

[Chairman: Mr. Schumacher]

[8:30 a.m.]

MR. CHAIRMAN: Members of the committee, I see a quorum. I think we've got numerous items on our agenda, but maybe they're not all that time consuming. But I would like to get started because I believe Mr. Wright would like to get away for other commitments. I said that I would suggest to the committee that our first point of discussion might be a portion of what we're going to do next week in relation to the Calgary land assessment Bill. When we left it last week, it was undecided as to whether or not we would go to Calgary. I think there's been time for the committee to consider this matter now, and I would be open for motions as to what is intended.

MR. WRIGHT: Mr. Chairman, I think there was a motion on the floor, and it was . . .

MR. CHAIRMAN: It was tabled.

MR. WRIGHT: Yes. The motion was to require further advertising and to have a meeting in Calgary. There was more opposition expressed to the second half of that motion than to the first, although there was opposition to that too, so it was decided to split it in two. We adjourned because some members of the committee needed to consider the matter themselves in greater detail. The only reason I asked you to perhaps have the committee consider it now is that the city of Calgary had expressed their anxiety about getting the Bill done, if they could get it done at all, within these sittings of the Legislature. So I think we owe it to them to hurry the thing along as much as we reasonably can.

MR. CHAIRMAN: Thank you, Mr. Wright. So we have this tabled motion, which we'll take off the table now in two parts. Perhaps I could ask the committee to express itself first of all on the question of additional advertising. Is there any member who wishes to make further representations in that regard?

MR. ADY: Could we have some idea of the time that would be involved if we do proceed in that direction?

MR. CHAIRMAN: Well, if we're going to do further advertising, I think the very earliest we could deal with this matter would be two weeks from now -- the very earliest. I think everybody should be aware of their calendars and where we're at in connection with the life of this session when we come to a decision on that. Mrs. Koper.

MRS. KOPER: I'm sorry I was absent from this meeting when this motion was proposed; otherwise, I would have spoken at that time. The advertising for this Bill took the regular channels, did it?

MR. CHAIRMAN: Oh yes.

MRS. KOPER: So that it was advertised adequately and according to . . .

MR. CHAIRMAN: Well, Mrs. Koper, I guess it was advertised according to our requirements. There's some question amongst members as to whether it was adequate or not.

MRS. KOPER: I guess the route of private Bills has a long-

standing requirement for advertising in order to ensure that the public is informed. In addition to this, I feel very strongly that there has been a great deal of publication about what is happening about this particular situation in the city of Calgary, so I feel many people in Calgary are aware of this. Was there any direct discussion as to what form this advertising should take? Was it just informing all of the people?

MR. CHAIRMAN: Well, Mr. Wright, I believe, in fairness stated that there could be hand delivery to everybody concerned, but I think he came down on the basis that he felt more newspaper advertising would be satisfactory. I don't know if I'm expressing . . .

MR. WRIGHT: For the benefit of the hon. member I'll summarize the difficulty that some of us had, which is that the city of Calgary have convinced me, and I know many others on the committee, of the justice of their case, but part of the justice of it revolves around the fact that they're talking about a possible liability of \$42 million which should be spared from the taxpayers. But these \$42 million are the value on the rights being taken away, possibly, from citizens of Calgary.

The requirements of the advertising, which have been complied with, are appropriate for ordinary private Bills, but this is an extraordinary private Bill. It's never been the case in the experience of anyone here that a private Bill has sought to take away \$42 million worth of peoples' rights. If you see what the advertising is -- it's in the legal section of the *Calgary Herald*, in three consecutive weeks, a total of three advertisements, each of which is about the size of three postage stamps, expressed in legal terminology, which is not true notice at all, although it's sufficient for the purposes of private Bills.

In fairness to those people whose rights will be affected retrospectively, I felt it only right, and so did some of us here, that there should be an unusual requirement for notice. The city said that it would take them three days to find out the addresses of all those possibly affected, and it would amount possibly to 1,200 people. It seems to me that 1,200 letters by ordinary mail to the last known addresses would be adequate and not an expensive matter and not onerous on the city. That occurs to me as being one way, together with perhaps a single notice in the paper expressing in ordinary language the proposition that the city has, particularly the retrospective taking away of valuable rights, done within a time frame such that the Bill can proceed at these sittings.

I further made the point that it shouldn't really be, in my opinion, a private Bill at all. But since it's gone this route, far be it from us to throw procedural road blocks in the way when it is within our power to fix it up with fairness.

MR. CHAIRMAN: Does anybody else wish to express themselves before I call the question?

MR. M. CLEGG: Mr. Chairman, I'd just like to add one point on the question of the removal of rights, and I think the city would wish to make this point. I'm not necessarily arguing their case, but at this point in time the citizens involved do not have rights in law, because the passage of time has removed their time to challenge the assessment. The six-month period has passed in all cases. What this Bill might do would be to make it slightly more difficult for them to apply for and perhaps create a new right under the Charter, which is not established at this point in time.

MRS. HEWES: Mr. Chairman, may I hear the motion?

MR. CHAIRMAN: The motion would be that further advertising be required, and I believe it would be by ordinary mail to all the persons affected.

MRS. HEWES: I have a question on it, Mr. Chairman. Did the mover indicate that in his estimation the persons affected are only those who are owners within the property, or are we talking about all of the citizens, the taxpayers of Calgary, who might also consider themselves aggrieved?

MR. CHAIRMAN: I believe he was referring only to the affected people on the assessment roll.

MRS. HEWES: Can I ask for an explanation?

MR. WRIGHT: Oh yes, of course. These are the people whose possible rights are being affected. Obviously, all the citizens of Calgary possibly stand to lose if the Bill does not go through. I mean, they stand to lose on the same basis that the other people stand to lose if the Bill goes the other way.

MRS. HEWES: Mr. Chairman, would it then be the intention not only to send notice by mail to those who are owners within the areas described but also to advertise by the usual means so that other citizens who might be in the extended position would also have notice of the hearing?

MR. CHAIRMAN: That wasn't the motion.

MRS. HEWES: That was not the motion?

MR. CHAIRMAN: No, the motion was to send -- well, sorry. I am mistaken. I'll read the motion: that the city of Calgary will provide notice to those affected by the passage of Bill Pr. 19 through advertising or registered mail to the last known address. I heard Mr. Wright say that he was willing to forgo the registered mail portion and send it ordinary mail.

MRS. HEWES: Mr. Chairman, may I ask one further question then?

MR. CHAIRMAN: Yes.

MRS. HEWES: Perhaps counsel could answer: what does this mean in time?

MR. M. CLEGG: Mr. Chairman, we didn't have a direct indication from the city about how long it would take them, but they did indicate that they have the information on file, and the kind of time frame they seemed to indicate, if my memory serves me, is that they could get these notices out within a matter of a few days.

One other point, just to clarify the motion. From what Mr. Wright has said, I believe that essentially he is amending his motion now to say that they be required to give notice by ordinary mail and to give advertising in plain simple language as to the intent of the Bill.

MR. GIBEAULT: Mr. Chairman, I'm wondering if before we vote on this particular motion, we shouldn't clarify it to indicate what it is we're going to be providing notice to these people of.

I would think it would be of a future meeting of this committee, which would involve a time and a place and a date at which they may present their case if they have one.

MR. CHAIRMAN: That may be very well, but I think we've got to do these things one step at a time. It was divided, and we're going to have to deal with the question of advertising in principle first. Mr. Downey.

MR. DOWNEY: Thank you, Mr. Chairman. I would be interested in hearing the petitioners' view as to the fairness and . . .

MR. CHAIRMAN: Unfortunately, Mr. Downey, we can't hear the petitioners' view today, because they aren't here. I would think that their view is that everybody was notified who had an interest, because Mr. Chisan was very active in canvassing everybody involved. I think I'm fairly stating their position.

MS MJOLSNESS: I think we're speaking here, if I recall correctly, of about 700 residents.

MR. CHAIRMAN: I think it was between 600 and 700.

MS MJOLSNESS: Well, I do think that we have to discuss the implications of this motion if it is passed, because we may have to spend the time hearing 700 different people. I mean, that's a possibility.

MR. CHAIRMAN: It is a possibility.

MS MJOLSNESS: And if we're working under, you know, a certain time frame, I'm not sure . . .

MR. ADY: The motion reads that we would give notification to all people who are affected by this Bill. That includes every ratepayer in the city of Calgary.

MR. CHAIRMAN: Yes, that would be accomplished, Mr. Ady, by the advertising portion of the thing.

MR. ADY: Well, not equally.

MR. CHAIRMAN: It won't be equal notice, but it'll be notice.

MR. WRIGHT: You've correctly described the city's position. The weakness in it, of course, is that they weren't ever notified of the intention to remove rights retrospectively, which is the really powerful element in this Bill and which is extremely unusual in any legislation.

As to the question of numbers, well, if no one turns up, then that's just fine. If 700 turn up, then it really does demonstrate that the arrangements have not been adequate so far to notify people of their rights. I suspect that hardly anyone will turn up, but the point is to notify people so that they will not have a legitimate complaint afterwards that irrespective of the particular rules for private Bills they did not in fact have a responsible chance to defend their rights.

MR. CHAIRMAN: Well, members of the committee, I don't like to be hard on anybody, but this Bill seems to have taken an inordinate amount of time both in hearings up to date and even this morning on the question of advertising. But Mrs. Hewes?

MRS. HEWES: Yes, Mr. Chairman. One last comment just to build on Ms Mjolsness' remarks. I believe such notice would have to contain date and time and place of the meeting, and I'd like to know what that's going to be.

MR. CHAIRMAN: Well, that was already brought up by Mr. Gibeault, and we cannot do that until we decide whether we're going to have advertising. That will have a bearing on the time of our next meeting. They are separate motions, and I'm not prepared to meld them together again. I'm going to call for the question on this motion regarding advertising.

Is the committee of the view that we should direct or require further advertising? All those in favour of requiring further advertising, please raise your hands. All those opposed? I declare the motion defeated. So we are not going to advertise.

Now, with regard to hearing the remainder of representations, I would suggest that we do that next week. Is there agreement to that?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: It's agreed. Thank you very much. We'll discuss other business for next week at the close of this meeting, because I think we owe it to our petitioners to get on with their agenda.

Mr. Gibeault?

MR. GIBEAULT: If I might ask that those who voted in favour of the motion for advertising might be recorded as such.

MR. CHAIRMAN: Certainly, yes. The four in the front row.

Now I'd like to welcome the petitioners this morning in support of Bill Pr. 7 and Bill Pr. 21. We'll start numerically, and I'd like to welcome Mr. Howard and Mr. Stewart to our committee with regard to Bill Pr. 7.

I would like to point out our general rules, that people who give evidence to this committee must give their evidence under oath. We do have a little exception this morning because the person giving us the factual information on Pr. 7 is a member of the Legislature, and we do not require our members to take the oath. But everybody else who is not a member of the Legislature who gives evidence has to, and that is an inviolate rule. So I hope the proponents of Bill Pr. 21 won't feel singled out. It is Mr. Stewart who is being singled out this morning by not being required to give evidence under oath.

Mr. Clegg do you have a report?

MR. M. CLEGG: Mr. Chairman, this is my report on Bill Pr. 7, Calgary Beautification Foundation Amendment Act, 1987, pursuant to Standing Order 99. The purpose of the Bill is to make changes in the constitution and organization of the foundation. There is no model Bill on this subject, and it does not contain any powers which I consider to be unusual.

MR. CHAIRMAN: Thank you. Mr. Howard, our general procedure is to have a brief statement outlining the need for the Bill, followed by the presentation of any facts relating to that, which Mr. Stewart may be able to give by way of background; I know that sometimes these are hard to separate. Then questions are asked by the committee members, and then there is a summing up if it is required.

MR. HOWARD: Mr Chairman, Mr. Stewart had suggested it

might be appropriate if he went first.

MR. STEWART: Mr. Chairman, first of all, may I say to you and to the other members of the committee that I appreciate the opportunity to represent the petitioners as a sort of stand in. Unfortunately, there are only limited numbers of people that are really involved in the Calgary Beautification Foundation, and without exception they had commitments that they just could not be here. I understand that you have checked with counsel, and it is in order for me to appear in this capacity, which I gather is a bit unusual.

I would just like to give you a brief history with respect to the Calgary Beautification Foundation, and then Mr. Howard can assist me in the more specific aspects of the Bill. The Calgary Beautification Foundation was formed as the result of some efforts by the late Chief Justice McLaurin, of the then trial division of the Supreme Court of Alberta in Calgary, who had a specific interest in beautification of the areas primarily around the Bow River in Calgary. That was his love, and he certainly worked hard during his lifetime to achieve those objectives.

When he died, he left some moneys -- I think approximately \$50,000 -- and a foundation was formed to try and carry on the works the chief justice had started during his lifetime. Since that time they have received other donations to the foundation and have indeed carried out their mandate to partake in projects of beautification along the Bow River in Calgary and indeed other areas as well. They act as a sort of catalyst to bring together potential donors and to spot needs that can be improved in the area for park purposes in Calgary. So they've been carrying out that work over a period of time. As I say, currently they have approximately \$70,000 in the foundation, which is \$50,000 from the original bequest, plus interest, and they have received and indeed disbursed other moneys in the meantime. But that is the amount that remains in the foundation at this time. There are only a very few number of people that are actively involved in the foundation and carrying on the work of the late chief justice.

They have reached a stage where the basis upon which their board of directors is to be appointed has become totally impractical. The current Act, as you will notice, requires that a board of nominators select the board of directors of the foundation, and those nominators are the president of the Calgary Chamber of Commerce, the president of the Labour Council of Calgary, the senior trial judge at the Court of Queen's Bench in Calgary, and the vice-president and president of the foundation. So it's a board of five people.

The unfortunate thing is that it just has not worked in practice, and as a result those that are involved are now left with a situation where they really have no authority to act on behalf of the board. My advice is that often the case is that the file with respect to the Calgary Beautification Foundation is handed down by the president of that one organization to a subordinate, and it gets lost in the shuffle. They're supposed to meet every two years and carry out this work of nominating a board of directors, and it just hasn't happened. So there is a need to have a different system in place to ensure that there will always be a board of directors ongoing and with authority to conduct the work of the foundation.

Also, as I mentioned, the number of people involved is very limited. There are about five or six people at the present time who have shown a genuine enthusiasm and dedication for the work of the foundation. At the present time the board that nominates the board of directors appoints them for a period of

two years. A quorum is a majority of those, and the number of directors to be selected is between not less than five and not more than seven. The point of the matter is that it just hasn't been working, and a different system had to be devised in order to allow them to function in the future.

The solution that is proposed is that they allow -- well, first of all, those that have a real interest and are involved would become the board of directors. So it's almost like returning it to the point of the petitioners for the original Bill. They would then be the directors, and thereafter they would appoint further members to fill any vacancies that may exist on the board from that point on. The term would be indefinite so that those people that are involved and want to remain involved would remain as directors of the foundation.

I suppose the first concern may be that it almost sounds like power and control in perpetuity in this thing, but I guess the point is that, at the present time at least, there's really no one else with any real dedicated interest. Of course, that power and control can only be exercised for the public good in any event because of the limitations of the purposes and objectives of the Act within which they must operate. So this has been suggested as a workable solution to make sure that there is an ongoing board of directors that has authority to act as such on behalf of the foundation and to make sure that the goals of the foundation are achieved.

I think that gives a little bit of background at least, Mr. Chairman, to members of the committee as to the nature of the foundation and the particular aspects of the Bill before them.

MR. CHAIRMAN: Thank you, Mr. Stewart.  
Mrs. Hewes.

MRS. HEWES: Thank you, Mr. Chairman. Mr. Stewart, I always applaud these kinds of organizations in municipalities, particularly urban ones. I think we have to do what we can to keep them alive and well. As you've described it, it seems self-perpetuating. I would like to know: is there any executive function in this? Are there any staff people that relate to it?

MR. STEWART: Of course, there is the power on the board of directors to appoint officers. There are currently two people who fill the positions of president and vice-president. There's a president and a vice-president of the foundation, who in turn are really a part of the five or six people that are involved.

MRS. HEWES: Mr. Chairman, yes, but are they responsible? Is there any fiscal responsibility, for revenues, expenditures? Do they raise money and spend money?

MR. STEWART: Not the officers as such. The foundation receives bequests from legacies, wills, and so on, and they try then to spot needs within the community and match them. They work with the city of Calgary and parks and rec in order to try and bring about some sort of a project that will achieve their objectives.

MRS. HEWES: Mr. Chairman, is there any direct or formalized planning relationship with the city of Calgary?

MR. STEWART: Nothing formal at all. Totally informal.

MRS. HEWES: Thanks, Mr. Chairman. I have some comments.

MR. CHAIRMAN: Thanks, Mrs. Hewes.

DR. ELLIOTT: I understand the arrangement isn't formal, but are activities at least co-ordinated?

MR. STEWART: I suppose they act when the opportunities present themselves. The people that are involved are quite active in the community in Calgary, and their names are listed, I think, at the back of Pr. 7 because it's proposed that they constitute the board of directors initially. They, through their own contacts, try to spot opportunities where the foundation can be active and achieve their objectives.

One example is that they did spot an area near 14th Street and the Bow River that was not looking particularly nice, and they were able to work with the Nat Christie Foundation and get some money from them, and then they in turn did all the spade work with the city of Calgary parks and rec to bring about the beautification of that particular area.

So that's the way they work. They spot these opportunities, find money for them if they can, utilize their own moneys to the extent that it's necessary, work with the city on an informal basis, and try and put together a project.

MRS. KOPER: I just wondered if Mr. Stewart could explain the implications of the amendment to sections 22 and 23.

MR. STEWART: I think it would be appropriate for Mr. Howard to do that.

MR. HOWARD: Mr. Chairman, the sections 22 and 23 that you were asking about: effectively the amendment doesn't make much of a change, except the reference to "registrar of corporations" is now updated to "corporate registry." There's been a change in the corporate legislation during the time of this, and consequently the body that is referred to is different under the different Act.

MRS. HEWES: One last question, Mr. Chairman. Mr. Stewart, was there any consideration given to having the appointments made by the city of Calgary?

MR. STEWART: No. One suggestion that has been made, though, because we did indicate to them that they may want to think about a different manner to accomplish the appointment of the board other than the one that was presented -- one that would be quite satisfactory to them would be to have the executive of the Calgary Chamber of Commerce do the appointing each time it may be required. That would be quite satisfactory to them. I think they just felt that in the past that sort of nomination process had not proven to be practical and that really the only people that were involved and were interested in it were those that are now involved, so they came forward with this particular position that is before you today. But they would be quite happy to have the type of suggestion you have made, only they would be looking at the Calgary Chamber of Commerce as the body that would probably do the appointing.

MRS. HEWES: I think, Mr. Chairman, just in thinking about it in perpetuity, it's more comforting if there is some sort of membership, some body that oversees the kinds of activities that are going on. Would the chamber be amenable?

MR. STEWART: I expect that they would, because a number

of the people that are in the beautification foundation are on the executive or members of the board of directors of the Calgary Chamber . . .

MRS. HEWES: There is no membership, Mr. Chairman. Sorry, sir, through you. There is no membership in the foundation; there's just a board.

MR. STEWART: That's right.

MR. CHAIRMAN: Any further questions?

MR. M. CLEGG: Mr. Chairman, I'm raising this partly for my own suggestion and partly because I know Mr. Wright wished to raise it. We have many foundations created by legislation, and many of them have a very simple winding-up clause, which makes matters simpler for a foundation if it does ever have to wind up. We have recently inserted one in another foundation. I wonder whether the petitioners would have any objection if any member of the committee should wish to make a motion to suggest that a clause might go in to say something like this: upon the winding up of the foundation the assets shall not be distributed amongst the members or the board but shall be transferred to such other charitable operation as, in the opinion of the members of the board, most closely matches those of the foundation. We have recently suggested that another foundation have that amendment. It would be helpful to this foundation, and I might suggest to the committee that they might move such an amendment in words which I could negotiate as being satisfactory with the foundation's council.

MR. CHAIRMAN: That would be fine.

MR. STEWART: That would be satisfactory.

MR. CHAIRMAN: Mr. Clegg?

MR. G. CLEGG: I will move that, whatever it [inaudible].

MR. CHAIRMAN: At this stage?

MR. M. CLEGG: Well, if Mr. Clegg moves that the Bill be amended in that form, then I can present the amendment to the committee at the stage at which it is considered for a report.

MR. CHAIRMAN: Mr. Clegg has moved that the committee recommend the amendment of this Bill in the manner mentioned by Parliamentary Counsel. All those in favour? Opposed? Carried.

I guess this is the opportunity, Mr. Howard, for you to wind up if you wish.

MR. HOWARD: Yes, I think Mr. Stewart addressed things very adequately and summarized most of the points that were of relevance.

I had one suggestion further to the comment that was made. If it is contemplated that it would be appropriate that, for instance, the chamber of commerce be involved in connection with the appointment of members to the board, my suggestion might be that I think you can achieve the watchdog role you're seeking, but perhaps the power that is suggested in here could be left with a power, let's say, to confirm appointments made by the chamber of commerce, perhaps within a time frame that

would give the chamber of commerce an opportunity to disapprove of a confirmation without -- perhaps if they don't get around to checking it -- simply holding it up and leaving them without a board that can be operative.

MR. CHAIRMAN: I guess, Mr. Howard, you would have no objection to such an amendment being put forward if the committee felt it was required.

MR. HOWARD: That's correct.

MR. CHAIRMAN: Thank you very much. Well, our procedure is that we like to get the transcript of the evidence we've heard, and then we'll be considering this at a future date as to the recommendation of the committee as to the future progress of the Bill. Thank you very much. Thank you, Mr. Stewart.

MR. CHAIRMAN: Mr. Burstall, we will now proceed with Bill Pr. 21, and I'll ask Mr. Clegg to give us his report with regard to the Bill.

MR. M. CLEGG: Mr. Chairman, this is my report on Bill Pr. 21, the William Roper Hull Home Amendment Act, 1987, pursuant to Standing Order 99.

The purpose of this Bill is to change the name of the Act and to broaden the functions of the organization and make certain changes in its constitution and management. There was no model Bill on this subject, and the Bill does not contain any powers which I consider to be unusual.

MR. CHAIRMAN: I'll ask Mr. Clegg to administer the oath to Mr. Murphy.

[Mr. Murphy was sworn in]

MR. CHAIRMAN: Well, Mr. Burstall, if you'd like to make an opening statement before calling the evidence, this is your opportunity to do so.

MR. BURSTALL: Mr. Chairman, if I may, I would like to give a brief history of the Hull Home, then set out the purposes of the home, and then at that point Mr. Murphy or myself can field any questions anyone may have.

The last will and testament of William Roper Hull, who died in the city of Calgary on April 4, 1925, provided that after the deaths of William Roper Hull's wife, brother, and sister, the last of whom died on March 11, 1953, the trustee, who is the Royal Trust company, should pay certain legacies and then divide the residue of the estate into five equal shares. Two of these shares were to be expended on the construction of a suitable home in Calgary for destitute and orphaned children, while the net annual income from the investment of the other two shares of the estate was to be used for the maintenance and support of the home.

William Roper Hull's will also directed the trustee to establish a corporate body, by special Act of the Alberta Legislature if necessary, to operate and maintain the home. An Act to incorporate the William Roper Hull Home was passed by the Alberta Legislature in 1954 as chapter 117 and assented to on April 8, 1954. Since that time the original Act has gone through five amendments.

The home itself was constructed in 1962 to provide accommodation for 25 adolescent boys who are wards of the province.

Since that time the home has been providing the provincial government, on a contract basis, with residential services for some of the most troubled children and adolescents in the province. Further additions were made to the home, and by the mid-1970s the agency was providing 77 beds for adolescents pursuant to a contract with the provincial government. At this time the agency recognized the critical role of families in the treatment of children, and an increasing proportion of the agency's resources have been allocated to family and community work.

In 1981 a new school facility was completed at the home. A contract was established between the agency and the Calgary public school board whereby the school board provided certain teaching resources and other specialized teaching resources were purchased from the school board by the agency.

The purpose of the amendment is to expand the objectives and powers of the agency to allow it more flexibility to identify and design programs to meet the needs of adolescent children and their families. The agency also desires to further diversify its resources away from the provisions of a residential home into more community-focus programs.

MR. CHAIRMAN: Mr. Murphy, what is your capacity with the agency?

MR. MURPHY: My capacity is as a member of the board.

MR. CHAIRMAN: A member of the board of the directors.

MR. MURPHY: Right.

MR. CHAIRMAN: And you would adopt as your evidence everything factual that was mentioned by Mr. Burstall?

MR. MURPHY: Yes.

MR. CHAIRMAN: Thank you.

MS MJOLSNESS: I'm wondering if you could give us a breakdown of how you are funded.

MR. MURPHY: On an operating basis, about 90 percent of our money comes from the province of Alberta; that's on a budgeted operating basis. We receive income for children who come to Hull Home from out of the province, but we can't anticipate that figure in advance. It would perhaps approximate 10 percent of the income at the end of the year, but we wouldn't know that in advance of the year. And probably about 5 percent on a budgeted basis comes from estate money administered by Royal Trust. Capital moneys come primarily from the estate.

MR. CHAIRMAN: What would be the amount of capital in the estate that's devoted to William Roper Hull Home?

MR. MURPHY: That would be several million. Less than five but more than two. I'm not sure of the exact number; it depends how good the market is right now.

MR. CHAIRMAN: Dr. West.

DR. WEST: Yes. Mr. Murphy, could you tell us what that operating budget is a year?

MR. MURPHY: The annual operating budget is about \$8 million.

MRS. HEWES: Mr. Murphy, you're contracting with the provincial government for the care and treatment of the boys in the home. Are you also contracting with the province on the family service component?

MR. MURPHY: Yes.

MRS. HEWES: Is that a separate contract, Mr. Murphy? And have these contracts been in place for some years, and do you anticipate that they will continue?

MR. MURPHY: They have been in place for many years, but they are certainly in the process of change. We are finding that whereas we were previously contracted for X beds, we are now being contracted for fewer as different regions within the province seek to deal with their children locally. As a result of that, we are expanding and enlarging upon the activities we enter into.

MRS. HEWES: Mr. Chairman, may I have another question?

MR. CHAIRMAN: Yes.

MRS. HEWES: Then would it be fair to say that part of the objective of this Act is not only to reflect the changing role of the agency but also to put you in a position where you can in fact apply for other types of contracts with the province?

MR. MURPHY: Yes.

MR. CHAIRMAN: Thank you, Mrs. Hewes.

MR. MURPHY: One further comment. It's not just boys; it's boys and girls.

MRS. HEWES: Yes, I'm sorry.

MR. M. CLEGG: Mr. Chairman, to assist members in reading the Bill, I should point out that by a printing error in binding the Bill -- which occurred after we'd proofread it -- the text of the Bill on pages 2 and 4 is on the wrong side, and the explanatory notes should appear on the right but in fact are on the left. So when you're reading the actual text of the Bill, you have to look on the right hand side of pages 2 and 4. That's something which we can't check with our proofreading, because the Bill isn't made up at the time we proofread it. But you will see that the actual wording is reversed on those pages. It will be corrected when the Bill is printed with statutes, of course. The explanatory notes disappear at that stage.

MR. CHAIRMAN: Mr. Day, followed by Mrs. Koper.

MR. DAY: Thank you, Mr. Chairman. Could Mr. Murphy indicate to us what other types of contracts the home hopes to be open to or to be taking on?

MR. MURPHY: We've recently been awarded a contract for children within the city of Calgary in a custody sense. It was a contract that previously had been administered by the city. Another area we've entered into is a receiving home. This is some-

thing that we had not previously been involved with. And we expect and anticipate to be involved in one more such facility, but it hasn't been awarded yet. We also have established an entity within our operation called the Hull Institute, which does some consulting work in this specific field, and we have received and hope to receive in the future further contracts from government in this regard, pertaining to our expertise in this field.

MRS. KOPER: It appears as though the prime purpose of the Bill is to expand the powers greatly. It's a long way from looking after destitute orphans as first proposed by Hull. I am just wondering, would it be fair to say that the endowment from William Roper Hull pays for all the capital costs, and unless you receive the provincial contracts, the operating costs would be very difficult to meet through the endowment fund?

MR. MURPHY: They would be impossible to meet.

MRS. KOPER: So it really is an expanding business, then, in all senses of private enterprise.

MR. MURPHY: Right, and it's changing very much. There is a desire on the part of the government that there be less use of residential facilities and more treatment in the community. One of our objectives is obviously to adapt to these changes.

MRS. KOPER: May I ask one more?

MR. CHAIRMAN: Go ahead.

MRS. KOPER: Are the tax exemption parts of the Bill the same as formerly and agreed upon by the city?

MR. MURPHY: I believe there is one further amendment that we're seeking within this Bill Pr. 21.

MRS. KOPER: And could that be clarified, then, for the committee?

MR. BURSTALL: In the original Bill there is an exemption from municipal taxation assessment; then it accepted out local improvement taxes. We're now asking that we be exempted from local improvement taxes also.

MRS. KOPER: If I may, Mr. Chairman. Has the city agreed to this or given a letter of support in this way?

MR. MURPHY: Well, we have to date been exempt. I'm not sure that we've approached them on the matter.

MR. BURSTALL: We have not approached them.

MRS. KOPER: Thank you.

MR. CHAIRMAN: I guess this is a situation where notices could work against the city. Dr. West.

DR. WEST: Yes, I'll come back to -- there seems to be an inequity, and I'm just going to ask some questions to see if you can clarify it. Could you not go back to the original intent of the William Roper Hull Home and leave it the way it was and take the expanded role through the Department of Social Services? I

mean, what it looks like to me is that in your expanding role you're actually taking on something that wasn't the intent of William Roper Hull in the beginning, and that is to create a department of social services direction out there. So what I'm asking is: do you have to expand the role under the name of William Roper Hull Home?

MR. MURPHY: I guess we don't have to, but I certainly believe that what we are doing is very much favourably viewed by the department. It's my understanding that they want and appreciate as much private-sector involvement as possible, and they are receiving it in this regard. Changes we are undertaking are as much to keep in line with the desires of the government as anything else.

DR. WEST: Again on that expanded point, but I'm going back to the estate, to the will, the intent. Do we take a person's intent and will and expand it later on in a society beyond its intent in the beginning?

MR. MURPHY: Those are accomplished in terms of what is going on at Hull Home. It's just that we are doing more than that as well. But I don't think there's any intention to not deliver under the terms of the will. As was referred to earlier, the orphans and destitute children envisaged when the will was originally drafted don't really exist, and we have to deal with and treat the population that needs help today.

MR. CHAIRMAN: Mr. Clegg.

MR. G. CLEGG: Yeah, these local improvement taxes that you want to be exempt from: I don't think any community club or church or anything anywhere in Alberta is exempt from local improvement taxes. You're asking for this, are you?

MR. MURPHY: We are.

MR. G. CLEGG: Well, it would certainly be a change in the whole municipal Act then. If I know it right, there's nobody exempt from that -- like I say, no churches, no community clubs. You're exempt from any building assessment, but for these local improvements, there's nobody exempt from that. So it would certainly be taking away from the intent of the municipal Act or the taxation Act or whatever you want to go.

MR. CHAIRMAN: Before your response, Mr. Burstall, can I just ask if you could also indicate the amount of any local improvement taxes you're paying now?

MR. BURSTALL: Mr. Chairman, if I may. My understanding is that we have not been paying local improvement taxes to this point, and we were just attempting to change the Act to reflect that position.

MR. MURPHY: But it's not a matter that's of great significance to us, and if it causes some problem, we would gladly revert to the previous status.

MR. G. CLEGG: Well, I guess I have to apologize for not going over the Bill. Is it specifically in this Bill?

MR. MURPHY: Yes, it is. The amendment is specifically noted.

AN HON. MEMBER: It's on page 5.

MR. G. CLEGG: Well, excuse me, Mr. Chairman, but I would be a little hesitant to leave that in when in fact it would be changing the whole system. Correct me if I'm not right, but I believe I am. Maybe my brother there can correct me.

DR. ELLIOTT: Well, I guess I'm like the previous speaker, Mr. Chairman. I'd like clarification on that: whether our action on this Bill is going to be dictating to some municipal authority with respect to improvement assessments. I'd like real clarification on that. I didn't understand that portion of it when I reviewed the Bill.

MR. DOWNEY: Mr. Chairman, the Member for Dunvegan is correct, I believe, in his assessment. The public schools, for instance, are exempt from all municipal taxation except local improvements, and in my previous municipal experience I'm aware that public schools were assessed for curb and gutter pavement, that sort of frontage improvement. I would share that member's concern that this exemption be included in this Bill.

MR. CHAIRMAN: Thank you, Mr. Downey. Mrs. Hewes.

MRS. HEWES: Mr. Chairman, it's 12.1. That's the section we're referring to, right? This section removes or exempts from assessment and taxation of all kinds. I'd like to ask: Mr. Murphy, you have not been required to pay taxes; is that correct?

MR. MURPHY: Yes. To my knowledge, we do not.

MRS. HEWES: But you're not sure, Mr. Murphy. The reason I ask the question, Mr. Chairman, is that I think most municipalities, where they find a private, nonprofit service operating that is essential to the municipality, may in fact make a grant to the organization which would equal the amount of the taxes on the property. Do you know is that is the case, or if in fact you're not paying taxes, there has been some action taken by the city to exempt you in the past?

MR. MURPHY: Yes. It may well be that that is the case. I'm not that familiar with the specific detail financially. A grant to offset the taxes may be the case. I would perceive that as not paying the tax, but I appreciate the distinction.

MRS. HEWES: Yes. And this, however, would then make you exempt from any tax notice of any kind.

MR. MURPHY: What we've requested?

MRS. HEWES: What you've requested.

MR. MURPHY: Yes.

MRS. HEWES: Mr. Chairman . . .

MR. MURPHY: Excuse me. I understand, I believe as a result of the recent discussion, the problem this is creating, and I think we would be amenable to removing the proposed change in 12.1.

MRS. HEWES: Mr. Chairman, Mr. Murphy: removing it entirely?

MR. M. CLEGG: Mr. Chairman, there's a different legal description, so I think some amendment has to remain in, because the new section which is proposed does have an exception from it. Some land apparently has been removed from the title of the home, so we'd have to make that change. But what we would do to effect this would be to restore the words which are in this section at present: "except for local improvement taxes." So local improvement taxes would not be taken out by the amendment but just the change in the title would be reflected.

MR. ADY: On another point: the amendment to section 3. I think we've already established that 95 percent of the operating budget for the home now comes from the agencies of the provincial government. I have a concern, then, for the amendment as it pertains to expanding operations outside Alberta. Can we have a little clarification on what is meant by that? Would the provincial government of Alberta be expected to pick up the costs for operations outside Alberta? What's really happening with that?

MR. MURPHY: We're funded on a per diem basis with regard to the bulk of our activities with respect to Alberta children. Other services or activities that we undertake on a contract basis with the province relate specifically to the children involved.

What we would be doing extraprovincially would generally be on a consulting basis or contract basis, and we would be paid by that party. Generally speaking, it's the governments in the Northwest Territories that are affected. We do some work and have in the past in other western provinces, but that's limited. I think in all cases -- certainly when children are sent to Hull Home from the Northwest Territories, as an example -- those costs are covered by the government from which the child originates. That's the reference I made earlier to not knowing in advance totally what our budget is, because we don't know during a fiscal year if we'll average two children or 12 children out of province.

MR. CHAIRMAN: To be clear though, Mr. Murphy, can we proceed on the basis that any extraprovincial activity is based on a cost-recovery basis?

MR. MURPHY: Yes, entirely.

DR. WEST: Could you share with me, Mr. Murphy, if any members of the board would be from the government or from the department?

MR. MURPHY: At the moment they are not. There have on occasions in the past been board members who were employees of the Social Services department, I believe. Whether or not there would be in the future I think would depend on the availability of positions -- and we do plan to expand the board -- and, of course, their willingness to accept the position.

DR. WEST: But that is not entrenched in this at the present time, in this . . .

MR. MURPHY: I'm sorry, I don't understand your question.

DR. WEST: But that isn't something that could be written into this Bill?

MR. MURPHY: You mean the requirement that a board mem-



ber . . .

DR. WEST: That there would be a member of the government sit on that board. The reason I'm getting at it is that if it's 90 percent taxpayers' dollars that's going into this program, I do believe -- and you could share with me if you believe -- there's a responsibility to ensure that that's being used properly and directed properly.

MR. MURPHY: Well, I guess speaking on behalf of the board, we feel we have a responsibility ourselves to carry that out, and we think we do. The organization does get audited from time to time by Social Services. This is not just a financial audit; it's an audit of our operations in total. Certainly members of the House have within the recent past -- and it's a tradition -- visited the facility and are in touch with it.

MR. BURSTALL: If I may, Mr. Chairman. Several of the five amendments that have gone through over the years have been dealing with the composition of the board. The earlier composition of the board was very strict in that certain people had to be from certain places or have certain titles, such as the mayor of Calgary. They found it very difficult to work with a structured board because sometimes those people weren't too dedicated or wouldn't attend. And so they have decided, or the board feels it would be best, to have a flexible board.

MS MJOLSNESS: Mr. Murphy, could you just briefly expand on some of the services that you'll be looking at in the future as opposed to the ones that you now deliver?

MR. MURPHY: Okay. We're going to be doing, we believe, more consulting and provision of consulting services. And for those people who are interested in setting up group homes, we will be using a model that some of our people have developed in the United States. These are people who are currently working at Hull Home. We'll make that available as a for instance. It's a teaching family model where there are parents living in the group home, that sort of thing.

We have under consideration right now the establishment within Hull Home lands of a commercial enterprise which would allow for us to give work experience programs on a meaningful basis to a significant number of the children living in Hull Home. That's another area that is possible for us. It's something that we're working on right now. One of the problems that Hull Home has always faced is the reintegration into the community of the children when they graduate. Some leave prior to the attainment of the maximum age, but many leave at the age of 18 because that's the requirement, and don't really contribute to society in a meaningful way because there hasn't been enough opportunity for them to become reintegrated. So we have in the past established one group home which we move people into from Hull Home, generally speaking at age 18, sometimes younger, and get them used to living in the community, taking a bus every day, going shopping, those sorts of activities, which for some of them are a learning experience.

The establishment of an operation that provides work experience is very important. That's probably one of the reasons that Hull Home is less successful than it could be, and it's one we'd like to change.

MR. DAY: Mr. Chairman, to Mr. Murphy: has Hull Home ever done an audit of residents, some kind of tracking which

would show five years later, 10 years later, how residents, say over 18, having left the umbrella of the home, have reintegrated into society?

MR. MURPHY: That work has been done from time to time. It's not done on a continuing basis, because it's incredibly expensive, and we can't afford it. It's generally believed by experts in the field -- and I am by no means one -- that the results are usually inconclusive. It's something that the board members are constantly interested in having done, but we haven't found a way to do it effectively, cost-effectively, and efficiently.

MR. CHAIRMAN: If there are no further questions, would you like to sum up, Mr. Burstall?

MR. BURSTALL: My only comment in summary is that to the extent that our attempt to be exempted in the statute from municipal assessment, including local improvement taxes, is concerned, we have no problem at all with that being changed.

MR. CHAIRMAN: Thank you very much. Thank you very much for your attendance this morning.

Now, members of the committee, we have some other work to do before we adjourn. We have 20 minutes. We've had time to consider the evidence on numerous Bills, but before we proceed in that manner, we need a motion to go in camera. Mrs. Koper.

All those in favour, please raise your hands. Opposed? Carried.

[The committee met in camera from 9:38 a.m. until 9:54 a.m.]

MR. CHAIRMAN: The Calgary assessment Bill. I would suggest that we conclude that matter next week. Now, is it the feeling of the committee that we can schedule another Bill? Because I am getting a little concerned about the time we have left and the number of Bills we still have to consider. Would the committee feel we could conclude the assessment Bill and work on another one, or another measure? Okay. We'll ask for Mr. Clegg to suggest what that other one might be, as to who's ready.

MR. M. CLEGG: We shall have to ask Mrs. MacKenzie to . . .

MR. CHAIRMAN: Okay.

MR. M. CLEGG: What have we determined?

MR. CHAIRMAN: The Central Western Railway has not finished its advertising. When is it going to be finished?

MRS. MACKENZIE: I'm waiting for their statutory declarations. I don't have them yet. The advertising is done. The only one we haven't heard that's not controversial is Bill Pr. 20.

MR. CHAIRMAN: Oh, we haven't heard that. And it's all ready to go, is it?

MR. DOWNEY: What's our holdup on Central Western Railway?

MRS. MACKENZIE: We haven't received their statutory declaration of advertising.

MR. CHAIRMAN: Yes, it came in.

MRS. MacKENZIE: Did it come in? Oh, we can hear it next week.

MR. DOWNEY: Could we move that one along, Mr. Chairman?

MR. CHAIRMAN: We will put that on next week, then. Will we be able to do Pr. 20? We'll do Pr. 13 and Pr. 19. Pr. 19 and

then Pr. 13. Is that satisfactory to all members of the committee, that we move as expeditiously as possible with the Calgary Bill first thing next Wednesday, so we can go on to Pr. 13?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Motion to adjourn, then. Mr. Drobot.  
All in favour? Opposed? Carried.

[The committee adjourned at 9:55 a.m.]