

Standing Committee on Private Bills

10:12

[Chairman: Mrs. Black]

MADAM CHAIRMAN: Good morning, committee members, and welcome again to another meeting of the Private Bills. I'd like to welcome our visitors in the gallery and let you know that this is a special select committee of the Legislature, and we're called the Private Bills Committee. We deal with special Bills that don't fit into the normal pieces of legislation within our governance and, therefore, require a separate Bill to be created. This is an all-party committee, made up of all three parties within the Legislative Assembly, and we meet to hear petitions for private Bills. We welcome you, and we hope you'll enjoy some of our deliberations this morning.

[Mr. Pennington, Mrs. Pennington, Ms Brown, and Miss Rankin were sworn in]

MADAM CHAIRMAN: Committee members, I do want to apologize for our late start this morning. As most of you know, the Members' Services Committee was meeting in the Chamber before we were, from 8 o'clock until just after 10. This morning we have quite a busy agenda. We have four private Bills on our agenda. I trust all of you have received the agenda for today. This morning we'll deal with Bills Pr. 1, Pr. 3, Pr. 4, and Pr. 15.

The petitioners for Bill Pr. 1 have arrived. I do want to welcome you to Private Bills, and I'd just like to give you some opening comments on how our committee operates. Once you've gone through the preliminaries of filing your private Bill, it then comes before this committee, and a representation is made to the all-party committee. Members of the committee will likely ask questions, and then at a later date the committee will have some deliberations and will determine a recommendation as to whether the Bill should proceed or not proceed, and that recommendation will be filed with the Legislative Assembly as a whole. From that point, the Bill follows the normal procedure.

Committee members, as petitioners today for the Cynthia Lynne Rankin Adoption Act we have Cynthia Rankin, Robert Pennington, Shirley Pennington, and Shelley Brown. Shelley, are you making the representation? Who is making the representation? Are you counsel, Shelley? Okay.

Before we start, Parliamentary Counsel, have the petitioners been sworn in?

MR. RITTER: They have, Madam Chairman.

MADAM CHAIRMAN: Okay.

Shelley, would you like to make the presentation.

MS BROWN: It's a very simple presentation. Mr. Bob Pennington is the stepfather of Cynthia Lynne Rankin, and the lady on my left, Shirley Pennington, is the biological and natural mother of Cynthia Lynne Rankin. It is Bob's desire to adopt Cynthia Lynne Rankin pursuant to the private adoption Act.

MADAM CHAIRMAN: Committee members, do you have any questions of the petitioners? Mr. Tannas.

MR. TANNAS: Yes, thank you. I wanted to know whether the natural father is still alive.

MS BROWN: Yes, sir, the natural father is still alive.

MR. TANNAS: Does he concur?

MS BROWN: I'm not sure. He is not aware of the adoption, as far as I know. We have published in the newspaper and in the *Gazette*, but as far as we know, he is not aware of the adoption.

MR. TANNAS: The attempts to contact him have not met with any success?

MS BROWN: We have not made a direct attempt to contact him.

MADAM CHAIRMAN: Are there any other questions?
Mr. McEachern.

MR. McEACHERN: I suppose one might ask how long, then, since the natural father has seen his daughter? Cynthia?

MISS RANKIN: I saw him on Sunday. He had visited me at the hospital.

MR. McEACHERN: Was he aware of the adoption?

MISS RANKIN: He may be aware. I work for his brother, who is my uncle, and he's aware of the fact. My father and I don't talk a lot.

MADAM CHAIRMAN: Are there any other questions? Mr. Bruseker.

MR. BRUSEKER: The obvious question, I guess: Cynthia, you agree to this adoption procedure, since you're here?

MISS RANKIN: Yes, I do.

MR. BRUSEKER: The follow-up question then. Since the marriage was 13 years ago, I'm just curious as to why you're pursuing the adoption now as opposed to 10 years ago or eight years ago or 12 years ago or whatever.

MR. PENNINGTON: I can answer that one. My daughter, Cynthia, is getting married on June 27. When Cyndy became engaged, she asked me to give her away. I have obviously felt that Cyndy was my daughter, in fact, for more than 13 years, and of course it was quite an honour when she did ask me to give her away, at which stage I brought up the question of whether or not Cyndy would be happy being legally named my daughter. It was really a mutual coming together.

MRS. MIROSH: Madam Chairman, it does say on the petition that Cynthia is over the age of 18; thus, her presence here. But I do have some concern, if you have just spoken to your natural father, why you wouldn't have told him that this is occurring. It is advertised, but wouldn't it seem only right that you would ask your natural father or tell him, at least make him aware so that in the process he would have that right as a natural father?

MISS RANKIN: I've had no natural father. I don't think he does have any rights. I feel that my natural father gave up any rights to me a long time ago. I do not talk to the man, and we don't have a lot in common. I just don't feel he has any rights toward me whatsoever. When I was 14, I guess, my father started sexually abusing me. Ever since then, our relationship has not been very good at all.

MR. CHIVERS: My question was on the same point, and in view of what you've just said, I understand the sensitivity of the matter. But the difficulty, I guess, that we're all having here is that ordinarily notification is given to anybody who might have any interest in these matters. That's the point of it. I suppose the concern of my colleagues on the committee is that in this case there appears to have been no direct notice, although it would have been possible. Do you anticipate that he might object to the application? I wonder if it might be possible, before the Bill is proceeded with in committee, for the individual concerned to have direct notice of the application. It seems to me that the legal niceties of the matter are that he should have such notice.

MR. RITTER: Madam Chairman, if it is the wish of the committee, I can undertake to send a double-registered letter to the natural father, just advising him of the petition and leaving it at that point, if that is the preferred method.

MADAM CHAIRMAN: That would be a decision the committee would make at a later point.

Mrs. Laing.

MRS. B. LAING: Thank you. It's nice to see you here as a family. Is it my understanding that you have had basically the role of the father, then, for the larger portion of 14 years or so?

MR. PENNINGTON: Yes, I have.

MRS. B. LAING: And very little contact with the natural father during that time?

MR. PENNINGTON: Very little.

MRS. B. LAING: So, really, Cynthia sees you as her father, I would think. Is that true, Cynthia?

MISS RANKIN: Yes.

MRS. B. LAING: Thank you very much for your honesty and for coming. I know it must have been very difficult to be here today, so congratulations to you all.

MR. PENNINGTON: Thank you.

MADAM CHAIRMAN: Mr. Ewasiuk.

MR. EWASIUKE: Yes, Madam Chairman. My question is to the Parliamentary Counsel. Considering the fact that the petitioner is 18 years of age and they have gone through the process of advertisement, which is a requirement, does that not suffice as the requirement they would need for this to occur? Have they not officially now made the appropriate approach to the father, advised him what's going to transpire? He hasn't responded in any way to their solicitor. Does that not sort of take care of the issue?

10:22

MADAM CHAIRMAN: Parliamentary Counsel.

MR. RITTER: Madam Chairman, the petitioners have fully complied with the requirements under Standing Orders by advertising and posting public notice. However, the committee always retains the discretion to ask for more extraordinary procedures if it's the committee's wish to do so. But as far as the

petitioners are concerned, they have complied in all respects with the Standing Orders.

MADAM CHAIRMAN: Mr. McEachern.

MR. McEACHERN: Yes, I think the line of questioning that we followed was natural enough. But having heard the answers we have just heard, it would seem to me that once a person is 18 years of age, they should have the right to decide for themselves what they wish to do, with or without the consent of parents. I don't think that we need to hold up anything while we consult the natural father. I think it's strictly up to the petitioner, and those are discussions we can get into later more fully, I guess.

MADAM CHAIRMAN: Ms Laing.

MS M. LAING: I withhold my comments until we debate the issue of contacting the natural father.

MADAM CHAIRMAN: Comments or questions from the committee?

Cyndy, I'd like to wish you all the best on your upcoming marriage and all the success and happiness on behalf of our committee. We want to thank you very much for coming. I'll ask your counsel if you have closing comments.

MS BROWN: Madam Chairman, Shirley, Cyndy's mother, would like to say something.

MADAM CHAIRMAN: Yes, by all means.

MRS. PENNINGTON: You've asked why Cyndy didn't tell her father. Cyndy and I are very close, and she gets very nervous when she's near her father. There are times, like she said, that she just can't face him. In fact, he came to the hospital on Sunday, and she wasn't aware that he was going to come. That night she had nightmares. She just doesn't want to see him. She likes to make believe it hasn't happened. We're originally from the east, and she said, "Mom, my dad died when we left Montreal." You know, that is one of the reasons why she won't confront him with this. She's always been very scared of him.

MR. PENNINGTON: If I may also interject, when this abuse took place, my wife and I took our daughter to a provincial psychiatrist. It was a very painful process for Cyndy, and it's still very difficult at times for her to accept what has happened. The less that she is reminded of it, obviously the better she feels about it.

MS BROWN: I just have a final note. In my line of work sometimes I take families apart, and it certainly is exciting and nice to put a family together. I hope that you pass this Bill.

Thank you.

MADAM CHAIRMAN: Thank you very much, and thank you to the family. Again, it's nice to see a family together.

MR. PENNINGTON: Thank you all very much.

MADAM CHAIRMAN: I think we'll need about a five-minute break while we move petitioners in and out.

[The committee adjourned from 10:27 a.m. to 10:29 a.m.]

MADAM CHAIRMAN: Committee, we're back. We've reconvened, and we're now going to deal with Bill Pr. 3, Carmelite Nuns of Western Canada Act.

[Mr. Baril and Mother Theresa were sworn in]

MADAM CHAIRMAN: Just a reminder before we start that we're having a little bit of trouble with members speaking before their light and the mike come on, and we're missing some of the initial comments. So would everyone please watch and make sure the light's on because the petitioners can't hear, and I know I've asked the petitioners to watch the light go on so you can hear as well.

Welcome. This morning we have with us from the Carmelite nuns of western Canada Mother Theresa and Ray Baril. We welcome you to the Private Bills Committee. We are an all-party committee of the Legislature, what's called a select committee. We've received your petition for a private Bill. Now, our committee will hear your petition and your representation, and then we'll likely ask you questions with regard to the Bill. At a later date the committee will then go through a deliberation on the Bill, and as a committee we will be making a recommendation to the Assembly as a whole as to whether we feel the Bill should proceed or not.

We welcome you here this morning, and I'd ask Mr. Baril if you have any opening comments to make to the committee.

MR. BARIL: I'll pass, thank you.

MADAM CHAIRMAN: All right.
How about Mother Theresa?

MOTHER THERESA: I have nothing special to say, thank you.

MADAM CHAIRMAN: Parliamentary Counsel, would you give us the essence of the Bill?

MR. RITTER: Madam Chairman, basically Bill Pr. 3 is for an incorporation of a religious order in western Canada. The normal form of incorporation for these is by way of private Act, simply because of the unique structure of the religious order. There was one time in Alberta's history when we did have a public Act which took care of the incorporation of religious orders. However, that has since been repealed for the last 20 years simply because religious orders tend to be fairly unique in their own structure. Naturally, there's no such consideration of shareholders or other members except those who are members of the religious order.

There are no extraordinary provisions here that deviate from other private Acts incorporating religious orders that this Assembly has passed in the past, but aside from the standard clauses of incorporation and the ability to make bylaws, most provisions of this Bill are standard, none that I would consider extraordinary.

MADAM CHAIRMAN: Are there any model Bills?

MR. RITTER: Madam Chairman, there are no model Bills this Assembly has set up as precedents. However, this was based on numerous similar Acts that have been passed by the Assembly.

MADAM CHAIRMAN: Have all the Standing Orders been followed?

MR. RITTER: The petitioners have complied fully with all Standing Orders, Madam Chairman.

MADAM CHAIRMAN: And the petitioners have been sworn in?

MR. RITTER: They have been.

MADAM CHAIRMAN: Thank you very much.
Committee members, are there any questions? Mr. Bruseker.

MR. BRUSEKER: Thank you, Madam Chairman. Section 1 of the Act lists a number of names of nuns, a good number of whom reside in the city of Montreal. Yet it says the head office of the corporation is to be Edmonton, and these people listed in the incorporation in section 1 are to be the officers of the corporation. Are these nuns now residing in Edmonton, or are they going to move here? I'm a little curious as to why nuns from Montreal are trying to incorporate a western Canada foundation in Alberta.

MOTHER THERESA: We reside in Montreal temporarily until we can find a place to come to in Edmonton. We have now found a place, and in the course of this year we hope to come to Edmonton.

MR. BRUSEKER: So is it, then, the intent that all of the individuals named in that first section would all come here and create a residence here in Edmonton?

MOTHER THERESA: Yes, they would.

MADAM CHAIRMAN: Are there any other questions?

MR. CHIVERS: I'm wondering how many members of the religious order there are.

MOTHER THERESA: Our religious order exists in particular communities. Each community is a kind of separate entity in itself, so all these sisters belong to the one community. We have no other organization to which we belong, so to speak, except that each of these Carmelite monasteries throughout the world and in Canada are associated with each other in a spiritual way and under the church. We follow the same rule and constitutions and way of life, so we are one religious order, but each house is completely autonomous and separate from the others.

MR. CHIVERS: I have a series of question, if I might just pursue them, Madam Chairman.

MADAM CHAIRMAN: By all means.

MR. CHIVERS: Could you tell me how many members of the order it's anticipated will be residing in Edmonton eventually?

MOTHER THERESA: There will be nine eventually. One is already in Edmonton, and the other eight are temporarily in Montreal.

MR. CHIVERS: It's only the members that are resident in the city of Edmonton that would be participating in this corporation, this corpus?

MOTHER THERESA: Yes.

MADAM CHAIRMAN: Mrs. Laing.

MRS. B. LAING: Thank you very much. I just wanted to ask what your particular focus is. Is it teaching or administration to the low income, or just what is the sort of function that your order would be doing?

MOTHER THERESA: Oh, dear. Our function is primarily a spiritual one. We are an enclosed, contemplative order, and our chief work and contribution is in prayer. Of course, we work to maintain ourselves, and because we seem to fulfill a need that many people feel, many people come to us for advice or to speak to us or to pray in our small public chapel, or they can come to make a private few days of retreat or recollection and that kind of thing.

MRS. B. LAING: Thank you.

MADAM CHAIRMAN: Mr. McEachern.

MR. McEACHERN: Yes. I was looking at Powers, number 2 on page 1, and it says,

The corporation shall have power to conduct charitable works and institutions of any kinds or nature whatsoever, consistent with their contemplative lives.

It's a rather large blank cheque. As I often say in the Assembly when ministers give themselves blank cheques to do whatever they please in some Bill, a friend of mine, Gordon Wright, used to call these Henry VIII clauses, because Henry VIII, I guess, could do as he pleased, and nobody placed any restrictions on his activities.

I think I would like to see something more written into a description of what kind of a life, charitable works -- some more description of what it is that your order is going to do before one gives a blank cheque to say that you can "conduct charitable works" and conduct, in other words then, "institutions of any kinds or nature whatsoever, consistent with their contemplative lives." Some of the things you've said verbally a few minutes ago are just fine, but could there not have been more of a description in the Bill itself about the type of life and life-style and the purposes of your order so that when we also put in a blank cheque, so to speak, we would have some better idea of what that blank cheque represents?

MADAM CHAIRMAN: You might ask Parliamentary Counsel for a clarification on the wording.

MR. RITTER: Yes, Madam Chairman. The term "charitable works" in fact has been given a legal definition by law. It started in England, and of course it came over intact to Canada. Charitable works has been classed as one of four actual, specific areas: that is, for the advancement of religion, being the first; the second is the relief of poverty; the third is the advancement of education; and lastly, as a more general one, any other work generally deemed by society to be of a charitable or beneficial nature, such as administering to the sick and that type of thing. So the term "charitable works," through precedent and through hundreds of years, has been given a very specific meaning in law.

MR. McEACHERN: Thank you.

MADAM CHAIRMAN: Does that clarify it, Mr. McEachern? Thank you.

Mr. Bruseker.

MR. BRUSEKER: I think I probably have one more question. There are two sections that deal with the application of revenues and how moneys might be invested, but I'm wondering how your order in fact raises the money. Do the nuns in the order work as teachers or nurses and that's the source of income? I guess I'm wondering where your money comes from that you're going to propose to do the charitable works with.

10:39

MOTHER THERESA: Of course, our life is a very simple one, as you can imagine. We are enclosed, and we live very simply. Our

expenditures are basic: our food, our clothing, et cetera. We don't have holidays, we don't travel, we don't go out, and we try to grow our own vegetables, so to speak. We also work hard, by handwork. As well as that, because we fulfill a spiritual need that people feel, they come to us to ask for our prayers or our help, and they may give us an alms or that kind. With our way of life being simple, with what we contribute to our livelihood by the work of our hands and then through the donations people give us, we find on the whole that we can manage to live in that way.

MADAM CHAIRMAN: If I might, committee, I'd like to welcome people in our gallery. This is the select committee for private Bills. It's an all-party committee of the Legislature, and we're hearing a petition this morning for a private Bill. So we welcome you and hope you enjoy the proceedings.

Mrs. Mirosh.

MRS. MIROSH: Thank you, Madam Chairman. I have about three questions for the petitioner. The first is: why do you have to have a private Bill for this? Why couldn't you come under the charitable organizations Act? Why would you want to leave Montreal to come here to Edmonton to re-establish?

I just have some difficulty with various religions, because we have so many that exist already here in Alberta that are doing much of the same work that you are obviously doing. I'm wondering why you couldn't be incorporated under one of those other religious orders that already exist and have these kinds of details incorporated into their organization. I'm just wondering, in this Bill, why you would have the need, through a separate Bill, to do this. I mean, we have a free society. We also have governments that help people, and I'm wondering why this couldn't be under a collaborative process to make your work more effective. Rather than having everybody doing the same and trying to achieve the same goal with the needy, work together in a collaborative process. There are so many groups out there who I feel have become fragmented and many religious orders who are all trying to do the same work with so few dollars from sponsors and donations. I just feel, in the city of Calgary at least, there are so many organizations doing the same thing, all wanting to achieve the same goal, yet wanting separate identity. Why can't we bring everybody together to do these charitable gifts for our society?

I know I've asked a lot of questions.

MADAM CHAIRMAN: Mr. Baril.

MR. BARIL: I'll address the first question first. Of course, the reason for a private members' Bill is that the incorporation of the order falls within cracks, basically, of the legislation in Alberta. In other words, the Business Corporations Act doesn't apply, because it's a totally nonprofit corporation. The Societies Act really is not the proper vehicle, because the Societies Act basically is directed more to groups such as Knights of Columbus, soccer clubs, community leagues, or that type of thing. Part 9 of the corporations Act, which is the nonprofit corporation portion under the old Companies Act, really again is best suited to a shareholding situation like, for example, the Edmonton Eskimos and organizations of that sort, probably the Kinsmen club, but really not suited for a religious organization. So typically throughout history religious organizations that have come to Alberta have been incorporated by a private member's Bill. I know of very few that have not. That's one of the reasons, and the other reason is that it really falls within the cracks in regards to how do you incorporate this type of organization.

As to why it should be an order, why this particular order, and why this particular group, it's important to understand the history

behind the group to some extent. We're dealing with a group that already has an existence in what would be referred to as canon law or religious law. In other words, it's a group that exists, that has an identity recognized by the Catholic church in its own legal framework. The group has its own identity. In other words, the group cannot be incorporated into another religious community. They're different communities in the same sense that you have different corporations maybe competing. I'm not saying that religious communities compete, but you have different corporations doing different things; you don't expect these corporations to necessarily come together.

As to the type of work they do, and it is important that you understand it, the key word in section 2 is "contemplative lives." The significance of that is that they are not teachers; they are not nurses; basically, they are not social workers. Their main function as a group is praying for society, praying for all of us, basically doing what we all don't have enough time to do. That's, I think, their main focus. Now, they do other things by hand such as greeting cards, Christmas cards that they will then sell to people who visit the monastery. Typically, it would be in the sense of a donation. In other words, there's not a set price.

I don't know what else to say. I hope those answer your question.

MRS. MIROSH: Madam Chairman, to Parliamentary Counsel. This is a free country, and anybody can pray and do within their own religious sector as they wish, without a Bill. My concern is basically not the scope of practice of what sisters do, but my concern is why we need a Bill for this order. To the Parliamentary Counsel: do we have other religious orders of this nature under private Bills, such as other churches or groups, in a Bill of this form? Whatever they are trying to do, they can do without this Bill. If they're trying to raise money, that can be done through the charitable organizations Act or Societies Act and still achieve the same goal. I'm wondering if we aren't setting a precedent here.

MR. RITTER: Madam Chairman, to answer that question, there used to be a concern of the government, being a Social Credit administration, that private Bills for this type of incorporation could be avoided if we had some public legislation in the books. In fact, what happened was that that government passed the religious and agricultural societies Acts as public Acts to take care of incorporations of this type. Unfortunately, because the diverse structure of the various religious orders and the various faiths were so different, in fact it ended up being repealed about five years later because it was more of a headache than it was a boon to the government.

What we've been left with since even before Alberta became a province is that virtually every religious order has now had to be incorporated. If they wanted to incorporate their unique structure, they had to be incorporated by private Bill for several legal as well as other reasons. If a group or a religious order such as this is not incorporated, then it achieves no separate legal identity of its own. All the members of an association are regarded in the law as an informal association of individuals. Of course, if they're going to do anything in a corporate capacity, they require incorporation in the eyes of the law. As I say, what this Assembly has found in the past is that when they did try to accommodate these types of incorporations under a public law, the public law itself was so inadequate that they ended up still having to go the private Bill route.

The last item: are we setting a precedent? I think at this time there are probably in excess of 800 religious societies that since the inception of the Northwest Territories have been incorporated by this

particular route, and in fact it is the common method by which religious orders do incorporate.

10:49

MADAM CHAIRMAN: Thank you, counsel.

Mr. Chivers.

MR. CHIVERS: Is your order incorporated in any other jurisdiction in Canada or in North America?

MOTHER THERESA: Our own community is not. In other words, the community that seeks incorporation in Alberta is not incorporated anywhere else.

MR. CHIVERS: One of the concerns that I have is with respect . . .

MADAM CHAIRMAN: Just a moment, Mr. Chivers.

Mother Theresa, the Carmelite nuns are incorporated in other jurisdictions, are they not?

MOTHER THERESA: They are.

MADAM CHAIRMAN: But not your particular body.

MOTHER THERESA: No. As I said before, each community is autonomous, self-supporting, and separate from all the others, although spiritually and under the law of the church we form one religious order. Actually, just in reference to the second or third point, we do not live the same kind of life as any other religious group either in Alberta or in western Canada. In fact, we would be the first foundation of our way of life in western Canada. There are five other Carmelite monasteries in the province of Quebec because it was predominantly a Catholic religious area, and at the time those convents were founded, there were many religious vocations. So there are five foundations there already, and they are all separately incorporated in Quebec province. But they're all French speaking, and we cannot absorb ourselves into those communities and have no wish to, because we are a separate community.

MR. CHIVERS: One of the provisions of the Bill, section 9, provides for the ability of the corporation to establish and maintain branches of the corporation. I take it that the intention of that section, although it's not beyond ambiguity in the way that it's framed, is that the branches of this corporation that you're speaking of would be branches within the province of Alberta.

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

MR. TANNAS: One of the questions that Mrs. Mirosh asked, why did you wish to come to Alberta -- I mean, we all think it's a beautiful province, but I'm sure that you have your own reasons related to your order.

MOTHER THERESA: As I said, in the province of Quebec there are five Carmelite monasteries of our order already, so there's no need for us to settle there. In the whole of western Canada there are none. It happens that in the city of Edmonton one of our sisters has two brothers and two sisters, married, with their families. So this seemed a good reason for us to come here.

MADAM CHAIRMAN: Are there any further questions?

I'd like to say that I can certainly understand why you came to Alberta. It's the prettiest province in all of Canada. Do you have any closing comments you'd like to make to the committee?

MOTHER THERESA: No. I think in the remarks that have arisen from these questions, things have been said that I would have said. In other words, in our way of life we are not out to raise money, and although we do work, in the sense of our prayer, for society, there isn't in fact any existing religious community either in Edmonton or in Alberta that lives the way of life that we have in the church. Our reason for coming to Alberta I have already given to the gentleman who asked me.

Thank you.

MADAM CHAIRMAN: Thank you very much for coming before us today. We wish you all the very best. Thank you.

Committee members, we're now moving to Bill Pr. 4, Caritas Health Group Act. Today we have with us petitioners Sister Faye Wylie and Mr. Fred Barth. We'd like to welcome them to the Private Bills Committee. Parliamentary Counsel is just finishing the swearing in.

[Mr. Barth and Sister Faye Wylie were sworn in]

MADAM CHAIRMAN: Again we have members in our gallery who have joined us for the Private Bills Committee. I want to be sure that everyone realizes that these meetings are public, and we quite often do have visitors that come into our gallery to see the committee meetings in progress. All of the deliberations are recorded in *Hansard* by the gentleman above.

We'd like to welcome you here today. We are a select committee of the Legislature, and we are made up of all three political parties. Our mandate is to receive petitions for private Bills. We ask the petitioners to come forward and present their Bills. The committee usually then asks some questions pertaining to the Bill, and at a later date we will deliberate as to our recommendations back to the Assembly.

We welcome you here today, and we'd ask if you have any opening comments to make with regard to Bill Pr. 4.

MR. BARTH: Well, thank you, Madam Chairman. We have just a few opening comments. I might explain who we are and why we're here. This is Sister Faye Wylie of the Grey Nuns, who have operated the General hospital and the Grey Nuns hospital here in Edmonton since their inception. My name is Fred Barth, and I am the chairman of the members of the Misericordia hospital, which has been operating in Edmonton for many years also.

The purpose of the Caritas Health Group Act, which we are petitioning you on today, is to effect the merging of the operations of those three hospitals in Edmonton. Both predecessor corporations were incorporated by private member's Bill, and it was felt that it was most appropriate, to provide a continuity, for the new, ongoing operations of the three hospitals under one organization to also be incorporated by private member's Bill.

I might ask Sister Faye Wylie to comment a bit on the history of the two organizations.

10:59

SISTER WYLIE: Thank you, Madam Chairman. I would just like to add that after a lot of discussion, we the two hospitals realized that we both had the same purpose or reason for existing, and we thought it would be advantageous to the people we wanted to serve if we did it together, involving members of the community and religious.

MADAM CHAIRMAN: Before we start our line of questioning, we have some more visitors coming into our gallery. We'd like to welcome you to the hearings of the Standing Committee on Private Bills and hope you enjoy the deliberations this morning.

Mr. Tannas.

MR. TANNAS: We have to wait until the little green light comes on so that we can hear each other.

I just wanted to ask whether or not this has been cleared through the Department of Health. Are they keen to see you merge your organizations?

MR. BARTH: Yes, they are, and they're supportive.

MADAM CHAIRMAN: Ms Laing.

MS M. LAING: I'm looking at part 2(3) in regard to:

The corporation shall at all times conduct its activities in a manner . . . consistent with the principles outlined in the medical moral code approved from time to time by the Canadian Conference of Catholic Bishops.

I'm wondering what services would be affected or what that means in practice.

MR. BARTH: Maybe I can give you the first answer, and then Sister Faye Wylie, I think, could expand on it. There is a medical moral code which has been approved by the Canadian Conference of Catholic Bishops, and Sister Wylie has a booklet. Also, in short form, one of the things that it means is that the hospitals would not perform abortions. We have not in the past, and we do not at the present time, and we do not contemplate doing so in the future.

MADAM CHAIRMAN: Maybe, Mr. Barth, a copy of that booklet could be left with committee members, as it does have an impact on the legislation. Thank you.

MS M. LAING: Could I just ask a further question?

MADAM CHAIRMAN: Yes, Ms Laing.

MS M. LAING: Are these two hospitals presently operating in accord with this code so that it would mean no change in practice?

MR. BARTH: That's right.

MADAM CHAIRMAN: Ms Laing, do you have another question?
Mr. Gesell.

MR. GESELL: Madam Chairman, I'll pass. As sponsor of the Bill I've had the opportunity to ask my questions. Thank you very much.

MADAM CHAIRMAN: Mrs. Mirosh.

MRS. MIROSH: Madam Chairman, my concerns are with Parliamentary Counsel and some of the directions of the -- how do you pronounce it? -- Caritas health group. I want to ask, first of all, who owns these hospitals, and can this particular corporation make laws or bylaws that are in conflict to our health Act or the Canada Health Act? With regard to abortion, that is indeed an Act that is under the federal jurisdiction rather than a religious order, and we do have to abide by federal law. Are these hospitals, then, owned and operated by these health groups, and can they make those kinds of restrictions on the delivery of health care in this province?

MR. RITTER: Madam Chairman, to answer those questions, the corporation, once it's incorporated, is governed by the terms of the Interpretation Act. In other words, every corporation has certain powers. One of those powers, of course, is to make bylaws. However, there is also the limitation on any corporation that unless it's specifically exempted from the operation of public law, the bylaws and operation of the hospital must be consistent with the laws of both the province and the country.

Now, with regard to the Canada Health Act and decisions of the Supreme Court on abortion, all the legal status in Canada is that abortions have been decriminalized. However, it still remains a policy of the hospital whether or not -- there's nothing compelling a medical facility to carry out abortions. It only says that if they do, it's not a criminal matter in this country. With respect to any change in policy, though, it should be important to note that the number of Catholic-owned or -operated hospitals throughout the country would be governed by similar policies, and in fact it has not contravened the public law of the land.

MRS. MIROSH: Well, I'm rather confused then. My question also was: do they own and operate these hospitals? It's my understanding that these hospitals are under the jurisdiction of a board, and a board carries out the operation of those. Can this group, in fact, with those specific hospitals mentioned in this Bill, overrule that authority of the board that is appointed to operate those hospitals?

MR. BARTH: At the present time we have two organizations. The proper legal name is the General hospital, Grey Nuns, of Edmonton, the members of which are the representatives of the Grey Nuns, such as Sister Faye Wylie, who is seated beside me. They in turn are owned, I believe, by the Grey Nuns, Montreal. The members of the organization, you might say, in the private sector are equivalent to shareholders who appoint a board of directors to act on their behalf. In the case of the Grey Nuns, there are certain powers which they have reserved to the members, but the board is appointed for purposes of operating a hospital in accordance with the Hospitals Act.

In the case of the Misericordia, since 1976 the members of the Misericordia have been a number of laypeople such as myself, and we are appointed members by the Alberta Catholic Hospitals Foundation, which is an organization established by the Catholic bishops of Alberta back in 1976 to facilitate the departure of the Sisters of the Misericorde, who, with diminishing numbers, did not wish to continue or could not continue to operate a hospital, and we wanted to continue the nature and the character of the hospital. So laypeople replaced the sisters, and in turn we appoint a board of directors which is responsible for operating the hospital in accordance with the Hospitals Act. Does that explain?

MRS. MIROSH: I was wondering how many boards govern hospitals under this particular Bill then. I understand that this group appoints the board, so you're a voluntary religious group that operates the hospital, much like the Bethany care centre and so on. But when it comes to policy direction, which you are outlining in this Bill, I then do have concern because the province basically funds those hospitals under the Hospitals Act and other Acts that operate. If you abide by those rules, that's fine, but it seems like there's a possibility of inherent change with this Bill that could occur to change some of those policy directions that are not necessarily outlined in our statute. The governing of those hospitals then, to the public -- the public gets confused. Who is, in fact, governing these

hospitals? It's a very large political issue; I as a politician always get all kinds of questions with regards to hospital care. We as a province designate to the board the authorization governing the hospital, and you're saying that you do that by way of appointment. I guess there is some confusion, especially in a Bill like this that's outlining your operation in detail.

SISTER WYLIE: I would just like to add to that. We're not changing anything in the kind of services we're already providing. We are not changing anything in the privileges we already have. We are coming together as two facilities that have similar backgrounds and similar purposes for existing, so we have not added anything new to this Act.

I would also like to add that with regards to the guidelines, the booklet that has been left here today, it deals with many ethical issues -- how to deal with limited services. These are just guidelines to help the facilities deal with ethical issues of a great variety.

11:09

MADAM CHAIRMAN: I appreciate that.

Mr. Bruseker.

MR. BRUSEKER: Thank you, Madam Chairman. I must confess I'm unclear as to what it is you hope to achieve by putting these two organizations. What is the benefit you see happening by doing what you're proposing to do?

MR. BARTH: Madam Chairman, the boards of the two hospitals, the Misericordia and the General -- and the General hospital board operated two hospitals, being the General and Grey Nuns -- established a task force which studied the benefits to be gained from bringing the three sites together in one operation. It was felt that there would be a better use of resources, that there would be a better level of patient care, and that there would be better co-ordination and planning by having the three sites all operating under one administration and under one organization. This Caritas health group which is being established is the corporate entity for the operations which are presently taking place as one organization but by agreement only. If this Bill is passed in this fashion, the assets and operations of the three sites will be transferred into this organization. The wording of this Act is very similar in many respects to the wording of the present Acts incorporating the Misericordia hospital and the General hospital, Grey Nuns, of Edmonton.

MR. BRUSEKER: Is the purpose, then, in a sense to eliminate three of the boards and create a new board that would have the same functions?

MR. BARTH: We will have one board for Caritas, which will operate the three hospitals. We have that in place now, except that it's operating as a joint venture of the two hospitals until such time as we have a corporate vehicle for it.

MR. BRUSEKER: Do you anticipate that by creating this new Caritas health group, some administrative cost savings will be realized by reducing the number of administrators?

MR. BARTH: Yes. We also feel that there will be a savings by a better cohesion of programs being carried out at the three sites. In many cases, if you take the General, the Grey Nuns, and the Misericordia, sometimes you want to have a particular program at

one site, but you don't really have the volume or the patient load, you might say, that justifies it. This way you'd have three organizations all working together to try and see that they're providing the care that's needed and the programs that are needed, and there's a better cohesion and a better co-ordination there.

MR. BRUSEKER: I'll just throw this out as a suggestion: ideally, then, perhaps one hospital would become a specialist in heart work and another would be a specialist in gastrointestinal work and another would be a specialist in kidneys and so forth, as opposed to everybody duplicating services.

MR. BARTH: Yes. I think right now the Youville at the General is a sort of specialist in geriatrics.

MADAM CHAIRMAN: Mrs. Laing.

MRS. B. LAING: Thank you, Madam Chairman. I'd like to congratulate you for your effort to co-ordinate and make better use of your resources. I think that's very typical of the type of action we need these days.

Part of my question was answered when you answered Mr. Bruseker's. I was going to ask you about the school of nursing. Do you currently have a school of nursing at any of the hospitals?

MR. BARTH: The Misericordia does.

MRS. B. LAING: And it would continue, would it, as your training site, or would you see the students being put out into the other hospitals as well as a need for special-area training?

SISTER WYLIE: Madam Chairman, they're working very closely with the other schools of nursing here in Edmonton. There's another program going on in the education system to have all the nursing programs providing the same kind of theory and the students going through these different programs all having the same information at a certain level and time. It's a co-operative effort that's going on between the school of nursing at the Royal Alex, the U of A, and Grant MacEwan. The Misericordia School of Nursing is working in co-operation with this program that has been set out.

MRS. B. LAING: Thank you.

MADAM CHAIRMAN: Mr. Lund.

MR. LUND: Thank you, Madam Chairman. The questions I had have been answered, but I do want to take this opportunity to thank you for bringing this forward. As Mrs. Laing has just mentioned, I think it's the type of thing we have to do. I also want to thank you very much for what you are currently doing. When I see one of your hospitals -- the HPI assessment indicating that really you're underfunded by about \$15 million as we compare to other hospitals, I really commend you for what you're doing and thank you very much.

MR. BARTH: Thank you. Perhaps you will speak to those responsible for budgets on our behalf.

MADAM CHAIRMAN: I'm sure they will.
Mr. Ewasiuk.

MR. EWASIUK: Madam Chairman, I think my questions might have been answered as well. Perhaps just a clarification from Mr. Barth. There are three boards now operating, two boards?

MR. BARTH: Two boards, but the one board has two sites, the General and the Grey Nuns.

MR. EWASIUK: One board is going to be gone. You will have only one board left operating the whole corporation.

MR. BARTH: Yes.

MR. EWASIUK: Thank you.

MADAM CHAIRMAN: Dr. Elliott.

DR. ELLIOTT: Thank you, Madam Chairman. You've identified very specific institutions that will be involved in this private Bill. Are there other organizations, health care centres or facilities of a sort that would or could qualify to be added to this at some other time either in Edmonton or outside Edmonton, within the province of Alberta?

MR. BARTH: Yes. As I indicated, back in 1976 when the sisters left, the Misericordia came under the auspices of the Alberta Catholic Hospitals Foundation, and that body was established by the Catholic bishops of Alberta. There are two other hospitals in Alberta which are owned and operated by the foundation; that is, St. Michael's in Lethbridge and Mineral Springs in Banff.

The reason for it is that as people are aware, in the case of religious orders their numbers are diminishing. Health care is a very complex field, and the foundation was established to provide a vehicle whereby if the sisters wished to give up ownership of their hospital, it would provide for the continuation of their philosophy and their approach to caring. So there are other hospitals in the province -- in fact, there are two other hospitals that you might say are sort of sister organizations.

DR. ELLIOTT: I don't recall seeing in the Bill, Madam Chairman. Does the Bill accommodate expansion or addition of other institutions?

MADAM CHAIRMAN: Parliamentary Counsel.

MR. RITTER: Madam Chairman, the expansion of any corporation is provided for in the public law of the Interpretation Act. That's a natural power that every corporation possesses.

MADAM CHAIRMAN: Thank you.
Mr. Chivers, briefly.

MR. CHIVERS: Thank you, Madam Chairman. I'd like to draw your attention to section 2(2), which deals with the express authority to conduct activities outside the province of Alberta. I assume that the existing entities have similar powers.

MR. BARTH: I believe so. The purpose of this -- for example, the Grey Nuns were contemplating a project in Saudi Arabia, which was to provide medical training and administrative training. If you did not have this type of thing, you would be precluded from doing such, so it's in here to cover eventualities.

MR. CHIVERS: I guess that comes back to the questions with respect to the fact that a good portion of the funding of these institutions is public funds. The concern I would have is that that in

essence gives this entity the ability to expend Alberta taxpayer dollars outside the province of Alberta.

MR. BARTH: No. With respect, I think the funds that are used in that type of venture are funds that are generated outside the public moneys that are put in by the funding of the taxpayers. I might mention that the Misericordia, I believe, was the first hospital in Alberta to have a public fund-raising campaign. Again, those funds will be used in health care because those are the purposes for which they were raised. We are very conscious of the need to protect the taxpayers' dollars and funding. There is no intention to spend the money outside. However, I know that when I was chairman of the Misericordia, our people in the computer department developed some computer programs which they marketed. I think they sold one in Hamilton. This type of thing is to accommodate that type of thing. It's to try and get more revenues to explore other possibilities that tie in with what you're presently doing.

11:19

MADAM CHAIRMAN: Mr. Tannas.

MR. TANNAS: Thank you. The Grey Nuns have a long tradition and history in Alberta of health care service. Could you tell me how long they have been in the Edmonton area, since they now operate, in effect, three hospitals?

SISTER WYLIE: For the Edmonton General it's been since 1895, and when we came to the Edmonton General we came from St. Albert, where they already had a small hospital established. We have never left health care in all these years.

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

Mr. Barth, would you like to make a summation?

MR. BARTH: We appreciate your providing us with the courtesy of listening to us and considering our Bill. I'd just like to remind you that the Grey Nuns have been here since 1895 and the Misericordia sisters I believe came in 1906. So we're dealing with two organizations that have proven they are committed to serving the people of Alberta.

Thank you very much.

MADAM CHAIRMAN: Sister Wylie.

SISTER WYLIE: Thank you. I would just like to say that we're doing all this because we hope to improve patient care, care to the people who would come to our facility.

We thank you for your consideration.

MADAM CHAIRMAN: We'd like to thank you for coming before our committee today. As I said, we will be deliberating the Bills at a later date and making a recommendation to the Assembly. We wish you all the very best, and thank you for coming today and taking time out of your very busy schedules to be here. Thank you.

MR. CHAIRMAN: Committee members, may I draw your attention now to Bill Pr. 15, the Victory Bible College Act.

We have with us today Rev. Len Thierman and Mr. Jim Craig. We'd like to welcome you, gentlemen, to the Standing Committee on Private Bills. We are an all-party committee of the Legislature. We're very pleased that you could take time from your busy

schedules to be with us today to present your petition to Private Bills.

[Mr. Craig and Mr. Thierman were sworn in]

MADAM CHAIRMAN: Our normal procedure is that if you have opening comments to make, we welcome those, and then committee members are given the opportunity to ask questions as they pertain to the Bill. I'd like to ask that we proceed now and ask if you have any opening comments you'd like to make to the committee.

MR. THIERMAN: I have nothing.

MR. CRAIG: I have nothing either.

MADAM CHAIRMAN: No comments.

Parliamentary Counsel, have the members filed all the necessary documents and abided by Standing Orders?

MR. RITTER: Madam Chairman, they have completed all the advertising and filed all the necessary documents. The only deviation from Standing Orders was the deadline for submitting all the documents to my office, but in fact the Assembly by resolution has waived that requirement. So presently the petitioners have met all requirements required of them.

MADAM CHAIRMAN: Are there any model Bills?

MR. RITTER: There are no model Bills, Madam Chairman, but this particular Bill was based on a format similar to that of previous Bills of this nature passed by the Assembly.

MADAM CHAIRMAN: Okay. Have the petitioners been sworn in?

MR. RITTER: They have been, Madam Chairman.

MADAM CHAIRMAN: Thank you very much. Would you give us a brief background on the Bill.

MR. RITTER: Madam Chairman, this is a fairly simple Bill in its object in that it intends to incorporate a college. The college does not in any way do anything that is not provided for in public law. The one thing the province of Alberta has traditionally given in terms of degrees to religious-based colleges is the power to offer degrees in divinity. This is a Bill that requests that power, as other religious-based organizations have done in this province. In all other respects it would be subject to public legislation such as the Colleges Act, the Universities Act, that type of thing.

MADAM CHAIRMAN: Thank you very much.

I return to committee members. Mr. McEachern.

MR. McEACHERN: Yes. If I read this thing right, I think you are located in Lethbridge. Is that right?

MR. THIERMAN: Yes, we are.

MR. McEACHERN: I'm wondering if you will be anticipating, or if you do at this time, getting any government funding. If so, what are your obligations under that in terms of teaching curricula that other people could use? Or is this strictly a Bible college?

MR. CRAIG: We do not get any government funding. The funding is raised by private donations or school tuitions. Therefore, we have no government source.

MR. CHIVERS: I see from the preamble that you're presently incorporated and operating under the Societies Act. I wonder if you could tell me briefly why you need this type of incorporation and what impact this type of incorporation is going to have on your activities. What advantages are going to flow as a result of this incorporation?

MR. CRAIG: We need the Bible college Act so we can be a corporate existence, so we can be accredited for ourselves, so we can give out the divinity degrees. We're hoping the difference will be that we can go and spread out into different countries -- India, Africa, Mexico -- that need this type of service.

MR. CHIVERS: Accredited with whom?

MR. CRAIG: At this time we're trying to become accredited so that . . . We're still looking that up, to be perfectly honest. We have no accreditation except through the religious colleges and degrees, and we have to start by becoming a corporation existence in itself.

MR. CHIVERS: But incorporation by private Act is not a requirement for accreditation that you couldn't already achieve under your incorporation with the Societies Act, is it?

MR. CRAIG: That's correct. But the Bible college itself has to be incorporated. That's what we're asking for. The end result, what it's going to give us, is more acceptance as an individual college.

MR. CHIVERS: A more formal status than you presently have.

MADAM CHAIRMAN: Might I interject. Parliamentary Counsel, you wanted to make a clarification?

11:29

MR. RITTER: Yes, Madam Chairman. One thing I found out only since I was handling this committee is that any entities that are incorporated in Alberta under the Societies Act are not recognized in other jurisdictions such as B.C. I didn't realize that. There are a number of jurisdictions across Canada and, of course, elsewhere that do not recognize Societies Act corporations as incorporated societies. That is why we often find that when a society contemplates conducting activities outside the province, it must be incorporated by another vehicle which will be recognized in the other registering jurisdiction.

MADAM CHAIRMAN: Thank you.

I'll come back to you, Mr. Chivers.

Mr. Tannas.

MR. TANNAS: First of all, where are your headquarters? You've got the Victory Churches of Canada International Association. Where are your headquarters (a) in Canada and (b) internationally?

MR. THIERMAN: In Calgary for Canada and for the international offices too.

MR. TANNAS: So it's basically an Alberta organization. I was wondering, what is the total membership in your churches in Alberta and perhaps in Canada?

MR. THIERMAN: Roughly 5,500 to 6,000 people.

MR. TANNAS: How long have you been in existence in Alberta?

MR. THIERMAN: Since May 13, 1979.

MADAM CHAIRMAN: Mrs. Hewes.

MRS. HEWES: Thank you, Madam Chairman. Just a few questions. I'm not familiar with the Victory Bible College. I take it you're near Lethbridge or in Lethbridge.

MR. THIERMAN: Yes.

MRS. HEWES: Could you give me some idea about the numbers of students, whether or not this is a coeducational college? Is it a residential college? I have some other questions, but perhaps you could answer those first.

MR. THIERMAN: Jim is the acting director, and that's why I've let him answer a lot of these questions. So I'll let him answer that one too, if I can.

MR. CRAIG: At present we have 30 full-time students in the Lethbridge one. It's not residential. We have to rent places and go from there. It started with 111 members on a part-time basis, and we've opened it up to full-time, which operates in the morning and work activities in the afternoon.

MRS. HEWES: Madam Chairman, I'm sorry. Thirty full-time students, Mr. Craig?

MR. CRAIG: Right.

MRS. HEWES: Faculty?

MR. CRAIG: We have nine full-time faculty, but we have part-time that come in and help.

MRS. HEWES: Madam Chairman, I take it from the Bill proposed here that you would be granting a divinity degree. Is that the college's sole objective, or do students come to you for part-time training in Bible studies to go on to other kinds of activities?

MR. CRAIG: They come for Bible study training, and then they go into other activities, such as being trained in the medical or whatever field they want. Then they can be sent out from there.

MRS. HEWES: But this Bill would give you degree granting.

MR. CRAIG: Right.

MRS. HEWES: And is that a primary objective of the college that you haven't had before?

MR. CRAIG: Yes.

MRS. HEWES: Madam Chairman, I have some other questions, but perhaps other people need a chance.

MADAM CHAIRMAN: Mr. Bruseker.

MR. BRUSEKER: Thank you. I just want to follow up on granting degrees in divinity. Is this like a bachelor of religious education degree that you'd be granting?

MR. CRAIG: When it's properly set up. Right now we have a first-year certificate, a second-year advanced certificate, and we're hoping to set up in the future a three- and four-year program that would allow us to have a divinity degree.

MR. BRUSEKER: Has permission to confer these degrees already been obtained from the Department of Advanced Education?

MR. CRAIG: No. We're working on that at this present time.

MR. BRUSEKER: So the incorporation itself is not going to determine whether or not you can grant degrees. You could grant degrees under the current structure you have right now under the Societies Act. What you're really looking for is permission from the Department of Advanced Education. Is that not correct? In other words, the incorporation in itself is not required to do what it is you're saying you want to do.

MR. THIERMAN: One of the things we require -- we're not lawyers, but we want to be recognized across Canada, and we won't be unless we are granted this incorporation. We can probably grant a degree now, but it's not recognized outside Alberta.

MADAM CHAIRMAN: Just for clarification. Parliamentary Counsel, is there not a difference between the granting of divinity degrees and the granting of other degrees as it pertains to Advanced Education?

MR. RITTER: Yes, Madam Chairman. The provisions of the Universities Act provide that the Department of Advanced Education will have responsibility for the curricula of programs that grant degrees other than divinity degrees. With divinity degrees, the Department of Advanced Education claims no jurisdiction over these because they are strictly an individual matter for each religious group concerned. So there is no regulation under the public law of Alberta over divinity degrees, only on secular degrees.

MR. BRUSEKER: Just one more question.

MADAM CHAIRMAN: Briefly.

MR. BRUSEKER: Could you tell us about entrance requirements to get into your . . .

MR. CRAIG: We have a registration form which they have to fill out, with a \$30 nonrefundable. Basically there are no requirements. We just take it on an individual basis; we evaluate them at that time.

MR. THIERMAN: It's open to anyone who would like to further their studies. Because they attend our college doesn't necessarily mean they're going to end up in the ministry, but it's a vehicle for them to arrive in the ministry.

MADAM CHAIRMAN: Mr. Chivers.

MR. CHIVERS: Thank you, Madam Chairman. I'm coming back to my original point because I'm still confused. As I understand it, you require incorporation in order to be accredited by some body or someone, and I'm not clear who it is you're seeking to be incorporated with.

MR. CRAIG: We're seeking corporation existence for a higher profile, if you wish, outside Alberta. The accreditation is just for our own personal so that we can give out. Really we don't need the corporation for the accreditation. We need the corporation for -- I know I'm not using the right word -- a higher profile outside Alberta.

MR. CHIVERS: Recognition.

MR. CRAIG: Recognition. Yes.

MR. THIERMAN: Right now you can be accredited in our college, but you're not recognized even in B.C. or Saskatchewan or anywhere else in Canada.

MR. CHIVERS: Just following up on that, then, who is it you would be seeking to be recognized by in these other jurisdictions?

MR. CRAIG: At the present time we're going to take a close look at them before we make our final decision on who it is. But really accreditation will come through who we feel we best fit with, who we can recognize, and who can recognize us with it. That's going to be a whole different process.

MR. CHIVERS: But in essence, other bodies such as your own. For example, you'd be seeking accreditation with your counterparts in other jurisdictions. Is that one of the bodies you would be seeking for . . .

MR. CRAIG: If I have finished going through the Bible college and want to go on to the next school, I can get my credits from this Bible college and that will be accredited to their system so I can further my education, whether it's a master of divinity, a master in counseling, or whatever.

MADAM CHAIRMAN: Mr. Tannas.

MR. TANNAS: Thank you. I want to ask some questions with regard to the nature of the college and your degrees and courses. Are you proposing or do you now have correspondence courses so that people at some distance from Lethbridge can complete the course work?

MR. THIERMAN: No, sir, we don't really.

MR. CRAIG: We have video tapes of the class which we'll send out, and they can take those as correspondence courses. We do not have any other forms of . . .

MR. TANNAS: Okay; video classes.

I'm just wondering: in order to qualify for a degree as you people envisage it, would there be a residency requirement, and if so, what would be the duration of that residency? You talked in terms of a four-year course. You have a first-year certificate and a second-year certificate, and then if you were able to be incorporated under the

Victory Bible College Act, you would be able to issue divinity degrees after the fourth year. Would you propose that you could have correspondence courses and somebody in Guatemala could get a divinity degree from the Victory Bible College in Lethbridge?

11:39

MR. THIERMAN: No. We would require them to have some resident teaching. Now, when I say "some," I would say two years out of the four. I guess the primary purpose of the ministry is your character, not what you know. You know what I'm saying? God always looks at the heart, doesn't he? He doesn't look at what we know in our head.

MR. TANNAS: One more?

MADAM CHAIRMAN: One more.

MR. TANNAS: What kinds of fees do you charge? You mentioned that you charge \$30 for the application. What would be the tuition fees for a typical year? Say somebody had completed the first year of your curriculum. What would he or she have paid in tuition fees and fees supporting the professors and that kind of thing?

MR. CRAIG: Seven hundred dollars would be the tuition fee for a full year, and a student fee of \$50, which includes calendars and the graduation banquet and different functions like that.

MR. TANNAS: Thank you.

MADAM CHAIRMAN: Mr. Ewasiuk.

MR. EWASIUK: Thank you, Madam Chairman. Do you have any affiliation or contact with organizations outside Canada; the United States, for example?

MR. THIERMAN: We have established a Bible college in Kisumu, Kenya; in India; and here. We established churches in other provinces -- Saskatchewan, for example, but that's our affiliate.

MR. CRAIG: We are not affiliated with any religious organization outside Canada or in Canada. We are our own organization under the Victory Churches of Canada International. We are asking for our corporation to be a training arm of that. Is that your question?

MR. EWASIUK: I was just wondering if you had affiliation with some groups outside Canada.

MR. CRAIG: No.

MR. EWASIUK: Thank you.

Are your instructors qualified teachers as we understand teachers to be qualified?

MR. THIERMAN: Yes, we get our instructors from proven ministry. There again, the Bible says you judge a tree by its fruit.

MR. EWASIUK: Perhaps I don't understand the intent of the Bible school. So you don't teach academic courses. It's strictly religious.

MR. THIERMAN: Yes, biblical classes.

MR. EWASIUK: Okay. So the students coming here are from academic schools somewhere else and come for their religious training.

MADAM CHAIRMAN: Mrs. Hewes.

MRS. HEWES: Thank you, Madam Chairman. I have three questions, one that I asked before and I think we forgot. I understand that there are no academic requirements whatsoever for entrance, that it's an open application but somebody decides whether an applicant is suitable.

MR. CRAIG: Yes; there is no academic. They may have dropped out of school at 10 or been out of school for 25 years. They are allowed to make application.

MRS. HEWES: But in the sense that somebody decides whether or not I can get in, it isn't an open application. That is, there's a decision made someplace, and there are some criteria for entrance then.

MR. CRAIG: As far as criteria, we have no academic criteria. We will ask for their religious understanding and have the criteria basically built on that. They may have been studying the Bible for one week, 10 years. We just want to know a little bit about them. Our application is more for our knowledge than for academic understanding really.

MRS. HEWES: Madam Chairman, the other two questions. Is it coeducational? Do you take women as well as men?

MR. CRAIG: Yes, we do.

MRS. HEWES: In any particular balance.

MR. CRAIG: No. They apply. We have not turned down anybody to the best of my knowledge. It's not a 3 to 1 split or anything.

MRS. HEWES: So it would be your intention to grant degrees in divinity to women as well?

MR. CRAIG: Oh, yes.

MRS. HEWES: Thank you. The other question, Madam Chairman. Perhaps the applicants could tell us where their graduates are now, in Alberta or elsewhere in the west or in Canada. Where are they practising: where there are Victory church congregations?

MR. THIERMAN: We've established approximately 15 churches across Alberta and Saskatchewan, and a lot of our graduates work throughout those churches. A lot of people who would attend a facility like we're asking for sometimes are there for a limited time. They might only want to increase their knowledge and become church workers. So basically they're throughout our own organizations. Some are in others too. I could get into details there, if you would like.

MRS. HEWES: Thank you.

MADAM CHAIRMAN: Mr. McEachern.

MR. McEACHERN: Yes, I want to follow up that same line a little bit. You were talking about being able to give degrees in divinity so you would be able to qualify for accreditation. I want to relate that to the training of your teachers, your instructors. You mentioned 15 schools in Alberta and Saskatchewan. Are you talking about just within your own group, or are you thinking that somebody who completes your training at Lethbridge, for instance, might decide to go on to some other organization outside your 15 institutions? Are you talking about just within your own institutions?

MR. THIERNAN: We would like them to be accredited when they leave our school so they could join virtually any institution in the religious group.

MR. McEACHERN: But only within your group.

MR. THIERNAN: No, outside the group too. Any group.

MR. CRAIG: They may come to our college and decide to go to fuller theology and be in a different religious background. They would have accreditation so that our credits could be given to them. They can take ours and go to any other religious belief.

MR. McEACHERN: In other words, they might decide to go to B.C. and join some other religious group there, or they might come up to the University of Alberta and take theology under Catholic doctrines or something if it's taught at the University of Alberta. Okay; thank you.

MADAM CHAIRMAN: Mr. Chivers, briefly.

MR. CHIVERS: Very briefly, Madam Chairman. Perhaps this is more a question for Parliamentary Counsel than to the petitioners, but the petitioners may be able to assist us on it. I appreciate that the last section of the Act provides that this Act is "subject to the general laws of the Province," but there's an express provision in section 7(1)(a) with respect to appointing and removing staff and fixing salaries and benefits of staff and employees. I'm wondering what impact that might have on the public law concerning collective bargaining.

MR. RITTER: Madam Chairman, we have had a number of Bills before the Private Bills Committee for which this was a relevant question. In fact, the Interpretation Act again -- always the Interpretation Act -- provides that unless a private Act specifically declares that notwithstanding a public law in force, certain things shall be carried out. If it doesn't specifically exempt itself from the operation of public law, it is interpreted to be consistent with the public law.

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

Well, I'd like to thank you very much for coming before us. Do you have any closing comments you'd like to make to committee members?

MR. THIERNAN: No, I think we've said it. We thank you very much for your time and for including us today.

MADAM CHAIRMAN: Well, thank you very much for appearing.

Committee members, I think we've had a very busy and industrious day today. I would entertain a motion for adjournment. No? Other business, Ms Laing?

11:49

MS M. LAING: I believe that during the first petition there was a suggestion that we deal with the issue of the natural father being contacted. I do not remember a decision being made in regard to that matter and if, in fact, it was the desire of this committee that that father be contacted. That should be decided now, so it can be done swiftly.

MADAM CHAIRMAN: If I might, there are some members that were not present when that petition for adoption came forward. The proper advertising in accordance with Standing Orders had been complied with. There were extenuating circumstances as to why there was not a continuation of a relationship between the young lady and the natural or biological father. And there was a proposal presented that we deal at a later time in committee with the concept of counsel contacting the natural father that the petition for adoption had been put forward.

That explanation is only for the benefit of committee members that were not present at the time. We did say we would deal with this at a later time. Are you entertaining a motion, Ms Laing?

MS M. LAING: I would suggest we deal with it now.

MR. TANNAS: Just go and make a motion.

MADAM CHAIRMAN: I'm asking you: do you have a motion?

MS M. LAING: I thought maybe the motion could deal with the matter of whether or not to contact the natural father. I can't remember the name at this time.

MADAM CHAIRMAN: Are you making a motion to make that contact or not to make that contact?

MS M. LAING: To make a decision about it. I would move that we do not contact, that no extraordinary measures be taken to contact the natural father.

MR. GESELL: That's a negative motion, Madam Chairman. It's out of order.

MADAM CHAIRMAN: I'm sorry. Parliamentary Counsel tells me it is not out of order.

Is there any discussion? Mr. Thurber.

MR. THURBER: Madam Chairman, while I agree with the focus she's trying to bring on this, this young lady is over 18, and I support her motion to not contact. But as the other member has said, that's a negative motion, and I think we should just leave it alone. Parliamentary Counsel has advised us that all the qualifiers have been in place. I think we should just leave it alone. Let's not make an issue. Just leave it alone.

MR. RITTER: In fact, if I'm not under an obligation by a motion of the committee, then I will do nothing. We don't even need a motion if the thing is for me to just sit back.

MADAM CHAIRMAN: Is it the wish of the committee that we do nothing with it and leave it as is?

HON. MEMBERS: Agreed.

MADAM CHAIRMAN: Agreed. Thank you very much.
Can we entertain a motion for adjournment?

HON. MEMBERS: Yes.

[The committee adjourned at 11:52 a.m.]