

Standing Committee on Private Bills

9:07 a.m.

[Chairman: Mr. Renner]

MR. CHAIRMAN: Good morning, everyone. I'd like to call this meeting to order. We've got a fairly lengthy agenda, and I think we should get started. Everyone has a copy of the agenda; could I have a motion to approve? So moved by Mr. Yankowsky. All in favour?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Carried.

You also should have a copy of the minutes from our meeting of September 15, the organizational meeting. I need a motion to approve the minutes of that meeting. Mrs. Fritz. All in favour? Carried.

Before we bring our first witnesses in, I would like to first of all thank you all for being here on time this morning. With the earlier time, I think it's incumbent upon everyone that we get here because we do have a fairly lengthy agenda, and I think we are going to be pushing for all we have just to get through the agenda.

Just a bit of a note from the previous meeting. I indicated last week that I would like everyone to address their comments through the chair, and I would like to reiterate that comment again today. If you would like to speak, please feel free to do so, but if you would catch either my attention or the attention of Ms Marston, then we'll put your name on a list and call. Otherwise, the meeting gets a little bit out of order, and I prefer to have it a little bit neater.

I think that unless anyone has any questions on procedure today, we're about ready to start.

MR. KIRKLAND: Mr. Chairman, what did you determine as a number as far as quorum is concerned? I ask that in respect of the fact that there may be a need to leave.

MR. CHAIRMAN: A quorum is one-third. There are 21 on the committee, so that would be seven.

Just before we begin, there are two other areas on procedure that I'd like to cover. When we have our petitioners here, my plan is to let them address the committee with any presentation they have and then open up the floor to questions from the committee. Today we're dealing with three sets of petitioners. For the convenience of the petitioners more than anything else, I would like to deal with our discussion regarding any decision that we make after we've heard from all three, rather than bring them in and discuss and then bring the next one in. It's just so they don't have to wait all morning long.

Mr. Work would like a word just before we start as well.

MR. WORK: I don't have anything very much to add to what the chairman has said. The bottom line for you on the committee is that you just want to satisfy yourselves from what you hear from the petitioners and what you ask them that it's an appropriate matter to recommend to the Assembly that a private Bill go forward. That's the threshold, your satisfaction that this is an appropriate thing to do. Other than that, there are no rules. In your questions and in terms of what the petitioners tell you, you're the judges.

MR. CHAIRMAN: Mrs. Fritz.

MRS. FRITZ: Thank you, Mr. Chairman. Is there a motion, then, that's made while the people are still here that that's what's going to happen? Is there a recommendation made while they're still here that it go forward?

MR. CHAIRMAN: No.

MRS. FRITZ: No. So how do the people learn what the decision of the committee is? Is the final decision made and voted on?

MR. CHAIRMAN: Yes, it is. Then the petitioners are advised when that decision is made.

MRS. FRITZ: Do we do that in camera after?

MR. CHAIRMAN: Well, the final decision has to be made on the record, but the discussion can take place in camera.

MRS. FRITZ: I guess I'm looking for the outcome. What is the final motion? Is it that it's a recommendation that . . .

MR. WORK: You have three choices: recommend the Bill, not recommend the Bill, or recommend the Bill with amendments. All of those recommendations are to the Assembly.

MRS. FRITZ: Okay.

MR. WORK: So those are your three choices: recommend, not recommend, recommend with amendments.

MRS. FRITZ: And for that we need not unanimous approval but just a majority? Okay. Thank you.

MR. CHAIRMAN: Mrs. Gordon.

MRS. GORDON: Yes, Mr. Chairman, but from this meeting today, do these people know whether it's going forward to the House or whether it isn't going forward to the House? Do they know the recommendation here?

MR. CHAIRMAN: Not necessarily today. We may not make our decision today.

MR. WORK: Our office will advise them on behalf of the committee.

MR. CHAIRMAN: Mr. Sekulic; right?

MR. SEKULIC: That's right. Mr. Chairman, will we be going in camera at the end of the three groups that come through and then decide on it group by group in camera and then, for the record, come out of camera?

MR. CHAIRMAN: That's up to the committee. It may or may not be necessary that we go in camera for that discussion. If the committee feels it's a sensitive matter that should be dealt with in camera, then I would ask someone from the committee to make a motion to go in camera. If it's not a sensitive matter, then there's no need to go in camera for the discussion.

MR. SEKULIC: The only reason I raise that question is that then the participants or those that are putting forward the Bill could be seated in the Assembly and hear the results if we don't go in camera.

MR. CHAIRMAN: Well, there again, it's up to the committee. I'll probably try and give some direction from the chair when we get to that point.

MR. SEKULIC: Thank you.

MR. CHAIRMAN: Any other questions at all on procedure matters? If not, then could we have our first petitioners in?

MR. JACQUES: Is it possible to move that plant?

MR. WORK: Absolutely.

MR. JACQUES: Thank you.

[Mr. and Mrs. Hoevers were sworn in]

9:17

MR. CHAIRMAN: All right; thank you, Mr. Reynolds. The witnesses have been sworn in.

At this time I would like to introduce everyone to the committee, and I would also like the committee to introduce themselves to you. We try and keep it as informal as possible. The surroundings, of course, don't really dictate a very informal proceeding. I think it's important that everyone understand the procedure of the committee. This is an all-party committee. There are members from both sides of the House, government as well as opposition, on this committee. For the most part, it's one of the most nonpartisan committees we have here in the Legislature. I think everyone is here to make a decision that they feel in their own mind is the correct decision. We ask that you present to us your case, explain to us why it is that you're asking us to do what you're asking, and then be prepared to answer some questions from the committee members.

For the benefit of the committee members, then, we have Valerie Land with us this morning, Mr. and Mrs. Hoevers, who are the petitioners, Karen Poor Eagle, and Nardo Hoevers. I would ask that the committee members introduce themselves so that everyone has an idea who is here. We'll start with Mrs. Gordon.

MRS. GORDON: Good morning. Judy Gordon; I represent the Lacombe-Stettler constituency.

MR. SEKULIC: Good morning. Peter Sekulic.

MR. JACQUES: Good morning. Wayne Jacques from Grande Prairie-Wapiti.

MR. YANKOWSKY: Good morning. Julius Yankowsky, Edmonton-Beverly-Belmont.

MR. BENIUK: Andrew Beniuk, Edmonton-Norwood.

MR. HERARD: Denis Herard, Calgary-Egmont. Welcome.

MR. KIRKLAND: Good morning. Terry Kirkland, Leduc.

MR. AMERY: Good morning. Moe Amery, Calgary-East.

MR. HLADY: Mark Hlady, Calgary-Mountain View.

DR. OBERG: Lyle Oberg, Bow Valley.

MRS. FRITZ: Hi. It's Yvonne Fritz from Calgary-Cross.

MR. PHAM: Hung Pham, Calgary-Montrose.

MR. CHAIRMAN: We met earlier this morning. My name is Rob Renner. I am the MLA for Medicine Hat, and I'm also chairing this committee.

MRS. SOETAERT: Sorry.

MR. CHAIRMAN: Mrs. Soetaert, we're just in the process of getting started with our witnesses. Everyone has just introduced themselves, so if you would do so, then we'll get started.

MRS. SOETAERT: I'm Colleen Soetaert from Spruce Grove-Sturgeon-St. Albert.

MR. CHAIRMAN: Okay; the procedure is now: you have petitioned our committee and asked us to recommend to the Legislature that your proposed Act be passed. I guess this is the opportunity for you to explain to the committee why you feel it's necessary for this Act to be passed.

MR. HOEVERS: Members of the committee and Mr. Chairman, thank you for taking some time for us. I have nothing really prepared, so what I say really comes from the heart. Karen has been a part of our family for many, many years. The opportunity to adopt her as a child never arose; she was never free for adoption. She's been a daughter to us, she's been a sister to us, and we've tried to do our best to be parents to her. Karen has asked that we formalize that relationship and give her our name, and we would really, sincerely like to do that.

MR. CHAIRMAN: Thank you.

Mrs. Hoevers, would you like to add anything?

MRS. HOEVERS: No, but I'm open to answering questions if anyone wants to ask any questions.

MR. CHAIRMAN: Fine. Thank you.

MRS. HOEVERS: I'll just break down. It's been a long time coming for us.

MR. CHAIRMAN: Well, actually, I must apologize on behalf of the Legislature. I'm sure you're aware of the problem that ensued with the election being called and everything being delayed. This process should have taken place a while ago. We were unable to do so simply because of the fact that the election was called and we weren't sitting, and this committee only sits when the Legislature is sitting. So our apologies for that. I'm sure you can understand that we tried to do the best we could to get it on as early as we could.

Does anyone on the committee have any questions at all? Mr. Amery.

MR. AMERY: Thanks, Mr. Chairman. I have a question for Mr. Hoevers. He said that she wasn't free for adoption before that. My question is: how long has she been living with you, and what is the relation between Karen and Nardo?

MR. HOEVERS: The relationship between Karen and Nardo, to start from the back, is a brother and sister relationship but not genetically. They've always thought of themselves as brother and sister.

Karen lived with us sporadically through the years. Karen was actually a foster child in my wife's former marriage. In 1980 my

wife and I came together, and Karen then became a member of our extended family. She's come through our home on various occasions and has always been in touch with us, and as far as we're concerned, she's our daughter. As far as she's concerned, this is her mother, and we're her parents.

MR. AMERY: So she's been living with you continuously since 1980, or sporadically?

MR. HOEVERS: Sporadically. She's an adult now, and she lives on her own at this point, and she has for several years.

MRS. HOEVERS: Maybe I could enlighten you a bit. Karen came to live with me as a foster child when she was just about five years old, and lived with me for four years. When my first marriage broke up, she was a temporary ward. Social services would not allow me to take three foster children. I could keep the baby, which is this little guy over here, but I could not keep the two older children. They would not allow me, as a single parent, to have three foster children, so Karen and her sister had to go into another foster home. We had contact for a short while, but it was interfering too much with their life, so I wasn't allowed to see them any longer. Karen and her sister had a very difficult time, and they ended up on their own. Karen was about 14 years old, and they contacted me again and came back into our lives at that time. Since then, you know, she's been back and forth home, lived with us for a while, out on her own. But she was a temporary ward from the age of four until she was 17 years old.

MR. AMERY: One more question, Mr. Chairman. I know she's an adult; she's over 18. What's the exact age of Karen?

MRS. HOEVERS: Twenty-two.

MR. AMERY: Thank you.

MR. CHAIRMAN: Thank you, Mr. Amery. Does anyone else have any questions?

Mr. Jacques.

MR. JACQUES: I was wondering if it is appropriate to ask Karen a question.

MR. CHAIRMAN: Certainly. It's no problem; she just needs to be sworn.

[Ms Poor Eagle was sworn in]

MR. JACQUES: Thank you.

Karen, this Act obviously involves you more than anybody else or equally as much as anybody else, and I just wanted to know how you feel about it.

MS POOR EAGLE: I feel good about it. I'm happy it's finally happening. It will make me feel whole.

MR. JACQUES: Thank you, Karen.

MR. CHAIRMAN: Mr. Jacques, do you have any further questions?
Mrs. Gordon.

MRS. GORDON: Thank you, Mr. Chairman. I was just wondering if I may ask Mr. and Mrs. Hoovers if they have any other children.

MRS. HOEVERS: We have six children, a so-called blended family. We lost a daughter, Karen's older sister. She died five years ago. Tony has three children; they're all adults. This is the youngest one and the last one at home.

MRS. GORDON: Thank you.

MR. HOEVERS: And we have eight grandchildren.

MRS. HOEVERS: The ninth one's on the way.

MR. CHAIRMAN: Any further questions?
Mrs. Fritz.

MRS. FRITZ: Thank you, Mr. Chairman. It's to apologize, really, for the bureaucracy that you seemingly have to go through with the Act, the way it's written and to be here today, but I admire you for that, for pursuing it.

I'm interested in the cultural area. I know with what I've read that there's encouragement for people from either the aboriginal culture or Metis culture to go back to their own culture and have some cultural sensitivity that occurs. Has there been opportunity for that at all over the years, or continuing?

MRS. HOEVERS: We've made the opportunity for our children. Our son is actually quite traditional. He's a native drummer and singer, and they go to powwows, and they have native friends. We have native friends as a family, and we go to ceremonies and so on. That's always been a part of our family life.

MRS. FRITZ: Thank you. That helps me with my decision too, so thank you. Good for you.

9:27

MR. CHAIRMAN: Any other questions from the committee at all?

Well, if there are no further questions, we thank you for coming. The procedure is that this committee will discuss the various elements in the Act, and then we'll recommend to the Assembly that the Bill either proceed or not. You will be advised by Parliamentary Counsel as to our decision. We thank you for coming this morning. You will probably be hearing from Parliamentary Counsel shortly. Do you have any final comments that you'd like to make to the committee before you leave?

MR. HOEVERS: I would like to say one thing. I would like to thank Valerie Land for all the support she's provided to our family, to Karen and ourselves, both in this instance and previously.

MR. CHAIRMAN: Thank you very much.

If you want to follow along with your agenda, the next petition to be dealt with, then, will be Bill Pr. 2, the Youth Emergency Services Foundation Amendment Act.

While we're waiting for the next group to come and be sworn in, there was a suggestion from the committee last time that we have name tags available for the desks of the committee members. I advised at that time that I felt it was a good idea and would attempt to have them. Florence has started working on the project. It's just that we haven't quite figured out a way to affix them to the desks at this point. Hopefully by the next meeting we should have some kind of arrangement made whereby you will have name tags. Probably what I would propose is that everyone keep their name tag with their material and bring it with them each time they attend a meeting.

MR. PHAM: When we attend caucus meetings, we have the name tags. If we can prepare name tags in a similar fashion, then they can be used here as well.

MR. CHAIRMAN: Yeah. I think they would be along that line, Hung. The problem here is that we can't cover up the microphones on top of the desks, so whatever we have, it has to be affixed to the front of the desk.

MRS. GORDON: Mr. Chairman, I would recommend that we just use something like that. Certainly it's very cost effective.

MR. CHAIRMAN: Well, I don't think they'll be much more elaborate than that.

Just before the next petitioners come in, Mr. Work has just advised me that we set almost record time in the House yesterday in getting these Bills processed, my report and the Bills. I certainly appreciate the co-operation of everyone who presented the Bills. It went very quickly and very efficiently yesterday. Thank you, once again.

Good morning, gentlemen. I'd just like to welcome you to our committee this morning. This is the Private Bills Committee. I'm going to have Parliamentary Counsel swear you in, and then we can get started.

[Mr. Bowker and Mr. Lapointe were sworn in]

MR. CHAIRMAN: Please be seated.

As you can see, we have two representatives with us this morning from the Youth Emergency Services Foundation, Mr. George Bowker and Tom Lapointe. Gentlemen, it's customary that the committee have an opportunity to introduce themselves to you. Just as a little bit of background information, our committee is composed of members from both the opposition and the government side of the House. People are here to make decisions based on what you have to tell us today and what you have submitted to us already in writing. The normal procedure would be that you would have an opportunity to address the committee, advising us of your concerns, some of the reasons why you're asking us to pass the Act, and then the committee will have an opportunity to ask questions of you.

Just before we get started, then, could I have the committee members please introduce themselves. We'll start with Mrs. Gordon.

MRS. GORDON: Good morning. Judy Gordon, Lacombe-Stettler.

MR. SEKULIC: Good morning. Peter Sekulic, Edmonton-Manning.

MR. JACQUES: Good morning. Wayne Jacques, Grande Prairie.

MR. YANKOWSKY: Good morning. Julius Yankowsky, Edmonton-Beverly-Belmont.

MRS. SOETAERT: Hi. I'm Colleen Soetaert, Spruce Grove-Sturgeon-St. Albert.

MR. BENIUK: Andrew Beniuk, Edmonton-Norwood.

MR. HERARD: Denis Herard, Calgary-Egmont. Welcome.

MR. KIRKLAND: Good morning. Terry Kirkland, Leduc.

MR. AMERY: Moe Amery, Calgary-East.

MR. HLADY: Hi there. Mark Hlady, Calgary-Mountain View.

DR. OBERG: Lyle Oberg, Bow Valley.

MRS. FRITZ: Hi. Yvonne Fritz, Calgary-Cross.

MR. PHAM: Hung Pham, Calgary-Montrose.

MS LEIBOVICI: Karen Leibovici, Edmonton-Meadowlark. Good morning.

MR. CHAIRMAN: We met earlier this morning. My name is Rob Renner, and I'm the chairman of the committee. I'm the MLA for Medicine Hat, by the way.

I'm not sure who wants to go first. If you're more comfortable sitting, it doesn't matter; either way.

MR. BOWKER: Thank you, Mr. Chairman. I think what I would like to do is to very briefly outline the nature of the presentation we hope to make to you this morning. Then I'll ask Mr. Lapointe, really, to give the evidence and answer any questions you may have, and I'll assist him as may be necessary.

If I might, gentlemen, I have here with me -- and this may be of some assistance as we go along this morning -- a number of brochures that relate to the mission and the function of our foundation. As I said, that may be of some assistance as we go along this morning. As far as the formal parts of this application documentation are concerned, we have a letter from Parliamentary Counsel's office saying it's all in order, so I don't assume that's anything that needs to be addressed right now. The sponsor of the Bill has changed over the course of the last number of months, and now it's Mr. Grant Mitchell.

As far as the background of the organization itself is concerned, originally it was associated with the Youth Emergency Shelter. Those of you from the Edmonton area I think will be familiar with that particular organization, but for those of you who are not, it's a society that operates basically a shelter for troubled youth on the south side of the city. As far as the objects and the current function of the foundation itself are concerned, I think I'll let Mr. Lapointe deal with that in a few moments in more detail.

9:37

The amendments to the Act that we are seeking this morning, ladies and gentlemen, I think can be summarized in two categories. They are basically minor administrative changes that will make it easier for us to function as we go along, and the second, and I think from our perspective the most important amendment to the Bill, really relates to ongoing conformance with the Income Tax Act so we can maintain our charitable status for tax purposes. That really summarizes all that we are seeking.

What I would like to do now, ladies and gentlemen, is turn a further explanation of the matter over to Mr. Lapointe. He will tell you more detail about the foundation itself and as well deal in detail with the amendments we are seeking.

Mr. Lapointe.

MR. LAPOINTE: Thank you, George. My name is Tom Lapointe. I'm the director of the Youth Emergency Services Foundation. Just to repeat maybe a little bit of what George has said, the foundation was originally incorporated under the laws of the province of Alberta by the Youth Emergency Services Foundation Act, which was assented to in June of 1985. It is a public foundation under paragraph 149 of the Income Tax Act of Canada. The objectives of the foundation are as follows:

to receive gifts, donations, bequests and grants and other property from any source whatsoever. It is to act as a charitable foundation, and it is to promote services to troubled youth and their families and to help in overcoming crisis and dysfunction of troubled youth and their families. It's there to promote community awareness of the problem of troubled youth and to encourage involvement in the resolution of those difficulties, and it is also to contribute funds as the Foundation may deem appropriate to other charitable organizations which have purposes similar to those outlined that I've already stated.

The foundation does not in itself provide any services. It simply assists other groups who are in a position to provide those services. The key is emergency nature services. We do not provide operating money to any of these service groups. We simply provide special funding for either capital projects or special one-time types of programs they would like to develop that they feel will benefit troubled youths in an emergency-type situation.

In the past we have provided funding to the Youth Emergency Shelter here in Edmonton, but also we have contributed to other organizations that either wanted to start up a similar facility or found themselves with an idea for a program that they felt would be very beneficial, and because we also agreed with the importance or value of that program, we contributed money to develop it or get it started. In addition to, as I say, the shelter, over the past number of years we have contributed to the Youth and Volunteer Centre of Red Deer, to the Lethbridge YMCA to start a program, really community wide. It wasn't a program the Y was going to do themselves, but to get a number of people to put together a program similar to the shelter here and also the Sexual Assault Centre in Edmonton. When their funding programs changed, they needed some assistance to launch, in effect, a funding program, and we contributed to that. The key here is support for groups of an emergency nature, and the purpose must be to benefit troubled youth, and it is throughout Alberta.

MR. CHAIRMAN: Thank you very much.

MR. BOWKER: I suppose, Mr. Chairman, we could really divide this into two sections. If anyone has any questions now with respect to the background of the foundation, we'd certainly be pleased to answer those, or we could just finish our presentation in the sense of going through the specific amendments and, as we see it, the reasons for them and then invite any questions or comments anyone might have.

MR. CHAIRMAN: I think I'd prefer that. Why don't you go through the amendments and explain to the committee why you feel they are required?

MR. BOWKER: Very good, sir. All right, ladies and gentlemen, what we'll do then is start off and go through the amendments one by one. I trust you all have had an opportunity to review the draft Bill that has been prepared by the office of Parliamentary Counsel based on our submissions.

Mr. Lapointe, if you can just deal with each of the sections and the amendments that are proposed and the reasons for them as we see them, please, starting with the existing paragraph 5(a).

MR. LAPOINTE: In the original Act that was passed in 1985, section 5(a) reads:

to appoint an Executive Director and such other employees as may be necessary to conduct the daily [activities] of the Foundation.

Our amendment is to add "and pay" to "to appoint." That's simply a clarification. We currently do not have an executive director, but if at some point in the future we have one, then it clarifies that the foundation does have the authority to pay its hired employees.

MR. BOWKER: All right. If we can go on then, please, Mr. Lapointe, to paragraph 6(1)(c).

MR. LAPOINTE: Again, the original Act starts off in section 6(1): Without the unanimous approval of the Board the Foundation shall not:

- (c) expend during any fiscal year for any purpose more than
 - (i) half of the receipts received by way of gifts, donations, bequests or grants during any fiscal year, and
 - (ii) all of the net income earned from its investments during any fiscal year after making adequate provisions for any losses that may have occurred during the fiscal year.

The difficulty with this particular section of the old Act is that it is inconsistent with the requirements of Revenue Canada. This Act says that we cannot hand out more than half our donations received, whereas Revenue Canada requires you to pay out 75 or 80 percent. It changes from year to year. It's a case where we're between the devil and the deep blue sea here; we're going to be upsetting one party one way or the other. The other is that Revenue Canada requires that you contribute a minimum percentage of your income earned, not all. It's 50 percent of your income earned that Revenue Canada requires. So we have a technical problem here in terms of a conflict between our Act and Revenue Canada's requirements. Also, there's the ongoing reality that Revenue Canada changes its requirements from time to time.

What we're proposing is that that be amended to simply read in (c):

- expend during any fiscal year for any purpose more than the minimum amount required from time to time by the Income Tax Act (Canada) to enable the Foundation to preserve its status as a registered charity.

It would then make our Act compatible with the other regulatory agency we have to comply with.

MR. BOWKER: If I might just add to that as well. Certainly the concept we're seeking to have inserted in our Act is as Mr. Lapointe has explained in the reasons for it. The drafting of the amendment itself we certainly ran by Parliamentary Counsel and got -- I don't know if I'd say okay -- at least his assent or perhaps even approval on that particular wording to accomplish the purpose we're seeking to fulfill here.

All right then, Mr. Lapointe, if we could go on then, please, to section 7(1) of the existing Act.

9:47

MR. LAPOINTE: Before I get into 7(1), may I add a little bit of the background? The Youth Emergency Services Foundation was a body formed by the Edmonton Youth Emergency Shelter Society, and their original purpose was to form a foundation that would raise funds or at least hold funds for the benefit of the shelter, to meet its longer term objectives or developmental requirements. Over the years the foundation's role in association with the shelter has evolved into something quite different than it originally was created as. It is now a foundation that is Alberta-wide in its support and promoting the kinds of services and facilities that the shelter does here. That's now the role it really has evolved into.

Because it originally was formed as a shelter extension, section 7 of the original Act required an interlocking board membership. Now that the foundation has evolved into something that's completely independent of the shelter, the recommendation is to amend this section and have it so that

7(1) The Foundation shall be composed of a minimum of 5 persons and a maximum of 9 persons appointed by a majority vote of the members of the Board,

which eliminates the sort of interlocking and mandatory association with the shelter so it can operate completely independently.

MR. BOWKER: Okay. Could you pass on then, please, to the amendment to section 8? I think the background is basically the same. If you might just outline that briefly for us, Mr. Lapointe.

MR. LAPOINTE: Again, this is tied to the original structure of the foundation. We are now asking that that particular section be amended by eliminating the references to the shelter and the tie-in and sort of matching what the shelter does and establishing that "the term of office of members of the Board shall be for 3 years." That's it. It's not referred or tied to whatever the shelter decides is the term of office for its board.

MR. BOWKER: And then the final section, 16(2,) of the existing Act.

MR. LAPOINTE: Again, this is really a housekeeping order to establish the foundation's right to establish its own fiscal year so it's not obligated to be tied to the shelters. No change is contemplated. Again, it's just a housekeeping matter.

MR. BOWKER: Those are the amendments, ladies and gentlemen, that we would very much appreciate if the committee could approve for us. Again, we see them basically as minor. Let's call them housekeeping amendments in order to enable the foundation to carry along efficiently in the circumstances it now finds itself in and, as well, to comply with the Income Tax Act as it may be changed from time to time so we can preserve our charitable status. That's all there is to it.

MR. CHAIRMAN: Well, thank you very much, gentlemen.

It is the prerogative of the Chair to ask some questions, and I do have one that I would like to ask before I turn it over to the committee. The last two or three amendments really are creating a separation between yourselves and the society that was the original sponsor for the foundation. I'm wondering: do we have any indication from the society whether they are in favour of this further separation?

MR. BOWKER: Mr. Chairman, of course, this was something the board of the foundation was concerned about and addressed through the president of the foundation with the society. I'll let Mr. Lapointe give the evidence with respect to that matter.

MR. LAPOINTE: Ary DeMoor is the president of the foundation, and he has long-established ties with the shelter. He has discussed it with them, and there is a minute in their board minutes approving this request for complete separation.

MR. CHAIRMAN: Okay. Thank you.
Mr. Herard.

MR. HERARD: Thank you, Mr. Chairman. While I understand what you've just said, I want to know why it's desirable for the foundation to operate completely separately.

MR. LAPOINTE: The main benefit is that the shelter is focused on their own activity here in the city of Edmonton. The role of the foundation is to try and take that as a separate initiative so it's not

preoccupied with the shelter's priorities, which are numerous, and use the foundation as a group that can promote this type of service throughout the province rather than have it just sort of focused here in Edmonton.

MR. CHAIRMAN: Thank you.

Mr. Hlady, and I have Mrs. Fritz. Is there anyone else who wants to go on the list?

MR. HLADY: Thank you, Mr. Chairman. I'm excited to see a foundation working toward the family unit. Most of your funding has been through charitable gifts and bequests. Out of curiosity, has there been any time in the past or present that there's been funding by the government for the foundation?

MR. LAPOINTE: No, sir.

MR. HLADY: None?

MR. LAPOINTE: None.

MR. HLADY: Thank you very much.

MR. CHAIRMAN: Mrs. Fritz.

MRS. FRITZ: Thank you, Mr. Chairman. I'm just having thoughts here that this is a more dramatic change than what we're hearing in the sense of where it will leave Edmonton in regards to -- as you said, it would be a separation and change in focus, et cetera. You're talking about appointing or hiring an executive director and paying them. Perhaps you can ease that feeling for me. I'm sitting here with the feeling that this is a change . . . You know, I understand the change in regards to accountability with the different Acts and the income tax, et cetera, but perhaps you could just elaborate a bit that that's not going to affect Edmonton in that way.

MR. BOWKER: If I understand your question correctly, I think it focuses, firstly, on the status of an executive director within the foundation's organization and, secondly, whether or not the needs of Edmonton would be treated perhaps with the same abilities they had previously. I think I'll let Mr. Lapointe speak to those.

MRS. FRITZ: Especially in regards to the shelters, because I have a feeling what's going to happen by what you're saying is that you'll be a foundation that takes care -- you know, even further south than Red Deer -- of Albertans, as you're indicating and is written in the book. In regards to the shelters, for example, just by what you're saying, I can see them having to set up another foundation and needing to be looked after.

MR. LAPOINTE: No. The idea is that the shelter itself stay as an example, as a model, here in Edmonton and have its own society which raises funds and provides the organizational vehicle, in effect, to deliver that service. The role of the foundation is primarily to try and encourage similar societies to be formed in other communities in Alberta to provide similar services, not exclusively shelter services but any kind of service that facilitates or assists troubled youth and their families. The experience is gaining that there's a lot of benefit in working with the family unit as opposed to just the individual troubled youth. As an example, since the foundation has been operating, in 1990 we contributed \$4,800 to the shelter. This year we contributed \$15,000 when they started the START House. Prior to opening day, they just didn't have the resources to put the beds in, to buy the dishes, the kitchen chairs. They had a building

but no furniture. So on an emergency basis we contributed \$15,000 in order to get the doors open and have a place for people to sleep that opening night.

We've also contributed money to a group in Red Deer to develop a society that would offer this similar type of service, and one in Lethbridge as well. Also, last year we contributed money to the Sexual Assault Centre, because when the provincial funding arrangements changed -- I'm just giving you an example -- they were being paid a fee for providing counseling services to some of their clients, but if those clients weren't part of the social services net, their fee was curtailed. In order for them to make other arrangements to set up a fund-raising program, they needed this money just to survive for that period.

9:57

We always stress with people that we are not an organization that will provide operating money. We can't be relied upon; we really don't have a reliable enough fund-raising mechanism to be able to generate moneys on a regular basis so we can contribute to people on a regular basis. It's a very ad hoc program that we run. What we pay out is certainly dependent on what we can raise, which I suppose is self-evident, but the uncertainty of our ability to raise funds has been, in effect, somewhat limited by our association with the shelter.

MRS. FRITZ: That's the sense I'm having of what you're saying.

MR. LAPOINTE: It has added some confusion. So we feel this separation will make it much easier for people prepared to contribute to be more knowledgeable as to just which activity they're supporting.

MRS. FRITZ: Are you having shelters, then, asking for operating funds right now? Has that been occurring?

MR. LAPOINTE: No, we have not.

MRS. FRITZ: So they're . . .

MR. LAPOINTE: I'm sorry. I'm just making the point so we make it clear to people that we are not there to provide operating money.

MRS. FRITZ: Okay. Thank you.

MR. CHAIRMAN: Thank you.

I have two more: Mr. Jacques, Mr. Kirkland. I would ask both committee members and our petitioners to try and keep questions as brief as possible. We do have some time constraints, and we have one more petition to hear from this morning before our meeting is scheduled to end.

Mr. Jacques.

MR. JACQUES: Thank you, Mr. Chairman. It's a question regarding section 7, 7(1), more specifically. Under the existing Act quite clearly the members, which are also the board, were named originally as four, and in turn the shelter could name another four in place of -- there were three directors from the shelter, et cetera. Then in this particular amendment it says the foundation shall be composed of a minimum, et cetera. I'm curious. If all the members of the board resigned on the same day and if the board appoints itself, how would you ever have another board? Excuse me if I don't follow this. I'm a little confused.

MR. BOWKER: In that sort of apocalyptic scenario, the only answer I can give realistically, sir, is that all the members of the

board do this strictly as a volunteer activity, and they would do nothing to destroy the foundation. They want to hand it off from time to time to people who will keep it going and fulfill, let's call it, the mission statement as we see it. I suspect, sir, that probably we could have inserted some wording into this to accommodate that particular concern you have raised, but again, given the nature of the activity we're involved in here, I think the members of the board would want to see the foundation carried on in an orderly manner, and as people would go, other people would be brought on. I think that's the best answer we can give, sir.

MR. JACQUES: So very purposefully there was a very tight provision with regard to both membership and the board; in other words, that they shall be mutually exclusive. Is that what the intent has been all along?

MR. BOWKER: I think the intent initially, as expressed in the existing Act, was to have, let's call it, an association -- whether it's tight or not, I'm not sure; I guess it was -- with the shelter itself. All we are seeking to do now, sir, is just enable the foundation as it now exists to carry on separate from the Youth Emergency Shelter Society. I think that now the foundation, if the amendment is passed, probably would be in a position to have a much broader base because of -- I hate to use the word "divorce" -- the tight separation from a shelter. I think it would be much easier to attract people from outside the city of Edmonton, to try and give a broader exposure to the rest of the areas of the province so we could continue funding activities as we would like to be able to throughout the province.

I think the amendment as it is proposed now opens up the scope of board membership far more broadly than it was under the existing Act.

MR. JACQUES: Thank you.

MR. CHAIRMAN: Thank you, Mr. Jacques.
Mr. Yankowsky.

MR. YANKOWSKY: Thank you, Mr. Chairman. I have three very short questions here. I need some clarification first of all, and I think I'll direct this question to George. Does the foundation supply funds strictly for the Edmonton shelter only? Is that correct?

MR. BOWKER: No, sir. We have engaged in funding activities throughout the province. We have supplied funds to the Youth and Volunteer Centre of Red Deer, the Lethbridge YMCA, the Edmonton Sexual Assault Centre. In fact, as the foundation has evolved, we have spread our wings, as it were, and tried to, I guess, expand the benefits as we see them, as we think they exist, of the experience of the shelter here. Certainly, as with a lot of organizations, it's had some working out problems and so forth, but we think it's been a very, very worthwhile and successful operation. We'd just like to be able to spread that experience throughout the province to see if we can fulfill our mission statement to be helping troubled youth and their families not only in Edmonton and not only in the shelter but in Grande Prairie, Medicine Hat, and throughout the province.

MR. YANKOWSKY: Okay; thank you. I understand you are funding the YMCA and so on to some extent, so it's not strictly yes.

MR. BOWKER: That's exactly right, sir, and again it's capital grants, not operating funds.

MR. YANKOWSKY: Yes.

My last question is: is the board totally volunteer, or are some of the members paid?

MR. BOWKER: The board is totally volunteer.

MR. LAPOINTE: We have no paid staff at all. We don't have an executive director. To follow up on the other question, the amendment to add the word "pay" is simply a housekeeping measure. If at some time in the future the organization is large enough and successful enough to warrant some employees, then the provision is there. There is a hope that we will be big and large but certainly nothing there now.

MR. BOWKER: The volunteer board now carries on all the necessary activities, but as Mr. Lapointe has indicated, sir, we do have our goals in mind, and we don't want to be running back here again two years from now saying, "Holy crow; we'd better have this looked at again so we're not acting outside the bounds of our Acts."

MR. YANKOWSKY: Okay; thank you.

MR. CHAIRMAN: Well, thank you.

Just before we move on to our next speaker, I'd like to welcome a couple of new members to the committee. We do have some conflicts in time, so some of our committee members are not arriving late by choice. I'd like to introduce Mr. Percy Wickman . . .

MR. BOWKER: How do you do, sir.

MR. CHAIRMAN: . . . and Mr. Murray Smith.

MR. BOWKER: How do you do, sir.

10:07

MR. CHAIRMAN: Gentlemen, we're dealing with the second item this morning, the Youth Emergency Services Foundation Amendment Act, 1993. I have four speakers left on my list.

Mr. Pham.

MR. PHAM: I have a very long list of short questions, and I'd appreciate if you could keep the answers short and directed to the question. Item 4 here, section 7(1), says that:

The Foundation shall be composed of a minimum of 5 persons and a maximum of 9 persons appointed by a majority vote of the members of the Board.

That board is the new board of the foundation, not the board of the shelter; is that correct?

MR. BOWKER: That's correct, sir.

MR. PHAM: How does that board fit into the foundation? I thought the foundation should include the board as well; right?

MR. BOWKER: Well, the foundation really is controlled by the members of the board. I haven't been associated with it from square one, but I understand the evolution of it to be this, and Mr. Lapointe can correct me if I'm wrong. Initially, of course, the existing Act was followed when there was a tie-in with the Youth Emergency Shelter Society, and members of the board were appointed. As time has gone on, then, there's a much different board than was appointed when the foundation was first set up. Now all we wish to do is to be able to have the existing members of the board control the future constituency of the board after this. That's all.

MR. PHAM: How many members do you have on your board now?

MR. BOWKER: Seven.

MR. PHAM: What was your budget for 1992?

MR. BOWKER: Mr. Lapointe, can you assist me with that, please?

MR. LAPOINTE: We didn't per se have a budget, simply because we don't have any real costs. Our expenditure pattern last year was: in terms of grants and charities we had \$15,000, office and meeting expenses were \$715, and professional fees were \$861. That was mainly to cover the cost of the audit.

MR. PHAM: How much money was going directly into this shelter in 1992?

MR. LAPOINTE: Well, last year was a sort of exception because all of our \$15,000 went to the shelter. I guess we're trying to emphasize that we're separate from the shelter, yet all our contributions went there last year. That was only because of their pressing need, and once we made that kind of contribution, we really didn't have anything left over for anyone else. In years past they have been more distributed. In the current year we're looking at grants from a number of areas throughout Alberta. Really, to make it fair and equitable, so to speak, the shelter is sort of not on our list to get anything from us this year.

MR. PHAM: So from this point on, if you don't spend money on the shelter, are you planning to spend the money expanding shelters in other areas across the province?

MR. LAPOINTE: We don't have a specific plan to spend money on any particular activity. It is strictly based on the requests we receive from various organizations throughout the province. It's a case that whoever sort of has the most pressing requirement or, in our view, is the most beneficial to our objectives is the one we support. This is why we stress that we don't provide operating money. The reliability of our fund-raising ability is not there.

MR. PHAM: Thank you.

MR. CHAIRMAN: Thank you, Mr. Pham.

I have four more people on my list who have questions. In light of the time, I would ask if any of those four people have a question that just has to be asked and wouldn't be able to make a decision without their question. Otherwise, I would like us to move on on the schedule.

Mr. Kirkland.

MR. KIRKLAND: Thank you. My question's been answered.

MR. CHAIRMAN: Thank you.
Mr. Sekulic.

MR. SEKULIC: I'd like to ask my question.

MR. CHAIRMAN: All right; go ahead.

MR. SEKULIC: Thank you. I do support the objective of the foundation. I'd just like to ask, because of my prior involvement with nonprofit groups: would it be possible to submit to this committee, before a recommendation is made, a copy of the minutes from the Youth Emergency Services Foundation and your own

foundation's minutes, the article pertaining to this amendment? Would it be possible to submit both of those? I guess that's just to confirm that the separation is agreeable to both.

MR. BOWKER: I'd like to be able to say yes, but not being a member of the board of the society, I can't say that. Certainly we will request it, and we will undertake to provide the best material we can to assure you that that is the case.

MR. CHAIRMAN: Just for clarification, you said you wanted a copy of the minutes from the foundation. You meant the society, I take it?

MR. SEKULIC: The article pertaining to this change, to the amendment, from both -- I think Mr. Lapointe mentioned earlier that the Youth Emergency Shelter Society had passed it in their minutes as well as your own foundation.

MR. BOWKER: Yes, that's what we've been advised by our president, who attended the meeting. As I said, sir, we will endeavour as best we can to provide you with those documents and, in any event, the best material we can provide with respect to answering your concern. I understand what it is.

MR. SEKULIC: Thank you.

MR. CHAIRMAN: Okay; Mr. Amery.

MR. AMERY: Well, my question has been answered, but I have one short question. As a result of these administrative changes, will you be asking or looking for any money from the government in the future?

MR. BOWKER: We have no plans to do so, sir. I think the members of our volunteer board have a lot of talent, but clairvoyance isn't one of them. We certainly have no intention whatsoever at the moment of seeking funds from the government. We like to do this on our own, as it were.

MR. CHAIRMAN: Thank you.
Mrs. Soetaert.

MRS. SOETAERT: Yes. A quick question and a comment. I admire the volunteer work you are doing. I think it's commendable. Though we are asking questions, I think we all agree that your work is exceptional. How do you become a member of the foundation?

MR. LAPOINTE: We don't per se have members other than being on the board. As a matter of fact, we have considered forming a membership body as part of a fund-raising strategy, but other than that it is strictly a board-operated activity.

MRS. SOETAERT: So it's through people. If you wanted to be on the board, is the board membership limited?

MR. LAPOINTE: Well, it would be to nine.

MR. BOWKER: Under the amendment the board would be limited to nine people, just because, given the scope of our operations and how unwieldy large boards can be, we thought that was a reasonable way of approaching it. But as Mr. Lapointe has said, certainly if the need ever arises, we would just have a membership other than the board.

MR. CHAIRMAN: Thank you. I have no further names on my list. Gentlemen, if you would like to give us a very brief recap, summarization, one minute maximum, we'd be pleased to hear from you.

MR. BOWKER: Ladies and gentlemen, thank you very much for your time and trouble this morning. I'm going to keep this to 60 seconds or less. The activities that the foundation is engaged in we think are entirely worth while. As we've pointed out, we have no intention, certainly at the moment, of seeking any government funding. We just do this because the members of the board think it's the right thing to do.

In the course of carrying on that function, it has become apparent to us that there were some amendments to the Act, some of which were highly desirable. Others, especially the income tax thing, are absolutely necessary in order to enable us to keep functioning. I don't think there's anything I need to say, really, more than that. We as members of the board would all be much obliged if the committee could see its way clear, subject to the one bit of information we undertook to provide, to grant us the amendments that we are seeking so that we can continue to carry on the function that we've been performing.

MR. CHAIRMAN: Thank you very much. Our committee will deliberate, and Parliamentary Counsel will advise you of our decision.

Can you advise the committee on the status of the request for information?

MR. REYNOLDS: Well, I was just mentioning to Mr. Sekulic that perhaps Mr. Bowker or Mr. Lapointe could provide that information to our office and then we would circulate it to the committee.

MR. CHAIRMAN: Fine. Thank you very much.

MR. BOWKER: Thank you very much.

MR. LAPOINTE: Thank you very much.

10:17

MR. WICKMAN: Mr. Chairman, can I raise a point before the next group comes in?

MR. CHAIRMAN: Sure.

MR. WICKMAN: Laurence spoke to me about us agreeing to go along with this particular time and was rather upset that we didn't put up a bit of a battle. Our caucus meets every morning at 10 o'clock. Now, I might be wrong, he may be wrong, but Bettie feels that the shift from Wednesday to Tuesday was to accommodate your caucus. Is that right?

MR. CHAIRMAN: Well, yes and no. Public Accounts meets in this room until 10 o'clock, and our caucus meets every day at 11 o'clock. So it wouldn't matter what day we held it; we would still have a problem.

MR. WICKMAN: Okay, so that's why it's 9 to 10 now.

MR. CHAIRMAN: That's right.

MR. WICKMAN: You see, the time change in the House from 2:30 to 1:30 compounded the problem. Well, could you maybe take a look at the possibility of, say, Monday nights from 5:30 to 7:30?

AN HON. MEMBER: No; we have standing policy committees.

MR. CHAIRMAN: Standing policy committees are every Monday and Tuesday.

MR. WICKMAN: Okay.

MR. CHAIRMAN: I think we need to discuss it.

MR. WICKMAN: I point it out to you so you can kind of take a look. Fridays would not be good because Fridays we're determined to spend in the constituency office. One doesn't want to be seen out on the golf course on a Friday.

MR. CHAIRMAN: We can discuss it. You're right; it was to accommodate caucus, but the actual facility is not available.

MR. WICKMAN: The other possibility, but it is pushing it fairly early, would be 8 to 10 o'clock. I don't know if the public would want to get here at 8 o'clock in the morning.

MR. CHAIRMAN: Well, either that or we could convince the Public Accounts Committee to start an hour earlier on Wednesday, then we could be in here from 9 to 11 and have them finish at 9.

MR. WICKMAN: See, that doesn't help us. Our caucus meets every day at 10 o'clock in the morning.

MR. CHAIRMAN: Well, then Public Accounts is going to have the same -- no, I guess they'd be done by then.

MR. WICKMAN: Anyhow, I'll leave it with you.

MR. CHAIRMAN: Thank you.

We're ready to go. Members of the committee, we'll be dealing with Bill Pr. 12, the First Canadian Casualty Insurance Corporation Amendment Act, 1993. Can we have Parliamentary Counsel swear in our witness?

[Mr. Code was sworn in]

MR. CHAIRMAN: Thank you.

You're Mr. Code, and you're representing the insurance company.

MR. CODE: That's correct.

MR. CHAIRMAN: Okay. Please be seated.

MR. CODE: Thank you.

MR. CHAIRMAN: Just before we get started, I'd like to advise you that this is an all-party committee of the Legislature. You have petitioned the Legislature to have an Act passed on your behalf. The Legislature then asked this committee to examine your request and make a recommendation as to whether or not this Act should proceed, so that's what we're here for today. We'll give you an opportunity to explain what it is exactly that you want the Legislature to do for you, and then we'll have an opportunity for anyone who has questions of you to ask questions regarding your application.

Just before we get started, we'll very briefly go through the committee and have the committee members introduce themselves so you have a bit of an idea of the cross section of people we're dealing with.

Mrs. Gordon.

MRS. GORDON: Good morning. Judy Gordon, Lacombe-Stettler.

MR. CHAIRMAN: Oh, I'm sorry. Mr. Wickman.

MR. WICKMAN: Percy Wickman, Edmonton-Rutherford.

MR. SEKULIC: Peter Sekulic, Edmonton-Manning.

MR. JACQUES: Wayne Jacques, Grande Prairie-Wapiti.

MR. YANKOWSKY: Julius Yankowsky, Edmonton-Beverly-Belmont.

MR. BENIUK: Andrew Beniuk, Edmonton-Norwood.

MR. HERARD: Denis Herard, Calgary-Egmont.

MR. KIRKLAND: Terry Kirkland, Leduc.

MR. AMERY: Moe Amery, Calgary-East.

MR. HLADY: Mark Hlady, Calgary-Mountain View.

MRS. FRITZ: Yvonne Fritz, Calgary-Cross.

MR. PHAM: Hung Pham, Calgary-Montrose.

MS LEBOVICI: Hi. Karen Leibovici, Edmonton-Meadowlark.

MRS. SOETAERT: Colleen Soetaert, Spruce Grove-Sturgeon-St. Albert.

MR. SMITH: I'm Murray Smith, Calgary-Varsity.

MR. CHAIRMAN: And I'm Rob Renner. I'm MLA for Medicine Hat, and I'll be chairing the meeting.

If you'd like to go ahead and give us a brief explanation of what it is you're proposing, then we'll move into the question and answer period.

MR. CODE: Fine. Thank you, Mr. Chairman, ladies and gentlemen of the committee. I'm here today seeking a very brief and, I guess, somewhat technical amendment to an Act known as the First Canadian Insurance Corporation Act, which received Royal Assent in the Legislative Assembly of Alberta in 1987.

When the company commenced business in 1988, it did so with initial capitalization of \$2 million, which was the prescribed requirement of the Insurance Act of Alberta. I guess this probably reinforces again that hindsight is better than foresight, because at that time -- and you will see from the previous Bill -- the upper limit or authorized capital amount was set at \$5 million. Obviously, with the benefit of hindsight, not a lot of attention was paid to that limit because it was perceived to be considerably in excess of the capital requirement of \$2 million. However, over the last four years, growth, expansion into other provinces, has resulted in the company increasing its capital base to the \$5 million level, which it's at today.

As such, we are bumping up against the upper limit. The company has no immediate need to have to increase its capital in that it's certainly in compliance with any financial ratios or tests that any regulators may impose upon it. However, should we be fortunate enough to have future growth or expansion into other areas where the legislative requirements may necessitate increased capital amounts, we simply wanted to be prepared for that possibility. We

are asking for an amendment to increase the authorized capital from \$5 million, which was a kind of arbitrary figure, to \$20 million, which similarly is an arbitrary figure, but setting it somewhat higher so that we don't run into the possibility of having to go through it again.

That's it very briefly, Mr. Chairman.

MR. CHAIRMAN: Thank you very much. Just for the benefit of yourself as well as members of the committee, we are in receipt of a copy of a letter sent by the superintendent of insurance to your solicitor, I guess it is, your lawyer, indicating that they have no objection to this proposal.

I have a question before I turn it over to the committee. What is your relationship to this corporation?

MR. CODE: I'm sorry. I'm secretary and chief financial officer of the company.

MR. CHAIRMAN: Thank you.

Does anyone on the committee have any questions? No questions?

MS LEIBOVICI: Well, just one question. It probably will show my ignorance of the whole matter, but by increasing the limit, does that potentially increase the liability of the investors?

MR. CODE: No, just the opposite. It enables the company to inject more equity into the company, which is for the benefit of the creditors.

MR. CHAIRMAN: Mr. Hlady.

10:27

MR. HLADY: Thank you, Mr. Chairman. I'm not really familiar with First Canadian Insurance. What type of insurance business is First Canadian in?

MR. CODE: The company is engaged strictly in the provision of creditor group life and disability insurance primarily for financial contracts in the purchase of automobiles, although it's not restricted to automobiles. But strictly creditor group life and disability, wherein it provides payout of a finance contract in the event of the death of a customer or maintains the loan payments on a monthly basis in the event of disability of the insured.

MR. HLADY: Assuming there was a suit that came forward, is there any concern over the equity being in any type of jeopardy?

MR. CODE: I'm not sure I understand the question.

MR. HLADY: If there was a death or something, what kind of penalty payout would there be?

MR. CODE: Well, it depends. It's limited to the amount outstanding on the particular finance contract. It may be anywhere from \$2,000 to \$20,000 to \$50,000.

MR. HLADY: Okay. That's the kind of dollar figure I was looking for.

MR. CODE: Yes, on a reducing basis as the loan is paid down. The average term of the contract would be four years.

MR. HLADY: Thank you.

MR. CHAIRMAN: Mr. Smith.

MR. SMITH: Can you give us a list of the president of the company and the operating officers?

MR. CODE: Yes. The chairman is Donald Harold Wheaton, a longtime Edmonton businessman. The president and chief operating officer is his son, Donald Albert Wheaton. As I mentioned, I am secretary/chief financial officer. We do have two other Wheaton sons on the board of directors as well as independent members on the board.

MR. SMITH: Thank you.

MR. CHAIRMAN: Any other questions? If not, do you have anything else you would like to add to the discussion?

MR. CODE: No, I don't, Mr. Chairman.

MR. CHAIRMAN: Well, thank you very much. We'll take your petition under advisement, and Parliamentary Counsel will advise you on our decision.

MR. CODE: Thank you for your time.

MR. CHAIRMAN: Thank you.

MR. WICKMAN: Are you related to that infamous Bill, Bob?

MR. CODE: No, I'm not. He did two things for me though. People started pronouncing my last name right, but now all my correspondence comes to the attention of Bill rather than Bob. You can't win.

MR. CHAIRMAN: Thank you very much.

Well, committee members, we now have half an hour left in our allotted time. We've heard from three petitioners this morning. I'd like to now take an opportunity to discuss and come to some kind of resolution.

Mrs. Fritz.

MRS. FRITZ: Thank you, Mr. Chairman. I'm ready to make a motion on the Karen Mavis Poor Eagle Adoption Act.

MR. CHAIRMAN: All right; would you like to do that in camera?

MRS. FRITZ: You gave three options, but mine would be the first: that we recommend approval of the Bill to the Legislature.

MR. CHAIRMAN: Fine. There's a motion made. Any discussion on that motion?

Mr. Herard.

MR. HERARD: I just want to know if we're in camera or not.

MR. CHAIRMAN: No, we're not at this point. If you would like to, it's in order for you to make that motion.

MR. HERARD: Well, there are some concerns that I think I would like to address before we actually vote on this particular motion.

MR. CHAIRMAN: A motion to go in camera is in order at this time.

MR. HERARD: All right; so moved.

MR. CHAIRMAN: You so move? All in favour?

HON. MEMBERS: Agreed.

[The committee met in camera from 10:30 a.m. to 10:49 a.m.]

MR. CHAIRMAN: Can you read back the motion?

MS MARSTON:

Mrs. Fritz recommended approval of the adoption of Karen Mavis Poor Eagle by the Hoevers.

MR. CHAIRMAN: Is there any further discussion on that motion? All in favour? Opposed? The motion is carried.

Let's deal with Pr. 2, Youth Emergency Services Foundation Amendment Act, 1993. Do I have a motion?

MR. KIRKLAND: I move that we recommend the approval of Pr. 2, pending and contingent upon the receipt of the requested information to confirm what was verbally conveyed to us here today.

MR. CHAIRMAN: Thank you.

Any discussion on that motion? Yes, Mr. Herard.

MR. HERARD: I'm not sure that we have to make it pending anything. I think the discussion that we heard from our esteemed colleague from Edmonton-Rutherford with respect to the fact that we have a process where we have to go to second reading and third reading and all that sort of stuff -- I think we can just approve it. If something happens between now and second reading, then we can vote on it at that time.

MR. CHAIRMAN: I think your point is well taken. The process for private Bills is somewhat sped up from what it would be on regular legislation, but I think your point is well taken. I don't really think it affects the motion, quite frankly.

Yes, Mr. Jacques.

MR. JACQUES: Well, with all due respect to the comments about whether we need it or not, I think the salient feature of this whole thing is the element of control, if you like, with regard to the foundation. I mean, quite clearly under section 7, with regard to when it was established, in terms of the sponsoring body, effective control did and has remained with the society. If indeed the salient item of the various items is changing that -- quite clearly it was addressed by one of the members, and I am onside with his concern, if you like, about the comfort level we have in making this recommendation. It was asked for. I think it was asked for in good intent because it recognized that this indeed was the major change we're dealing with. I think it's incumbent upon us that if that comfort was asked for, we receive it and proceed on that basis. I think the motion is quite in order.

MR. CHAIRMAN: Thank you.

Mr. Yankowsky.

MR. YANKOWSKY: Yes. I think we're losing sight of the bottom line here. Basically, all they want are the income tax provisions, and we're overconcerning ourselves with the complexities of their organization, so I think we should proceed to vote on the Bill.

MR. CHAIRMAN: Calling for the question. I will then put the question. All in favour of the motion? Do we want to read the motion? I guess we should maybe read the motion to make sure that it's got the intent correct.

MS MARSTON: Okay.

Mr. Kirkland recommended approval of Pr. 2 pending receipt of the written confirmation of what was verbally said here today regarding the society's endorsement of this proposal.

MR. AMERY: Is there a time frame?

MR. CHAIRMAN: No. It's up to them.

Okay, then. We are all in agreement on what the motion is. All in favour of the motion? Any opposed? The motion is carried.

We'll deal now with Pr. 12, First Canadian Insurance Corporation Amendment Act, 1993. Could I have a motion, please? Mr. Sekulic.

MR. SEKULIC: I move

that we recommend that First Canadian Insurance Corporation Amendment Act, Pr. 12, proceed.

MR. CHAIRMAN: Thank you. Is there any discussion?

Mrs. Leibovici.

MS LEIBOVICI: I just have a question of legal counsel in terms of the figures being moved upwards from \$5 million to \$20 million. The gentleman indicated that that amount is prescribed in legislation right now in terms of the ceiling of \$5 million. Would you know why that ceiling is there? I guess I've got a worry in terms of quadrupling the ceiling level on a company. Does someone else know?

MR. CHAIRMAN: I think I can answer that question. Whenever you incorporate any company, you establish a certain amount of shares that are available. You may or may not use all of those, and usually you put that level far in excess of what you think you're ever going to need. In this case the company has obviously experienced growth to the point where they have reached this level, which should have been set higher in the first place, obviously. All they're doing is asking that this level be extended so that they can continue to grow within the regulations that are in effect.

MS LEIBOVICI: By doing this, are we at all putting the shareholders at risk?

MR. CHAIRMAN: This is a private corporation; it's not public. It's not public shares.

MS LEIBOVICI: Oh, I see. It says that it's divided into shares of \$10 each, but that's private then.

MR. CHAIRMAN: It's privately controlled.

MS LEIBOVICI: Okay.

MR. CHAIRMAN: Are there any further questions? Then I'll put the question. Will you read the question?

MS MARSTON: The motion: moved by Mr. Sekulic that we accept the request of First Canadian Insurance Corporation to amend the Act as set forth in Bill Pr. 12.

MR. CHAIRMAN: No. We reworded it: that we recommend that the Act proceed.

MS MARSTON: Okay.

MR. CHAIRMAN: We are recommending to the Legislature what action they should take regarding this.

I think you had agreed to that. Okay; are we clear?

MS MARSTON: Did I get that? We recommend to the Legislature that the Act proceed?

MR. CHAIRMAN: Yes.

Mrs. Fritz, you had a question before we go?

MRS. FRITZ: After the question; sorry.

MR. CHAIRMAN: Okay. If there's no further discussion, all in favour of the motion? Any opposed? The motion is carried.

Mrs. Fritz.

MRS. FRITZ: Just briefly, when do these come before the House?

MR. CHAIRMAN: That'll be up to the committee. We'll try and work them through as they become available, and I'll get a briefing from Parliamentary Counsel and advise you at the next meeting.

Okay, are there any further questions at all?

Mr. Yankowsky.

MR. YANKOWSKY: Just a simple question: could we get another binder, because mine can't hold another page.

MR. CHAIRMAN: Well, I guess as we deal with each of the Bills, they can be removed, so that'll help a little bit.

I have nothing further then. If I could advise the committee that we will be meeting again, unless we can come up with something, unless you hear otherwise -- and I will take your comments under advisement, Mr. Wickman -- next Tuesday at 9 a.m., and we'll be dealing with the items on the schedule as we agreed to last week.

Could I then have a motion that this meeting adjourn? Mr. Sekulic. All in favour? Carried.

[The committee adjourned at 10:58 a.m.]

