

LEGISLATIVE ASSEMBLY OF ALBERTA

Standing Committee

on

Private Bills

Wednesday, April 7, 1932

8:30 a.m.

TRANSCRIPT NO. 82-1

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Chairman: Mr. Knaak

8:30 a.m.

MR. CHAIRMAN: I think we have a quorum. First of all, I'd like to take this opportunity to welcome the committee members to the first meeting of Private Bills for 1982. We do not have a very heavy workload this year. We have only 10 Bills. None of them really seem controversial. Two are hard to understand. I'm sure Michael will clarify one, especially the one about the trust companies. It's not the incorporation of an ordinary trust company. It's a federally incorporated trust company which sets up the subsidiary, which in turn sets up another subsidiary, which then transfers the assets from the parent to the third subsidiary. Anyway, we won't be dealing with that one today.

The bad news again is that seven petitioners were unable to comply with the *Standing Orders*, partly because of the short time period between notice of the beginning of the session, and the beginning of the session and the expiry of the time. We have a memo from Mr. Clegg in that regard, advising that we give consideration to waiving the *Standing Orders*, in this particular case, to let them proceed. In addition -- which we don't want to talk about initially -- two others have approached me to see whether the Private Bills Committee would entertain them filing their petition late; in other words, they don't have the petition in yet. Maybe we'll raise that. If possible, we're hoping to get that done by 9.

At 9 o'clock, the city of Edmonton will appear, and we will deal with Bills Pr. 8 and Pr. 9. They want to set up two more authorities. They have complied with all the *Standing Orders*. Then there's the Lethbridge Gulf and Country Club. They have also complied with the *Standing Orders*.

Perhaps we could begin discussion on whether we should proceed with the petition of the seven petitioners who have not complied with the *Standing Orders*. I checked with Mr. Clegg before commencing the meeting this morning. They still do not have their final affidavits in. Apparently, it wasn't really possible to have them in, because some of them are relying on the April 14 or 15 *Alberta Gazette* to complete their advertising.

Mr. Clegg, could we have your report on that please.

MR. CLEGG: Mr. Chairman, with respect to those seven petitions which did not comply, the commencement of the session was proclaimed so late that it was in fact impossible to comply, combined with the fact that the *Alberta Gazette* now requires 10 working days, which is effectively 15 calendar days' notice, before they can put anything in the *Gazette*. It was impossible to get two insertions in the *Alberta Gazette* before the deadline had expired because of the late advertising of the session.

Maybe the committee will want to consider some relaxation of the rule which forbids anybody to commence advertising more than eight weeks ahead. At the moment, any advertising more than eight weeks ahead of the session is invalid, and the committee may want to consider, at a later stage, whether that is a reasonable restriction. If a petitioner commences his advertising before the session has been announced, it is really a speculative activity, because the session may be delayed until April or May, and then his advertising would have been a waste of time. The only reason the city of Edmonton, with its two Bills, and the Lethbridge Gulf and Country Club did in fact comply was that they took a gamble and commenced their advertising before we announced we had set the date of the session. Accepting my guess as to when the session might

start, which turned out to be accurate, they ordered their advertising in February, before the decision had been made as to when the Assembly would meet. That is why some of them have complied. But if they had waited until the session was announced, it would have been impossible for them to comply.

MR. KNAAK: Did anyone have their petition in late?

MR. CLEGG: There is only one who had his petition in late, and that's the one which has not yet been received.

MR. KNAAK: But all the ones before, the petitions were on time.

MR. CLEGG: Yes, the petitions were here.

MR. BORSTAD: What would happen, depending on how long the session goes? Could they be accepted and handled later this fall if they're not in on time, or (inaudible) a month extension to see whether they could meet the qualifications, except for that month? I realize they would be a month late. But it seems to me that some of these people have just not had the opportunity because of problems with the way the session opened and due to advertising. It seems to me we should try to accommodate them, if we could.

MR. CLEGG: In the past, the committee has dealt with this situation. There was a situation about five years ago, again when the session was announced very late, and all the petitions were received late. On that occasion, the committee recommended to the Assembly that non-compliance with *Standing Orders* in that respect be waived, to allow the petitions to proceed. They were dealt with, some in the spring and some in the fall. But generally none of them has been dealt with in any event until a month has expired after their first advertising, so the public does in fact have notice of what is going on. But that has been a general practice of the committee. That in itself is not a rule of the Assembly. It's just a way of making sure that the purpose of the advertising has been achieved, that anybody who would be interested has had the proper notice.

MR. BORSTAD: I'd like to move that the Bills which have not yet been complied with according to *Standing Orders* must comply with all advertising requirements and other requirements under the *Standing Orders*, and that they be proceeded with up to one month after the advertising first appears in the *Alberta Gazette*.

MR. KNAAK: That they first be proceeded with one month after the first advertising?

MR. BORSTAD: Yes.

MR. KNAAK: Okay. We've had some more hands up. I guess we're speaking to the motion now. Mr. Thompson and Mr. Hyland.

MR. THOMPSON: Mr. Chairman, obviously we're going to have to do some reorganizing of the standing rules or the *Gazette* or something. If we have rules that people can't comply with, we better change the rules. I wonder if Mr. Clegg could give us a run-down on the *Standing Orders* and this business of getting it into the *Gazette* in 10 days. What has been the real change -- I don't buy the idea that nobody knows when the session starts, because everybody knows it's going to be in March. But anyway, would you please give us a run-down on the *Standing Orders* and, outside of that one excuse they use,

why it is becoming more and more difficult for people to comply with the *Standing Orders*?

MR. CLEGG: Mr. Chairman, generally the session is announced far enough ahead of its commencement date so it is possible for petitioners to order their publication in the *Gazette*. The *Gazette* is published twice a month, in the middle and at the end of the month. But they do require 10 working days' notice prior to publication. It's a very large document and contains hundreds and hundreds of official notices. The requirement is that there be advertising in two publications of the *Gazette*, and three times, in consecutive weeks, in a newspaper. So there will be three publications in the newspaper. If it's a local matter, confined to a certain area, that newspaper should be one which circulates in that area. If it's a Calgary issue, it should be a Calgary paper. The newspaper is no problem, because the newspaper has a very, very short lead time. They will take an ad with two or three days' notice and, of course, they publish every day. So if you have notice today, you can get something in the *Edmonton Journal*, for example, this Friday, and then next week and the following week. So about two and a half weeks from now, it's all done. But with the *Alberta Gazette*, if you wanted to start as of today, the first issue you could get a notice into would be the May 1 edition, then May 15.

Another element of the *Standing Orders* is that advertising more than eight weeks before the session starts is invalid. As Mr. Thompson said, it is always possible for the petitioners to say: well, the session usually starts at a certain time; we'll make some speculative advertising; if the session is late, we'll just advertise again. That's what some people have begun to do. About 10 years ago, there was no deadline but Bills received after the opening of the session were subject to a penalty payment. This caused difficulty in the scheduling of Bills before the committee, and the deadline was introduced.

The rules have only caused difficulty for petitioners in those years when the date of the session has been announced very late. It was known to members at an earlier stage, but it wasn't announced and proclaimed until only a few weeks before the session started.

MR. THOMPSON: Could you tell us when?

MR. CLEGG: I can't recall the date offhand. I think it was just before February 15, about February 10. I think there was a problem that the proclamation wasn't issued until a number of days after the cabinet meeting when the order in council was approved, which was a clerical error in the Executive Council, I believe. Even so, the cabinet meeting at which the order in council authorizing the proclamation was quite late. Once before it happened that it was very late.

MR. THOMPSON: Mr. Clegg, I don't know the ins and outs. All I know is that I got official notice from the Speaker, and I think it was just shortly after the first of the year.

MR. CLEGG: Mr. Chairman, I can assure you that the proclamation didn't issue until substantially after that time. It may have been that the Speaker had been advised by cabinet that that was the intention. But the proclamation, which is the only official document which cannot then be changed, as it were, was not issued until mid-February.

I feel that the provision that no advertising more than eight weeks before the session is valid is unrealistic. It is perfectly proper notice. The suggestion the chairman and other people have made in private discussion with me is that we should provide that the advertising may commence on January 1 of

the year in which the Bill is to be applied for, so applicants can start whenever they want. Whether the session starts in February, March, April, or May, they've still done their advertising.

MR. CHAIRMAN: Perhaps we can do this. We have the motion on the floor now dealing with these seven Bills. But if there's time before 9, perhaps we should consider a motion from this committee to amend the *Standing Orders* in line with what was just discussed and raised by Mr. Thompson.

MR. HYLAND: There are seven petitions in, but the problem is the advertising in the *Gazette*?

MR. CHAIRMAN: The seven Bills we're dealing with are right here, and they all have a number. Maybe we should identify them, but these are the seven in front of us. We're talking about the ones where the petitions have been received on time and their advertising is late, not about ones that haven't been received at all.

MR. HYLAND: In those cases, we're talking about the shortage of one advertisement in the *Gazette*?

MR. CLEGG: Yes. There was one case, for example, where the solicitor sent an instruction to the *Alberta Gazette* in late December for advertising, and the *Gazette* apparently lost the instruction and never published it. As a result, they didn't get their advertising commenced until quite late. Both their insertions in the *Gazette* were after the deadline. But we have a copy of their letter to the *Gazette*, asking for the insertion to be made in January. They might have had problems with the eight-week deadline if they'd got their insertions when they asked for them, but that again is a speculative situation.

MR. HYLAND: My concern was that we're just dealing with ones whose petitions were there on time, and the majority had their advertisements or made the attempt to have their advertisements in the *Gazette* at the right time. We're not dealing with the one whose petition haven't gotten. That will have to be dealt with separately.

MR. CHAIRMAN: That's in subsequent discussion.

MR. HYLAND: Okay.

MR. BATIUK: Mr. Chairman, if we're going to follow this procedure, by next spring there will probably be about 15 Bills standing. I don't know how long the session is going to last. But as all the members of the Legislature are in this building or close to it, and there are so few of us, I wonder whether it wouldn't be right sometimes to hold one day between the sessions and have the committee -- and hopefully you could get that many to come in -- deal with all of them in one day. Many times the proponents come. They wait and wait and don't get around to being heard, because you just can't put a specified time when theirs is going to be dealt with, and so forth. If there are seven more -- I don't know, the way session is going I don't think it will last so very long that we'll be able to go through all of them. If those seven are going to be left for another time, by the next session there may be another seven.

MR. CHAIRMAN: That's a good point. If there's time left today between 9 and 10, perhaps we should consider setting aside one day shortly after this

session is over and clean up all the Bills, assuming that the one-month time gap Mr. Borstad has raised is complied with. Then they're done before the fall. There are two that will have to have fairly detailed explanations in terms of being clear on what they're all about. They're not the normal kind of Bill.

So the motion before the committee is that the seven Bills -- and perhaps I should identify them: Bill Pr. 2, the Holy Cross Hospital (Grey Nuns) of Calgary Act; Bill Pr. 3, Alberta Wheat Pool; Bill Pr. 4, Canadian Lutheran Bible Institute; Bill Pr. 5, Dunrich Trust Company Act; Bill Pr. 6, Montreal Trust Company of Canada; Bill Pr. 7, Calgary Jewish Centre incorporation; and Bill Pr. 10, Campbell McLaurin Foundation for Hearing Deficiencies.

The motion before the committee is that a recommendation be made to the Legislature that these seven private Bills be proceeded with after one month of the first insertion of their advertising if all other requirements have been met. Would that be a correct repeating of that? All in favor of that motion? All opposed? Okay.

We do have some time, and Mr. Thompson raised the issue of the advertising requirement. I think Mr. Clegg has the rule, but the substance of the rule is that no advertising is valid . . . Maybe I'll just read rule 77(1) of *Standing Orders*.

The petitioner shall publish a notice of the application

- (a) in two consecutive issues of The Alberta Gazette, and
- (b) once a week for three consecutive weeks in a newspaper published in Alberta,

commencing not earlier than eight weeks before the opening day of the session of the Legislature at which the petition is to be presented.

That's the one that causes the problems. If it's acceptable, our discussion would be that instead of saying "commencing not earlier than eight weeks", "commencing not earlier than the first day of January of the year in which the Bill would be applied for or in which the session will commence".

Mr. Speaker has moved that motion. Maybe Mr. Clegg could repeat the motion. The proper wording will have to be drafted in consultation with somebody, but as long as we get the substance.

MR. CLEGG: Mr. Chairman, the substance of the motion would be that the committee recommend to the Assembly that Standing Order 77 be amended by striking out the words "commencing not earlier than eight weeks before the opening day of the session of the Legislature at which the petition is to be presented" and substituting "commencing not earlier than January 1 in the year in which the petition is to be presented".

MR. CHAIRMAN: All in favor of that motion? Opposed? Unanimously carried.

The next point we want to discuss is the matter of timing. It's likely that there'll be only two or three Wednesday mornings available, which means a total of four and a half additional hours to look after another eight private Bills. It's unlikely we'll get through all those during those three weeks. Tradition has been that some of the more complex ones would be moved over until the fall, unless someone indicated that there was real urgency. Then we usually try to accommodate the petitioners by scheduling additional time to get them done. On the point raised by Mr. Batiuk, does the committee feel that we schedule one day sometime after the session is over to clean up all the Acts, rather than meeting on subsequent Wednesday mornings in the fall session or additional time now in the spring session?

MR. STEWART: I suggest that Bills you feel are controversial or may need additional information after they're first explored should be brought forward while the session is on. I recommend that, if it's possible, we schedule an additional day the day after the session finishes. If that isn't possible -- in other words, if the session finishes on Friday, quite obviously it will mean a return in the following week or some subsequent time. I am not in favor of setting it back and bringing us back here a week or two afterwards. If controversial Bills are going to be discussed, I feel they should be discussed first. If there's additional information, then we have time to have it developed before the end of the session.

MR. CHAIRMAN: I guess one of the points that I initially overlooked is that even if we deal with the Bills the day after the session is over, nothing happens to them until the end of the fall session in any case. They will not go into force and we can't recommend that they be proceeded with through the House, because the House isn't sitting. So the only purpose of it would be for our own convenience. It has no direct benefit for the petitioners.

MR. STEWART: My only suggestion is that letting them sit over until fall without addressing them ends up with the same problem. We're into a time schedule problem in the fall session in order to get them accomplished then as well. If this committee has dealt with them at the end of the spring session, they can certainly go ahead to the Legislature in the fall.

MR. CHAIRMAN: If I can just summarize what Mr. Stewart is saying: for our own convenience it's preferable to deal with these Bills at the end, as soon after the spring session is over, if we cannot accommodate them during spring session. Because we've dealt with them, we're familiar with them and it saves our time, notwithstanding that we're aware they won't be proclaimed or assented to until the end of the fall session; subject only to the caveat that if we don't have the input we need on the controversial Bills, we'll have no choice but to postpone them.

MR. LYSONS: The only problem I have there is if we had petitioners in. It's hard to know when the session is actually going to end. It could end on a Monday, a Friday, or anytime, and you really don't know.

MR. CHAIRMAN: You just keep going and if it ends, you cancel it. I'd take direction from the committee. That's right. We won't know when it ends. I'll just keep scheduling it. But if it's over, it's over.

MR. CLEGG: You won't be able to give the witnesses much notice, I think.

MR. CHAIRMAN: No.

MR. R. SPEAKER: I'd like to see you have that discretion to call us when you know the petitioners can come, and we'll try to come.

MR. CHAIRMAN: I'll respect those views.

MRS. EMBURY: (inaudible) compromise. I guess I'm just against what Mr. Stewart proposed. I'm not convinced yet that we need that extra day or something. I'd much rather we have a scheduled meeting day I just can't recall. Since '79, when I've been on this committee, only once or twice have we had to call one little extra meeting, isn't it?

MR. CHAIRMAN: You're probably correct.

MRS. EMBURY: Maybe there are reasons for that. Maybe we could overcome some of those reasons.

MR. CHAIRMAN: Talking about time scheduling, we've got two minutes. We have a Bill in front of us called the Holy Cross Hospital (Grey Nuns) of Calgary. Let me read the petition. Perhaps we can deal with this one right now. Then it's one less we need to deal with. I'm reading the petition:

The Holy Cross Hospital (Grey Nuns) of Calgary, a body corporate incorporated by Chapter 101 of the Statutes of Alberta 1959 does hereby apply to the Legislative Assembly of the province of Alberta for an Act to amend the Holy Cross Hospital (Grey Nuns) of Calgary Act. The purpose of the Bill is to change the name of the corporation to Sisters of Charity (Grey Nuns) of Calgary. The corporation disposed of the Holy Cross Hospital in Calgary and proposes to become more active in other charitable activities set out in the objects of its incorporation. The change of name will reflect this wider field of operation.

The Act in fact only reflects that change of name. Do the petitioners need to appear before the committee?

MRS. EMBURY: This group ran the Holy Cross hospital. Now they no longer run the hospital?

MR. CHAIRMAN: They sold the hospital, they say.

MRS. EMBURY: I wonder if something is deleted in that Act that makes reference to the hospital. I thought that was their sole purpose, or did they have an expanded purpose?

MR. CHAIRMAN: They have an expanded purpose. The only change they're asking for is the change of the name of their Act, to eliminate the hospital part. They want to change it from the Holy Cross Hospital (Grey Nuns of Calgary) Act to the Sisters of Charity (Grey Nuns) of Calgary. They've asked for no other changes.

MR. LITTLE: Mr. Chairman, are we're debating the merits of the Bill right now?

MR. CHAIRMAN: I'm asking whether you'd like the petitioners to come.

MR. LITTLE: Because I would have some real concern about that change of name. That hospital has been known as the Holy Cross from day one in Calgary. and it would . . .

MR. CHAIRMAN: Whoever owns the hospital owns the hospital, and they bought the hospital with the name. So if the Grey Nuns change their name, they don't change the hospital's name. Mr. Little, you sell a building called the Little building, and you've sold it to them. You have another company, and you want to change the name of the company. It doesn't affect the name of the building. But we can ask them whether they have imposed any restrictions on the hospital maintaining the name. I presume they haven't. But the change they're asking for does not affect the name of the hospital. I'll have that clarified. Maybe you could look after that, Mr. Clegg, and we'll report back.

Assuming the answer is that the name of the hospital doesn't change, do we want the petitioners to appear before us? We're not talking about the merits of the Bill. I won't raise the merits of the Bill until the advertising has



been complied with. I just want direction from the committee as to whether or not we want the petitioners to come up for this change of name.

DR. PAPROSKI: Mr. Chairman, I have no difficulty with that. But besides the name change, which is easy to understand, I'm still unclear. Is the hospital activity within the Bill, if there is any . . . There was never any reference to hospital activity in the Bill *per se*?

MR. CHAIRMAN: None at all.

DR. PAPROSKI: None at all.

MR. KNAAK: They are just explaining why they want their name changed. They'd like their name changed because they no longer own the hospital.

DR. PAPROSKI: So they're not changing anything in the Bill, because there was never any reference to the hospital. I'd have no difficulty with that.

MR. CHAIRMAN: It has nothing to do with hospital. Mrs. Embury, could we have a motion that the petitioners not be requested to appear on this matter?

MRS. EMBURY: I know you're rushing. I'm sorry. I don't mean to be holding it up, but your last statement was more significant than some of the other explanations. I'm satisfied now that we don't need to have them appear. So what would you like the motion on?

MR. CHAIRMAN: Mr. Clegg is going to clarify whether this Act affects the name of the hospital. I think there is some concern. We don't want the name of the hospital changed, and there's some question whether this Act will in any way affect the right of the hospital to retain its name. Assuming the answer is no, it will not affect the name of the hospital, would we like the petitioners to come or not come?

MR. THOMPSON: Mr. Chairman, I move that we look at the Bill. If, after we look at the Bill, we feel that we need them to come, okay. But we should look at the merits of the Bill and not ask them to come to the first meeting, at least.

MR. CHAIRMAN: All in favor? Agreed. Thank you. Now I guess it's time to have the city of Edmonton -- and I apologize Mr. Thompson. I was reading the petition, because the petition is easier to understand than the Bill. Haven't the Bills been distributed to you?

MRS. EMBURY: We've only got 8 and 9.

MR. CHAIRMAN: The only operative part here says, the title of the Act is struck and the following is substituted: Sisters of Charity (Grey Nuns) of Alberta Act.

MRS. EMBURY: Okay, you're right.

MR. CHAIRMAN: No, we'll wait. I thought it was a simple matter, but . . .

MRS. EMBURY: It's a very significant historical association in Calgary. Without knowing and seeing what's in front of us, it was hard to make a quick decision.

MR. CHAIRMAN: I didn't realize you hadn't seen the Bill.

MRS. EMBURY: That's the point.

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MR. CHAIRMAN: Good morning gentlemen. On behalf of the committee, I'd like to welcome Commissioner Burrows and Mr. Walker to the Private Bills Committee. Commissioner Burrows and Mr. Walker represent the city of Edmonton with respect to Bill Pr. 8, The Edmonton Convention and Tourism Authority Act, and Bill Pr. 9, The Edmonton Economic Development Authority Act.

I believe both Commissioner Burrows and Mr. Walker are familiar with the procedure, but perhaps I could just outline it. It's not as formal as when we operate as a Legislature. If you don't wish, you do not have to stand to address the committee. Generally there is no extreme formality in answering or asking questions. To the extent that evidence is given with respect to the Act, Mr. Clegg will ask you to take an oath. Other than that, generally the procedure is to go through the chairman.

Even though the Acts are almost identical in form, perhaps the way we should start is to talk about the Edmonton Convention and Tourism Authority Act first and explain the purpose by an introductory comment, deal with that one, and then commence with Bill Pr. 9.

Perhaps we could have Mr. Clegg swear in Commissioner Burrows and Mr. Walker.

*Commissioner Burrows was sworn in*

MR. CHAIRMAN: Perhaps we could have Mr. Burrows or Mr. Walker give the introductory comments on the Edmonton Convention and Tourism Authority Act, please.

MR. WALKER: Mr. Chairman, as you are probably aware, the city of Edmonton, being a municipal corporation, has only those powers which are given to it by the Municipal Government Act or which are necessarily incidental to the exercise of these statutory powers. It does not have the powers of a natural person, as do most private trading corporations. From time to time, however, experience reveals that it would be in the best interest of the citizens of Edmonton to have greater powers than those contained in the Municipal Government Act, to allow a certain flexibility in dealing with the dynamic and sometimes uncertain economic conditions prevailing.

Because of the close relationship with private industry in the convention and tourism area, it was felt that a quasi-independent, statutorily created corporation would be the most appropriate organization for dealing with the convention and tourism industry in Edmonton. The structure and power of the authority has been modelled after the predecessor authorities that this committee has approved in the past: the Edmonton Research Park Development Authority, the Edmonton Convention Centre Authority, and the Edmonton Ambulance Authority.

With changes being made in the Bills basically to accommodate the different object of this authority and the different composition of its membership, we tried to conform to these earlier enabling Acts as much as possible so as to make the work of this committee as easy as possible, with as few changes being apparent.

You've undoubtedly looked at the Acts already. I don't propose to say anything further, other than to leave the balance of the time for Chief

Commissioner Burrows to speak more specifically about the history of the legislation and the need for these authorities.

Thank you, Mr. Chairman.

MR. BURROWS: Mr. Chairman and members, after careful study, the city of Edmonton has determined that it would be in the best interest of its citizens to have an Edmonton Convention and Tourism Authority. This Convention and Tourism Authority would promote and develop the convention and tourism industry in the city in keeping with the city's long-term goals. At present there are a number of groups within the city -- such as the Edmonton Chamber of Commerce, Edmonton Northlands, and the Edmonton Licenced Hotel Association -- which would deal with convention and tourism industries. In the recent past, the efforts of these groups have been co-ordinated through the Spirit of Edmonton Committee, a private voluntary organization composed of representatives of private industry and various city departments, but without any substantive powers. Unfortunately, the time delays associated with interfacing with the city have caused some difficulties to the top-flight people who would otherwise be pleased to serve on the committees. Consequently, in 1980, the committee itself commissioned a study of the methods of improving the entire relationship between the private sector and the city in the convention and tourism area.

The ultimate outcome of this study was the recommendation of a private authority, having its own substantive powers. The net effect of this authority would be a more co-ordinated and effective approach to the convention and tourism industry in Edmonton. Other provinces have discovered that their larger municipalities have encountered similar needs and have created such similar authorities as the tourism and convention bureau of Vancouver and the Metro Toronto convention and tourism bureau. In addition, this Legislature has created a tourist and convention Authority for the city of Calgary.

You will note that the Authority would be composed of two appointees from the city, who may be council members, the mayor, and one member appointed by each of the following groups -- the Edmonton Licenced Hotel Association, the Alberta Restaurant and Food Services Association, Edmonton Northlands, the Edmonton Convention Centre Authority -- and up to five additional members. In addition, there would be one member to remember the heritage, cultural, and special attractions groups, and one member experienced in the convention and tourism industry.

The Authority, as with other Edmonton authorities, is a non-profit organization, which will be funded partly by the city and over which the city will retain fairly strict financial control. It is expected that the city's contribution will decrease annually and that the industries themselves will provide more support.

One final note, the Edmonton Convention and Tourism Authority is not to be confused with the Edmonton Convention Centre Authority, which is restricted solely to the operation of the convention centre.

MR. CHAIRMAN: Thank you, Commissioner Burrows. Are there any questions the members of the committee have?

MR. STEWART: Mr. Chairman, I am assuming that its function would be not only a policy-making body but an administrative body.

MR. BURROWS: Mr. Chairman, that is correct. It is the very complications of the present fractured administration that caused the committee's concern and their investigation as to how better to handle it. To each of the present organizations that exist within the framework of the present operations, there

are administrations, hotel rooms, secretaries, Gestetners, and the like. To each of these organizations, in whole or part, the city, the province, and private organizations contribute funds. There is an excellent opportunity here to clear up that administrative headache.

MRS. CRIPPS: I guess I have three questions, Mr. Chairman. First, what's the difference between the Edmonton Convention Centre -- was it the convention centre that we passed last year? -- and this Edmonton Convention and Tourism Authority? Why the need for both Acts?

MR. BURROWS: Mr. Chairman, the major concern is that the Convention Centre Authority deals only with the convention centre. It's particularly interested in the largest conventions. It also has responsibility for the funding within itself, and the promotion of major convention areas. They will have an interplay with this convention Authority, but to the degree that this group we are talking about will be dealing with smaller conventions, with the hotels themselves, with all the things associated with hotels, tourism, and conventions, such as the establishment of an information bureau and the like as an assist to anybody's convention that comes into town, and will deal with the lesser conventions throughout the city. There will a co-ordinated role between the two, but the city would wish to keep them separately identified.

MRS. CRIPPS: Co-ordinated or duplicated?

MR. BURROWS: Co-ordinated. For example, the documents that will be produced for tourism will be a function of this Authority to produce input from the Convention Centre Authority, but not as a direct role of their part. That was one of the things happening in the past. Various groups from Edmonton would visit various other conventions and centres, establishing the hope that they would bring their conventions to Edmonton. In this way, the present Convention Centre Authority would be directly responsible for larger conventions and bodies, whereas this Authority would be responsible for the lesser numbered conventions, tourism, and the like, and combinations of such.

MRS. CRIPPS: I find myself reading many times that the provincial government is being requested to provide funds for the Convention Centre Authority. What kinds of funds is the provincial government going to be requested to provide for the Edmonton Convention and Tourism Authority?

MR. BURROWS: Mr. Chairman, as I mentioned before, there are not only administrative problems within these various organizations but at present both the province and the city, and private contributors, contribute money to these organizations, which creates duplication within itself. That's one of the reasons we and other organizations -- and, I'm sure, the province -- share the view that we wish to eliminate those things.

MRS. CRIPPS: Are you suggesting that you won't be requesting funds from the Province?

MR. BURROWS: Mr. Chairman, I don't think I would suggest that. I see your point. But what we really would like to do, and the real thrust of this thing is that -- and I think it's fair to say that many of these organizations have depended on such structures as the province and the city for their funds, to the extent that, though they have been very critical of the operations of these groups, they have failed to contribute or support them in either money or kind. With this structure in place, over the years it is hoped -- and it will be watched very carefully -- that these other organizations, such as the

hotels and the like, will contribute a greater share. It's written into their terms of reference.

That isn't to say the province and the city won't continue to contribute some, because they already do, through many tourism things. But instead of it continuing and being an open bank book where every year it seems to go up and there's no hope of it ever levelling off, now to put the onus back on the individual groups and this particular Authority to raise its own funds.

MRS. CRIPPS: Mr. Chairman, I have one more question, if I may. Section 4(f) and (g): "to acquire, hold or alienate shares in the capital stock" or the capitalization of stock . . . I thought we took that out of the Convention Centre Authority Act last year. Am I not right in that?

MR. BURROWS: Madam, that is correct.

MRS. CRIPPS: Why does it appear back in here?

MR. BURROWS: One of the reasons it was taken out was the feeling of the Legislature that it was not a proper statement to have in, so it was deleted. This one is back. Mr. Walker can explain the subtle differences between that statement and this one.

MR. WALKER: Mr. Chairman, the difference is that under the original draft Edmonton Convention Centre Authority Bill, it was simply the power to acquire, hold, or alienate shares in the capital stock of a corporation. I believe it was the opinion of this committee that that was too broad a power and that the Convention Centre Authority ought not to be in the investment business. Consequently, the wording has been amended to restrict the power to acquire shares to the purchase of shares in a corporation involved in the convention or tourism industry in the city. That's quite a restriction. But I think it's fair to say that even so, the reality of that actually happening is fairly remote. We would not be opposed to having Subsection (f) deleted, if it was your wish.

MRS. CRIPPS: And Subsection (g), is that an avenue to increase the total debt load of the citizens of the city of Edmonton by borrowing without having it show under the documents that would be required for a municipal finance corporation?

MR. WALKER: Mr. Chairman, the provisions of the Municipal Government Act with respect to financing contain a requirement that the annual budget of the city be submitted to council and approved by the elected representatives. Any expenditures made to the Edmonton Convention Centre Authority would have to be included in that budget and have to receive the approval of the elected representatives. It would be virtually impossible to do indirectly what could not be done directly.

Nonetheless the purpose of this provision was certainly not to circumvent any of the financing requirements of the Municipal Government Act but only to allow a certain amount of flexibility to meet the budgetary requirements of the Authority. It's trite to say that in today's economy, borrowing money is often a necessity to finance an operation.

MR. CHAIRMAN: Perhaps if we're going to have both Mr. Walker and Mr. Burrows give factual evidence, we'll have Mr. Walker sworn in as well.

*Mr. Walker was sworn in*

MR. CHAIRMAN: Mrs. Cripps, do you have any follow-ups on your supplementaries? Mr. Clegg, do you have a comment you want to add to this?

MR. CLEGG: Mr. Chairman, with respect to Mrs. Cripps' previous question concerning the scope of the previous piece of legislation, I wanted to remind the committee that the scope of the Edmonton Convention Centre and Tourism Authority Act was very much limited to the immediate requirements to run that convention centre. This committee was concerned that it should be so restricted. It would certainly be far beyond the powers of that Authority to do the things envisioned by this Bill, to deal with the tourism business of the city in general terms. Therefore, it was essentially the initiative of the city in asking for a restricted Bill for the convention centre. This committee, in keeping it restricted, makes it a very specialized Bill. Therefore, this is the reason in my view why the function of this Authority would not overlap the function of the other one.

MR. CHAIRMAN: Thank you, Mr. Clegg. We've got Mr. Mack, Mr. Thompson, Mr. Lysons, and Dr. Paproski.

MR. MACK: Mr. Chairman, as a non-voting member of this committee -- I wish to make that clear -- I do thank you and the committee for the opportunity to participate in the debate on Bill Pr 8 and, possibly, 9.

My question would be to Chief Commissioner Burrows, with regard to the actual function of the Authority and the interface that will ultimately have to be addressed in terms of the Convention Authority and the Tourism Authority, and the manner in which it would affect the sizes of conventions which would be directed to the convention complex itself, as opposed to the conventions which currently are attracted to the city of Edmonton which the hotels are sponsoring and are being able to accommodate. Will there be a conflict, particularly where we have one representative from the licensed hotel, for example, and that vote could be lost quite readily because of the sheer weight of the others? Are some terms of reference going to be developed within the parameters of the Convention and Tourism Authority which would clearly state those guidelines as to which areas the Convention Authority will be hosting during conventions and the sizes of those conventions, so it does not become deleterious to the private enterprises involved in the hotel business?

MR. BURROWS: Mr. Chairman, in response to Mr. Mack, as you can readily understand, that of course was one of the matters of concern of the private industry when the convention centre building was first proposed. Through all this debate, the organizations involved in the evolution and finally the production of this Bill in front of you today -- those major agencies were part of the discussion.

Generally speaking, not to be precise but perhaps to give you an order of magnitude, the figure that the Edmonton Convention Centre Authority -- the present Authority -- would be most interested in, will be in the area of 800-plus delegations to a convention. It is a fact that within the city, in looking at the capacity of the existing hotels and their convention centres, there is quite a market that cannot be served by the Edmonton hotels. That is accepted, and that is understood. Nevertheless, because of the provision by the hotels and other agencies of accommodation themselves, the fact that the Edmonton centre attracts a convention beyond the 800 will certainly enhance the profitability of the private sector in providing accommodation, tourism, and all the other things that occur.

MR. MACK: A supplementary, Mr. Chairman. Would those prerequisites be in regulations, because they are not in the Act itself? Or is that an agreement between the participants and the city of Edmonton and, ultimately, the Convention and Tourism Authority? How is that going to be disseminated to all the actors in this particular region, for example?

MR. BURROWS: Mr. Chairman, that already has. In bringing this forward, they have agreed in principle that that shall be the sort of scale they'll be working on. In words, these preliminary discussions probably are covered in minutes that could be found. There is no debate at the moment amongst the various groups, that there would be any conflict if those things were maintained. The present Authority certainly is cognizant of that.

MR. MACK: Mr. Chairman and members of the committee, a final comment. I support the concept. It's very healthy to involve the private industry in the area of attracting tourists, so the promotion of the tourism industry in this region can best be done by private industry. For that reason, I support the Bill.

MR. THOMPSON: Mr. Chairman, Mrs. Cripps asked the question on Section 4(f), and that was what concerned me. I really would like an explanation of why these gentlemen feel that section needs to be in there at all, because Mr. Walker said that they really didn't care if it was in there or not. If they really have good reasons for keeping it in there, I'd like to hear them.

MR. BURROWS: Mr. Chairman, in response to Mr. Thompson, when one prepares a Bill, I am advised by my legal friends that one attempts to cover as many possibilities as can be thought of or envisioned as you move into the operations of this area. For that reason, this particular clause was put in. We do agree that the need to exercise that particular clause will be very small. We don't envision it as being overly restrictive; we do envision it as being in there for the particular reason that if that particular circumstance did arise, it would be available to us as an avenue.

MR. LYSONS: Mr. Chairman, my only question is on Section 4(c): "to engage the services of any bank or treasury branch and to enter into agreements with any bank or treasury branch". Would you have any objections to adding credit unions?

MR. BURROWS: Mr. Chairman, certainly we would have no objection, as long as all the requirements of the Authority were met. If they could respond to the needs of the Authority, we would have no objection. But I'm not too sure exactly what that means, with a credit union, because I have not been into the services they provide. I assume they would.

MR. CLEGG: Mr. Chairman, such an amendment would only be permissive, in any event.

DR. PAPROSKI: Mr. Chairman, a few quick questions that I'm sure can be answered quickly, either to Chief Commissioner Burrows or to Mr. Walker. I notice that in Section 17, the city has authority to get back whatever was transferred to the Authority. Could you just clarify that part? I understand that the Authority will expend money it's allocated by council at the budget year.

MR. BURROWS: That's correct.

DR. PAPROSKI: During that year, will this Authority be able to expend more money, over and above that?

MR. BURROWS: Not without coming back to council. If there is some particular event or if they have some particular requirement, they always have the avenue to come back to council and appeal. It would be done that way.

DR. PAPROSKI: But apart from that, Mr. Chairman, if the Authority wishes to enter into some activity that's very costly, and feels it doesn't require council's monetary support, will the Authority be able to do that? I'm being hypothetical. If it gets into a severe debt situation, who is responsible?

MR. BURROWS: Mr. Chairman, if you note, there is the opportunity for members of council to be present on this organization. They are to be the monitor for council, to be sure things are done in the manner that is expected. Secondly, the powers rests with council. If that were to occur at any particular time, council would have the right to absolve the group.

DR. PAPROSKI: Mr. Chairman, I don't want to monopolize the questioning, but these are just quick points for clarification, and I think we should know that.

Yes, I note that council members and the mayor are on the authority. Do they have to report expenditures on a periodic basis throughout the year, do they report once a year, or do they have to report at all?

MR. BURROWS: Mr. Chairman, the normal thing is to present budgets to council for approval, and bring them to council in the normal manner, through economic affairs. Final ratification is then by council.

In answer to your other question as to the monitoring procedure, however, what is adopted now in the other authorities we have .#.#. For example, I sit on two of those authorities, as does the mayor. If we see something we feel is not the way it should go, or feel the path is being misdirected from the original intent, it's our responsibility to report jointly to council and advise council of what we think their actions should be in that particular case. So the monitoring is continual. The representation at the meeting -- the attendance of the members -- is noted and documented, then presented to council with the budget documents.

DR. PAPROSKI: On a very specific point, again hypothetical: if the Authority decided to spend X dollars -- millions of dollars or whatever -- from what you're saying, is it clear that they could spend that money first, go into debt -- and I'm not trying to be negative, Chief Commissioner Burrows; I ask the question because those are the kinds of questions my constituents are going to ask me -- then it's picked up and goes to council. Is that after the fact or before the fact?

MR. BURROWS: Mr. Chairman, the action of the members of the board in approving such a project, as pointed out in here -- first of all, it would probably not be within the budget if it is in the realm of what you're mentioning, and therefore would be noted back to council immediately. That would not be approved. I suggest that the power of the council and the city of Edmonton to make note to any private lender that they do not support this sort of venture -- whatever it may happen to be -- would probably be enough to nullify the program.

DR. PAPROSKI: A rather obvious question, and I think an obvious answer. The city council is aware of this and has approved this direction?



MR. BURROWS: Yes, Mr. Chairman.

DR. PAPROSKI: Thank you very much. I support the Act.

MRS. CRIPPS: On that point, Mr. Chairman, the parent organization is made up of eight groups. Does number 17 mean that one of those parent organizations has the authority, if the city council deems that the authority has not carried out its objects in a satisfactory manner, to override all the appointees of the other seven parent organizations?

MR. WALKER: Mr. Chairman, that's absolutely right. Sections 16 and 17 give council the authority to appoint a receiver/manager type of person if the Authority were to get into trouble, or ultimately to take over the assets and pull the plug on the Authority, to put it very bluntly.

MRS. CRIPPS: What if the Chamber of Commerce decides the Authority isn't satisfactorily carrying out the object of its mandate?

MR. BURROWS: Mr. Chairman, the Edmonton Chamber of Commerce is only a voting member, and it would have to appeal directly to council, I suppose.

MRS. CRIPPS: Thanks, Ken. I just wanted that clarification.

MR. CHAIRMAN: Any other questions on this particular Bill from the committee members?

Perhaps we can then go to the second Bill, the Edmonton Economic Development Authority Act.

MR. WALKER: Mr. Chairman, the same process was experienced in terms of the area of attracting business developments to the city of Edmonton, in that a number of private groups such as the Edmonton Chamber of Commerce, the Edmonton Real Estate Board, et cetera, which had to work with the various city departments determined, with the help of the Spirit of Edmonton committee, that it would be much more effective to co-ordinate all their efforts through a quasi-independent authority. As Commissioner Burrows mentioned earlier, the delay with having to work through the city administration after requests from council for more information, et cetera, became very discouraging to a number of groups, such that there was a time lag of up to two years between the recommendations and their actual implementation. The need for this Authority was made obvious and recommended as a result of the study by the Spirit of Edmonton committee. Again, the city only has the powers given to it by the Municipal Government Act and cannot do directly what is being given to this Authority to do.

At this point, I'd like to defer to Chief Commissioner Burrows to explain more fully and to answer questions.

MR. BURROWS: Mr. Chairman, as with the Edmonton Convention and Tourism Authority proposed Act, after careful study the city determined that it would be in the best interests of its citizens to have the Economic Development Authority. This Authority would promote and develop the economic growth of the city, in keeping with the city's long-term goals and, in particular, attract new business to the city.

At present, there are a number of business development groups within the cities, such as the Edmonton Chamber of Commerce, the Edmonton Real Estate Board, and many others. The efforts of these groups have in the past been supported through the city's department of economic development. In 1980, this group commissioned a study of the relationship between the private sector

and the city, since once again there was a matter of conflict in the area of business development, which resulted in the recommendation for a private authority having its own substantive powers.

The net effect of this Authority would be a more co-ordinated and effective approach to business development in Edmonton. Other provinces have discovered that their larger municipalities have encountered similar needs and have created a similar authority, such as the Business Development Authority of Winnipeg, the Commercial and Industrial Development Corporation of Ottawa-Carlton, and the Economic Development Office of the Montreal urban community.

You will note that the Authority would be composed of two appointees from the city who would be council members, the mayor and one commissioner, and five members appointed by a nominating committee which, in the first instance, will be the Spirit of Edmonton committee. The object of this, of course, is to institute the Authority.

As with other Edmonton authorities, the Authority is a non-profit organization which will be funded in full initially by the city and ultimately at a later date through private industry. It will be kept under strict financial control by the city.

MR. MAGEE: Mr. Chairman, Chief Commissioner Burrows answered my question in part, and that was relative to whether or not this was a unique authority in the realms of how cities operate, and so on. While he indicated three, it would seem to me that in many respects, continuous operation of numerous authorities might fragment the operation of city council to some degree. While I recognize the ponderous routine people sometimes have to go through in order to get answers, I just wonder to what degree people are going to become confused with so many different organizations operating as appendages to city council. While I recognize that members of city council sit on these various authorities and so on, I just wonder if they have thought through the fact that councillors would be so busy running to different meetings and authorities and so on, that they will lose their importance to city council in control. So I have some questions as to whether this is really needed.

MR. BURROWS: One of the real problems that exists for Edmonton city council is that when there is an unstructured authority to respond to, they are in fact attending many more meetings than this Authority would expect them to, and in fact because of the structure of those organizations, different aldermen are appearing in different organizations and responding in different manners. Once it is set up, this Authority should eliminate a great deal of that workload for the aldermen, and will probably result in one or two members of council appearing at this Authority, where several members of council through several organizations would be represented at their meetings. And the result, as you are indicating, is that with the workload that exists for aldermen today, it is not always possible to give your full attention to that particular area and understand the complications in the other area. This way, it would be hoped that the whole of the sphere of activity would be controlled under one Authority, and hence the alderman appointee to that Authority would be in full control and would be able to react for council.

MR. MAGEE: Through the Chair, thank you for your further explanation of the situation. I just wanted to make absolutely sure that everybody had considered all the ramifications.

MR. CHAIRMAN: Before I forget, Mr. Burrows, on a technical part: could we get for the committee a certified copy of the council's resolution authorizing the petition? We don't need it right now, but as long as . . . Perhaps you could confirm that council did pass a motion directing that a petition be made.

MR. BURROWS: Yes, Mr. Chairman. I believe I have it, but if I do not I will see that Mr. Clegg gets a copy of it. If I do, I'll drop it off on my way out.

MRS. CRIPPS: I have the same concern with this one that I had on 4(f) and (g) with the other one. But I guess my question is regarding 16 and 17 of the Bill, which give the council authority to take over the Authority if they don't like the manner in which it's operating. If I read the powers of the Authority correctly, it appears that the city would have most of those powers within its own responsibility now. You have the powers. Maybe they aren't clear cut and dried and in one authority, but you do have those powers. I'm not sure why you have 16 and 17 in there, that the city can take them over. The city would have those powers already, although not under one authority. On the other hand, if that is not true, and the city decides it wants the powers, it cancels the Authority and takes over the powers, according to 16 and 17. If so, why? If not, why do you need 16 and 17?

MR. WALKER: Mrs. Cripps, the city does not really have the power to take over any quasi-independent entity carrying on the business of attracting business development to the city, or carrying on the business of attracting the convention tourism and trade to the city. The powers given to the municipal governments are fairly restrictive, both in terms of the judicial decisions and the legislative policy being creatures of statute. I am not quite certain that the city has the authority to do the things listed as powers of this Authority -- all the objects set out in Section 4 -- even to begin with. But certainly if some organization that was not created by statute here did undertake that function, then it would not be up to the city to take over their assets or to appoint a receiver/manager. That's something that would specifically require a statutory provision for the city to do.

MRS. CRIPPS: On the terms of this. It says: "The city may direct the authority to turn over the management and operation", and 17 says it may direct the authority to turn over the assets and undertakings. Why would you need a special statute? That is included, is it not, Mr. Clegg?

MR. CLEGG: Mr. Chairman, it's my opinion that if this Bill is passed, we will have created a statutory authority which has an existence separate from the city. The city would not have the power to, as it were, expropriate that separate legal authority's operation or assets, except through the normal procedure of being a creditor and an insolvent authority which would get an order under the bankruptcy Act or for the appointment of a receiver or manager, and I think the city feels that although it might in fact be the principal creditor of this Authority or be a guarantor of its debts -- because the Authority can only borrow money on the authority of the city and with its guarantee, it wouldn't want things necessarily to go so far that it couldn't take over the Authority and shut it down until it was insolvent. If it's accepted politically that the city and its council, as elected officials, have ultimate responsibility to the taxpayers for what this Authority does, I think it's therefore reasonable that they should have power to shut down the Authority and take proceedings without having to resort to the bankruptcy and insolvency laws, the key being that we are creating an independent and separate legal entity here. It's no longer a part of the city; it has its own separate legal existence. It's not a department of the city, and therefore the city would not have any power of expropriation over it under present law. Therefore, if it is to be able to do that, it needs a special power granted to it.

MR. CHAIRMAN: Let me just elaborate on the question. The way I understand this is that the city can take over and manage the assets, but it can't continue the objects of the Authority. The question I have -- and I guess Mrs. Cripps asked this question indirectly -- is why would you prefer 16 and 17 rather than coming back to the Private Bills Committee to disband the Authority? Is that the same question?

MRS. CRIPPS: Yes. That's the question.

MR. CLEGG: Mr. Chairman, there is of course a time factor. You can only get to the Private Bills Committee once every 12 months. There might be something seriously wrong in which the city wanted to intervene and take control of, and maybe later come back to have the Act repealed, which would be an actual consequence if the whole thing became a disaster. The city may have some other suggestions.

MRS. CRIPPS: Mr. Clegg, my concern is that it says that the city "may" direct and the Authority "shall" comply.

MR. BURROWS: Mr. Chairman, I would like to make the point -- and reinforce what Mr. Clegg has said -- that it is a matter of expediency in most cases to deal with these things. We sincerely feel that we would like to have immediate control to be able to act and stop anything we felt was not in the best interest.

MR. CHAIRMAN: Just to clarify one point, could you confirm that if you take over the assets, you don't continue on with the Authority? I presume the municipality cannot conduct this kind of Economic Development Authority under its own powers. You just take over the assets in the same capacity to protect your interest. Is that the intent?

MR. BURROWS: Mr. Chairman, that is correct.

MR. CHAIRMAN: Mrs. Cripps, do you have any additional questions?

MRS. CRIPPS: No, but I sure have some concerns.

MR. CHAIRMAN: Mr. Clegg, do you have any additional comments you want to make on this point?

MR. CLEGG: With respect to Mrs. Cripps' final comment, the intent of the section is to give the council the absolute right and decision to take that responsibility and take them over, even if the Authority objected to it. This is why it says they "shall".

MRS. CRIPPS: Oh, I realize that. In the first instance, when I asked the question on the first Bill, Mr. Walker said that that was true. But in the second instance -- if we go back to *Hansard*, I'm sure that that isn't, in effect, true -- he said they don't have total authority without going to a statute.

MR. CLEGG: I'm sorry, maybe I didn't express myself clearly. I didn't mean to say they could do it without this section. The intent of sections 16 and 17 is to give the Authority the power to do this. This is why it says the Authority "may" do this, if they decide, and the Authority "shall" comply. It forces the Authority to comply with the direction.

MRS. CRIPPS: That's not what Mr. Walker said.

MR. CLEGG: I think that what Mr. Walker was saying -- well, maybe I'd better let him respond to that. I think they're two different issues.

MR. CHAIRMAN: Just a minute now. We'll come back to that point.

MR. CLARK: I was kind of on the same point, Mr. Chairman. When we set this Authority up, is it going to allow the Authority to do certain things that are now really in the realm of the municipal government or city council, as I understand it, and they will have the authority to do this on their own? Is that going to limit the power of the elected people on the council and turn some of their responsibilities over to this board? Is that what I'm hearing here?

MR. BURROWS: In the division of responsibilities, as I think you're pointing out, as to whether the role of the council would be lessened by this Authority, my answer would be no. What council really is concerned about is the development of the city of Edmonton. At the moment, it has in place a business development department, which will become a part of this Authority in the evolution and establishment of this Bill and will move in there. Through various controls expressed here in the Authority and its representation, council will still have a very direct interest in what that group does.

As well as that there is an opportunity, under the structure developed here, for the encouragement of various senior individuals in the economic development field of the city of Edmonton to participate and assist the city in that role. So I do not see it as detracting from council's thrust in economic development; I really see it as a tool to give them more impetus in this area.

MR. CLARK: On that point, if a certain authority is given to a board under this Act, it is my opinion that you could make decisions that affect the city without the approval of city council. Am I right there?

MR. BURROWS: Mr. Chairman, no. The general plans established for the city, for example, lay out zoning for the city, under which certain industries may not be here or there. Control is still vested in the city. All normal things the city does in granting a business licence, granting the right to build a property, approving zoning or zoning changes, are still vested within the city of Edmonton, and none of those would disappear. They would all still be there. This group would encourage the development of those things and major companies coming to Edmonton to establish. But once that decision had been made, encouragement given, and information supplied to the individual, then the establishment of his particular project, whatever that might happen to be, would still come under the direct control of all the existing rules and regulations as laid down by the city of Edmonton.

MR. STEWART: I guess I want to take a different approach to the issue of the alderman's authority being with the Edmonton city council than has been expressed by some of the other members, because I don't believe you can function unless the elected representatives have the ultimate decision-making. In my mind, an appointed body that would extend the expertise of the Edmonton city council would certainly in no way function for any degree of time, unless ultimately they had to report and be responsible to the elected people.

The only thing I want to ask is: I assume the deliberations of this Committee would be in private, not in the public arena?

MR. BURROWS: Mr. Chairman, yes. You're quite right. A number of these would have to be, as you probably understand. In negotiations carried on with businesses deciding whether they are going to come to Edmonton, Vancouver, Winnipeg, or wherever, they are very conscious of their position in the world and the competitive position that may be created by a decision they make. For that reason, most of those earlier negotiations, up to the point of a decision and an announcement, are normally kept fairly quiet.

MR. STEWART: One more question. Recognizing that two members of Edmonton city council would be on this board or Authority, are other members of city council privy to be ex officio members and sit in on the deliberations?

MR. BURROWS: Mr. Chairman, only the mayor.

MR. CHAIRMAN: We have another committee starting at 10 in this Chamber. Are there any additional short questions?

DR. PAPROSKI: Very briefly, it's important to me to be clear on this. Number 14 says the city "shall" provide the Authority. Is there a reason why it's "shall", or could it be "may"?

MR. BURROWS: Mr. Chairman, what is intended here is the assurance of the Authority that they will be funded for their activities. Therefore, since their source of funding is primarily controlled by the city of Edmonton, in our opinion the onus would lie on the city to ensure that that financial support is available to them.

DR. PAPROSKI: Mr. Chairman, it's not clear, and it's a very important point. In the opinion of the council, the city feels that it's necessary that it has money. But if, for whatever reason, they choose not to provide the money, even if they require the money because of some reason -- there may be a shortage of funds -- they still have to do it.

MR. CHAIRMAN: [Inaudible]:

The City shall provide to the Authority whatever money is, in the opinion of the Council, necessary for the operation of the Authority.

So they do have the final opinion on the matter.

MR. CLEGG: Mr. Chairman, the council is the authority in the city which actually votes to appropriate city money to purposes, the same way as this Legislature appropriates provincial money. Therefore, there wouldn't appear to be a discontinuity if the city votes that certain money is necessary. If the council believes it's necessary, presumably the council will appropriate it.

DR. PAPROSKI: Mr. Chairman, another question. Can the council disband this Authority or take over its assets, even if the Authority is carrying out its activity appropriately? In other words, in the future, could the council say: fine, the Authority has done its work, but we feel it should be done in a better way?

MR. CHAIRMAN: That's a bit of a legal question, because presumably there's an implied assumption that council must act reasonably in reaching that decision. But it does say in 16, "if, in the opinion of the Council, the Authority fails

. . ." I apologize, but I'm afraid we must adjourn. We've got our colleagues standing outside for the next committee.

DR. PAPROSKI: Could we have a brief statement from Commissioner Burrows regarding that particular item? Mr. Chairman, I request that, because otherwise I need clarification.

MR. CHAIRMAN: Okay. Commissioner Burrows, have you crystallized in your own mind the kind of response Dr. Paproski needs?

MR. BURROWS: Mr. Chairman, if I may. If Mr. Clegg is available afterwards, I think I would like to closet myself with him for a few minutes, and be very clear that I . . .

MR. CHAIRMAN: Perhaps Dr. Paproski can indicate that to you.

On behalf of the committee, I would like to thank you for appearing before the committee today. We may need to have the city appear once more before we can finalize this matter, but I wish to thank you again. We'll be in touch.

MR. HYLAND: Mr. Chairman, I move that we adjourn.

*The meeting adjourned at 10:05 a.m.*