

Standing Committee on Private Bills

9:31 a.m.

[Chairman: Mr. Renner]

THE CHAIRMAN: Good morning, everyone. If I can have everyone take their seats, I'd like to call this meeting to order.

This is the regular meeting of the Standing Committee on Private Bills. We have one petition to hear from this morning. We have a number of other minor items on the agenda.

If I could have a motion to approve the agenda, please.

MR. HERARD: So moved.

THE CHAIRMAN: Mr. Herard. All in favour? Opposed? Carried.

We also have circulated a copy of the minutes from the last committee meeting. I hope committee members have had a chance to peruse those minutes. If so, I would like to have a motion to approve the minutes. Mrs. Fritz. Any discussion, errors, omissions? Seeing none, all in favour? Opposed? Carried.

Committee members, on our agenda we had originally planned to hear the Concordia College Amendment Act, 1995, today. As I advised at the last committee meeting, we had received verbal acknowledgement that the petitioners wished to defer hearing on that Bill until fall. We have subsequently received that same request in writing. I would just like to take this opportunity to explain to the committee how this will be handled. With your permission, we will not deal with the Bill at this time. When I give my report to the Legislature later on, I will not include any reference to the Bill. That will leave it on the Order Paper. When we return for the fall sittings, should we still be in the same session, should there not be a Speech from the Throne, then it would be in order for us to hear from the petitioners on that Bill at that time. Should there be, for whatever reason, a Speech from the Throne and we begin a new session, then like any other Bill, it would die on the Order Paper and the petitioners would have to start the process over again. They have been made aware of that, and they are willing to take that chance.

With that, then, I would appreciate a motion that the committee defer a hearing until the fall session for Bill Pr. 7.

MRS. ABDURAHMAN: I would so move, Mr. Chairman.

THE CHAIRMAN: Thank you, Mrs. Abdurahman. Any further discussion? All right then; all in favour? Opposed? Carried.

The other item of business this morning is Bill Pr. 1, Missionary Church Amalgamation Authorization Act. I will ask Mr. Reynolds to invite the petitioners to join us.

[Mr. Howard and Rev. Crouse were sworn in]

THE CHAIRMAN: Good morning. Welcome. We had a chance to visit just briefly prior to the start of the meeting. As I explained at that time, your Bill has received first reading in the Legislature. The purpose of this committee is to hear from you, your explanation of the reason for requesting the Bill, and it also gives the committee an opportunity to ask any questions or clarification of you. The committee then will be making a recommendation to the Legislature as to whether or not your Bill should proceed to the next stage.

This is an all-party committee. Just very briefly, before we get started, I would like to have the committee members introduce themselves. We'll start with Mr. Wickman.

MR. WICKMAN: I'm Percy Wickman, Edmonton-Rutherford.

MR. VASSEUR: Leo Vasseur, Bonnyville.

MS HANSON: Alice Hanson, Edmonton-Highlands-Beverly.

MR. BRACKO: Good morning. Len Bracko, St. Albert.

MR. TANNAS: Don Tannas, Highwood.

MR. TRYNCHY: Peter Trynchy, Whitecourt-Ste. Anne.

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

MR. AMERY: Moe Amery, Calgary-East.

MRS. LAING: Bonnie Laing, Calgary-Bow.

MRS. FRITZ: Yvonne Fritz, Calgary-Cross.

MRS. ABDURAHMAN: Good morning. Muriel Abdurahman, Clover Bar-Fort Saskatchewan.

THE CHAIRMAN: My name is Rob Renner. I'm the MLA for Medicine Hat.

Also joining us -- I think you've met both Parliamentary Counsel, Rob Reynolds, and committee assistant, Florence Marston.

With that, I would like to give you an opportunity to explain the purpose of the Bill, why it is that you need it, and maybe a little bit of background information.

MR. HOWARD: Right. Good morning. I'm Victor Howard. I'm a lawyer in Three Hills.

The background of this Bill arises out of the coming together of two churches. I think I'll have Dave speak to that a little bit and give you a little background and a feeling for the churches and their history and what has happened in terms of their coming together. From the legal side of things, however, the merger of the people involved, the actual church people, occurred almost two years ago now. So they have been operating together for that period of time, and the merger de facto, you might say, as a matter of fact happened some time ago. What we are engaged in at this point is catching up on the legal structures to match what has actually happened in terms of the coming together of those two churches.

Each of the churches had some corporate bodies involved. What was the Evangelical Church had a federal corporation called Northwest Canada Conference Evangelical Church. That body was incorporated by special Act of the Parliament of Canada in 1928. The Missionary Church is an Alberta private Act corporation incorporated in 1926. It has undergone several revisions, mostly to change its name: a few sort of housekeeping constitutional things along the way as well in 1948, and in 1973 becoming the Missionary Church. It started off as the Mennonite Brethren in Christ.

Today we are seeking the necessary permission to enable the bodies which operate the western operations, you might say, of the church to be able to come together and merge and amalgamate as one body. As you could appreciate, each of the corporations owns significant properties, being those of the various churches around the district, and that includes British Columbia, Alberta, Saskatchewan, and Manitoba. So what we are seeking today is permission from the Alberta Legislature and authorization to, in effect, take the Missionary Church, the corporation incorporated by private Act of the Alberta Legislature, to a federal level, you might say, where it

can then amalgamate, merge, with the existing other corporation which was the Evangelical Missionary Church. The result will therefore be one unified corporation bringing together the properties as well as the obligations of each of the respective churches through that procedure.

I'll have Dave give you a bit of background, if he would, on the two churches, a bit of their history, so you have appreciation for the entities you're dealing with behind the scenes here.

REV. CROUSE: Thank you. Mr. Chairman and hon. members, it's a privilege to stand and share with you about these two churches, because both of them have their roots in the pioneer days of Alberta. It was just over a hundred years ago that a group of settlers came from Waterloo county in Ontario and got off the train at Didsbury when Didsbury was only a nameplate on a pole and an immigrant shed that provided a place to store implements so they wouldn't get weathered. The people themselves put up blankets in that immigrant shed and actually built a church in the community before they built their own houses. They stayed in tents while they built a church. So there's a spiritual base there which I think has a lot to do with Alberta and the values we care about in Alberta. That became the Missionary Church.

The other group also goes back to early days of Alberta, the pioneer days. They actually had their founding conference in the town of Didsbury as well. So both groups have had historic involvement in Alberta and go back a considerable time. Over the years the Evangelical Church established a training college in Medicine Hat which was called Hillcrest College, the Missionary Church established the Mountain View bible college in Didsbury, and those two colleges have amalgamated and become one, now Rocky Mountain College in Calgary. Over the years the two groups co-operated, were good partners in various revival meetings, caring for their communities where they had churches in the same community, and a few years ago we realized we had so much in common that it would be appropriate in the spirit of Christ, which is a spirit of unity, to come together. So we have worked through a careful process, and we're glad to be a participant in that. Churches don't always have the reputation of coming together; often they multiply by dividing. So we're very happy to be part of something that goes against the common trend and are really finding a good commonality and are working together very well. We actually have churches across western Canada, from Winnipeg to Vancouver.

9:41

This brings us together. It's more effective to work together, to combine our strengths and work towards the building up of the church and the communities in which we participate. So this is a step of taking care of business. It's not the usual thing that ministers such as myself are involved in, but we realize we have to be orderly in our business as well. This kind of step seems to be, as we've talked with Victor Howard, the most reasonable kind of step to move the amalgamation of the two conferences together. So as the superintendent of the western district of the Evangelical Missionary Church, I appreciate the opportunity to present this to you and ask for your help in making this possible.

Thank you.

THE CHAIRMAN: Thank you very much.

I'll now ask anyone on the committee who has questions to do so, starting with Mr. Tannas, and then Mr. Herard and Mr. Trynchy.

MR. TANNAS: Thank you, Mr. Chairman. I just want to ask a couple of questions and make a comment. First of all, do the churches that are apart, the individual churches as opposed to the

association of churches, the individual church boards of elders or governing boards of the individual churches -- have they by resolution or agreement signified that they collectively and individually approve of this merger?

REV. CROUSE: That's been done through the conference process we have where the pastor and official delegate of each congregation take part in a conference where they vote on this, and they have all voted. So by decision they have all agreed to participate in this merger.

MR. TANNAS: The second part of that question, then, would be: have you filed these agreements -- I don't know how many churches you have -- by the delegates and the pastors with either Parliamentary Counsel or the committee? I wouldn't accuse you of not doing this, but so that we don't do something by legislation that individual churches might not . . . That flows in with my comment, but go ahead and answer that.

MR. HOWARD: I would speak to that. Basically, this is the official record of the annual conferences and so on that is kept. This is a journal of the conference Rev. Crouse was speaking about earlier, where the churches all come together, and there are minutes kept and so on. I have provided copies of the relevant minutes to Parliamentary Counsel's office here as well as, of course, federally, because they're asking the same questions, as is proper.

MR. TANNAS: The last is a comment. Your historic roots are in Didsbury, and churches such as yours uniting is something to be applauded. May you make a joyful sound when you do unite.

Thank you.

THE CHAIRMAN: Mr. Herard, and then Mr. Trynchy.

MR. HERARD: Thank you, Mr. Chairman. I guess I want to follow on Mr. Tannas' questions. How many churches does this involve?

REV. CROUSE: It involves 60 churches.

MR. HERARD: Sixty.

REV. CROUSE: That's in western Canada. There is a segment of the overall denomination mainly in Ontario as well.

MR. HERARD: I take it, then, that the minutes you were referring to would indicate they're all in agreement.

REV. CROUSE: Yes.

MR. HERARD: Okay. Could you perhaps give us more of a description of the real properties these churches own? You've talked about churches and colleges, but that's one or two things. Are there other properties the churches also own, commercial or farm or . . .

MR. HOWARD: There are some other properties. Well, first of all by way of description, I guess, of the general churches. There are a number of churches in, for instance, both Calgary and Edmonton and a number of rural areas as well; in British Columbia there are a number of places, in cities and so on. So there are significant church properties, of course. In addition, there are some camp properties. Some church camps are operated in various places: Alberta, British Columbia, and I'm not sure about elsewhere.

Any other properties of significance?

REV. CROUSE: No. Our properties that I'm aware of -- we list those in our annual journal as well -- are almost exclusively either actual church or, we call it, parsonage or manse and camp properties. We don't have other holdings in terms of investment on behalf of the church.

MR. HOWARD: One other clarifying comment in terms of the college. The two colleges were formerly owned by their respective denominations and really just part of the church operation, but on the coming together of the two, the college sought its own incorporating legislation and actually appeared before the Legislature at that time for that as well and has obtained that and now basically exists pursuant to its own charter. So it owns its own property in Calgary, at Rocky Mountain College, but it's still very closely affiliated, of course, with the denomination.

MR. HERARD: My last question is with respect to tax status. In terms of all these properties today, the tax status exists. Are you aware of any change in potential tax status as a result of this merger with respect to the properties?

MR. HOWARD: I would not expect so in most cases. There was a special arrangement in the former Alberta Act for the Missionary Church, when incorporated in 1926, which suggested that the property, which was really the college property at that time in Didsbury, was to be municipally tax-exempt. In return for that, it wasn't supposed to be a burden. Any costs of health care and so on were supposed to be borne by the group there itself. Well, as time went forward that really became obsolete and, frankly, inoperative. So that has not been a factor at all in the past.

In terms of any other provisions, reliance would always have been placed upon the general tax-exempt status of use for religious or educational purposes, as the case may be. To the extent one can count on anything these days remaining the same, I think that would be the expectation for the future.

MR. HERARD: Thank you very much.

THE CHAIRMAN: Thank you, Mr. Herard.

Just before we go on to the next speaker, I would refer committee members to a letter from Mr. Howard dated February 24. That letter is attached to a copy of the minutes that have been referred to indicating the results of the vote and the fact that it was unanimous.

Mr. Trynchy.

MR. TRYNCHY: Thank you, Mr. Chairman. You've answered a question already, but I have a couple of questions. I don't know if they relate to this, but I'm quite familiar with the Hutterite Brethren and how they operate. They have a church on each colony. Now, you have Mennonite colonies throughout the province. Do they have churches on their property in addition to a church in a community?

MR. HOWARD: I'm not well placed to speak to that. While this denomination has Mennonite roots, it is not part of that Mennonite community at all anymore. So anything I could say to that would be simply from general knowledge. I lived in Three Hills, which is very close to Linden, which has in fact a very strong Mennonite community, at least historically. But a lot of things have changed there as well in the last few decades. So I don't know. I'm not sure about Mennonite colonies existing as such anymore. They used to.

Hutterites, yes. I think Mennonites have sort of moved forward from that -- moved away. I shouldn't say "forward," I guess.

9:51

MR. TRYNCHY: Does your church in community X own farmland that is tax exempt?

REV. CROUSE: Not at all.

MR. TRYNCHY: Not at all, eh? That's good. Thank you.

THE CHAIRMAN: Thank you.

Mrs. Abdurahman, followed by Mr. Bracko, Mrs. Fritz, and Mrs. Laing.

MRS. ABDURAHMAN: Oh, I beg your pardon. No; I was looking for the letter, Mr. Chairman, because I think that would answer my questions: that it was unanimous and that all the appropriate documents have been filed to the satisfaction of legal counsel.

THE CHAIRMAN: Did Ms Marsden find it for you?

MRS. ABDURAHMAN: No, we haven't found it. But as long as there's reassurance by Parliamentary Counsel that everything that had to be filed has been filed, my questions have been satisfied. Thank you.

THE CHAIRMAN: Okay. Thank you.

Mr. Bracko.

MR. BRACKO: Thank you, Mr. Chairman. A couple of questions. First of all, I applaud you for your merger and, of course, the work you do in the communities. Do you anticipate any mergers with other groups in the future?

REV. CROUSE: We want to keep the spirit of openness to working together and co-operation very much alive. We do not have any future mergers in view at this time. So it would be quite honest to say that at this point we're not anticipating that, other than if we found ourselves in good co-operation with a group in the future we would be willing to look at it. It does take a lot of work and a lot of energy on the part of church leaders as well as expense with my good counsel next to me -- appropriately so, because Victor has handled it so well. But we would walk carefully before we moved into any other mergers.

MR. BRACKO: Second question: do you pay taxes on your church camps?

REV. CROUSE: I don't think so. I believe they are exempt, because they are very much for religious instruction.

MR. BRACKO: Thank you.

My last question, just so I'm clear in my own mind: do you have to go to each provincial Legislature in each province to get this passed and then go to the federal government too? Is that correct?

MR. HOWARD: No. The existence of the Missionary Church, which is the existing corporate entity at this point in time, is by virtue of Alberta provincial legislation. That was the province in which it began and it obtained that, so that is the reason for the appearance here. Federally, the appearance is required, of course, because the other entity, Northwest Canada Conference Evangelical Church, is federal. Given the operations really across western

Canada, the federal end result makes sense in terms of just looking at a logical legal structure.

THE CHAIRMAN: Thank you.

Mrs. Fritz, followed by Mrs. Laing.

MRS. FRITZ: Thank you, Mr. Chairman. Actually, my question is a follow-up to the previous question. Have you made application before the Legislature in the past for amalgamation? This is the first . . .

MR. HOWARD: That is correct. The past applications to the Legislature were of course first for the incorporation; then in 1948 and 1973 were respective name changes. There were some mergers that were involved in some of those, but there was no change to the incorporation status other than the name change and a few housekeeping types of details, fix-ups as time goes forward of constitutional things.

MRS. FRITZ: Thank you. Thank you, Mr. Chairman.

MR. HERARD: Just one final question as a result of that answer: would you think this is a necessary process? In other words, is this unnecessary red tape to go through, to have the Legislature involved in merging churches? I'd just like your opinion on that.

MR. HOWARD: It's a sort of unfortunately necessary step in terms of the necessities for the church. The difficulty, you see, is that we now have two different corporate entities. What we were debating about was which one do we continue with, because you do not want a multiplicity of them around. Especially with a merger coming together, you want to make everything match as much as possible and leave as little ground as reasonably possible for friction developing, because people are people. Groups of people are groups of people, as you well know: those dynamics.

In terms of accomplishing that, the other alternative we had looked at and in fact seriously considered proceeding with was simply to transfer all the property out of the Alberta corporation into the federal one. Through some means that were available federally -- and there's no comparable thing provincially -- we were able to obtain the name change of the Northwest Canada Conference Evangelical Church so that it's now called the Evangelical Missionary Church, Canada West District. Beyond that step, the final step for unification would have been the transfer of all the Alberta property to that federal company. The end result of that, as you can see, is that you leave the Missionary Church still in existence -- it's going to be presumably an empty shell -- but any liabilities and so on would have to be dealt with there. They aren't automatically transferred.

We could have handled that. It's messy, also very expensive, as you can appreciate with the properties involved, the transfers at land titles. When you start adding them up, we're actually surprisingly high in terms of costs. So this end result was always the preferred one in terms of a final result.

The difficulty is that both federally and provincially -- this is my opinion, I guess -- the legislation which governs not-for-profit corporations is not the best. Federally, they're still working under the old Canada Corporations Act, which for all Business Corporations Act purposes is long gone. Provincially, I know there was a report by the Law Reform Commission some years ago on not-for-profit associations, but that's never been moved forward with. It's just never been a high priority. One of the things that actually

surprised me when I was first looking at this is that there is no mechanism whatsoever available under general legislative means for amalgamation or merger of charitable organizations or entities. It just appears not to be contemplated. So in the result, it forces this special activity by the Legislatures.

MR. HERARD: Thank you for that.

MRS. ABDURAHMAN: Following on that, a big question has come to my mind, and it's directed more at Parliamentary Counsel. I was looking at the briefing notes, and it didn't appear there was a precedent. The thing that comes to my mind, Mr. Chairman, is: when the churches in Canada came together to be the United Church, whether it was the Methodists or the other parties, how did that happen if there hasn't been a precedent? As a former Methodist, I think when I came to Canada I was United Church because of that amalgamation.

MR. REYNOLDS: I was unable to find a precedent for this in Alberta. Certainly I was speaking with Mr. Howard extensively and with law counsel in Ottawa. Perhaps I'll pursue this with Mr. Howard later, but there's a Bill being drafted to amalgamate the two which will go before the Senate as a private Bill. Now, the federal draftsman I spoke to wasn't aware of a precedent in the federal jurisdiction, but you raise a very good point: perhaps there is one with respect to the United Church.

What I believe Mr. Howard has done and what I've done, and in speaking with Ottawa what the federal draftspeople have tried to do, is to try and follow the procedure that's outlined in the Business Corporations Act with respect to amalgamating a corporation outside the jurisdiction. You will note that there are terms in the preamble, I think in the fourth recital of the Bill, with respect to civil actions and basically ensuring that no one's prejudiced. That's the federal wording from the Canada Business Corporations Act, I believe, which is very close if not identical to the wording in our section 182(9) of the Business Corporations Act, which is attached to your material. Now, that makes sure that no one would be prejudiced by the amalgamation. I was speaking as recently as this morning with the Law Clerk of the Senate, who told me that, yes, in fact, those provisions will be in the federal Bill when it's introduced. At least that's my understanding, and Mr. Howard could perhaps confirm that. So no one will be prejudiced that way. It seems that what's happened here is that all the steps have been taken, as far as I can tell, to ensure that there is no prejudice to any creditors or anyone who would have an interest in the churches. Perhaps Mr. Howard could comment a little bit about the federal process too.

I don't know if I've answered your question. I've tried to enlarge it perhaps a little. All I can say is that I was unable to find a precedent in Alberta. I'm not sure about other jurisdictions.

10:01

MR. HOWARD: My suspicion would be that the United Church had a federal existence before, and I don't know how many subsidiary entities might have been involved or whatever. So there are a number of different ways that could have proceeded without necessarily having to involve in any way any provincial Legislatures perhaps.

In terms of the process here, on this particular case, much of the Bill and its derivation -- for instance, the recital that Parliamentary Counsel was just referring to -- is drawn from the amalgamation provisions of be it the Business Corporations Act of Alberta or the Canada Business Corporations Act. Those have been well thought

through in terms of the design of that legislation, and they were logical sources for provision here to address any concerns the Legislature could properly have about: should this amalgamation should be allowed to happen or not? Those are the kinds of provisions I rather expect would be in any general type of legislation made available or enacted for allowing not-for-profit corporations to merge or amalgamate. They are the kinds of things that bring together two former entities, allow them to become one and retain all they had before, which is the purpose for an amalgamation.

MRS. ABDURAHMAN: Thank you.

THE CHAIRMAN: Thank you.

Any other questions? Mr. Reynolds, do you have any questions of a legal nature?

MR. REYNOLDS: Well, I hope they're of a legal nature. We'll see.

With respect to our previous discussion about the Canadian Business Corporations Act and the federal Bill, I was wondering if you could advise the committee what stage the federal process is at.

MR. HOWARD: That's an interesting question. Right now I've been waiting federally, basically till about the middle of April. I ran into a little quirk with the federal rules, which are a little slow to change and become current with circumstances. As you may be aware, the *Alberta Gazette* is no longer published weekly; it is published twice a month. The rules for the Senate for the publication of advertisements are that they must be published four times in four consecutive weeks. Technically there is no way to precisely comply with that federal requirement. I don't know if they don't pay attention to Alberta or what, but anyway I took the position with Parliamentary Counsel there, and he supported me. He said, "Yeah, it's about time somebody sort of took a run at the rules and maybe had them changed or something." I suggested: well, I'm going to publish twice in the *Alberta Gazette*, which will run for four weeks and should therefore accomplish the length of time. I mean, who reads the *Alberta Gazette* or the *Canada Gazette* anyway? It's not a popular publication. When that went down, however, and the Parliamentary Counsel federally was speaking with the examiner of petitions down there, he hemmed and hawed and became concerned and ultimately decided that, no, he could be happy if it were advertised four times, and he'd allow it then. Anyway, he came back to me and suggested that it wasn't perhaps timely to take a run at the rules because of the time it would take and everything else, and consequently we continued the advertising for two more times in the *Alberta Gazette*. The final and fourth time will be mid-April, at which time the requirements would be met to present the Bill federally.

Other than that, however, the drafting of the Bill is ready, the other advertisements and other sources have all been done. I'm actually getting ready to just send the stuff on in anticipation of that final step being accomplished in mid-April. It should then proceed, I think, very promptly.

MR. REYNOLDS: Mr. Howard, would it be possible for you to provide me, for the benefit of the committee if they want to know, with a recent draft of what you had from the federal authorities?

MR. HOWARD: Yes. The most recent one I have was the one I sent to you a little while ago, but it's got a bit of a mark-up and so on on it. I recently requested the sort of final. There's just been a few

minor fix-ups that have happened since then. I have not yet received that, but I will be pleased to provide it when it is received.

MR. REYNOLDS: Thank you. Just to clarify something for the committee's benefit, it's my understanding that what you are proposing here and what has gone before the Legislature is a Bill to allow the authority to amalgamate, because the actual amalgamation would have to occur in a federal jurisdiction, which can only be legislated by Parliament. For the committee's benefit, that's why some things are in the recitals to this Bill, because we cannot legislate what would be in the federal Bill. That's totally within their jurisdiction. So on that point, I just would like your confirmation that the provisions I discussed earlier with respect to ensuring that there's no prejudice against creditors would be in the federal Bill.

MR. HOWARD: Well, I obviously can't guarantee what will be done by Parliament, but that clearly is in the legislation that has been put together now. I would be extremely surprised if that were fiddled with in any significant respect. It's only logical that it be there. I would think federally they would have the same concerns as provincially were they not to be there. So I don't really have any question that they will be there in the end result.

MR. REYNOLDS: That's my understanding.

I just want to perhaps clarify a point raised by Mr. Tannas with respect to the resolution. The resolution that you provided us was from the August 6 to 7, 1993, meeting titled Merging General Assembly. If I'm correct, it reports that the results of the Missionary Church vote were 129 yes and three no. It says, "The affirmative vote of June, 1993 Evangelical Church vote was reported." Is there an actual vote recorded somewhere on that?

REV. CROUSE: There is a vote recorded in the minutes of their conference, yes.

MR. REYNOLDS: Thank you.

Those are my questions, Mr. Chairman.

THE CHAIRMAN: Thank you.

Any further questions? Well, that being the case, I want to thank you for coming this morning. As I explained prior to the meeting, the committee will not be deliberating today. It is our practice that we have an opportunity to think over what we've heard. If committee members require any other information, they can contact Parliamentary Counsel, who in turn would contact you. I expect we will be making our final decision with respect to going forward or not and our recommendation to the Legislature towards the end of this month. As soon as we've made that decision, you'll be informed by Parliamentary Counsel's office.

Thank you for coming.

MR. HOWARD: Thank you.

REV. CROUSE: Thank you very much for the privilege of meeting with you.

THE CHAIRMAN: Committee members, just very briefly before we adjourn this morning, I want to remind you that next week we are hearing two Bills, Bill Pr. 9 and Bill Pr. 10. Actually, there are three Bills. We'll also be hearing from the people from Lethbridge from the Galt Foundation. With respect to Bill Pr. 9 and Bill Pr. 10, you

do not have that material inserted in your binders. The background material on both those Bills was distributed by the petitioners in advance of your receiving the binders. There are two copies. It's a black-bound copy like this. It would have been delivered to your office. Milner Fenerty is on the outside of each one. One of them is called the University of Calgary and University of Alberta Charitable Annuity Act, and the other is the Calgary Regional Health Authority Charitable Annuity Act. I urge you all today to make sure you have it, that it hasn't been misplaced. If you don't have it, contact Ms Marston in Parliamentary Counsel's office, and she'll provide you with a copy so you'll have it in advance of next week's meeting.

I also want to let you know that with your permission I intend to deal with Bills Pr. 9 and Pr. 10 concurrently. The provisions of the Bills are virtually identical. The only difference is the organizations requesting the Bills. So when the petitioners come, I intend to bring forward the petitioners for Pr. 9 and Pr. 10 at the same time, have both of them present their case, and then have both groups available for questions from the committee. I think that will save a lot of repetition. Obviously, the same questions or many of the same questions apply. That certainly doesn't preclude you from asking specific questions of one specific petitioner, but I think for the most part the questions you have will be in common with both.

10:11

MR. TANNAS: There is a footnote to both of those. In Bill Pr. 9: We have requested the views of the Department of Advanced Education and Career Development and of the Superintendent of Insurance and await their responses.

Presumably the superintendent of insurance will come in and vote. In the second one, Bill Pr. 10: "We have requested the advice of the Department of Health and await their response." We've got responses coming from these three different bodies. Have they been received?

THE CHAIRMAN: We have received responses from Health and advanced ed. I'm not sure if Treasury has responded yet.

MR. REYNOLDS: That's my understanding too. We'll be sending out to you this week the ones from Health and advanced education.

MR. TANNAS: Those would be helpful, but surely if we're into the insurance business, selling of annuities, that would be interesting. All I'm trying to flag here is that if we come and meet next week on this item and we haven't heard from the superintendent of insurance, then it's all pretty academic; isn't it?

THE CHAIRMAN: Well, we will encourage them to have that response to us prior to next week.

MR. TANNAS: Okay. All I'm trying to say, I guess, is that if we have not heard from them by next Tuesday, what is the point of the exercise? Let's say that they come out flat against it. All of the questions and their trips up here from Calgary and wherever else will be to no avail if we're going to get that.

THE CHAIRMAN: It's not our intention to make a decision next week though. It's really a fact-gathering mission for the committee. If we were going to be voting when they came next week, then it would be different, but we're not. The committee has the opportunity after they hear from the petitioners to request information of any department prior to making a final decision. It would be

possible to even recall the petitioners if the committee felt it was necessary. But I'll leave that up to the committee. I do hope we have a response from Treasury. The one thing: if the committee feels it's necessary, I could request that the superintendent of insurance attend next week's meeting.

MR. TANNAS: That would be most helpful.

THE CHAIRMAN: Is that the wish of the committee? All right; we'll do that then.

Mr. Herard.

MR. HERARD: Thank you, Mr. Chairman. When the Provincial Treasurer was being reviewed with respect to his estimates, the hon. Member for Edmonton-Whitemud brought up Bill Pr. 3 in his discussion, which just goes to show how wide a latitude we have in estimates. At the time I was in the Chair and felt that because this Bill was before a committee of the Legislature, it was not appropriate to discuss it in the estimates of the Provincial Treasurer. My question is: has there been any correspondence or request by that hon. member with respect to his questions on Bill Pr. 3, or do we have anything further to deal with on that issue?

THE CHAIRMAN: I've spoken informally with him, and I have supplied him with a copy of the *Hansard* proceedings from the meeting. The initial response I have from him is that he doesn't have a particular problem with the Bill at this point in time. I think the opposition members of the committee will probably be in a better position to discuss it with him, and when we do get to the point of making decisions, I hope they will have discussed it with him, as he is their finance critic.

MR. HERARD: Really, I suppose that's the point. We shouldn't be faced with new concerns or new evidence the day we're trying to make a decision, much the same as Mr. Tannas' questions were with respect to 9 and 10. If there are concerns, I think we need to know before we sit down to make a decision, and then . . .

THE CHAIRMAN: My understanding at this point is that there are not.

MR. HERARD: Thank you.

MRS. ABDURAHMAN: Just supporting both previous speakers, I think it's very important that we have full information and participation at next week's meeting. I would find it troublesome if we dealt with only a segment and then we were dealing with another party the following week or some other date.

THE CHAIRMAN: Mrs. Fritz.

MRS. FRITZ: Thank you, Mr. Chairman. My question is more an academic one. I was interested in how people that are sponsoring the Bill are notified; for example, the MLA sponsoring this Bill that was before us this morning. What's the notification? Do they notify us back whether or not they'll be in attendance?

THE CHAIRMAN: There's no official notification. I usually make a point of personally contacting the sponsors if they're not one of the committee members. As you know, in most cases the sponsors are

also members of this committee. In the case of Mr. Taylor, he was unable to be here. He had a previous engagement in Calgary today.

MRS. FRITZ: Thank you, Mr. Chairman.

THE CHAIRMAN: Mr. Wickman, did you have a point?

MR. WICKMAN: I move we adjourn.

THE CHAIRMAN: Okay. A motion to adjourn. All in favour?

HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed? Carried.

[The committee adjourned at 10:18 a.m.]

