



Legislative Assembly of Alberta

The 29th Legislature  
Second Session

Standing Committee  
on  
Private Bills

Wednesday, April 6, 2016  
6:22 p.m.

Transcript No. 29-2-1

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Second Session**

**Standing Committee on Private Bills**

McPherson, Karen M., Calgary-Mackay-Nose Hill (ND), Chair  
Connolly, Michael R.D., Calgary-Hawkwood (ND), Deputy Chair

Anderson, Wayne, Highwood (W)  
Babcock, Erin D., Stony Plain (ND)  
Drever, Deborah, Calgary-Bow (ND)  
Drysdale, Wayne, Grande Prairie-Wapiti (PC)  
Fraser, Rick, Calgary-South East (PC)  
Hinkley, Bruce, Wetaskiwin-Camrose (ND)  
Kazim, Anam, Calgary-Glenmore (ND)  
Kleinstauber, Jamie, Calgary-Northern Hills (ND)  
McKittrick, Annie, Sherwood Park (ND)  
Rosendahl, Eric, West Yellowhead (ND)  
Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Sucha, Graham, Calgary-Shaw (ND)

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Committee Clerk

Managing Editor of *Alberta Hansard*

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[Ms McPherson in the chair]

**The Chair:** I'd like to welcome all members and staff in attendance to this organizational meeting for the Standing Committee on Private Bills for 2016. I'd like to welcome our new committee members: Graham Sucha, who just entered the room, and Anam Kazim, who is on her way.

I'll call the meeting to order and ask that members and those joining the committee at the table introduce themselves for the record. Mr. Anderson, would you like to start?

**Mr. W. Anderson:** Yeah. Good evening. Wayne Anderson, Highwood.

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

**Mr. Connolly:** Michael Connolly, MLA for Calgary-Hawkwood and deputy chair of this committee.

**The Chair:** Karen McPherson, MLA for Calgary-Mackay-Nose Hill. I'm the chair.

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

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

**Mr. Sucha:** Graham Sucha, MLA, Calgary-Shaw.

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

**Mr. Kleinsteuber:** Jamie Kleinsteuber, MLA for Calgary-Northern Hills.

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

**Mr. Rosendahl:** Eric Rosendahl, MLA, West Yellowhead.

**The Chair:** Erin Babcock, if you are able to unmute yourself and safely introduce yourself, if you could do that, please.

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

**The Chair:** Thanks, Erin.

Is Mr. Fraser on the phone? Okay.

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To the two members that just joined us, if you could please introduce yourselves for the record.

**Ms Kazim:** Anam Kazim, MLA for Calgary-Glenmore.

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

**The Chair:** Thank you.

Does everybody have a copy of the agenda? It should have been distributed. Does anyone have any changes or additions to the agenda? No? Okay. Well, I'll ask for a motion, then, to approve the agenda. Okay. Mr. Drysdale moved that the agenda for the April 6, 2016, meeting of the Standing Committee on Private Bills be

adopted as circulated. All in favour? Any objections? On the phone? The motion is carried.

Mr. Stier, if you could introduce yourself for the record, please.

**Mr. Stier:** Pat Stier, MLA, Livingstone-Macleod.

**The Chair:** Thank you.

The draft minutes of the November 27, 2015, meeting have been distributed. Does anyone have any changes or additions to propose?

Just before we go on with that, Mr. Strankman, if you could introduce yourself for the record, please.

**Mr. Strankman:** Thank you. It's Rick Strankman, Drumheller-Stettler.

**The Chair:** Thank you.

Could I ask a member to move the following motion, that the minutes for the November 27, 2015, meeting of the Standing Committee on Private Bills be adopted as circulated. Thank you, Mr. Anderson. All in favour? Any objections? On the phone? Thank you. The motion is carried.

The Parliamentary Counsel organizational meeting memo was delivered to the members' offices in the Legislature Building and Federal building. I would like to invite Ms Dean to provide you with an overview of the committee's mandate and processes as a refresher. As you know, Shannon Dean is the Senior Parliamentary Counsel assigned to assist our committee.

**Ms Dean:** Thank you, Madam Chair. I will be very brief because we went through this very recently, last fall, with a litany of private bill petitions, but for the advantage of the new members I'll just touch on briefly what a private act is as compared to a public act, what the process is by which a private bill comes forward, and the role of this committee when it reviews private bills.

First, what is a private act? It's 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 pieces of legislation differ from public legislation, which refers to acts 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, which you debate in the House on Monday afternoons. Again, a private bill if passed is part of the law of Alberta; however, it only applies to the person or entity named in the bill. By comparison, a private member's bill is public bill and applies to the public at large.

Now, the procedure for bringing forward petitions for private bills is laid out in chapter 8 of the Standing Orders. There must be a petition submitted to the Assembly and a petition to the Lieutenant Governor, and the chair of this committee presented that earlier this week in the Assembly. There is a fee of \$500. A draft bill must be provided and 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.

This year the deadline was Wednesday, March 23, 2016. We have only received one private bill. I'll talk about that shortly.

Just to continue with the procedure that's followed, private bills are first introduced in the House. We will have one introduced in the House tomorrow after the chair gives the report from this meeting this evening. Next week we have a hearing scheduled to hear from the petitioner for that private bill, and we also hope to have the committee deliberate at that time. When the committee deliberates, it's got one of three options in terms of what it recommends to the Assembly. It can either recommend that the bill proceed, not proceed, or proceed with amendments. If the Assembly concurs with a report from this committee that a bill proceed or proceed with amendment, then the

bill goes through the same steps as any other bill in the House; namely, it goes to second reading, Committee of the Whole, third reading, and then Royal Assent.

The last area I want to touch upon is what the role of the committee is when we're reviewing private bills. It's technically a quasi-judicial role in that you are adjudicating between the interests of the petitioner and other affected parties. Depending on the type of bill, you may seek advice from government departments. The key thing that committee members should keep in mind is that a private bill should not be used if there is another legal remedy to achieve a particular result. Finally, consideration should also be given to whether the private bill is creating a special advantage or an unfair advantage for a particular person or entity.

Those are my remarks on the process, Madam Chair.

6:30

**The Chair:** A list with one petition received for the committee's consideration has been distributed to members, and I would like to invite Parliamentary Counsel to provide a brief overview of the petition.

**Ms Dean:** Thank you, Madam Chair. Just one petition, again: it's a petition from an entity called the Bow Valley Community Foundation. Apparently, this community foundation is no longer

active, so the representative of that entity is seeking a repeal of the incorporating statute. I can advise that the petitioner has fulfilled the requirements of the standing orders.

I think that's it.

**The Chair:** Thank you, Ms Dean.

A proposed schedule for the hearing and deliberations has been distributed to committee members. Are there any questions about that?

I would then ask for a motion on the proposed schedule of hearings and deliberations. Would a member move that the Standing Committee on Private Bills adopt the proposed schedule of hearings and deliberations outlining the committee's meeting on Tuesday, April 12, 2016, to hear the private bill's petition and to hold deliberations.

Ms Drever. Okay. All in favour? Any objections? On the phone? The motion is carried.

Are there any other items of business to discuss? Great.

April 12, 2016, will be the date of our next meeting. I would like to ask for a motion to adjourn. Moved by Mr. Connolly that the meeting be adjourned. All in favour? Anyone opposed? On the phone? Carried.

Thank you.

[The committee adjourned at 6:32 p.m.]







