



Legislative Assembly of Alberta

The 28th Legislature
First Session

Standing Committee
on
Private Bills

Tuesday, April 23, 2013
9 a.m.

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Standing Committee on Private Bills

Xiao, David H., Edmonton-McClung (PC), Chair
Johnson, Linda, Calgary-Glenmore (PC), Deputy Chair

Barnes, Drew, Cypress-Medicine Hat (W)
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)
Brown, Dr. Neil, QC, Calgary-Mackay-Nose Hill (PC)
Cusanelli, Christine, Calgary-Currie (PC)
DeLong, Alana, Calgary-Bow (PC)
Fox, Rodney M., Lacombe-Ponoka (W)
Fritz, Yvonne, Calgary-Cross (PC)
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)
Jablonski, Mary Anne, Red Deer-North (PC)
Leskiw, Genia, Bonnyville-Cold Lake (PC)
Notley, Rachel, Edmonton-Strathcona (ND)
Olesen, Cathy, Sherwood Park (PC)
Rowe, Bruce, Olds-Didsbury-Three Hills (W)
Strankman, Rick, Drumheller-Stettler (W)
Swann, Dr. David, Calgary-Mountain View (AL)
Webber, Len, Calgary-Foothills (PC)

Support Staff

| | |
|------------------|---|
| Shannon Dean | Senior Parliamentary Counsel/ Director of House Services |
| Florence Marston | Administrative Assistant |
| Liz Sim | Managing Editor of <i>Alberta Hansard</i> |

9 a.m.

Tuesday, April 23, 2013

[Mr. Xiao in the chair]

The Chair: Well, good morning. Welcome to the Standing Committee on Private Bills. Before we start, I'd like to go around to introduce ourselves. My name is David Xiao, MLA for Edmonton-McClung and the chair of this committee.

Ms Marston: I'm Florence Marston, the administrative assistant to this committee.

Ms L. Johnson: Linda Johnson, Calgary-Glenmore.

Mrs. Leskiw: Genia Leskiw, Bonnyville-Cold Lake.

Ms Cusanelli: Christine Cusanelli, Calgary-Currie.

Mr. Bhardwaj: Naresh Bhardwaj, Edmonton-Ellerslie.

Mrs. Jablonski: Good morning. Mary Anne Jablonski, Red Deer-North.

Mr. Goudreau: Hector Goudreau, Dunvegan-Central Peace-Notley.

Mr. Barnes: Drew Barnes, Cypress-Medicine Hat.

Mr. Rowe: Bruce Rowe, Olds-Didsbury-Three Hills.

Mr. Strankman: Rick Strankman, Drumheller-Stettler.

Mr. Fox: Rod Fox, Lacombe-Ponoka.

Dr. Swann: Good morning. David Swann, Calgary-Mountain View.

Dr. Brown: Neil Brown, Calgary-Mackay-Nose Hill.

Ms Dean: Good morning. Shannon Dean, Senior Parliamentary Counsel and director of House services.

The Chair: Okay. Thank you very much.

Ms Olesen: Sorry. Cathy Olesen, Sherwood Park.

The Chair: Welcome.

Before we start, we just have some housekeeping items to talk about. You know, please keep your BlackBerrys or iPhones off the table. They might interfere with the sound system. The audio of the committee proceedings is streamed live on the Internet and recorded by *Hansard*. Audio access and the meeting transcripts may be obtained via the Legislative Assembly website.

Ladies and gentlemen, section 6 of the Legislative Assembly Act permits participation in the committee "by means of telephone or other communication facilities that permit all Members participating in the meeting to hear each other if all the members of the committee consent." The committee rooms are equipped to facilitate meeting participation by telephone. Committees have a choice of passing a motion, which needs to be passed unanimously, to approve meeting attendance by telephone for the duration of the Legislature or to move such a motion at the end of the meeting indicating whether participation by telephone will be permitted at the next meeting.

I believe the draft has already circulated on the website among the committee members, so now I would like to ask a committee member, maybe Linda, to move the motion. Today all the members are here, but just in case in the future some members would like to participate by telephone, then we'll have a motion in place.

Go ahead, Linda.

Ms L. Johnson: I'd like to move that

for the life of the 28th Legislature the Standing Committee on Private Bills permit committee members to participate by teleconference subject to the proviso that the committee may require members' attendance at a particular meeting upon passage of a motion at a previous meeting to that effect.

The Chair: Is there any discussion on the motion? No? Okay.

I will call the question. All in favour? It's carried.

We'll move to the agenda. The agenda has also been circulated among the members, so I need a motion.

Mr. Goudreau: Mr. Chair, I'll move the meeting agenda as proposed here.

The Chair: Okay. All in favour? Carried.

Since this is our first meeting, I would like to invite Ms Dean to provide you with an overview of the committee's mandate and process. Shannon Dean is the Senior Parliamentary Counsel, as you know, assigned to assist our committee.

Ms Dean, go ahead.

Ms Dean: Thank you, Mr. Chair. Briefly, this committee meets when there are petitions for private bills to be reviewed and heard. Most of you have probably seen this document. This is a layman's guide to the procedure for petitioning for a private bill. In brief, if a person or an entity is seeking a special remedy that's not available through public legislation, then they may seek recourse through a private bill.

The requirements in Alberta are for the petitioner to submit two petitions, one to the Lieutenant Governor and one to the Assembly. They also submit a proposed form of bill, a cheque for \$500, and proof of advertising in one daily newspaper indicating that they've notified the public about the type of bill that they're seeking.

This year we've received two private bills, and we'll go into that in the next item on the agenda. Just in brief, in terms of the role of the committee, petitions are received once a year. This year the deadline was April 4. The chair presented the petitions last week in the Assembly, and now they stand referred to this committee. The committee's job now is to review them and report back to the House as to whether the standing order requirements have been met. Then, following that, the private bills will be introduced in the House. I'm hoping that will occur tomorrow. Then the bills stand referred to this committee.

Today we will be looking at some dates for a hearing to hear two private bills and then another date for a meeting at which time the committee will deliberate. When the committee is deliberating, it's got three options with respect to the bills that have been presented to it. The committee can either recommend that the bill proceed, that the bill proceed with amendment, or that the bill not proceed.

The bill goes through the stages in the House like any other bill. It would go to second reading, Committee of the Whole, and third reading following the presentation of the report from this committee.

Unless there are any questions, Mr. Chair, I'll turn it over to you.

The Chair: Sure.

Any questions? Go ahead.

Mrs. Leskiw: Who speaks on behalf of these bills? Do they appoint somebody?

Ms Dean: There's a sponsor for each bill. Typically the petitioner consults with an MLA who might have a connection with the entity or a person involved in the private bill. This year we have Mr. Dorward, who is the sponsor of Pr. 1, and Mr. McDonald, who's the sponsor of Pr. 2.

Mrs. Leskiw: And the other one?

Ms Dean: There was a third private bill.

Mrs. Leskiw: The Misericordia Hospital Amendment Act, 2013.

Ms Dean: Yes. I got word late on Friday that the petitioner does not want to proceed with that bill. We'll be advising the House that that petition will not proceed, so we're only looking at two private bills this year.

Mrs. Leskiw: Okay. Thank you.

The Chair: Any other questions?

The Parliamentary Counsel's report was also hand delivered to the committee members, I believe, on April 19, 2013. The report includes a description of the petitions and the bills that will be tabled this afternoon.

Drafts of the bills have been posted on the committee's internal website, which brings us to item 3 on the agenda, which is a review of the petitions we received. Like Ms Dean just mentioned, a list of the petitions, actually two of the petitions, for the committee's consideration has been received and distributed to the members. I again would like to invite our Parliamentary Counsel to provide a brief overview of these petitions.

Go ahead, Ms Dean.

Ms Dean: Okay. Thank you, Mr. Chair. Just to be clear, the bills will be presented in the House either tomorrow or Thursday.

The first petition. The petitioner is Church of Jesus Christ of Latter-day Saints in Canada, and the petitioner is Stephen Miller of Calgary, Alberta. The church is seeking incorporation of an entity under that name. Currently that entity exists by way of a trust. The proposed private bill will also seek to amalgamate a number of other entities that are related to the church. One is incorporated by a federal private act and two others are incorporated by – well, one is incorporated by an Alberta private act, and one is originally incorporated by a Northwest Territories ordinance. The proposal in the bill is to have all of these entities amalgamated into one under the name Church of Jesus Christ of Latter-day Saints in Canada. The petitioner has fully complied with all the standing order requirements. That's all I have to say on that particular petition.

9:10

We will get into the substance of the petition at the next meeting. Prior to that meeting I will provide you with my report, which identifies any issues that I'd like to raise to your attention. In some instances I invite government officials to be in attendance if there's a need to get clarification on a particular policy or a particular state of government law or what have you.

Moving on to the second private bill, it's a petition from the Wild Rose Agricultural Producers. The key reason for their petition is to seek a change in name from Wild Rose Agricultural Producers to Alberta federation of agriculture. Now, that entity was originally set up through private act under the name of the Farmers' Union of Alberta.

The proposed petition also seeks some amendments to the act which would provide for the organization's objectives to be set out in its bylaws as opposed to the act and also to provide for the

location of the head office to be determined by the board of directors. The petitioner has fully complied with all the standing order requirements.

That completes my discussion on the two petitions. Again, the third petition is not proceeding. If there are any questions, I'd be happy to entertain them.

The Chair: Just before we proceed to the questions, I would like to have our newly arrived members introduce themselves.

Go ahead.

Mrs. Fritz: Thank you. Yvonne Fritz, Calgary-Cross. I apologize for being late. I was listening to a presentation from Minister Hancock on poverty reduction strategies.

Thank you, Mr. Chair.

Ms DeLong: Alana DeLong, Calgary-Bow.

The Chair: Okay. Now we move to the question period.

Mr. Goudreau, go ahead.

Mr. Goudreau: Well, thank you, Mr. Chair. Ms Dean, under the Church of Jesus Christ of Latter-day Saints in Canada Act, you just quickly identified that there are a number of incorporations occurring, some under the provincial acts. There's one that you mentioned under a federal act. Do we have authority? Can we go there? Is it normal for us to look at that aspect?

Ms Dean: That's an excellent question. I researched it at length with Stephanie LeBlanc, our Parliamentary Counsel, and there is provision for that. We made amendments with discussion with the petitioner's counsel to make it clear that as long as the federal law allows for amalgamation, then it's permitted, which parallels how it's handled under the Alberta Business Corporations Act. We can get into the nitty-gritty of these sorts of issues when the petitioner and its counsel are here for the hearing, but it's a very good question.

The Chair: Okay. Mrs. Jablonski.

Mrs. Jablonski: Thank you, Chair. Hector asked my exact question. I know you said that we can get into it later, but in case you need to research it or something, the supplemental is: if we are allowed to amalgamate, take the federal entity that's incorporated federally and amalgamate it here, does that mean it's no longer registered under federal law?

Ms Dean: Another good question. Basically, they're striving to keep its registration as a charitable entity under federal law. In terms of the federal statute that's a good question. I will look into it and consult with the counsel for the petitioner, and we can discuss it at the time of the hearing.

Mrs. Jablonski: Thank you.

The Chair: Were there any other questions? Since there are no more questions, we will proceed to item 4, which is the schedule of hearings and deliberations.

The proposed schedule of hearings and deliberations also has been distributed to the committee members. Are there any questions? Mr. Goudreau.

Mr. Goudreau: Well, thank you, Mr. Chair. Just looking at May 7 and May 14, I'm just wondering. Typically it would take a couple of weeks to go through the Legislature. Is there an urgency, or can these then fall back into a fall session rather than having

them approved here? I'm just wondering about the urgency of these private bills and whether or not May 7 and May 14 are appropriate for us to deliberate and make a decision and then have them approved through the House, going through the normal process this spring.

The Chair: Ms Dean, would you like to answer the question?

Ms Dean: Well, certainly, we have at least two weeks of scheduled sitting time in May. It's not unusual for these private bills to come into the House near the end of a sitting and to go through second reading and committee and third reading in a day or two. Technically, you need at least two sitting days to get through those three phases, but it can occur.

Mr. Goudreau: Okay.

Ms Dean: Failing that, if we adjourn and the bills are still on the Order Paper, the bills carry forward to the fall sitting, assuming we don't start a new session.

The Chair: Okay. Any other questions?

No more questions. I need a motion from the floor.

Mr. Bhardwaj: To adjourn the meeting?

The Chair: No. Basically, we need a member to move that the proposed schedule of hearings and deliberations be adopted as circulated. That's the motion on the floor.

Mr. Bhardwaj: So moved.

The Chair: Okay. Mr. Bhardwaj.

You've got a question? Go ahead.

Ms Olesen: With the process – and I'm still new here – it seems to me that a lot of times when things are posted on the internal website, I think sometimes our leg. assistants lose that. Is it a new system where they go looking to a website instead of having the things sent to them? I think that's an opportunity for things to get lost. I have a hard time finding things. I'm new at it, but it doesn't seem to be working for me.

Ms Marston: Does your assistant have access to the internal secure site?

Ms Olesen: I would hope so.

Ms Marston: Okay.

Ms Olesen: I just bring it up now, but it's happened a few times for me. You're just hearing the frustration from a bunch of other meetings, that when they have to go to a website, sometimes they don't really recognize what they need to send. If it was a package where the support person knows what's important and sends it to everybody, I think that would clean a lot of mishaps up.

The Chair: Yeah.

Mrs. Fritz: I'd just like to speak to this as well. I agree. I'm glad that you brought that forward. I found the same. I did write your assistant for this committee about that, about the internal website. The question about an assistant – I presently don't have an assistant and haven't for some time. It was a bit difficult to navigate, but I think the process really does work, as mentioned by the previous speaker here, that when you highlight what it is that

you feel is important for the committee and just have it readily available, it's much easier to access. If you could think about it.

The Chair: Oh, definitely. I think there would be a way to do that. I also had a little bit of frustration as well, and sometimes I think that maybe it's my fault. I kind of miss my e-mails sometimes. We can do a better job. Sure.

Any other questions? Okay. Ms Dean.

Ms Dean: Just to be clear, the process is that we have an internal site. Certainly, if your assistants have any questions, I would suggest they contact Florence Marston about navigating that, you know, just to ensure that they actually have the access that they need. Certainly, Florence always brings extra packages of hard copies of the materials to the meetings. But if you'd like her to send you the documents, just send her an e-mail.

Mrs. Fritz: Okay. And I did. Thank you.

9:20

The Chair: Okay. Any other questions? No.

Mr. Bhardwaj has moved that

the proposed schedule of hearings and deliberations be adopted as circulated.

Any questions?

All in favour? Carried.

Let's move to the fifth item, which is other business. First of all, I would like to ask committee members if you have any other business that you want to put on the table now for discussion.

Seeing none, if there's no other business, then the next meeting will be held on May 7, 2013, at 8:30 a.m.

Mrs. Leskiw: One quick question.

The Chair: Okay. Go ahead, Mrs. Leskiw.

Mrs. Leskiw: For substitution is it the same rules as for all the others?

The Chair: Yes.

Mrs. Leskiw: How far in advance? Twenty-four hours?

The Chair: Twenty-four hours, yeah.

Any other questions? Okay. Mrs. Jablonski.

Mrs. Jablonski: Thank you. The location of the meeting will always be this room?

The Chair: Well, we don't know yet. It depends on the availability of either room.

Mrs. Jablonski: Okay. I just wanted to put it in my lifeline thing here.

Ms Marston: We're reserved here.

The Chair: Go ahead, Mr. Strankman.

Mr. Strankman: Yes. Sorry. I just missed the time.

The Chair: Yes. May 7 at 8:30 a.m.

Mr. Strankman: Okay.

The Chair: Okay. If there are no more questions, then I need a motion to adjourn the meeting. Mr. Bhardwaj.

Ms L. Johnson: Mr. Chair, we do have to say congratulations to everyone for being here.

The Chair: Yes. This is, you know, the anniversary of many of our colleagues who were elected last year.

Mrs. Leskiw: What do you mean? All of us. Some of us got re-elected. Happy anniversary to the class of 2012.

Mrs. Jablonski: Sorry. One more question. How long should we book for? Till 10 a.m. I see that now. Thank you.

The Chair: Yeah, it's 10 a.m. We need almost an hour and a half to go through the petitions.

So, then, we are adjourned. Thank you very much. A very efficient meeting.

[The committee adjourned at 9:22 a.m.]

