaid wages. Under the Employment Standards Code directors of a board are responsible for unpaid wages up to six months, I believe. They’re requesting that that section not apply to this corporation. Their justification is that that sort of relief is provided to institutions like universities and colleges. So that’s their justification.

The other side of the coin is, again, if you wanted to parallel what’s in legislation governing health authorities and what you approved last year, that that broader exemption dealing with the Employment Standards Code would not appear in the amendment.

The Chair: Can you give us some specific examples that a committee might have dealt with as a precedent in the past that, you know, might be similar to this so that we have some guidance?

Ms Dean: Yeah. The key precedent was from last year, the Caritas Health Group, which is now known as Covenant Health, which merged I think nine or almost a dozen health entities into one, and this issue of liability did come up at the hearing and at the deliberations. It was felt that a blanket exemption from liability with respect to anything was perhaps a little bit too broad, and it would be more appropriate for the protection from liability to be there provided that the director or officer, the member or officer in this case, fulfills their duty in good faith.

The Chair: Okay. We’ll open the floor to questions now. Mr. Lindsay, you have a question?

Mr. Lindsay: Fine. It’s clarified. I was just trying to understand whether the explanation covered both version 1 and 2. I’m assuming that it covered both versions.

Maybe a little explanation on version 2, part (2), where it talks about the Employment Standards Code. With version 2, if we approved that, then the Employment Standards Code would not apply to the members or an officer of the corporation. Is that correct?

Ms Dean: Correct.

The Chair: Mr. Doerksen.

Mr. Doerksen: Thank you, Mr. Chair. To be perfectly clear, the precedent that legal counsel mentioned would have favoured version 1 in terms of what we considered last year in the Caritas health act, correct?

Ms Dean: That’s correct.

Mr. Doerksen: Okay. Thank you.

The Chair: Further questions or discussion? No?

Then would somebody like to make a motion on one or the other version?

Mr. Dallas: Mr. Chair, I would be prepared to make a motion on version 1.

The Chair: Thank you, Mr. Dallas.

Mr. Dallas: I would move that

the Standing Committee on Private Bills recommend that Bill Pr. 3, Lamont Health Care Centre Act, proceed with the following amendments:

A Section 8 is struck out and the following is substituted:

Protection from liability

8(1) No action for damages may be commenced against a member or officer of the corporation for anything done or omitted to be done by that person in good faith in the performance of the person’s duties or functions or the exercise of the person’s powers under this or any other enactment.

B Section 11 is struck out and the following is substituted:

Exclusions

11(1) The corporation, by resolution of its members, may resolve to dissolve.

(2) The United Church of Canada and Alberta Health Services shall be immediately notified of a resolution made under subsection (1).

(3) A resolution to dissolve the corporation may be revoked by resolution any time before articles of dissolution have been filed with the Registrar under subsection (4).

(4) When the corporation has

(a) given notice under subsection (2),

(b) discharged all of its liabilities, and

(c) distributed all of its assets in accordance with section 12,

the corporation shall file with the Registrar of Corporations articles of dissolution in a form satisfactory to the Registrar.

(5) On receipt of the articles of dissolution, the Registrar of Corporations shall issue a certificate of dissolution.

(6) The corporation ceases to exist on the date shown in the certificate of dissolution.

(7) Subsection (4) and section 12 do not apply if the resolution to dissolve has been revoked under subsection (3).

C Section 12 is amended by striking out “Upon liquidation,” and substituting “Upon the passing of a resolution under section 11(1).”

The Chair: Thank you, Mr. Dallas.

I'll open the floor to discussion on the motion containing the amendments to Bill Pr. 3. Any further discussion? Ready for the question, then?

9:10

Hon. Members: Question.

The Chair: All in favour, then, of the motion as proposed by Mr. Dallas to recommend the amendments to Bill Pr. 3? Anyone opposed? Carried. Thank you.

That concludes the business before the committee unless there is anything else to be brought before the committee. Is there any other business? Then I'll accept a motion to adjourn.

Mr. Bhardwaj: Yes, sir.

The Chair: Mr. Bhardwaj. All in favour? Opposed? Carried. Thank you very much.

[The committee adjourned at 9:11 a.m.]

