

10:07 a.m.

Wednesday, April 24, 1991

[Chairman: Mrs. Black]

MADAM CHAIRMAN: Good morning, ladies and gentlemen. I'd like to call the committee to order. This is the Private Bills Committee, and we'd like to welcome our two sets of petitioners this morning. As the Private Bills Committee we meet during the session to hear private Bills, and at a later date we deliberate as a committee as to our findings on the Bills. Then we will be making a recommendation to the Assembly as a whole as to our findings and recommendations as to whether the Bill should proceed or not proceed. The Bills then go through the normal process of second reading and committee in the Legislature, and the Legislature will make the final decision as to the outcome of the Bills.

This morning, committee members, we will be dealing with Bill Pr. 3 first, the Lutheran Church-Canada, The Alberta-British Columbia District Corporation Act. It's sponsored by Mr. Doyle. I would like to at this time introduce the petitioners who are with us today. We have Mr. Ted Ulmer and Mr. Doug Thompson.

Counsel, do you have some comments with regard to Bill Pr. 3?

MR. RITTER: Thank you, Madam Chairman. In accordance with Standing Orders, Parliamentary Counsel will deliver his report on Bill Pr. 3. I described it to the committee members last week as very simple in its degree of complexity. In essence, Bill Pr. 3 asks for a continuance of the Lutheran Church, which was incorporated by a private Act of this Legislature in 1944. In essence, it updates the charter of the church and takes away some provisions which restrict its operation and territory. There are no extraordinary provisions in this piece of proposed legislation in my opinion, Madam Chairman.

MADAM CHAIRMAN: Have the petitioners been sworn in?

MR. RITTER: They have been, Madam Chairman.

MADAM CHAIRMAN: Thank you very much.

At this point I'd like to ask Mr. Ulmer if you have opening comments to make, sir.

MR. ULMER: Thank you, Madam Chairman. I am the business administrator of the Lutheran Church-Canada, Alberta-British Columbia District, and the reason we have submitted this Bill is that in 1988 the congregations which formed the Lutheran Church, Missouri Synod, in Canada passed a resolution to become an autonomous church body in Canada. As a result of that, they were incorporated as the Lutheran Church-Canada by an Act of Parliament nationally.

As a part of the procedure of forming that church body, the resolution that set up Lutheran Church-Canada stated that the districts of Lutheran Church-Canada, the Alberta-British Columbia District, and all of its assets would be transferred to the new church body, an autonomous church body in Canada. Consequently, we have now by resolution of our board of directors proceeded to change the name of the Alberta-British Columbia District to conform with the name of the autonomous church body in Canada.

At the same time as we discussed that with our legal adviser, Mr. Thompson, he had advised us that because of the complexity and costly procedures involved in changing an Act of the

Legislature, we should do some housekeeping changes as well, and Mr. Thompson will speak to those.

MADAM CHAIRMAN: Mr. Thompson.

MR. THOMPSON: Madam Chairman, is the procedure for me to stand or to sit when I address the Legislature?

MADAM CHAIRMAN: I think for the audio it's probably better if you do stand.

MR. THOMPSON: The Bill itself remains as true as possible to the original 1944 Act, and the best thing for me to do is just to highlight for you the changes, because other than that they're word for word the same.

A change has taken place in paragraph 3, items (g) and (h), and that's found on page 2 of the draft Bill. Item (g) was changed because we were advised by Mr. Ulmer that the whole perception of Christian education had changed, and because of that, the previous wording was inappropriate. The previous wording mentioned simply training people for the ministry, whereas Christian education has expanded its scope.

Clause (h) could be considered to be what they call a Bellhouse clause, which means that in future the church can expand its role to cover things that it feels is encompassed within its objects, so that the church can evolve in what it does as time goes on without coming back to the Legislature from time to time for further amendments.

The other substantive change is on page 3. This is paragraph 4, sub (2). Reviewing the old Act, much to my surprise I found nothing expressed indicating that the liability of the directors was limited, and we have put in an express provision saying that, as with all corporations, the liability of the directors and members is limited.

The next change is in paragraph 6. In the original Bill it indicated that the corporation had the capacity to exercise its powers within the province of Alberta and the province of British Columbia. The amendment simply says, "and in other areas where ministry opportunities exist." This is because the church at the present time is exploring opportunities for the ministry in the Northwest Territories and Yukon Territory.

The final change is found on page 4, which is item 13. If an Act was going to be put before the Legislature now, in order to be registered as a charity, you would normally have some kind of winding up provision and an indication as to what would happen to the assets upon winding up. Paragraph 13 is now inserted in the Bill and addresses that question.

I've highlighted the changes for you. Other than that, I'll answer any questions you may have.

MADAM CHAIRMAN: Thank you very much, Mr. Thompson.

With the committee's indulgence I'd like to welcome the visitors we have in the public gallery and let you know that this is the Private Bills Committee. We are a select standing committee of the Legislature, made up of all parties of the Legislature, and we deal with special private Bills as they come before the Assembly. I'd like to welcome you, and I'd like everyone to join in giving a hearty welcome to the young schoolchildren.

Now at this time I'd like to entertain some questions from the committee. Mr. Evans.

MR. EVANS: Thanks, Madam Chairman. A question to Mr. Thompson about section 6. I appreciate that there must be

some registration requirements in the province of British Columbia, which undoubtedly you've attended to. I presume that the latter part of section 6, which says, "in other areas where ministry opportunities exist," contemplates that you would register in those jurisdictions as well, because obviously Alberta registration or Alberta incorporation through a private Act would not grant you any jurisdictional opportunities in another area. How are you contemplating becoming registered in these other areas outside of Alberta and British Columbia?

MR. THOMPSON: With any corporation that exists under, say, the Business Corporations Act, you can do business into any jurisdiction that will receive you. The intention is to simply put the church body into that same position, that if we comply with the requirements of the other jurisdiction and they're prepared to receive us, then we can proceed to conduct activities in that jurisdiction, that there's no inherent restriction within our enabling documents that would prevent us from moving outside the jurisdiction should the opportunity arise.

MR. EVANS: Thank you.

MADAM CHAIRMAN: Are there any other questions from the committee?

Mr. Ulmer, do you have any closing comments you'd like to make? Mr. Thompson?

MR. THOMPSON: No closing comments, thank you.

MADAM CHAIRMAN: Well, on behalf of the committee I'd like to thank you very much for appearing and thank you for your concise description of the changes that you're looking for. We will be getting back to you at a later date after our deliberations. Thank you very much.

Yes, Mr. Doyle.

MR. DOYLE: Were the presenters notified that this Bill will be introduced this afternoon at 2:30?

MADAM CHAIRMAN: I'm sorry?

MR. DOYLE: This Bill will be introduced at 2:30 this afternoon prior to question period.

10:17

MADAM CHAIRMAN: It will be introduced for first reading this afternoon.

The committee will be moving to Bill Pr. 2. I'd like to at this time introduce the petitioners. We have His Honour the mayor of Grande Cache, Mr. Lloyd McLellan, with us today - we welcome you - Ms Hilary Tanasichuk; Mr. Julian Kinisky; and Mr. Ron Chowne, legal counsel. The petitioners have been sworn in.

Counsel, do you have some comments to make?

MR. RITTER: Yes, Madam Chairman. As I explained to committee members last week, Bill Pr. 2 proposes to incorporate a new corporation called the Grande Cache tourism and business development authority. It is a unique structure in that it has no share capital nor does it have a large membership such as a society incorporated under the Societies Act would have. It has no extraordinary provisions, in my opinion, that the committee members would be unduly concerned with. It basically grants the same powers to this corporation as are found

in any corporation, such as limited liability and that type of thing. They're not mentioned specifically in this Bill simply because the Interpretation Act of the province of Alberta, which is a public statute, provides that any corporation shall be deemed to have certain powers unless it's stated to the contrary. The only thing that is unique about this corporation is that it has very stringent conflict of interest provisions so that members of the authority cannot enter into any contracts which might otherwise be deemed a conflict of interest for their own personal benefit.

Aside from that, Madam Chairman, I have rated the Bill of moderate complexity, and I'll leave it open to yourselves now.

MADAM CHAIRMAN: Have the petitioners complied with our Standing Orders?

MR. RITTER: Yes, Madam Chairman; they have in all respects.

MADAM CHAIRMAN: Thank you very much.

Your Honour, would you like to make a few opening comments?

MR. McLELLAN: Thank you, Madam Chairman. I would just like on behalf of the citizens and the council of Grande Cache to express our appreciation for being allowed to make this presentation on this petition for this authority. Thank you.

MADAM CHAIRMAN: Mr. Chowne.

MR. CHOWNE: Thank you, Madam Chairman. Appearing with me, as you've indicated, are Julian Kinisky, who is the business development and tourism officer of the town of Grande Cache, and Mrs. Tanasichuk, of my office.

The purpose of the Bill is to create, as counsel has indicated, a corporation known as the Grande Cache tourism and business development authority. Its objects will be, of course, to promote business and tourism and to create tourism facilities of a regional nature or otherwise in or near the town.

The reason for the creation of the authority, Madam Chairman, is that the town has now embarked on a very aggressive program of developing its business in tourism and improving its economic situation. The town has been approached by developers who are prepared to do work in the town, and that is the reason that the town has now deemed it expedient to cause an authority to be incorporated which will be focused in its approach and deal solely with business development and tourism in that particular area, as opposed to having the town council dealing with its myriad of issues as well as tourism and development.

Madam Chairman, the effect of having an authority will be to protect the town's assets in its dealings. It removes the town one step from negotiations and deliberations which occur between it and developers, and it protects the assets of the town. As well, it provides the town and the authority with a greater degree of flexibility when dealing with development opportunities.

Madam Chairman, those are the reasons why we're here today and the reasons why we've created Bill Pr. 2. I'd certainly be pleased to answer any questions which your committee may have. As well, the officers of the town are also prepared to answer any questions which may be asked.

MADAM CHAIRMAN: Thank you very much.
Mr. Clegg.

MR. CLEGG: Thank you, Madam Chairman. I just have to have a clarification in my mind, because I've seen throughout the province when local jurisdictions have, in fact, had agreements with other local jurisdictions and have set up a committee to promote tourism or promote the town and the surrounding areas. I've got to get my mind straight why this Bill is absolutely necessary. I see many chambers of commerce, for example, in rural Alberta especially - I can't talk for the cities - that form these committees, and they are funded by agreements with the municipalities, and in some cases many municipalities, for the promotional work. Could someone tell me exactly what is the reason for the Bill?

MR. CHOWNE: What we want to do is we want to create a separate body dedicated to the single purpose of development of tourism and business development. We don't want the town doing that directly. We don't want developers having dealings with towns and commencing lawsuits against the town and attacking the town's assets for what they believe may be transactions that will occur. We want the town's assets to be secured. We want negotiations and deliberations to go on with developers and other parties who are prepared to spend money in the town, and we want them dealing with a separate corporate entity that limits the liability of the town, that limits the liability of the authority.

As well, if the town dealt directly, it does not have the flexibility under the terms of the Municipal Government Act to deal with the various business opportunities that may well exist. Being mindful of that, creating a separate corporate entity is essential in that regard.

MADAM CHAIRMAN: Mr. Clegg?

MR. CLEGG: If I could, Madam Chairman. Then there could be two concerns. First, there could be some conflict of interest. Secondly, will this authority have the right to requisition the town in this case, I guess, or, anyway, the local elected people?

MR. CHOWNE: The authority will have no right to requisition. The authority is funded by the town through its processes and by people responsible to the public through the electorate, sir.

MR. CLEGG: Thank you.

MADAM CHAIRMAN: Mr. Doyle.

MR. DOYLE: Thank you, Madam Chairman. I'd like to firstly compliment the presenters for their strict conflict of interest regulations within this Bill. But I would like to ask perhaps Mr. Kinisky, who drove so far and who I know is in a hurry to get back to Grande Cache to get back on duty for the taxpayers, about the makeup of this committee. Will it have people from the chamber of commerce, the economic development committee? Will it have members at large? Will it have any members of council, school boards, or other people from the community? What people will make up the committee in the community of Grande Cache?

MR. KINISKY: Well, Madam Chairman, all of those questions are addressed in the Bill, as a matter of fact, but the reason for structuring it the way we did was to make sure that there was a good representation from across the whole of the community. I think members will appreciate that in a community as small as Grande Cache there is tremendous interest, and we wanted to

be certain that all of those interests were represented when it came to the operation of the authority. When you look at the numbers of people who can be appointed and the organizations they may represent, I think it will be appreciated that this is indeed a good representation from across the whole of the town.

MADAM CHAIRMAN: Mr. Doyle, if you would refer to section 8 of the Bill, it lists the composition of the authority.

Dr. Elliott.

10:27

DR. ELLIOTT: Thank you, Madam Chairman. I was wondering if the town of Grande Cache had had experiences good or bad that would cause or encourage you to go forward with this Bill.

MR. CHOWNE: Madam Chairman, it was my recommendation that we approach this sort of business development scheme through the use of a separate corporate body and an authority. My experience in other circumstances has shown that it is the most flexible way to deal with the needs of development, and that's why it has been done that way.

DR. ELLIOTT: [Inaudible] other circumstances in Alberta?

MR. CHOWNE: In Alberta in the city of Edmonton, in the city of Calgary there are a number of authorities that are created for specific, dedicated purposes and for the purposes that I have outlined already, sir.

DR. ELLIOTT: Madam Chairman, I guess I was like the Member for Dunvegan; I was zeroing in on towns the size of Grande Cache, of which we have many in Alberta, and what all the advantages are.

Thank you very much.

MR. McLELLAN: Madam Chairman, just a quick comment, and I guess it's a fundamental reasoning behind forming the authority. The members of council in Grande Cache are by and large employed. They work eight hours a day, some of them at the mine, some of them at the jail. They don't have the time or the business expertise to conduct that type of business that's going to be required to get the tourism going the way we want it. We feel the authority will accomplish this task.

MADAM CHAIRMAN: Thank you.

Mrs. Hewes.

MRS. HEWES: Thanks, Madam Chairman. Yes, it is kind of unique in a sense. I'd like to ask Mr. Chowne: is it modeled on the economic development authorities of Edmonton or Calgary?

MR. CHOWNE: It's a bit of a composition of a number of authorities, taking into account the specific needs that the town of Grande Cache has and its requirements with this authority.

MADAM CHAIRMAN: Just on that point, Counsel, are there other model Bills?

MR. RITTER: No, Madam Chairman. This particular Bill is a rather unique creature. I don't think a Bill of its type has come before this committee before, but Mr. Chowne can attest to the fact that I was very careful in the drafting of this Bill

because if it works for Grande Cache, I rather suspect it's going to be a model that will be used in the future.

MRS. HEWES: This is what interests me, Madam Chairman. This is a corporation owned by the town of Grande Cache. It's like a department of the municipality, but it is an arm's-length corporation in order to make it less liable, I gather, to difficulties and also perhaps to allow people to participate in it who wouldn't ordinarily be members of council. It seems to me, however, that it's not just promotion. It's not just to promote tourism and economic development; it is, in fact, to execute it. Would that be correct?

MR. CHOWNE: That's correct.

MRS. HEWES: For instance, would the authority have the power to expropriate?

MR. CHOWNE: No, ma'am. It's not intended to have any expropriation authority. It is intended to be a body corporate whose membership is appointed by the town, whose funding is received from the town, and which exists at the pleasure of the town. Call it a subsidiary of the town but a separate corporate entity.

MRS. HEWES: But the decisions, Madam Chairman, of this authority are final and are not subject to any ratification by the town council.

MR. CHOWNE: There are a number of issues specified in the Bill which require consent of the town. Perhaps I could refer you to section 7, which indicates that the authority cannot, without the approval of the town:

- (a) acquire or sell real property;
- (b) lease any real property for a [term] of greater than one year;
- (c) acquire or alienate shares in the capital stock of any corporation;
- (d) enter into an agreement requiring an expenditure . . . in excess of \$5,000.00 . . . [or]
- (e) borrow money.

In its scope it is limited. It's intended to do negotiations and do things and encourage development and, in fact, execute development where it can but within the limits council imposes upon it.

MRS. HEWES: Yes, I see that.

Madam Chairman, that's section 6 in my Bill, but I did have another question on section 7. It's a phrase that I just don't seem to be familiar with. This is "the authority shall be comprised of," Mr. Chowne. Is that section 7 in the Bill you're quoting from?

MR. CHOWNE: Section 8.

MRS. HEWES: Section 8. Thank you. It's the last line in that that says, in mine anyway, provided that every member shall be a "natural person." That's not a phrase that I'm familiar with.

MR. CHOWNE: We just don't want any corporations being members of the authority, ma'am.

MRS. HEWES: Say again?

MR. CHOWNE: We don't want any corporations, "nonnatural people," being members.

MRS. HEWES: Ah, yes. Thank you.

Madam Chairman, I think it is unique as far as I recall and quite creative from that standpoint.

MR. MUSGROVE: Madam Chairman, this does seem to be a kind of unique situation. Looking through the Bill, I can relate it very, very closely to the average chamber of commerce. As a matter of fact, in some centres the chamber of commerce has an economic development and tourism committee that sounds to almost identify with this Bill. I'm wondering: does the town of Grande Cache have a chamber of commerce, and if they do, why are they not the people that handle this? Their members are from all businesses and different people from within the town.

MR. KINISKY: Well, Madam Chairman, indeed there is an active chamber of commerce in the town of Grande Cache. I think it will be appreciated by members that a goodly number of these are very, very busy in their own right and simply do not have the time which is necessary to devote to the kind of work I am doing.

If I may just stray from the subject for a moment, Madam Chairman. As the officer who represents the council in the ongoing negotiations currently, having served in public office and having some concern about how I would be represented if I had been an elected member, when I'm in negotiations, I suffer very certain constraints. Having been an elected member, I know what the provisions of the Municipal Government Act are and the municipal Planning Act, so I am not able to say things that I would like to be able to say as a businessman, because they would negatively reflect upon my council, which I'm forbidden from doing. This makes things much, much easier for us.

MR. MUSGROVE: But that doesn't answer my question about the chamber of commerce, Madam Chairman. He was talking about the elected people in the town. The chamber of commerce is not elected people.

MADAM CHAIRMAN: Mr. Kinisky, the question was: is there an active chamber of commerce?

MR. KINISKY: Well, there is an active chamber of commerce, and as I pointed out, Madam Chairman, they do not answer, of course, to the council of the town of Grande Cache. There's someone else who has to do that.

MADAM CHAIRMAN: Mr. Tannas.

MR. TANNAS: Thank you, Madam Chairman. Just a little item on 23(1)(c). I think we've all been at meetings where you're quite sure that somebody supported something, said something, and then later they say, no, that wasn't what they meant and that isn't what they said. This seems to me to provide an opportunity for someone to attend a meeting, not to declare their interest or whatever it is, to either mumble yes or say yes or nod or not to declare that they dissent, but then later on decide, "Gee, I am against that," and then dissent. It says, sends his dissent by registered mail or delivers it to the registered office of the Authority immediately after the meeting is adjourned. I don't know how long immediately is, whether that's one hour, two days, six weeks, a year. It's only for the group itself. If you've got somebody that can kind of opt out a little later on, if you had a vote, say, of four to three and then one of those people then dissents: I just wondered about that.

MADAM CHAIRMAN: Mr. Chowne.

MR. CHOWNE: Thank you, Madam Chairman. What we've intended by the Bill itself is to create a general framework of how the rules and procedures will be developed. The Act also provides that the authority will create bylaws which will deal with matters of procedure and will deal with the matter of "immediately" and will take all these items into account.

Again, the Act was just intended to create a general framework. The bylaws and specific rules of procedure will be created upon creation.

10:37

MADAM CHAIRMAN: Mrs. Gagnon.

MRS. GAGNON: Yes. My concern deals with the geographical jurisdiction of this authority. Will it be coterminous with the geographical boundaries of the town, or will the authority have the ability, for instance, to promote tourism in conjunction with another town or beyond its own geographical borders? That's my concern.

MR. CHOWNE: I'm sure Mr. Kinisky will want to address this as well. Grande Cache has a unique geographic situation. It's on its own, and there's a large area of tourism that relies on Grande Cache to supply it with the usual necessities, and there's a business centre out there, all of which rely upon Grande Cache. The authority, I'm sure, will be flexible in its views as to how it develops the area or for having joint-venture agreements, knowing that if people come into the area, they will come into the town, and there will be a benefit to the town.

Perhaps Mr. Kinisky could add to that.

MR. KINISKY: Well, Madam Chairman, I think members will appreciate that in a town like Grande Cache, where we are in isolation and where, as a matter of fact, our major industries are predicated upon resource extraction, there is an opportunity for businesses to be attracted to the town which may not be within the corporate boundaries of the town but which would have a very direct benefit to the town. It is necessary, therefore, that we carry out our business not only within the town but within those areas generally surrounding the town, which could be beneficial to us from the economic point of view.

I might point out to members that we already have a municipally-owned golf course which is not in the corporate boundaries of the town. We are in the process of developing a ski hill which is not in the corporate boundaries of the town. Of course, all these things are very positively beneficial for us in terms of tourists.

MRS. GAGNON: Well, in that situation, for instance, did the town have to enter into an agreement with an adjacent municipality, or was it Crown land? What was the situation?

MR. KINISKY: The town is in improvement district 16. The lands are held in the title of the Crown. When we have had the use of those lands under the various leases, Madam Chairman, they have been carried out through the normal procedures that are provided for in legislation. We have always practised in that particular manner. We have the keen understanding and experience has shown us that most assuredly the things that we do for ourselves are the things that are going to get done, so we have no great reliance on what happens out of the improvement

district, even though they become the beneficiary of some of our efforts.

MADAM CHAIRMAN: Thank you.
Mr. Ewasiuk.

MR. EWASIUK: Thank you, Madam Chairman. I have no doubt in my mind that the potential for tourism in Grande Cache is certainly great. Obviously, a lot can be done there, and I think this Bill goes a long way towards that direction or is a vehicle for the development of that particular potential there. I think it's not unlike some of the authorities that I have been familiar with. The Edmonton Convention and Tourism Authority comes to mind, perhaps the Edmonton airport authority, of sorts, also comes to mind. I really don't see anything particularly wrong. I think this a good Bill.

The question I have is that the structure of the authority is also spelled out quite clearly. It does involve a number of cross sections of people in the community. I notice there is no reference to remuneration for these people on the committee. Is there, or are these going to be volunteers?

MR. KINISKY: Madam Chairman, currently whatever remuneration is paid to the chief officer, if you like, is dictated by the town. There will no doubt be bylaws which will be structured predicated upon the creation of the authority, which will take care of that particular problem as it becomes necessary.

MADAM CHAIRMAN: Thank you.
Mrs. Hewes.

MRS. HEWES: Thanks, Madam Chairman. Because it is unique and might well become a model for other towns and communities, have we talked with the Municipal Affairs department about this? Are they on side? Are they supportive? Can you comment on that for me?

MR. KINISKY: Madam Chairman, I did not go to Municipal Affairs concerning this matter. They are aware that we are moving in this direction, but certainly I have not carried out any detailed discussions with them concerning the structure of this particular authority.

MADAM CHAIRMAN: Mr. Chowne.

MR. CHOWNE: Thank you, Madam Chairman. I am aware of a meeting that Mr. Kinisky had, I believe, with a task force that attended recently from the province in Grande Cache. They specifically indicated that an authority would be in order. We were already well under way in terms of our drafting procedure at that point in time, but the task force has certainly indicated that that's what they wanted to see.

MR. KINISKY: Madam Chairman, let me just enlarge upon that. What has happened is that because of the magnitude of the developments that we presume are coming to our town, the government found it prudent to put together a task force which was composed of several departments of government, Forestry, Lands and Wildlife and Tourism being the centremost, and transportation also. They formed a task force, the function of the task force being to allow the town to have a direct access flow into the government agencies so we could continue with our work and have the assistance of government where it became necessary. The task force itself in our original meeting suggested

that the structure of an authority which would allow them, say, a single entry into what is happening in the town would be most convenient for them to deal with, and that is another one of the reasons why this Bill is presented, Madam Chairman.

MADAM CHAIRMAN: Mr. Thurber.

MR. THURBER: Thank you, Madam Chairman. I'm a little curious as to why this couldn't have been done under registration under the Societies Act, with a lot of these powers and stuff incorporated in your constitution at that time. I guess I have a personal concern about us putting through an Act to allow this to happen in one area of the province. If it's a really good idea, that's fine, because I think it's going to spread. But I'm just curious: did you fully investigate the possibilities of setting this up under the Societies Act? It would seem to me that it would fit there.

MR. CHOWNE: Thank you, Madam Chairman. As a society it's not the kind of corporate body that could be recognized in another jurisdiction. As indicated with Bill Pr. 3, which preceded us, if there is another jurisdiction which will receive us - for example, British Columbia, which in miles is not very far away from Grande Cache - and if there were a joint venture arrangement that could be entered into there, we would have the ability to be registered across that border. We have very strict conflict of interest guidelines. We thought it was important and essential to this sort of Bill that those be entrenched, and I don't know of any other way to better entrench them than by legislation.

In terms of how authorities are created, this, Madam Chairman, is the most common way of doing it. It's what's done. It's what's been done in Edmonton and in Calgary and in other jurisdictions who have these sorts of authorities. It's the most usual procedure. We didn't want to have a part 9 company. We didn't see any need to have shareholders.

MADAM CHAIRMAN: Mr. Severtson.

MR. SEVERTSON: Thank you, Madam Chairman. I guess my question's on page 3, subsection (2), where it says, "the Town is not liable for any liability, act or default of the Authority." Who is liable or responsible?

MR. CHOWNE: Thank you, Madam Chairman. The authority would be. Part of the reason for creating this body corporate, this separate person, is to establish another personality who conducts the business, and we want that body to be liable and not the town and not have the assets of the town subject to the occasional frivolities which occur in the courts.

MADAM CHAIRMAN: Mr. Severtson? Are there any other questions from the committee?

Mr. Chowne, would you like to sum up?

MR. CHOWNE: Madam Chairman, I'm sure I don't have anything further to add. We have had extensive discussions. Thank you for hearing us this morning.

10:47

MADAM CHAIRMAN: Well, thank you very much for appearing before us. As I said earlier, we will deliberate as a committee at a later date and then make our recommendations to the Assembly. I thank you very much for coming.

Committee, I don't believe there is any further business to come before us at this time. Could we entertain a motion for adjournment? Mr. Lund. Thank you very much.

[The committee adjourned at 10:48 a.m.]