



Legislative Assembly of Alberta

The 27th Legislature
Fourth Session

Standing Committee
on
Private Bills

Tuesday, April 12, 2011
8:32 a.m.

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Fourth Session**

Standing Committee on Private Bills

Brown, Dr. Neil, QC, Calgary-Nose Hill (PC), Chair
Woo-Paw, Teresa, Calgary-Mackay (PC), Deputy Chair

Allred, Ken, St. Albert (PC)
Benito, Carl, Edmonton-Mill Woods (PC)
Boutilier, Guy C., Fort McMurray-Wood Buffalo (W)
Calahasen, Pearl, Lesser Slave Lake (PC)
Dallas, Cal, Red Deer-South (PC)
Doerksen, Arno, Strathmore-Brooks (PC)
Drysdale, Wayne, Grande Prairie-Wapiti (PC)
Hinman, Paul, Calgary-Glenmore (W)
Horner, Doug, Spruce Grove-Sturgeon-St. Albert (PC)
Jacobs, Broyce, Cardston-Taber-Warner (PC)
Kang, Darshan S., Calgary-McCall (AL)
Lindsay, Fred, Stony Plain (PC)
McQueen, Diana, Drayton Valley-Calmar (PC)
Morton, F.L., Foothills-Rocky View (PC)
Redford, Alison M., QC, Calgary-Elbow (PC)
Sandhu, Peter, Edmonton-Manning (PC)
Sarich, Janice, Edmonton-Decore (PC)
Taft, Dr. Kevin, Edmonton-Riverview (AL)
Xiao, David H., Edmonton-McClung (PC)

Bill Pr. 1 Sponsor

Rogers, George, Leduc-Beaumont-Devon (PC)

Bill Pr. 2 Sponsor

Pastoor, Bridget Brennan, Lethbridge-East (AL)

Bill Pr. 7 Sponsor

Rodney, Dave, Calgary-Lougheed (PC)

Support Staff

Shannon Dean

Florence Marston

Liz Sim

Senior Parliamentary Counsel/
Director of House Services

Administrative Assistant

Managing Editor of *Alberta Hansard*

Standing Committee on Private Bills

Participants

Bill Pr. 1, Alberta Association of Municipal Districts and Counties Amendment Act, 2011	PB-65
Heather Barnhouse, Associate, Fraser Milner Casgrain LLP	
Michelle Hay, Policy Analyst, Alberta Association of Municipal Districts and Counties	
Kim Heyman, Director, Advocacy & Communications, Alberta Association of Municipal Districts and Counties	
Bill Pr. 2, Galt Scholarship Fund Transfer Act.....	PB-68
Donna Karl, President, Galt School of Nursing Alumnae Society	
Kathy MacFarlane, Manager, Development Programs, University of Lethbridge	
Ian Zadeiks, Barrister and Solicitor, Torry Lewis Abells LLP	
Bill Pr. 7, Hull Child and Family Services Amendment Act, 2011	PB-71
George Ghitan, Executive Director, Hull Child and Family Services	

8:32 a.m.

Tuesday, April 12, 2011

[Dr. Brown in the chair]

The Chair: Good morning, everyone. Welcome to the meeting of the Standing Committee on Private Bills. I want to thank everyone for being so prompt for an early morning meeting.

I think we'll just begin by introducing ourselves. We'll start with Mr. Boutilier in the far end there.

Mr. Boutilier: Yeah. Thank you. Good morning. Guy Boutilier, MLA for Fort McMurray-Wood Buffalo, the oil sands capital of the world, if you haven't heard.

Mr. Hinman: Paul Hinman, MLA for Calgary-Glenmore.

Mr. Dallas: Good morning, everyone. Cal Dallas, MLA, Red Deer-South.

Mrs. Sarich: Good morning. Janice Sarich, MLA for Edmonton-Decore.

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

Mr. Xiao: David Xiao, Edmonton-McClung.

Mr. Lindsay: Good morning. Fred Lindsay, Stony Plain.

Mrs. McQueen: Good morning. Diana McQueen, Drayton Valley-Calmar.

Mr. Allred: Ken Allred, St. Albert.

Ms Woo-Paw: Good morning. Teresa Woo-Paw, Calgary-Mackay.

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

The Chair: I'm Neil Brown, chair of the Private Bills Committee.

Ms Marston: Florence Marston, assistant to the committee.

Mr. Rogers: George Rogers, MLA for Leduc-Beaumont-Devon. Good morning.

Mr. Doerksen: Arno Doerksen, Strathmore-Brooks.

Mr. Jacobs: Bryce Jacobs, Cardston-Taber-Warner.

Mr. Sandhu: Good morning. Peter Sandhu, Edmonton-Manning.

Ms Calahasen: Pearl Calahasen, Lesser Slave Lake.

Dr. Morton: Ted Morton, Foothills-Rocky View.

Ms Pastoor: Bridget Pastoor, Lethbridge-East.

Mr. Kang: Good morning. Darshan Kang, Calgary-McCall, airport tunnel country.

Dr. Taft: I'm Kevin Taft, MLA for Edmonton-Riverview.

The Chair: Well, thank you, all. The first order of business on the agenda this morning is the approval of the agenda for today's meeting, which has been circulated. Can I have a motion to approve the agenda as circulated? Mrs. Sarich. Any discussion? Any additions? All in favour? Opposed? That's carried.

The next order of business is the approval of our minutes from the March 15, 2011, meeting, which have been circulated and you

should have a copy of. Can I have a motion to approve the minutes as circulated? Mr. Allred. Any discussion? All in favour? Any opposed? That's carried.

We've been joined by Mr. Horner from Spruce Grove-Sturgeon-St. Albert. Welcome.

Mr. Horner: Thank you, Chair.

The Chair: We have three private bills to be heard today: Pr. 1, the Alberta Association of Municipal Districts and Counties Amendment Act, 2011; Pr. 2, the Galt Scholarship Fund Transfer Act; and Pr. 7, the Hull Child and Family Services Amendment Act, 2011.

Everyone should have a copy of Ms Dean's report on the petitions, which pursuant to Standing Order 104 was distributed on March 30 in hard copy. Is there anyone that does not have a copy of that? It's that yellow document. Mr. Morton, we'll get you a copy. Does everyone have a copy now? Okay.

I'm going to take just a couple of minutes to go through the private bills procedure. The purpose of private bills is to allow an individual or a group of individuals to petition the Legislature for relief or remedy, something that is not available in the general law. Once the private bill is passed in the Legislature, it is like any other piece of legislation.

The procedures for the private bills are governed by our standing orders 89 through 106. To summarize, the requirements for compliance of the petitions pursuant to the standing orders are that the petitioner has to advertise twice, in the *Alberta Gazette* and for two consecutive weeks in an Alberta newspaper. The petition also has to be filed with the Assembly and with the Lieutenant Governor. There has to be a draft bill presented along with a filing fee of \$200.

Once the petitions are received, they're referred to the chair, who then presents them in the Assembly, as I have, and once the petitions have been reviewed, I again report to the Assembly.

Then we proceed with the hearings, which is what we're doing with these three bills today, and we have the petitioners appear before us as well as anyone who is interested. We act in this capacity in a quasi-judicial as well as a legislative capacity. Following the presentations by the petitioners, we have an opportunity to ask questions, and once we have asked all the questions that we want, then we meet at a later date to deliberate over the bills.

Any questions on the procedure before we invite in the first petitioner?

Okay. I'd like to invite the petitioners on Pr. 1, then.

[Ms Barnhouse, Ms Hay, and Ms Heyman were sworn in]

8:40

The Chair: Welcome to the committee meeting this morning. Could I ask our guests to introduce themselves, please?

Bill Pr. 1 Alberta Association of Municipal Districts and Counties Amendment Act, 2011

Ms Heyman: My name is Kim Heyman. I'm director of advocacy and communications for the Alberta Association of Municipal Districts and Counties. Good morning.

Ms Barnhouse: Good morning. My name is Heather Barnhouse. I'm an associate with the law firm of Fraser Milner Casgrain, which is counsel to the Alberta Association of Municipal Districts and Counties.

Ms Hay: I'm Michelle Hay. I'm a policy analyst with the AAMD and C.

The Chair: I will continue with the introduction of our committee members to our guests. I'll start with Mr. Horner.

Mr. Horner: All right. My name is Doug Horner. I'm the MLA for Spruce Grove-Sturgeon-St. Albert. Welcome.

Dr. Taft: Kevin Taft, MLA, Edmonton-Riverview.

Mr. Kang: Good morning. Darshan Kang, MLA, Calgary-McCall. Welcome.

Ms Pastoor: Bridget Pastoor, Lethbridge-East.

Dr. Morton: Ted Morton, Foothills-Rocky View.

Ms Calahasen: Pearl Calahasen, Lesser Slave Lake.

Mr. Sandhu: Good morning. Peter Sandhu, Edmonton-Manning.

Mr. Jacobs: Broyce Jacobs, Cardston-Taber-Warner.

Mr. Doerksen: Arno Doerksen, Strathmore-Brooks.

Mr. Rogers: George Rogers, Leduc-Beaumont-Devon.

Ms Marston: Florence Marston, assistant to the Private Bills Committee.

The Chair: I'm Neil Brown, chair of the Private Bills Committee.

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

Ms Woo-Paw: Good morning. Teresa Woo-Paw, Calgary-Mackay.

Mr. Allred: Ken Allred, St. Albert.

Mrs. McQueen: Good morning. Diana McQueen, Drayton Valley-Calmar.

Mr. Lindsay: Fred Lindsay, Stony Plain.

Mr. Xiao: David Xiao, Edmonton-McClung.

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

Mrs. Sarich: Janice Sarich, Edmonton-Decore.

Mr. Dallas: Welcome. Cal Dallas, Red Deer-South.

Mr. Hinman: Paul Hinman, Calgary-Glenmore.

Mr. Boutilier: Guy Boutilier, Fort McMurray-Wood Buffalo.

The Chair: Thank you.

Just to advise the guests, it's not necessary to operate the microphones. The *Hansard* staff behind you will take care of that. Just to note that the meeting is recorded by *Hansard*, and the audio is streamed live on the Internet.

If you would like to commence with your presentation, Ms Barnhouse.

Ms Barnhouse: Sure. I think everybody has a copy of Bill Pr. 1, which is an act to amend the existing act that incorporated the AAMD and C.

I believe that everything in all of the amendments that we are requesting is very straightforward. The purpose of the amend-

ments is to modernize the bill. This process was started at the time that the AAMD and C decided to go down the path of amending their existing bylaws. At the time the bylaws were being amended, it came to light that some of the provisions in the existing bill were a little bit outdated, and it seemed like a good time to undertake the proposed amendments to modernize the bill.

There are basically two purposes for doing so. The first is that at the time the original act was incorporated, in 1923, there were far fewer municipal districts and counties in the province. Now that there are, I think, 69 – is that correct? – different municipal districts in the province, it's more appropriate that the AAMD and C does its work on behalf of the majority or some number less than all of the municipal districts and counties. The original act required that anything that was done be done on behalf of all of the municipal districts and counties, and that's just not realistic given that there are now 69 municipal districts as opposed to, I think, six or so back at the time that the act was enacted. The proposed amendments are just essentially reflecting that the AAMD and C does not need to act on behalf of all municipal districts and counties but on behalf of municipal districts and counties, so just removing the word "all".

In addition, there were a couple of things that were slightly inconsistent with how the AAMD and C is currently operating and, thus, were a bit inconsistent with their bylaws. For example, the vice-president is currently nominated for a term of two years. The original act indicated a term of one year. So the proposed amendments just change the term so that it reflects the reality that they're currently operating under.

Then, lastly, when the bill was enacted in 1923, it indicated who the present officers would be; it listed the names of some people. Not surprisingly, since the bill was enacted in 1923, those individuals are not currently involved with the association. The proposed amendment is to remove the names of the individuals so that we don't have to amend the act every time there's a change in the directors. Instead, we've proposed to amend it to indicate that at all times there shall be a minimum of five directors but not to name the individuals by name so that we don't have to amend the act every time there's a change.

Those are, really, the substance of the amendment.

The Chair: Ms Heyman or Ms Hay, do you have anything to add?

Okay. Then I'll open the floor to questions. Mr. Boutilier, I saw your hand.

Mr. Boutilier: Yeah. Thank you very much. I have to ask you in terms of your representation this morning – for a moment there I almost thought that you were representing the Ministry of Municipal Affairs. One could pose the question in terms of the billable time: why is the AAMD and C utilizing this time when, really, this could have been somewhat of a housekeeping amendment under Municipal Affairs? Could you explain to me why that isn't?

Ms Barnhouse: Sorry. I don't really have a great answer for that. I think you're right. We could have done it this way. I don't think that there's anything wrong with the path that we've chosen to take. I think it could be accomplished that way as well, but I don't have a reason why we didn't do it.

The Chair: Mr. Boutilier, we know that it's a private act. It's not a public act.

Mr. Boutilier: My subsequent and final question was just in terms of the two years versus the one year.

Ms Barnhouse: For the term?

Mr. Boutilier: For the term. As you rightly pointed out, it's a two-year term versus one year, that traditionally was stated, I think, back many, many years ago. With the private act, the fact that it is something that as a private act was passed by the Legislature, does that mean that it was in contravention, the fact that it's two years versus one year up to this point?

Ms Barnhouse: Yes. There is an inconsistency with how the bylaws and the act were working together.

Mr. Boutilier: Okay. Thank you.
Thank you, Mr. Chair.

The Chair: Further questions? Ms Calahasen.

Ms Calahasen: Thank you very much. First of all, welcome. I'm really pleased to see you here advocating on behalf of the AAMD and C. I do have a question relative to the clarification of all municipal districts. I just wondered why you'd want that difference. I've been reading it, but I still don't quite get the gist of what you're trying to do. Could you explain that to me, please?

Ms Barnhouse: Yeah. I'm happy to do so. I guess, very generally, given that there are now 69 municipal districts and counties, just to answer your question by way of example, if there was an issue that was relevant and important to 50 out of 69 of the municipal districts but not important or not the most important issue to the remaining 19 or so municipal districts, we don't want to be precluded from being able to advance that cause just because it doesn't meet all 69 municipal districts' top priority list.

Ms Calahasen: Okay. You're saying that "all" identifies all 69 but that it may not be all 69?

Ms Barnhouse: Correct. The current act reads that if you want to advance a cause on behalf of municipal districts, it has to be an issue that is important or relevant to all of the municipal districts and counties in the province.

Ms Calahasen: Sorry, Mr. Chair. May I, just for clarification?

The Chair: Go ahead.

Ms Calahasen: Is it just for issues that you relate to, not necessarily the fact that you disinclude others?

Ms Barnhouse: Correct.

Ms Calahasen: Okay.
Thank you, Mr. Chair.

The Chair: Dr. Taft.

Dr. Taft: Yes. That line of questioning prompts my question, which is: does this have the unanimous support of all the current members of the AAMD and C?

Ms Barnhouse: I'm happy to answer that question. The current members of the AAMD and C are not technically required to approve or not approve the amendments in the same way that they are required to approve proposed amendments to their bylaws, for example.

However, at a recent members' meeting, which took place in the last week of March, around the 20th or so, the amendments were presented to the members in the context of the amendments to their bylaws as well as to this act, explaining how the two would interact together once both had been proposed. You can

correct me if I'm wrong, but I believe that 97 per cent of the members had approved our going down this path of approving it. So unanimous consent, no, but 97 per cent.

8:50

Dr. Taft: I don't know what percentage of Alberta's population or area those 3 per cent would represent. Is there an active opposition within the AAMD and C to this change?

Ms Barnhouse: No.

Dr. Taft: Okay. Thanks.

The Chair: Just as a side note, I would think that if the membership had the obligation to approve the bylaws, it would go without saying that the constating documents, which in this case would be the private bill, would require their consent as well. But I think you've answered that question.

Mrs. Sarich, please.

Mrs. Sarich: Thank you very much, and also welcome and thank you so much for the clarity around your presentation. I was just curious and wondering. You mentioned that in the modern day-to-day the term of office is two years, yet what has been written that needs modernization was the long-standing one year. How long had the association been out of alignment with the current modern-day best practices around that?

Ms Barnhouse: Approximately six years.

Mrs. Sarich: Six years. It begs the question, when there was that shift six years ago, of why you as an association didn't come forward sooner.

Ms Heyman: Mr. Chair, may I answer that? I think it was a case that there had been turnovers in staff, and there had also been significant turnovers in the board, and I think they just lost track of it. It was certainly nothing intentional. When it was brought to our attention, we immediately took this course of action. It simply fell off the radar.

Mrs. Sarich: Okay. Very good.
Thank you very much, Mr. Chair.

Mr. Kang: I've got my concerns about removing the word "all." What prompted this? Like, you take the word "all" even if you only have some issue with 40 of the municipalities, and the rest of them are excluded. What if that's going to affect them later on? What will happen in that case? You know, wouldn't this drive a wedge between the different municipalities?

Ms Heyman: Because the AAMD and C represents all rural municipalities in the province, there are often issues that are directed towards a certain region. It's a regional issue maybe because of a watershed, or perhaps it's because of drought in one area, that doesn't affect the rest of the province. So it simply allows our board of directors to deal with issues that tend to be more regional in scope. A drought that's affecting southeast Alberta has nothing to do with northwest Alberta, so they can advocate on behalf of those members. It's not that they're left out by the board. The municipalities themselves decide, "This really has nothing to do with us, so please feel free to represent our cohorts down in the southeast." It really has nothing to do with the rest of them. That's the point of it.

Before, I think our direction was that the legislation said that we could only deal with issues of provincial scope, but that some-

times left our members without support on issues that were of a regional nature.

Mr. Kang: To that fact, was there some consultation done? How intensive was it? You know, like you said, 97 per cent agree with what you're trying to do. What about those 3 per cent? How intensive was the consultation? That's my question.

Ms Heyman: Well, we're very much a member-driven organization. Issues are brought to the board of directors through a resolution process, and the board brought to the floor what we call an executive resolution. So there was a presentation made on stage, and then the resolution goes to a vote of the membership.

Now, when we say 97 per cent, each councillor from each municipality has a vote. It wasn't that 3 per cent of the members, being the municipalities, didn't agree; it would be 3 per cent of the councillors in total. There are about 600 rural councillors there at our convention at any one time. So if you take 3 per cent of 600 as opposed to 3 per cent of 69, it's a very small amount.

Mr. Kang: Did you try to address their concerns, those 3 per cent?

Ms Heyman: Well, when the resolutions come to the floor, they're given the opportunity to come forward and speak against it, very much the same process as you would go through at a party convention. Nobody spoke against it. I'm not sure why those 3 per cent of 600 voted against it, but they did.

Mr. Kang: Okay. So you're just looking for a little flexibility here, you know, that couldn't have been done without changing the law.

Ms. Heyman: Yeah. We just want to align a very old act with modern practices.

Mr. Kang: Thank you.

Ms Heyman: Thank you.

The Chair: Mr. Rogers, you had a comment on this point.

Mr. Rogers: Just on this point, Mr. Chairman, and I thank you very much. Maybe just to respond to Mr. Kang, to be honest, Mr. Kang, I've attended many conferences, including AAMD and C, and the reality is that probably a few of these guys slept in or maybe they just went out to take a few phone calls, to call home to see how the flooding was happening. I mean, 97 per cent is a phenomenal margin to win something by. I think a few of those guys probably just slept in.

Thank you.

Mr. Kang: Maybe I'm just being Mr. Perfectionist here. I'm trying to win a hundred per cent support on this.

The Chair: Ms Calahasen, you had a comment on this point?

Ms Calahasen: No, not on this point.

The Chair: Okay.

Mr. Allred next, please.

Mr. Allred: Thank you, Mr. Chair. Just a question with regard to your definition of a rural municipality. It seems to be all inclusive from the way you've got it worded. But you have at least two municipalities that from a population perspective are primarily urban, Strathcona and Wood Buffalo. Maybe there are other ones.

I'm not sure. Is there any special way of treating those rural-urban municipalities? I'm sure they're included in the definition, the way the definition reads.

Ms Heyman: Absolutely. The reason that Strathcona and Wood Buffalo are considered a rural municipality is that their main population centres are actually hamlets, so that by definition under the Municipal Government Act makes them rural.

They're active members. They go through the processes, attend workshops, bring resolutions to the floor. We call them 'rurbans'.

Mr. Allred: Right.

Ms Heyman: They may have issues that really don't affect Ranchland or the upper Peace or our other members. By taking out the word "all," we can assist them and advocate on their behalf because they will have issues that our more rural members won't experience.

Mr. Allred: Okay. Thank you.

Ms Heyman: Thank you.

Ms Calahasen: My question has to do with, I think, just following up on Mr. Boutillier's. Why did you decide to go through Private Bills versus going through Municipal Affairs?

Ms Barnhouse: Well, the original bill, that was enacted in 1923, was a private bill.

Ms Calahasen: Oh, was it?

Ms Barnhouse: Yes.

Ms Calahasen: I didn't even read that. Okay. Go ahead.

Ms Barnhouse: So in order to amend the private bill, we went through this process.

Ms Calahasen: Okay. Thank you.

The Chair: Are there any further questions or comments?

We'll thank the presenters for attending this morning and for giving us the information. Just to let you know, we will meet again on April 26 to deliberate on your bill and your petition, and we'll advise you of the disposition of it at that time.

9:00

Ms Barnhouse: Thank you very much.

The Chair: Thank you.

[Ms Karl, Ms MacFarlane, and Mr. Zadeiks were sworn in]

The Chair: Good morning, guests. I would like to begin by asking the guests to introduce themselves, and then we will introduce the members of the committee, starting with Ms Karl.

Bill Pr. 2

Galt Scholarship Fund Transfer Act

Ms Karl: Hello there. I'm Donna Karl, and I'm the president of the Galt School of Nursing Alumnae. I'm from Lethbridge, Alberta.

Mr. Zadeiks: I'm Ian Zadeiks. I am counsel for the University of Lethbridge and the Galt School of Nursing Alumnae Society. I'm also from Lethbridge.

Ms MacFarlane: I'm Kathy MacFarlane. I'm manager, development programs, at the University of Lethbridge.

Mr. Horner: Good morning, all. Doug Horner, MLA, Spruce Grove-Sturgeon-St. Albert.

Dr. Taft: Hi. I'm Kevin Taft, MLA for Edmonton-Riverview.

Mr. Kang: Good morning. Darshan Kang, MLA, Calgary-McCall.

Ms Pastoor: Bridget Pastoor, also from that grand place, Lethbridge, in southern Alberta.

Dr. Morton: Ted Morton, Foothills-Rocky View.

Ms Calahasen: Pearl Calahasen, Lesser Slave Lake.

Mr. Sandhu: Good morning. Peter Sandhu, MLA, Edmonton-Manning.

Mr. Jacobs: Broyce Jacobs, Cardston-Taber-Warner.

Mr. Doerksen: Arno Doerksen, MLA for Strathmore-Brooks.

Ms Marston: Florence Marston, assistant to the Private Bills Committee.

The Chair: I'm Neil Brown. I'm the chair of the Private Bills Committee.

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

Ms Woo-Paw: Good morning. Teresa Woo-Paw, MLA for Calgary-Mackay, but I spent my first year in Canada in Lethbridge.

Mr. Allred: Ken Allred, St. Albert.

Mrs. McQueen: Diana McQueen, MLA, Drayton Valley-Calmar.

Mr. Lindsay: Good morning. Fred Lindsay, MLA, Stony Plain.

Mr. Xiao: David Xiao, Edmonton-McClung.

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

Mrs. Sarich: Janice Sarich, Edmonton-Decore.

Mr. Dallas: Good morning. Cal Dallas, Red Deer-South.

Mr. Hinman: Good morning. Paul Hinman, Calgary-Glenmore.

Mr. Boutilier: Hi. Guy Boutilier, Fort McMurray-Wood Buffalo.

The Chair: I would invite Mr. Zadeiks at this time to make a presentation on the petition.

Mr. Zadeiks: Sure. Thank you. We're here today to basically seek two changes to a statutory trust that was originally created in 1909. The current legislation is from 1995. It's the Galt Scholarship Fund Continuance Act. Essentially, we're looking to make two major changes to that private act.

The first change is that we're looking to change the trustees of the trust. Currently the trustees are the Galt School of Nursing Alumnae Society. We're looking to change the trustees to the University of Lethbridge. We're also looking to change the objects of the trust. Currently the objects of the trust, or the people

that are going to benefit from this trust, are graduates of the Galt School of Nursing.

Now, the Galt School of Nursing closed down in 1979, so over 30 years ago. The eligible applicants for the scholarship are just kind of diminishing every year. That's really the reason for the changes. There just isn't that eligible pool of applicants for the scholarship. We're looking to expand the applicants by, basically, transferring the monies to the University of Lethbridge so that it can go to students at the University of Lethbridge that are in their third and fourth years of nursing.

I should also mention that the 1995 act gave the scholarship for graduates of the Galt School of Nursing but also for nurses that are currently at the Lethbridge regional hospital and who plan on advancing their education with postgraduate training. I've mentioned that the reason why we're looking for the change is that, just simply, there are not the applicants for this scholarship that there once were.

Now, in terms of a legislative history for this trust it was originally created in 1909, and the trust monies actually were an initial gift from Sir Alexander T. Galt. He donated the monies to the Galt hospital. It was the Galt hospital at that time. The trust monies were supposed to be used originally for maintenance of the Galt hospital. The Galt hospital no longer exists, so the monies were transferred in 1954 to the Galt School of Nursing. The Galt School of Nursing does not exist anymore, so kind of over time we've had changes of trustees and changes to the objects of the trust. To fast-forward to 1995, we've got it where the Galt School of Nursing is holding onto the monies as trustees, and the beneficiaries of the trust are nurses.

The fund right now is in the approximate amount of \$147,000 as of December 31. What we don't want to change about the legislation is that we still want the legislation to honour the gift from Sir Alexander T. Galt. We still want the scholarship to be called the Galt scholarship. We also do not want to change the initial intention, which was to have the capital of the scholarship remaining untouched. We only want to use the income from the trust so that this is a legacy that continues on for a real long time.

Now, when the Galt School of Nursing first came to me wanting to make this change and wanting to transfer the funds to the University of Lethbridge, I guess my first concern and what was on the top of my mind was: what is the easiest way to kind of get this done? You know, typically trusts are amended pursuant to the provisions of the Trustee Act. You simply go to the Court of Queen's Bench, and you ask the court to amend the provisions of the trust.

That's a pretty easy process, but here it's not possible because this is a statutory trust that was created in, like I said, 1909. It was created by the Legislature, and the Legislature is the only body that is empowered to make a change to this trust. You know, a court just simply wouldn't have jurisdiction to alter the trust, so that's why we're here.

I guess the other issue that I was kind of contemplating was: are we just going to have to come back here and do this again and make this change again? Since 1909 there have been about three or four changes to the legislation as these different institutions have either, you know, changed or been shut down. What I would submit is that the University of Lethbridge is going to be here for a real long time, and hopefully this is not something that we have to do again for a real long time.

Those are my submissions. Are there any questions?

The Chair: Thank you, Mr. Zadeiks.

Ms Karl or Ms MacFarlane, do you have anything to add?

Ms Karl: No, I don't. I think Ian summed it up very well.

The Chair: Ms MacFarlane, you're okay?

Ms MacFarlane: The same. Thank you.

The Chair: Then I would invite members to ask any questions they may have. Mr. Allred.

Mr. Allred: Thank you, Mr. Chair. I guess I've got a number of questions. This is going to have to be managed, I presume, by the Galt School of Nursing Alumnae Society. As you indicated, the Galt School of Nursing no longer exists, so at some point in time the alumni society is not going to exist.

9:10

Mr. Zadeiks: It'll be managed by the University of Lethbridge. The funds will be transferred to the University of Lethbridge, and they'll be the trustees. They'll administer the trust.

Mr. Allred: Okay. Then I guess I'm wondering why you don't just transfer everything over to the university and repeal the legislation entirely. Somebody is going to have to make sure that the University of Lethbridge follows the rules you've set down.

Mr. Zadeiks: Yeah. The money will be going to the University of Lethbridge. I suppose we could repeal the legislation, but then, I guess, the content of the trust would change. The University of Lethbridge, I suppose, will just kind of continue on the tradition that has happened since the statutory trust was initially created. There have been different trustees. The university will just step in and just be another trustee, as we've had before. I think that the University of Lethbridge is kind of ideally suited to be dealing with these funds because what they do on a daily basis is deal with scholarships. Does that answer your question?

Mr. Allred: Well, I guess it answers my question. I'm not sure it really satisfies me. It seems to me it would be much simpler to just pass it over to the University of Lethbridge and repeal the act. Then you don't have anything to worry about.

My second concern. I'm pleased to see that you have a representative from the University of Lethbridge here, but I think it would certainly help me if we had a letter from the board of governors accepting this responsibility. I presume that's possible.

Mr. Zadeiks: Yeah, it definitely would be. I guess we were just waiting for the bill to pass and hoping that it would pass so that we could do that letter.

Mr. Allred: I think we need it before we pass it.

Mr. Zadeiks: Yeah, we can certainly get that done.

The Chair: I think, Mr. Allred, you might ask that question of Ms MacFarlane because she's here as the agent and representative of the University of Lethbridge.

Mr. Allred: Well, I'm pleased that Ms MacFarlane is here, and I presume she is here on behalf of the university, but I think we do need something official from the board of governors from the University of Lethbridge accepting it formally.

The Chair: Ms MacFarlane, are you satisfied that the institution is agreeable to the proposed amendments?

Ms MacFarlane: Absolutely, sir. The university is prepared to receive these dollars. The intent is that we will hold the entire

amount that comes to the university in an endowment, and only the earnings would be spent to support nursing students at the University of Lethbridge.

The Chair: Mr. Allred, anything further?

Mr. Allred: No. I appreciate Ms MacFarlane's comments, but I still think we need something official.

The Chair: Okay.

Mr. Kang is next, please.

Mr. Kang: What kind of income is it going to generate? Where is it invested? It's in a bank? Is it pretty well protected? It's not invested in some stocks or whatever so that you lose the entire amount? That's my concern.

Ms MacFarlane: It will be invested with other university investments, and it is managed. The university has an investment policy. The university, of course, complies with the learning act, certainly a conservative approach, so it is protected. What typically has been happening is that about 4 per cent is released for expenditure. If anything is earned over and above that, it's recapitalized so that the buying power of the fund can remain strong.

Mr. Kang: Thank you.

Thank you, Chair.

The Chair: Ms Woo-Paw, please.

Ms Woo-Paw: Thank you, Mr. Chair. If this application is successful, would it mean that the Galt scholarship fund would be completely incorporated into the administration of the university?

Ms MacFarlane: My understanding is that the university would receive this fund. We would set up a statement of trust that determines how the university is allowed to spend it. We have a terms of reference that guides the scholarship office as to what sorts of students are eligible applicants, and it would become a permanent part of the U of L portfolio.

Ms Woo-Paw: Okay. My second question is: is there still involvement of the Galt family in this?

Ms Karl: Unfortunately, we haven't been able to – when we decided that we couldn't manage this money anymore because of our aging population and no one applying, we thought that maybe we should gift it back to the Galt family because that was quite a donation that they gave back in those days. We were unable to find anyone, so our next best bet was to give it to the university.

Ms Woo-Paw: I see. Thank you.

The Chair: Mr. Zadeiks, would you be able to provide the committee a letter as requested by Mr. Allred before we deliberate on the matter?

Mr. Zadeiks: Yeah, I certainly could.

The Chair: Okay.

Mr. Horner, you have a question.

Mr. Horner: Yeah. Just a quick question. Is there any tally of the number of students that this endowment has helped over the years at the University of Lethbridge?

Ms Karl: Well, when we took this over in 1995, we took it from the regional hospital, and in the first few years that we were able

to manage it, we had 10 applicants. One year we had 12. We aren't businesspeople, so we tried to limit our amount that we gave out to \$10,000 because that's the interest that amount of money made. So we have helped quite a few people, but in the last three years we've only had one or two applicants because of the aging population.

Now, another thing. All the nurses that graduate now have their degree in nursing, a BN, so they don't really need to further their education. I mean, they'd probably want to if they wanted to go to a master's, but after you've finished four years of nursing training, you pretty much need to earn some money.

Mr. Horner: Thank you.

Ms Karl: Thanks.

The Chair: Are there any further questions?

Then I will thank the presenters for the petitioners and just advise you that we will be meeting again on April 26 to deliberate over the petition.

That concludes this part of the hearing. You're welcome to leave now. We'll be in touch with you following the deliberations to advise you of the recommendation of the committee.

Mr. Zadeiks: Thank you.

[Mr. Ghitan was sworn in]

9:20

The Chair: Good morning, Mr. Ghitan. Would you introduce yourself and explain what your position is with the Hull Child and Family Services and what your background is with respect to the matter before us today?

Bill Pr. 7

Hull Child and Family Services Amendment Act, 2011

Mr. Ghitan: Yes. Thank you, Mr. Chair. My name is George Ghitan. I'm the executive director of Hull Child and Family Services. Actually, formerly known as Hull Child and Family Services; hopefully, it will be Hull services after this.

The Chair: Okay. We'll just continue and perhaps introduce all the members of the committee to you.

Mr. Horner: Good morning, Mr. Ghitan. Doug Horner, Spruce Grove-Sturgeon-St. Albert.

Dr. Taft: Hi. I'm Kevin Taft, Edmonton-Riverview.

Mr. Kang: Good morning. Darshan Kang, Calgary-McCall.

Dr. Morton: Good morning. Ted Morton, Foothills-Rocky View.

Ms Calahasen: Pearl Calahasen, Lesser Slave Lake.

Mr. Sandhu: Good morning. Peter Sandhu, Edmonton-Manning.

Mr. Jacobs: Broyce Jacobs, Cardston-Taber-Warner.

Mr. Doerksen: Arno Doerksen, Strathmore-Brooks.

Ms Marston: Florence Marston, assistant to the Private Bills Committee.

The Chair: I'm Neil Brown. I'm the chair of the committee.

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

Ms Woo-Paw: Good morning. Teresa Woo-Paw, Calgary-Mackay.

Mr. Allred: Ken Allred, St. Albert.

Mrs. McQueen: Good morning. Diana McQueen, Drayton Valley-Calmar.

Mr. Lindsay: Good morning. Fred Lindsay, Stony Plain.

Mr. Xiao: David Xiao, Edmonton-McClung.

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

Mrs. Sarich: Good morning and welcome. Janice Sarich, Edmonton-Decore.

Mr. Dallas: Cal Dallas, Red Deer-South.

Mr. Hinman: Good morning. Paul Hinman, Calgary-Glenmore.

Mr. Boutilier: Hi. Guy Boutilier, Fort McMurray-Wood Buffalo.

The Chair: Mr. Ghitan, would you care to make some comments regarding the petition before us this morning?

Mr. Ghitan: Yes. Thank you, Mr. Chair. Hull is going to be celebrating its 50th anniversary in 2012, so one year from now. It's a great opportunity for us, obviously, besides celebrating, to look at embarking on a major capital campaign. Also, it's time for us, I think, to maybe remessage the organization, rebrand it, if you will.

The Chair: Mr. Ghitan, before you proceed, I know that those of us from Calgary are well familiar with the nature of Hull Child and Family Services, but for the benefit of those from different parts of the province you may just wish to make a couple of comments regarding, you know, the scope of the operations of Hull Child and Family Services and what their mandate is.

Mr. Ghitan: Sure. Thank you, Mr. Chair. We actually, like I said, started off as William Roper Hull Home 50 years ago. We were a home. We were a residential treatment centre in Calgary funded by then social services, now children's services, naturally.

We grew over those years, where we started developing programs that were community-based. We got into early intervention, prevention. We expanded our range of services dramatically. From a number of programs residentially we expanded to 28 different programs, all the way from prevention to early intervention to treatment, and we still maintain our base in terms of residential treatment. We also grew in terms of funding, obviously, multiple funders, not just Children's Services but Alberta Health Services, Education, United Way. We do a lot of fundraising to enhance the quality of our services.

I think we're part of the social fabric of Calgary. We're a very large organization. We basically touch the lives of thousands of children and families. Really, our scope is that we exist because there is a huge casualty class of children in our society and in our community, you know. They have obviously come from backgrounds of abuse, neglect, and have all kinds of addictions issues, mental health issues. We deal with the full gamut of very difficult kids and families, and our job is to try to prevent that from occurring, intervene early if we can, and if not, treat them.

You know, our agency expanded based on the need of the population of children and families that we saw in Calgary. We rely

very heavily on your funding. It's a huge portion of our operation, and like I said, we supplement that through fundraising.

The Chair: Thank you very much for that background. If you want to proceed with the reasons that you're here today and the nature of the petition.

Mr. Ghitan: Sure. Well, like I said, it's an opportunity for us to revision the organization, rebrand it. As I said, we started off being called William Roper Hull Home. We were obviously more than a home, so there have been a number of amendments to the act. One originally was to change it to William Roper Hull child and family services, which is a mouthful. When I took over as executive director, I also asked for the amendment in 2000, I think, to Hull Child and Family Services. But I'm a real believer in brevity and parsimony, so I'd like to even reduce that to Hull services because people still refer to us as Hull Home at times, which is not really what we are. They get us confused with children's services, the Calgary authority, because it is called child and family services. So we get all kinds of names in terms of Hull family services, et cetera, et cetera.

I think that here's an opportunity for us to be very distinct and call it Hull services. I'd call it Hull, if I could, but I think that's just not enough. Maybe the next amendment will be Hull, but I think Hull services is a good one because it can embrace everything we do in terms of the organization. So that's our request, then, is to abbreviate it to Hull services.

The Chair: Thank you very much, Mr. Ghitan.

I'll ask members if they have any questions.

Ms Calahasen: First of all, thank you for coming to sit before us. You have rebranded yourself for a long, long time, haven't you?

Mr. Ghitan: Yes.

Ms Calahasen: You've made name changes, and I see that you're going for brevity now.

Mr. Ghitan: Yes. Brevity is a good thing. Yes.

Ms Calahasen: Just to ask about child and family services. I do know that when we were establishing the children's services authorities, there was some concern about that because there was potential confusion with what you were doing at the time. So I guess my question is: will this, then, define better what you do and not confuse others with what child and family services authorities are doing in Calgary especially? I do know that you serve a lot of people in Calgary.

Mr. Ghitan: Yes, that's true. Absolutely. That is one of the key points because sometimes children and families in need will call us thinking that we are the children's authority in Calgary, and we're not. So it is, I think, for that purpose, to make it very clear to everybody that we are not the children's services authority and that we are very distinct as an organization, a private agency. Yes.

Ms Calahasen: Thank you.

The Chair: Mr. Ghitan, your name is descriptive to some extent at least as to what you're all about. When you change it to Hull services, do you have any concerns about the fact that you may be, you know, in the same category as a plumbing repair shop or something else? I mean, there's nothing in the name that describes exactly what you do. It's so general that you do lose some of the

conveyed message of what your mandate is. Do you have any concerns about that at all?

Mr. Ghitan: Mr. Chair, that's a good question, a good comment. Yeah, we do have that concern. We are looking at also developing a tag line, which I think will not be part of the official name. I think a tag line will also connote what we do. We're working at that. Actually, we have a firm that we're going to be looking at how we do that. But that is a very good point.

The Chair: Further questions? Mr. Allred.

Mr. Allred: Thanks, Mr. Chair. Mr. Ghitan, how is the Hull Child and Family Services organization managed? Is there a board of directors, or how does it work?

Mr. Ghitan: Yes. We're a private, not-for-profit organization, so we have a board. Actually, originally the board in the act included the minister of child welfare at that time and the mayor. We've amended that, obviously, because of conflict of interest. But we do have a full board – it's part of our bylaws – anywhere up to 15 members of the community.

Mr. Allred: And has the board authorized this amendment?

Mr. Ghitan: Yes, they have. Absolutely. Full endorsement.

Mr. Allred: Have you submitted a copy of your minutes or something with your petition to indicate that to us?

Mr. Ghitan: I think it was signed by the chair of the board for the petition. Yes.

Mr. Allred: Okay. Thank you.

9:30

Mr. Kang: So you're going to change the name to Hull services from Hull Child and Family Services. Is the scope of services still going to stay the same? Are you going to add more services, you know, later on? Is that in the works, or is there a plan?

Mr. Ghitan: Well, the history of Hull has been nothing but growth. We've always expanded our services to meet the needs of the population. So I expect that we will be adding more services, but it will still be under the mandate of child and family kinds of services. We'll not get into other kinds of services that don't really fit our mission and our mandate. But there's always room for expansion, naturally.

Mr. Kang: You currently have something you're working on adding to the services?

Mr. Ghitan: Yeah. Right now we are looking at adding more additions services, for example, for families, outpatient addiction services, because there is a huge need. We're working on that right now.

Mr. Kang: That's great. Thanks.

The Chair: Further questions from committee members?

Seeing none, I thank you, Mr. Ghitan, for appearing today and making the presentation to us. I'll just let you know that the committee will meet again on April 26 to deliberate on your petition, and you'll be advised subsequent to that of the disposition of your petition and the bill.

That concludes the hearing today. We thank you, and you may leave now.

Mr. Ghitan: Okay. Thank you, Mr. Chair.

The Chair: Now, is there any other business to be raised today before we adjourn?

Ms Calahasen: Just a question, maybe, to Ms Dean. When you wrote in the information that you do contact the various departments if they have any concerns, is it only when they have concerns that you let us know?

Ms Dean: I contact the departments if there's a public policy issue. In the case of this change in name, for example, children's services wasn't contacted because, in my view, there wasn't a public policy issue. It was just really an administrative issue. But, you know, if the committee is of the view that a department needs to be consulted, then that can be done.

Ms Calahasen: I'm just thinking about the first one, the AAMD and C, to see whether or not Municipal Affairs had provided any kind of concerns or questions.

Ms Dean: I can advise you that I made the minister's office aware of the petition. We didn't seek comments from them in connection with the changes because this is, you know, an independent association that's established by a private act, so in my view it wasn't

a matter of public policy that impacted the department's legislation.

Ms Calahasen: I just wanted to know what the process was because sometimes we get it, sometimes we don't.

Ms Dean: Yeah. I mean, for example, next week there are four private bills that will be heard dealing with municipal tax exemptions. In that instance the Department of Municipal Affairs has been consulted, and they will be in attendance.

Ms Calahasen: Thank you.

The Chair: Any other business?

Then I'd just advise the committee that the next meeting is scheduled for April 19. We're going to commence again at 8:30 a.m. and hear the petitions for bills Pr. 3, 4, 5, and 6. I think there are some issues there that are not without some contention, so you may want to pay attention to the materials on that and read them ahead of time to ask some probing questions of the petitioners on the next one.

Can I have a motion to adjourn this morning? Ms Woo-Paw. All in favour? Anyone opposed? That's carried.

[The committee adjourned at 9:34 a.m.]

