

Chairman: Mr. Stiles]

[8:32 a.m.]

MR. CHAIRMAN: Perhaps we could call the meeting of the Private Bills Committee to order. You all have a copy of the agenda. Are there any concerns with the agenda?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Thank you. We have also circulated an outline of the Bills which have been received. Unfortunately, Mr. Clegg wasn't able to be here this morning. He had a prior commitment he wasn't able to extricate himself from; but he has provided us with his one-paragraph synopsis of these petitions. What we propose to do this morning is simply go through them, look them over, and set up a tentative schedule for the hearings of the petitioners.

There is another item too. I should perhaps deal with the second item on the agenda first; that is, with respect to Pr. 12, Pr. 13, and Pr. 14. It was anticipated that the Gazette would be published on the 29th, which would have put these petitioners within the 15-day limit that is provided for in 89(2) of Standing Orders. That day being a Friday, that was anticipated to be the day the Gazette would be published. Unfortunately, the Gazette didn't publish on the Friday; it published on Saturday the 30th, which made it impossible for them to comply with that particular subsection, to come within the 15 days. Accordingly, I believe two of them, No. 5 and No. 13, were a day late. In any event, they have complied with every other requirement under Standing Orders, but they haven't complied with the requirement of having all these documents submitted on time, the one that's missing being the statutory declaration respecting their advertising. I would entertain a motion that we recommend to the Assembly that the standing order be waived in respect to these four private Bills.

MR. HARLE: I so move.

MR. BATIUK: Before the motion, Mr. Chairman, I was wondering whether we'll have a chance to go through all of these Bills this morning. I won't object to that motion, but if we are short of time, I suggest that these Bills that have either applied late or something be the last ones dealt with.

MR. CHAIRMAN: Perhaps I can be of some assistance in that regard. Mr. Clegg and I have gone through the list and assessed the Bills for degree of difficulty or controversy, as the case might be. We have categorized eight as being least difficult, and they can probably be disposed of quite quickly. As a matter of fact, we tentatively suggest that five of them be scheduled for the first day. Because they are so noncontroversial and straightforward, we think we can deal with them quite quickly. There are three which we feel may involve a bit more time and one which we know will be opposed.

There will be intervenors, and we anticipate that might take more than one day of hearing. There are a number, but we don't really anticipate a difficulty. We are looking at May 8 being the last day of hearing the petitioners, unless there is a second day required in the case of Pr. 10, which is a possibility.

MR. BATIUK: I have no objection to entertaining the motion.

MR. CHAIRMAN: We have a motion by the hon. Member for Stettler to waive Standing Order 89(2) with respect to the four Bills we mentioned: 5, 12, 13, and 14. Are we agreed?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Thank you. That motion is carried.

If you like, perhaps I can quickly go through the list. We feel that the first three on the list are degree of difficulty A, which is to say, the least. The first item, the Heritage Savings & Trust Company Amendment Act, is simply a matter of increasing the equity capital which is authorized. It's not an issue of shares necessarily. It's simply saying that they're now authorized to issue shares up to \$50 million. They have complied with the requirements of the director of trust companies in that they've paid their \$10,000 fee, and there is no objection on the part of that particular department to this private Bill. So I don't anticipate any difficulty with this one. I think there are five Alberta trust companies. Three of them have done this already; only one hasn't done it.

Bill Pr. 2, the Westerner: the city of Red Deer has passed a resolution saying they have no objection to the exemption in this particular

case, so I don't anticipate any controversy there.

The David Michael Skakun Adoption Termination Act: here again, all the parties have agreed and filed affidavits in agreement with this petition, so I don't anticipate any difficulty with that.

We feel those three are not problems, and we're suggesting we deal with them on the first day, which would be April 17.

We do have a problem with Pr. 4, in the sense that the management consultants apparently did not retain the services of a solicitor in preparing their Bill. They've done a cut-and-paste job in drafting this proposed Bill. Frankly, it simply isn't satisfactory. Mr. Clegg's position doesn't permit him to do drafting for petitioners; he's only able to do some fundamental housekeeping work in their Bills when they're presented. He has suggested that they retain a solicitor and has directed them toward a couple of the solicitors in the province who are expert in this area. I anticipate that we will have this Bill back again later on, but I'm not putting it on the schedule at the present time because it simply isn't ready for presentation.

The next one is Pr. 5, Les Soeurs de Sainte-Croix, Province Sainte-Therese -- Sisters of Holy Cross, Saint Theresa Province Act. We don't anticipate any difficulty with this. As Mr. Clegg points out, it's simply a consolidation and revision of their previous Act and its recent amendments. There should be no delay on that one.

Pr. 6: we have suggested this might have a B degree of difficulty, because in past cases we have found the members often want to question the petitioners with respect to their college and the background on the applications. We suggest that might take a little longer, and we've categorized that as a B. By the way, we're suggesting that we deal with Pr. 5 on the 17th also. We're suggesting that we deal with Pr. 6 on May 1, which is two weeks after the 17th.

Bill Pr. 7 is another very simple Bill. It's simply a matter of changing the name to Bonnyville Health Centre from the St. Louis hospital. That doesn't appear to have any element of controversy. We've also scheduled it for the 17th. The five Bills we've suggested we deal with on the 17th, which is the first Wednesday after the adjournment, are 1, 2, 3, 5, and 7. Does anyone have any difficulty with

that?

We'll go on from there. Bill Pr. 8 is also a very simple matter. I don't anticipate a problem. The city no longer has commissioners, so they're asking that their Acts be amended to correct that situation. Their Acts previously referred to commissioners. The commissioners have now been replaced with a city manager, and they want to make that amendment to clean up their Acts. I don't anticipate any controversy there. We've tentatively scheduled that for May 1 as well.

Bill Pr. 9, Le Diocese de St. Paul Amendment Act, 1985. As Mr. Clegg points out, we haven't heard from their solicitors whether the municipality has any objection. Accordingly, we haven't scheduled it. We presume that if the municipality doesn't object and if they in fact pass a resolution, there won't be any difficulty with this. On the other hand, if there is an objection on the part of the municipality, it will obviously be a different matter. We probably will be hearing from the municipality, and we'll have to schedule them accordingly. We have tentatively scheduled it for May 8.

MR. ALGER: Mr. Chairman, do you have any idea how much land was acquired in this particular case?

MR. CHAIRMAN: I don't know how much it was. Apparently, it was an expansion of their facility. It wasn't a total acquisition; additional land was acquired. That is another matter I'm not sure about. I'm not sure if they are tax exempt on the existing land and simply want to extend it to include the new land. That's what we're waiting to hear. I'm told it is 10 acres. We've tentatively scheduled it for May 8 to give their solicitor some time to get back to us and let us know what is what.

Bill Pr. 10 is the one we feel will probably attract the most controversy this sitting. We have already heard from intervenors who want to oppose this application. Accordingly, we've set that for the 24th, the week following the week we come back from the adjournment. We've set that up as the only item for that morning's meeting. If we can deal with it in one morning, that's fine, and if we can't deal with it that morning, at least we'll know we can schedule it for a further meeting later on. Does anyone have any difficulty with that order of business? So that's the 24th.

We don't anticipate any real controversy with Pr. 11, although it's possible the Minister of Culture may want to say something about this. We've said it may be a B, but I don't really think there should be any controversy over it. However, it's a possibility that someone may object. We've tentatively scheduled that for May 1 also.

We're now getting into the ones that haven't quite completed their requirements under Standing Orders. Pr. 12, the Highfield Trust Company Repeal Act: as you can see the company doesn't exist, and it's just a matter of cleaning up the books and taking this Act out of the statutes. We've scheduled that for the 17th also.

Bill Pr. 13: this petition has been before our committee for the last two years, if you recall. It is coming back again. This year, to this point at least, we have had no objection whatever. It would appear that the situation is now settled to the point where the previous intervenors no longer object to this petition. If that's the case, we've assigned it a B on the off-chance that it might be opposed, but we don't anticipate a problem with it. We've scheduled it for May 1, if that's agreeable.

We feel Bill Pr. 14 is an A. We don't think it's going to be difficult or controverted. We've tentatively scheduled that for May 8, because they weren't complete.

That puts six on the 17th; Bill Pr. 10, Westcastle Development Authority Act on the 14th; Pr. 6, Pr. 8, Pr. 11, and Pr. 13 on May 1, which is four; and Pr. 4, Pr. 9, and Pr. 14, the Youth Emergency Services Foundation Act, on May 8.

That is the complete list. That's the tentative schedule. Does anyone have any concerns with that tentative schedule?

MR. APPLEBY: Mr. Chairman, what's the status of those Bills where the advertising is not complete?

MR. CHAIRMAN: The status is that we are waiting for them . . . In fact, it isn't that their advertising isn't complete. That's a bit of a misconception. Their statutory declarations proving their advertising haven't been received. Apparently, their advertising has gone in, but the date of publication of the Gazette caused a bit of a delay for them in getting their statutory declarations. That's

what we're waiting for. As soon as the statutory declarations are received, they will actually be complete.

In addition, there are two items we should look at which weren't really mentioned on the agenda. The St. Louis Hospital, Bonnyville Amendment Act to change the name: the petition and the documentation we have in support of that petition clearly set out the purpose and the reason for the Bill and what is required. Unless there are committee members who wish to have them appear, we didn't feel it would be necessary for the petitioners to appear on that particular Bill. We felt we could deal with it without their appearing. Is there anyone who has an objection to that procedure?

MR. ALGER: I would tend to think, Mr. Chairman, that there would be people against that. Some folks get kind of set in their ways. Would they necessarily have to be heard?

MR. CHAIRMAN: The procedure in respect of all private Bills is that they are fairly substantially advertised. I can just tell you that the requirement of the Standing Order is the publication of a notice

(a) in two consecutive issues of The Alberta Gazette, and

(b) once a week for three consecutive weeks in a newspaper published in Alberta. Of course, the newspaper would be published in the immediate area of concern.

That is the procedure for notifying the public of the petition. If anyone has an objection to the proposed Bill, they are then free to inquire about it, and the Parliamentary Counsel's office gives them the procedure on how they can intervene and register their objection. In cases where we haven't heard from anyone, we assume there isn't any objection, or at least that they aren't objecting strenuously enough to let us know about it.

Under those circumstances, and as we have not heard any objection, we feel it would be an inconvenience to these people to have to come to a hearing if there is nothing we want to ask them. In this particular case, it's such a straightforward petition, simply to change the name, that I can't imagine what questions we'd want to ask them. All of the board of directors apparently signed the petition for the hospital, so they are all in support of this petition. That was the reasoning for our suggesting it.

MR. BATIUK: Mr. Chairman, I really can't see that there would be any trouble. These religious hospitals had these things previously, and the reason for that was that they were responsible for their total building and maintenance and so forth. Over the years, since the government has replaced and built hospitals, I can see that they would want a name like Bonnyville Health Centre. It serves everybody and is not considered one religious organization or whatever. There should be no problem. I think the reason they want to change their name is that they have to serve everybody.

MR. CHAIRMAN: Thank you. The other one we felt wouldn't require anyone to appear is Bill Pr 12. The company is no longer; it has been liquidated. In fact, it never became active. It's simply a matter of repealing the Act because it's redundant. That's clearly set out in the petition and the documentation that has been received. If it's the wish of the committee, we can waive the hearing in that case. Is that agreed?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: The other item we want to bring up this morning is the matter of the Management Accountants of Alberta. They have petitioned the Legislature on two previous occasions and, in each case, paid their fee of \$200. In each case, in agreement with our suggestion, because there was the possibility of government legislation to deal with this whole area of the accounting professions, they agreed that we wouldn't proceed with their petition. They're asking if they might have their \$200 back in respect of those two years in which they were not proceeded with.

MR. HARLE: I so move.

MR. CHAIRMAN: The hon. Member for Stettler has moved we refund the \$200 fee in respect of the fee paid in 1984. Are we agreed?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Thank you. Motion carried.

MR. ALGER: Are we going to charge them for this year?

MR. CHAIRMAN: They're paying it for this year because we are proposing to proceed.

MR. NELSON: Mr. Chairman, I think they should be repaid for this year also, because we're really the ones that [inaudible], not them.

MR. CHAIRMAN: It's just the one year.

MR. NELSON: I've been working with these guys since day one, Mr. Chairman, and I know the sequence of events over the last two or three years.

MR. CHAIRMAN: Just to recap, the first year they presented the petition, it was opposed vigorously and was not proceeded with. They paid their fee for that year; they're not asking for that year's fee to be refunded. Last year they prepared a petition, it was filed, and it was withdrawn at our request. They asked to have it withdrawn, but it was because we asked them to. So that is the year for which they're asking for the refund. They're not asking for a refund for the first year, and they aren't asking for a refund for this year. This year, at least as far as I know, we are proceeding with it.

MR. NELSON: Mr. Chairman, I'm not going to get into a big debate, because it's not worth the \$200. If they're not asking for their money for the first year -- I don't want to waste everybody's time here, but in the first year, we horsed around with the damn thing, not them. [interjection] Whether it was opposed or not, we didn't deal with it. One way or the other, we did not deal with it.

MR. CHAIRMAN: All they've asked for is one year, so that's all we propose to do.

That concludes everything I have on the agenda. Does any member wish to raise anything else?

MR. MUSGREAVE: Mr. Chairman, I have two quick questions. I assume that when we are dealing with Bill Pr. 6, we will have confirmation from the Minister of Advanced Education that he doesn't have any concern with this.

MR. CHAIRMAN: That is standard procedure. We check with the minister.

MR. MUSGREAVE: [Inaudible] Bill Pr 11. Are we enhancing the powers of expropriation here? If so, can we have some legal advice on this when they come forward? I'm a little concerned. We had quite a hassle in the city of Edmonton on this issue. I'm a little concerned that we may be slipping something through that looks quite innocent on the surface but could be a very serious situation for some property owners. I don't happen to have any heritage property, and I don't know anybody who does, so I'm totally unbiased.

MR. CHAIRMAN: It's the petition of the city of Calgary, and of course the city has powers of expropriation.

MR. MUSGREAVE: That's my point. Are we making them stronger? That's what I'm worried about. I was an alderman in the city of Calgary for seven years. I know how they work sometimes.

MR. CHAIRMAN: I don't quite see how we could be making their powers of expropriation stronger. I haven't seen the Bill, so perhaps we can deal with that when Mr. Clegg, who has seen the Bill, is here and can give us his advice in that regard. It may be that they want to give the authority the power to expropriate. On the other hand, they may not. I haven't seen the Bill, so I don't know.

MR. APPLEBY: I move that the committee adjourn.

MR. CHAIRMAN: Are we agreed?

HON. MEMBERS: Agreed.

[The committee adjourned at 9:01 a.m.]

