



Legislative Assembly of Alberta

The 29th Legislature  
First Session

Standing Committee  
on  
Private Bills

Monday, June 29, 2015  
9:02 a.m.

Transcript No. 29-1-1

**Legislative Assembly of Alberta  
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First Session**

**Standing Committee on Private Bills**

McPherson, Karen M., Calgary-Mackay-Nose Hill (ND), Chair  
Kleinsteuber, Jamie, Calgary-Northern Hills (ND), Deputy Chair

Anderson, Wayne, Highwood (W)  
Babcock, Erin D., Stony Plain (ND)  
Connolly, Michael R.D., Calgary-Hawkwood (ND)  
Dang, Thomas, Edmonton-South West (ND)  
Drever, Deborah, Calgary-Bow (Ind)  
Drysdale, Wayne, Grande Prairie-Wapiti (PC)  
Fraser, Rick, Calgary-South East (PC)  
Hinkley, Bruce, Wetaskiwin-Camrose (ND)  
Littlewood, Jessica, Fort Saskatchewan-Vegreville (ND)  
McKittrick, Annie, Sherwood Park (ND)  
Rosendahl, Eric, West Yellowhead (ND)  
Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)

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Managing Editor of *Alberta Hansard*

9:02 a.m.

Monday, June 29, 2015

[Ms McPherson in the chair]

**The Chair:** I'd like to welcome all members and staff in attendance to the organizational meeting of the Standing Committee on Private Bills. I'd like to call the meeting to order and ask that members and those joining the committee at the table introduce themselves for the record.

**Mr. Hinkley:** Bruce Hinkley, Wetaskiwin-Camrose.

**Mr. Dang:** Thomas Dang, Edmonton-South West.

**Mr. Kleinstauber:** Jamie Kleinstauber, deputy chair.

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

**The Chair:** Karen McPherson, chair, Calgary-Mackay-Nose Hill.

**Mrs. Dacyshyn:** Corinne Dacyshyn, committee clerk.

**Ms McKittrick:** Annie McKittrick, Sherwood Park.

**Ms Babcock:** Erin Babcock, Stony Plain.

**Mrs. Littlewood:** Jessica Littlewood, Fort Saskatchewan-Vegreville.

**Ms Drever:** Deborah Drever, Calgary-Bow.

**The Chair:** Mr. Anderson, Mr. Drysdale, Mr. Fraser, and Mr. Strankman, if the people on the phone could introduce themselves, please, starting with Mr. Anderson.

**Mr. W. Anderson:** Wayne Anderson, Highwood.

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

**Mr. Fraser:** Rick Fraser, Calgary-South East.

**Mr. Strankman:** Good morning. Rick Strankman, Drumheller-Stettler.

**The Chair:** Thank you.

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Section 6 of the Legislative Assembly Act permits participation in a 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 a Legislature or to move such a motion at the end a meeting, indicating whether participation by telephone will be permitted at the next meeting. A motion to approve teleconference attendance for the duration of the Legislature does not preclude the committee from determining that personal attendance at specific meetings is required. In those cases a motion would be moved at the end of a particular meeting requesting the personal attendance of all members at a subsequent meeting.

Since we have four members standing by to participate in this meeting by teleconference, could I please ask a member to move the following motion: that

for the life of the 29th 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.

Thank you, Ms McKittrick.

Is there any discussion on the motion? No. We're good? Okay.

All those in favour? Anyone opposed? All right. The motion is carried unanimously. All right. Okay. We made it through the first agenda item.

The agenda has been distributed. Does anyone have any changes or additions to propose? No. Okay.

Could I ask a member to move the following motion: that the agenda for the June 29, 2015, meeting of the Standing Committee on Private Bills be adopted as circulated.

**Mr. Dang:** I so move.

**The Chair:** Thank you, Mr. Dang. All in favour? Any objections? On the phone? Okay. The motion is carried.

Since it's our first meeting, I invite Ms Dean to provide you with an overview of the committee's mandate and processes. Shannon Dean is the Senior Parliamentary Counsel assigned to assist our committee.

**Ms Dean:** Thank you, Madam Chair. I'd like to touch upon three areas for the committee at this point in time. First, what is a private act as compared to a public act? What is the process by which a private bill is brought forward? Finally, what is the role of the committee when reviewing private bills?

So to go to the very basics, the definition of a private act is: legislation of a special kind which gives particular powers or benefits to specific persons or entities or provides an exemption to the general law. These differ from public legislation, which refers to acts of the Legislature that involve matters of public policy and apply to the general public. It's important to note that a private bill is not a private member's bill. Again, a private bill, if passed, would only apply to the person or entity named in that bill. By comparison, a private member's bill is a public bill and would extend to the general public like any other public legislation.

One historical footnote that may be of interest to committee members is that many private acts that are on the books today stem from a previous era where there wasn't the ability for, for example, nonprofit entities to incorporate. There was no Societies Act, for example. The private act, in essence, was the articles of incorporation for these organizations. So some of the private bills that are brought forward to this committee go back and are seeking amendments to these original incorporating statutes.

Going to the process by which you bring forward a private bill. First, the person or entity must bring forward a petition to the Assembly. The procedure is outlined in chapter 8 of the Standing Orders. In addition to the petition to the Assembly, there must also be a petition to the Lieutenant Governor. The petitioner must pay a fee of \$500, provide a draft bill, and provide a statutory declaration confirming that the petitioner has provided the public with notice of the proposed bill by advertising once a week for two consecutive weeks in a newspaper published in Alberta.

**9:10**

In 2015 the deadline for receipt of the petition and supporting documentation goes back to March because that's when our first sitting in the calendar year was held. Now, obviously, we had an

election in between now and then, so this was the first time the petitions could be brought forward and reviewed by the committee. Typically, in a normal session we would be reviewing these petitions in March and conducting hearings in April, and the bills would be proceeding through the House in May or June. Again, this year is a little unusual because that procedure has been delayed until the fall.

Members were asking: “Well, why do we have to have this meeting now? You know, the session has adjourned.” I have to tell you that we have seven petitions before you this year. It’s just really to provide some assurance to the petitioners that the process is moving along, and we will have the hearing scheduled sometime in the fall.

Again, back to some of the procedures that are required. Before the private bills are introduced in the House – again, they haven’t been introduced in the Assembly yet – there will be a report from this committee advising the Assembly whether the petitions have complied, and the chair presents that report. Private bills are then introduced and stand referred to the committee. You will conduct hearings with the petitioners and other interested parties, and then you will deliberate on the bills. Following the hearings and your deliberations, the committee makes its report to the Assembly.

Now, when you are deliberating, you have three options with respect to a proposed private bill. You can recommend that the bill proceed, you can recommend that it not proceed, or you can recommend that it proceed with amendments. If the committee recommends that the bill proceed or proceed with amendment and assuming that the Assembly concurs with the committee’s recommendations, then the bill proceeds to seconding reading, Committee of the Whole, and third reading just like any other bill. Once it receives royal assent, it’s a law just like any other law.

Finally, the third area that I wanted to touch upon was your role in reviewing private bills. It’s technically a quasi-judicial role. You are adjudicating between the interests of the petitioner and other interested parties. You may also seek advice from government departments. The key thing that committee members should keep in mind is that a private bill should be used only when there is no other legal remedy to achieve a particular result. Finally, consideration should also be given to whether a private bill would create an unfair advantage for a particular person.

I think that those are all my comments, but I’d be happy to take any questions, Madam Chair.

**The Chair:** Does anyone have any questions? On the phone?

**Ms McKittrick:** I was wondering if one could have those notes? Is it possible to get the notes?

**The Chair:** From Ms Dean’s presentation?

**Ms McKittrick:** Yes.

**Ms Dean:** Well, there’s a *Hansard* transcript from this meeting.

**Ms McKittrick:** Now, I can get it?

**Ms Dean:** Yeah. The other thing that was posted on the committee’s website is this document: How to Petition the Alberta Legislature. All of those details are set out in this document.

**Ms McKittrick:** Okay, that’s what I was interested in, making sure that I didn’t lose those three points. They were well said.

**Ms Dean:** All right.

**The Chair:** Thank you.

We’ve been joined by Mr. Connolly. Can you take a moment to introduce yourself for the record please?

**Mr. Connolly:** Hi, I’m Michael Connolly. I’m the MLA for Calgary-Hawkwood.

**The Chair:** Thank you.

A list of petitions for the committee’s consideration has been distributed to members. I would invite Parliamentary Counsel to provide a brief overview of the petitions.

**Ms Dean:** Okay. So there are seven petitions this year. Starting with number one, it’s from King’s University College, which is here in Edmonton. They’re looking for a bill which would amend the King’s University College Act, which is the college’s incorporating statute, and the key change that the college is requesting is a change in name to King’s University, which reflects the institution’s change in status. The petitioners involved are Dr. Melanie Humphreys, who’s the president, and the chair of the board of governors, Mr. Bill Diepeveen. Any questions on that one?

Okay. The second private bill is from Bethesda Bible College. Again, the college is seeking a bill that will amend its incorporating statute, the Bethesda Bible College Act, to give effect to a change in name to Christcity Theological Institute. This change in name will parallel the change in name of the church that is affiliated with the college, which changed its name to Christcity Church Ltd. in 2009. The petitioner here is Pastor Ronald Steinbrenner.

Any questions?

The third petition is from Rosary Hall, and it’s the Rosary Hall, Edmonton Repeal Act. Rosary Hall was incorporated by private act, but the entity is no longer active, so they’re seeking dissolution and repeal of that act.

The fourth petition is from Canadian University College. This is similar to the petition put forward by King’s University College in that the college is seeking a change in name to reflect its change to university status. They’re also changing their name from Canadian University College to Burman University, and it’s the president of the college, Mark Haynal, that’s the petitioner.

The fifth petition is from Concordia University College. Again, this is a petition that will provide for a change in name to reflect the college’s change in status to a university, and there are also some other amendments that are being proposed that will modernize the governance provisions in the college’s private act.

**The Chair:** I do have a question about that one. I have driven past there, and they’ve already changed their name externally. Is that covered by this sort of legislation, or does that not matter?

**Ms Dean:** Well, this is really the formal thing that they need to do. They have to come and get their incorporating statute changed. They have received approval from the ministry of advanced education that dates back almost a year now, so they do have that formal approval to offer university programs, but you know, the technical requirements associated with the name change require them to get a petition for a private bill.

**The Chair:** Okay. All right. Thank you.

**Mr. Kleinsteuber:** And they’re changing now to Concordia University?

**Ms Dean:** Yeah.

**Mr. Kleinsteuber:** Okay. Is it now the time to talk about it, or after?

**Ms Dean:** If we want to get into the details, that's typically when we have the petitioner before us.

**Mr. Kleinsteuber:** Oh, I see.

**Ms Dean:** The sixth petition is from Covenant Bible College. Again, they're requesting amendments to their private act to allow for the college to continue under the laws of a different jurisdiction. In essence, this college is no longer active in Alberta. I believe it's got some operations in Ontario, so they're requesting amendments that will allow them to continue into Ontario.

Finally, the Living Faith Bible College is requesting amendments to its private act to give effect to a name change to Clearwater College.

**The Chair:** Are there any other questions?

Since there are no further questions, we'll proceed to item 5 on the agenda. A proposed schedule of hearings and deliberations has been distributed to committee members. The exact dates will not become apparent until the fall sitting of the Legislature is scheduled. Make sure everybody gets a copy of that.

Are there any questions?

**Ms Dean:** Madam Chair, we've grouped these petitions. Three of them are dealing with that change in status from college to university, so it just seems appropriate to hear from those all in the same day because I suspect we'll have representation from the ministry of advanced education at that time. Then the other four are fairly straight forward and could follow on a subsequent day.

**The Chair:** All right.

Any other questions out of that? No. Okay.

I'll ask for a motion on the proposed schedule of hearings and deliberations. Would a member like to move that the chair be delegated authority to work with Senior Parliamentary Counsel and director of House services to set the 2015 meeting schedule pending confirmation of the fall sitting dates.

Thank you, Ms Babcock. All in favour? On the phone? Thank you. Any objections? The motion is carried.

**9:20**

Item 6, other business, temporary substitutions, Standing Order 56(2.1). For your information Standing Order 56(2.1) outlines the process for substitution of committee members.

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, provided such notice is given not less than 24 hours prior to the meeting.

The committee clerk has a template available upon request. When substitutions occur, it is the responsibility of the original committee member to ensure the substitute has been provided with all the necessary meeting material. You're reminded that Members of the Legislative Assembly who are not committee members or official substitutions may still attend and participate in the meetings, but they may not move motions or vote.

Item 7, date of the next meeting.

**Ms Dean:** Sorry, Madam Chair, before we adjourn, I just have one item.

**The Chair:** Yes, please.

**Ms Dean:** Just a follow-up to Mr. Kleinsteuber's question. The Concordia University College request for a name change: it will be Concordia University of Edmonton.

**Mr. Kleinsteuber:** Oh, yeah. I was wondering about that because there's one in Montreal.

**The Chair:** All right.

Item 7, date of next meeting: in the fall of 2015, as discussed.

Item 8. I would ask for a motion to adjourn.

**Mr. Strankman:** I'll move to adjourn.

**The Chair:** Moved by Mr. Strankman that the meeting be adjourned. All in favour? On the phone? Okay. Carried. Thank you, all.

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





