

9:04 a.m.

[Ms Graham in the chair]

THE CHAIRMAN: Ladies and gentlemen, I'd like to call this meeting to order. This is of course our organizational meeting of the Standing Committee on Private Bills, and I'd like to welcome you all back. It's been a number of months since we last met.

Just to refresh your memory, as the Member for Calgary-Lougheed I am the chairman of your committee, and Mrs. Burgener is our vice-chairman. We are being assisted again by Parliamentary Counsel, Rob Reynolds and Shannon Dean, as well as our administrative assistant, Florence Marston.

I'd like to take this opportunity to welcome a new member to our committee, Ms Kryczka. Welcome. We no longer have Mrs. Fritz as part of our committee. We welcome you and hope you enjoy your tenure on this committee.

Mr. Cao, did you have a . . .

MR. CAO: No, no. You said Mrs. Fritz was not here. I took her place.

THE CHAIRMAN: You're warming her chair. That's good.

The first matter on our agenda is to approve the form of agenda for today, and unless there is some discussion, I would seek a motion to approve the agenda.

MRS. BURGNER: I'll so move.

THE CHAIRMAN: Moved by Mrs. Burgener that the agenda be approved. All in favour, say aye.

HON. MEMBERS: Aye.

THE CHAIRMAN: Any opposed? The motion is carried.

You will notice in your binders that we have included the Petitioner's Guide to Private Bills Procedure, which you may want to refresh your memory from. I won't take you through that today. I'd like to thank Parliamentary Counsel for doing a summary version of our practice and procedure here in Private Bills in the form of the memo which was circulated to you a few days ago, and you will find that memo under the tab "other" in your binder.

Just to take a few minutes perhaps for the benefit of Ms Kryczka and just to refresh our memories generally, I'll go through the purpose and the basic procedure of private bills. As you will recall, the purpose of a private bill is to allow an individual or a group to petition the Legislature for some sort of remedy or relief that isn't available in any other manner. As an example, corporations are typically formed under the Business Corporations Act, but insurance companies are not. As things stand now, although we are hopefully going to change that – if not this session, then perhaps next session – you must petition the Legislature to form an insurance company.

Standing Orders 84 to 101 govern the requirements for private bills generally, and those requirements are just very basically that the petitioner must advertise the petition or the request for relief in the *Alberta Gazette* and must also advertise on two consecutive weeks in the appropriate Alberta newspapers. They must serve notice of the petition on the Lieutenant Governor as well on the Legislative Assembly. They must pay a fee of \$200, and they must provide, along with their petition, a draft of the proposed bill.

The procedure for private bills is quite similar to regular government bills with the exception of the hearing process, the hearings that we conduct pursuant to each petition. Yesterday in the Legislature I presented the four petitions that we had received within the time deadline, and after we've considered those petitions today, I will be reporting to the Assembly. Then those petitions can be read and received. The report will likely happen today, and the petitions will be read and received likely the day after. Once the petitions have been read and received, the bills can then be introduced in the Assembly. It is at that point that our hearings take place, where the petitioners provide evidence in support of their petition and we are able to cross-examine the petitioners and hear from any other interested parties.

At the conclusion of all our hearings we as a committee deliberate. We're able to make one of three recommendations: recommend that the bill proceed, recommend that the bill proceed with amendments, or recommend that the bill not proceed. After we have done that, as chairman I will again report to the Assembly, and depending upon our committee's recommendations, the bills, if they are to proceed either as they are or with amendments, will then go to second reading, Committee of the Whole, third reading, and eventually Royal Assent hopefully.

Now, there's traditionally a sponsor, a private member who carries forward a private bill. It is the responsibility of that sponsor to introduce the bill in the Legislature and, when we come to the stage of second and third reading, for the sponsor to move both second and third reading. If there is any discussion that takes place during Committee of the Whole, although I haven't experienced this, I understand that the chairman normally speaks to the bill at that point, but that certainly doesn't preclude anyone else or the sponsor from speaking to it as well.

So that in a nutshell is the procedure, and I'll ask Parliamentary Counsel to add to that description if I have missed anything.

MR. REYNOLDS: No, Madam Chairman. I believe it's quite thorough. The only thing I would add is that before the committee actually considers the bills, after they are introduced, we prepare something called Parliamentary Counsel's report, which is actually a briefing on the bills and a statement if there are any legal problems with the proposed bill. That of course will be provided to the committee prior to when the committee decides it will next meet.

Thank you.

THE CHAIRMAN: Thank you. Are there any questions about procedure? Yes.

MR. THURBER: Madam Chairman, not too much about procedure, but I want to just ask a question pertaining to the four bills that we do have listed so far. I was just wondering how many of them have been here before. I suspect we'll be getting some of the background as we proceed through as to the status of these and where they've come from and whether they in fact have been here before or were turned down or extended. I know some of them have been, and I was just curious as to how many of them have been here before.

THE CHAIRMAN: Yes, Mr. Thurber, I think at least one of them has been here before seeking similar type relief. Perhaps at this stage we could go through each of the petitions and just get some background.

MR. THURBER: I wasn't even asking that until we had the background provided for each one, but I was just curious as to how many of them had been here. That's about what I recognize too.

THE CHAIRMAN: Mr. Reynolds, do you want to perhaps address that right now?

MR. REYNOLDS: Well, with respect to Mr. Thurber's question, regarding the Innovative Insurance Corporation Amendment Act, the same petitioner had petitioned for a name change and an extension two, three years ago, and they're back for another extension. Of course, the Wheat Pool's been here before, and they're here for, as we'll discuss in a minute, something different than what they had before. The Millennium Insurance Corporation is a new insurance company, but the people who are some of the promoters have appeared, I understand, before to have another insurance company incorporated. I think that would be about seven years ago, if memory serves.

THE CHAIRMAN: Okay. Thank you.

9:14

MR. TANNAS: I just wanted to ask my question with regard to the fact that my wife and I have a significant number of shares in an insurance agency that owns a number of agencies. That's why I keep running out whenever an insurance issue comes forth. Parliamentary Counsel may be able to answer the question. Since two of the four deal with that, then I'll be in and out. Do you see a conflict there, Mr. Reynolds?

MR. REYNOLDS: Well, Mr. Tannas, perhaps we could discuss this outside the meeting just to get more familiar with it.

MR. TANNAS: Okay.

THE CHAIRMAN: We won't be proceeding with any hearings today of course. I don't know. That might be something that you might want to take up with the Ethics Commissioner as well.

Just for your benefit, Ms Kryczka, if a member of this committee feels that they have a pecuniary interest in a matter before the committee or believes they have some other potential conflict of interest, then the typical thing is to abstain from voting and absent oneself from the deliberations and the hearing.

Well, we'll briefly go through the four petitions that we have received this session, and they are noted at page 2 and 3 of the memo circulated by Parliamentary Counsel with a brief description.

The first one, Bill Pr. 1, is the Tanya Marie Bryant Adoption Termination Act. As you can see from the description there, Mrs. Bryant was adopted on two separate occasions as a child, and she's now seeking this private bill to terminate both of the adoptions so that her birth registration will indicate her biological parents as her legal parents.

Bill Pr. 2 is the Innovative Insurance Corporation Amendment Act, 1998. As you can see, the petitioners are requesting an extension to the time that the corporation has to raise the necessary capital before they apply for a licence. They're seeking an extension until June 26 in the year 2000. This company was originally incorporated under another name in 1992, and the name was changed in 1995. An extension on the need to raise the capital was granted to June 26, 1997, which has expired, and thus the petitioners are seeking a further one-year extension of their requirement to raise the capital.

Bill Pr. 3 is the Alberta Wheat Pool Amendment Act, 1998. The Wheat Pool is requesting amendments to the Alberta Wheat Pool Act, 1970, for the purpose of enabling the Wheat Pool to be continued as a body corporate as if it had been incorporated under a federal act, another act of the Legislature of Alberta, or an act of

the Legislature of another province. This is kind of an unusual petition. The only thing I'd mention about this is that the Alberta Wheat Pool has requested that we delay the hearing of this matter until after the Wheat Pool delegates meet on March 30 of this year to either approve or not approve this intended move by the Wheat Pool.

Lastly, Bill Pr. 4, the Millennium Insurance Corporation Act, is a request for a private bill to incorporate an insurance company which would not engage in life insurance. It would be the fire and casualty type.

I can advise you that all of these four petitions comply in all respects with the requirements of the Standing Orders, so there is no need to grant any dispensation of any sort in these cases.

Mrs. Burgener.

MRS. BURGNER: Yes. Thanks, Madam Chairman. On Bill Pr. 3 is it the understanding, then, that if the Wheat Pool delegates voted not to proceed in this matter, then this one would be dropped from our agenda?

THE CHAIRMAN: That's my understanding.

MRS. BURGNER: Okay. Thank you.

THE CHAIRMAN: Are there any other questions about any of the petitions thus far?

All right. We'll proceed to the next order of business.

MR. REYNOLDS: If I could just point something out, Madam Chairman. Members who've served on this committee for a number of years will find something unusual this year. This is the first year that there aren't any noncompliant petitions. The four petitioners all got their documents in on time, so there's no vote actually required on whether to accept these or not. Under the Standing Orders when the petitions received comply with the requirements, the chairman notifies the committee and then just goes to the House and reports back that they comply. So there's no extension. There's no vote needed on the petitions, unlike the situation where if one doesn't comply, you have to grant a waiver and give them a special dispensation.

Thank you.

THE CHAIRMAN: Thanks, Mr. Reynolds.

If members would like to refer in their manuals to the page which is inserted at the end of the Petitioner's Guide to Private Bills Procedure, you'll see a list of the petitions and on the reverse of the page a proposed schedule of hearings. I'll just ask you to find that.

If you have that, what is being proposed is that we have hearings on bills Pr. 2 and Pr. 4 on March 10, followed by a hearing on the Tanya Marie Bryant Adoption Termination Act, Pr. 1, on March 17. These are all Tuesdays of course. We would then meet on March 24 to deliberate and hopefully reach a decision on the first three petitions. We would not meet again until April 7, when we would then have the hearing on Pr. 3, the Alberta Wheat Pool Amendment Act, 1998, for the reason that's been previously alluded to. The delegates meeting is taking place at the end of March, so this would be the first Tuesday after that date. Due to the Easter break we wouldn't meet on April 14, but we would meet again on April 21 to deliberate on the Alberta Wheat Pool matter.

That is the proposed schedule. Although it amounts to, I suppose, the committee accommodating the Alberta Wheat Pool, because we would normally hear all of the petitions one right after

the other, meet once to deliberate, and then have all bills move through the Legislature. As a result of this schedule bills Pr. 1, 2, and 4 would move through the Legislature as a group to be followed by Pr. 3, if and when it is ready. Any discussion?

I would, then, entertain a motion to approve the proposed schedule. Mr. McFarland, you so move?

MR. McFARLAND: Yes.

THE CHAIRMAN: All in favour?

HON. MEMBERS: Agreed.

THE CHAIRMAN: All right. Any opposed? The motion is carried.

Then move to Other Business on the agenda. Is there any other business that anyone would like to raise? Mrs. Soetaert.

MRS. SOETAERT: Thank you, Madam Chairman. Could we discuss the time that we start these meetings? My suggestion would be that we start at 8:30 a.m., which would accommodate our caucus. We have a meeting every day at 10 o'clock, so I'm wondering if that's possible. That's what we've done in the past, or is that set already?

THE CHAIRMAN: You say you have a meeting at 10 o'clock on Tuesdays?

MRS. SOETAERT: Yeah.

MS KRYCZKA: Well, I have a regular Tuesday morning meeting at 8 o'clock. I can try to move it to 7:45, but I don't think I can make it any earlier than that, or I'll be meeting by myself.

THE CHAIRMAN: So you're suggesting that you would like the hearings to start when?

MS KRYCZKA: Well, 9 o'clock is tight for me as it is.

MRS. BURGNER: Well, Madam Chairman, just as an option, the hearings are on the 10th and 17th, and perhaps for those two meetings – I don't expect that the meeting on the 17th will require an hour and a half or whatever, so possibly we could have the March 10 meeting at 8:30 to hear the two hearings and the other ones at 9 o'clock. I would imagine we could consider our information within an hour except for that one where we've got the two hearings scheduled, giving us a little more flexibility. So that would be my suggestion to accommodate both our colleagues with that time problem.

9:24

THE CHAIRMAN: Well, I think that's a reasonable proposal. It's just been brought to my attention by Mr. Reynolds that perhaps we'll need the full time allotment on April 7 for the Alberta Wheat Pool hearing, so we may want to start earlier on that date as well.

Unless there's any further discussion, Mrs. Burgener, you might want to make that motion.

MRS. BURGNER: All right. In light of that, then, I would recommend that the meetings of March 10 and April 7 be commenced at 8:30 and the rest start at 9 o'clock as per the original agenda.

THE CHAIRMAN: All in favour of that motion, say aye.

SOME HON. MEMBERS: Aye.

THE CHAIRMAN: All opposed, say no.

SOME HON. MEMBERS: No.

THE CHAIRMAN: The motion is carried.

The only other business that we have is to approve the minutes of our last meeting during last session. Those are the minutes from June 3, 1997, which you will find under the tab entitled Minutes. I would entertain a motion to approve those minutes at this time.

MR. STRANG: I so move, Madam Chairman.

THE CHAIRMAN: Moved by Mr. Strang that the minutes be adopted. All in favour of that motion, please say aye.

HON. MEMBERS: Aye.

THE CHAIRMAN: All opposed, say no. The motion is carried.

If there is no other business, perhaps someone would like to move that we now adjourn. Mr. Thurber so moves. All in favour, say aye.

HON. MEMBERS: Aye.

THE CHAIRMAN: All opposed, say no. The meeting is adjourned.

[The committee adjourned at 9:26 a.m.]

