



Legislative Assembly of Alberta

The 31st Legislature
First Session

Standing Committee
on
Private Bills

Monday, November 20, 2023
7 p.m.

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Standing Committee on Private Bills

Pitt, Angela D., Airdrie-East (UC), Chair
Stephan, Jason, Red Deer-South (UC), Deputy Chair

Bouchard, Eric, Calgary-Lougheed (UC)
Ceci, Joe, Calgary-Buffalo (NDP)
Deol, Jasvir, Edmonton-Meadows (NDP)
Dyck, Nolan B., Grande Prairie (UC)
Hayter, Julia K.U., Calgary-Edgemont (NDP)
Petrovic, Chelsae, Livingstone-Macleod (UC)
Sigurdson, Lori, Edmonton-Riverview (NDP)
Wright, Justin, Cypress-Medicine Hat (UC)

Support Staff

Vani Govindarajan	Parliamentary Counsel
Jody Rempel	Committee Clerk
Nancy Robert	Clerk of <i>Journals</i> and Committees
Janet Schwegel	Director of Parliamentary Programs
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Monday, November 20, 2023

[Ms Pitt in the chair]

The Chair: Hon. members, I'd like to call this committee to order.

I'd like to welcome members, staff, and guests to this meeting of the Standing Committee on Private Bills. My name is Angela Pitt, the MLA for Airdrie-East and the chair of this committee. I'd ask that members and those joining the committee at the table introduce themselves for the record. To my right.

Mr. Wright: Justin Wright, MLA for Cypress-Medicine Hat.

The Chair: Just a note that the microphones are operated by *Hansard*. There's no need to push the button. In fact, please don't touch it.

Mr. Dyck: Nolan Dyck for the constituency of Grande Prairie. God's country, the real God's country, contrary to what Shane Getson and various other MLAs say.

Mr. Bouchard: Eric Bouchard, Calgary-Lougheed.

Mrs. Petrovic: Chelsae Petrovic, MLA for Livingstone-Macleod.

Mr. Stephan: Jason Stephan, Red Deer-South.

Ms Sigurdson: Lori Sigurdson, Edmonton-Riverview.

Ms Hayter: Julia Hayter, Calgary-Edgemont.

Member Ceci: Joe Ceci, Calgary-Buffalo.

Mr. Deol: Good evening, everyone. Jasvir Deol, Edmonton-Meadows. Thank you.

Ms Govindarajan: Vani Govindarajan, Parliamentary Counsel.

Ms Robert: Good evening, everyone. Nancy Robert, clerk of *Journals* and committees.

Ms Rempel: Good evening. Jody Rempel, committee clerk.

The Chair: You can tell who does committee in this room by those who try and get the button.

Hon. members, there are a few housekeeping items before we turn to the business at hand. Please note that the microphones are operated by *Hansard*. We've discussed this. Committee proceedings are being live streamed on the Internet and broadcast on Alberta Assembly TV. Please set your cellphones and other devices to silent for the duration of the meeting or fines will ensue.

Before proceeding further, as this is the first meeting of this committee of the 31st Legislature, I would like to discuss remote participation in committee meetings. As you know, section 6 of the Legislative Assembly Act permits participation in a committee "by means of telephone or other telecommunication facilities that permit all members participating in the meeting to hear each other if all members of the committee consent." Our committee meeting rooms are equipped to facilitate meeting participation by telephone and videoconference.

If this is something we want to permit, then this committee may wish to pass a motion, which needs to be passed unanimously, to approve remote participation by members for the duration of a Legislature. I would note that such a motion would not preclude the committee from determining that in-person attendance at specific meetings is required, and in those cases a motion would be considered at the end of a particular meeting requesting the

attendance in person of members at a subsequent meeting. No members are joining us remotely.

Can I have a member move a motion? Do we have it on the screen? Member Stephan, I saw your hand go up. We're going to put the motion on the screen. If you would be so kind as to read it into the record for me.

Mr. Stephan: Chair, this looks exactly like what I was going to say. This is amazing. I move that

the Standing Committee on Private Bills consent for the purpose of section 6 of the Legislative Assembly Act to remote participation by any member in the committee's meetings held at the designated committee meeting rooms in the Queen Elizabeth II Building during the 31st Legislature unless the committee carries a motion in advance of a meeting that remote participation of members is not permitted at that meeting.

The Chair: Wonderful. Is there any discussion to the motion? If not, all those in favour, please say aye. Any opposed?

That is carried unanimously.

All right. Let's move on to the agenda. I'd like to draw everyone's attention to the draft meeting agenda. Would anyone like to propose any amendments? Seeing none, would a member like to move a motion to approve the agenda? MLA Petrovic.

Mrs. Petrovic: I move to approve the meeting agenda as presented.

The Chair: Any discussion? Seeing none, all those in favour, please say aye. Any opposed, say no. So carried unanimously.

All right. Committee orientation. Like the other committees of the Assembly, the Standing Committee on Private Bills operates based on duties assigned by statute on instruction from the Assembly contained in specific resolutions by rules provided in standing orders or by established practice. The committee is supported in its work by the nonpartisan staff of the Legislative Assembly Office. Vani Govindarajan, Parliamentary Counsel; and Jody Rempel, committee clerk, are both assigned to support this committee. Of course, there are staff from other Legislative Assembly Office branches who support all of our meetings, including Legislative Assembly security services, venue services, *Alberta Hansard*, ITS, broadcasting, and, of course, Nancy Robert.

Temporary substitutions. Standing order 56(2.1) to (2.4) outlines the processes for the substitution of chairs, deputy chairs, and committee members. For convenience, substitution notice templates are available on OurHouse for members to use, or you may draft your own notice. Please note that it is the responsibility of the original committee member to ensure that a substituting member is prepared for the meeting and has all the appropriate materials. Should the original committee member participate in the meeting, then the substitution is no longer in effect.

Members who are not committee members or official substitutes may attend and participate in committee meetings; however, they may not vote or move motions. Should the proceedings move in camera, these members would require specific consent of the committee to remain in attendance. If you or your staff have any questions about the substitution process, I would encourage you to follow up with any of the committee clerks.

Consideration of private bills. Since this is our first meeting of the 31st Legislature, I would like to invite Ms Govindarajan to provide us with an overview of the committee's mandate and processes.

Ms Govindarajan: Thank you, Madam Chair. I'm pleased to provide the committee with a brief overview of the private bills

process. You will have received the memorandum that I sent to you last week that outlined a lot of what I'm discussing today.

Private bills and the process for consideration are unique from public bills and other business that you'll typically deal with in the House and in other committees. Public bills have a general application to everyone in the province whereas private bills provide powers or benefits to specific individuals, corporations, or groups to accommodate an extraordinary situation where no equitable remedy can be found within an existing law or to provide limited exemptions from the general law. Although a private bill only applies to a specific individual or group, it does become a law like any other law in Alberta and has the same force and effect. It's also important to keep in mind that a private bill is not a private member's bill, which is a public bill that, if enacted, applies to the public at large.

In terms of procedure for members, chapter 8 of the Standing Orders sets out the rules and procedures governing private bills. This committee's role in the private bills process can be summarized as having two main functions. The first one is to review petitions that are received to ensure that the petitioner has complied with the specific requirements in the standing orders, and then to report those findings to the Assembly through the chair. The second function is then to consider the private bill once it has been introduced in the Assembly by its sponsor and then referred back again to the committee for its recommendation that the bill either proceed, not proceed, or proceed with amendments. That consideration of the committee involves a hearing that is scheduled to hear from the petitioner for the private bill.

As mentioned, private bills are not used to create laws of general application, but they have the same force and effect as law. This informs the role of the committee when reviewing private bills. This committee's role involves considering both the interests of the petitioner as well as other affected parties, and you will have noted that one of the requirements of the petitioner is to provide a public notice.

Depending on the subject matter or the nature of the bill, the committee may seek advice from government departments. In its review, members should keep in mind that a private bill should not be used to create an inequity or an unfair advantage to a group or individual or be used if there is another legal remedy to achieve a particular result.

That's a brief overview, Madam Chair, and I'm happy to answer any questions on the process.

The Chair: Thank you very much, Ms Govindarajan.
Any questions? The hon. Ms Sigurdson.

Ms Sigurdson: Just getting down further into the details, when someone does come and present to the committee, is it a 10-minute presentation, or how long is that presentation?

Ms Govindarajan: Great question. I believe it is 10 minutes, but that's something we can confirm. Then committee members would have an opportunity to ask the petitioner questions. Prior to that hearing, committee members will also receive a report from Parliamentary Counsel providing an opinion on the bill for your consideration.

7:10

Ms Sigurdson: Yeah. That'd be great to know how long the presentation can be and also how long it is for the questions. Is that 10 minutes also or five minutes or whatever?

The Chair: That's a good question, actually, and then the procedure for that.

Ms Robert: Thank you, Madam Chair. It doesn't say anything in the standing orders, so we're just going to have a look back at the last time that we did this because we don't do it very often. If you don't mind carrying on, then we'll report back. Is that all right?

Ms Sigurdson: Yes, that's fine. Thank you.

The Chair: Are there any other questions to put in the queue for this process?

Member Ceci: Just based on the explanation of what a private bill is and my colleague's question about, you know, how long things take, does it usually take a couple of meetings, then, to deal with the private bill as opposed to it all happening in one meeting?

Ms Govindarajan: This has varied, and it is up to the committee. As I understand it, in the past there have been private bills that have been a hearing for a private bill and deliberations that happened after that meeting. But it has also been the case that after the hearing, committee members determined that they would like more information, and they will defer the deliberations.

Member Ceci: Thank you.

The Chair: Any other questions?

Okay. Seeing none, the final matter regarding Bill Pr1 is scheduling for the hearing with the petitioner and the committee's deliberation on the bill. Given our in-session schedule and all the things that need to come from that, the proposal is November 29 in the evening, at 7 p.m. This will give us the opportunity at that time to hear from the petitioner and then have this go back to the House the subsequent week for the stages to move through the House to deal with it in a timely manner. Are there any objections to . . .

Member Ceci: The 29th, did you say?

The Chair: November 29 at 7 p.m. It's a Wednesday.

Member Ceci: That's the press gallery Christmas party. I have no idea what the videos are going to be like, but I don't want to miss them.

The Chair: I know what you mean. The morning of the 29th: would that be more agreeable?

An Hon. Member: I can't.

The Chair: You can't?
Are there other – yes.

Ms Sigurdson: Okay. The 29th. My concern is that, you know, this is a short session. We're talking about the following week we'll be out, so will this be able to be expedited then? It'd be nice to be able to have a completion. If anything, I would advocate for it earlier.

The Chair: This is probably the – like, this is expedited. I hear you loud and clear, and I have the same goal in mind, most certainly. The 29th is probably as early as we can get. This bill will go to the ministry for recommendation, and they're going to have a really short turnaround time to be able to bring that back to us, and that will bring us to the 29th, at which time we could do deliberations so that it can go back to the House on the Monday for report, which I believe is the 1st – no, the 4th. Then we could expedite it through the House the 5th, 6th; before the 7th. So, really, if we want to make that work, the 29th is our only day.

I get that the press gallery party is going to put a lot of people in a situation. I suspect it starts at 7. But if we could do the morning,

what do we need? Like, two hours? Do you think two hours is enough? Because if it's not, we're going to end up back here in the evening on the 29th.

Member Ceci: That's fine.

Ms Sigurdson: I think it's not.

Ms Rempel: It's not.

The Chair: It's not fine? It's not fine to come back?

Ms Rempel: No. We are required by the standing orders to give notice.

The Chair: Okay. We're going to propose 9 on the 29th. I know. I'm with you. I don't like it either. Can we agree enough and then figure out a path to get everybody there?

Mr. Deol: What about 9:30?

The Chair: Nine thirty? Jeez, Louise.
Okay. November 29th at 9 a.m.

Ms Govindarajan: Sorry. So just to take – I know we're talking about setting a hearing date, but as I mentioned, part of the role of the committee is to have consensus that the petitioners fulfill the requirements under the standing orders. So just to review those: the documents that are required for a petition for a private bill are set out in Standing Order 94. They must include two letters of petition, one addressed to the Lieutenant Governor and one to the Assembly; a statutory declaration confirming that they provided public notice in a daily newspaper in Alberta once a week for two consecutive weeks; a cheque in the amount of \$500; the name of the member who has agreed to sponsor the bill; and two copies of the draft private bill in the appropriate format. Those were to have all been submitted to the Clerk of the Assembly this year by November 14.

The petition that was received was for St. Joseph's College amendment act, and that was submitted by Dr. Shawn Flynn on behalf of St. Joseph's College. I can confirm for the committee members that the petitioner submitted those letters of petition, a statutory declaration confirming that they advertised a notice that describes the legislative amendment in both the *Edmonton Journal* and *Calgary Herald* once a week for two weeks in October, a money order in the amount of \$500, and a draft proposed bill. The petitioner also advised that Ms Sigurdson has agreed to be the sponsor of this bill. As such, it is my opinion that the petitioner has fulfilled the requirements under the standing orders. I know copies of the petitions were posted, and I have the original if any member wishes to see it, or if you have any questions about that.

The Chair: I've been informed that the petitioner has 10 minutes to present, and then questions will ensue. So I'm of the opinion that a 10 a.m. start would probably suffice just fine.

Member Ceci: Can I ask another question?

The Chair: Yeah.

Member Ceci: Does the petitioner provide us with feedback on what their announcements in the newspapers garnered, if any response?

Ms Govindarajan: The notice does include the contact information for the office of Parliamentary Counsel, so if there were

any responses, they would have approached our office, and anything that we would receive would be noted for the committee . . .

Member Ceci: Oh. It went to your office? Didn't go to the petitioner?

Ms Govindarajan: Their notice has to include our contact information.

Member Ceci: Oh, okay. And did you – well, we're not into the business yet, but I'll ask you when we get there.

The Chair: Okay. Any other questions?

Member Ceci: Do we need a motion?

The Chair: Not yet.

The petition seems to be in compliance with standing orders 90 to 94. It says: do members have any questions they wish to raise?

With that settled, in accordance . . .

Member Ceci: Is this the time? Did you get any response to the notices?

Ms Govindarajan: That would inform kind of your deliberation about whether or not it proceeds or not proceeds, but I could advise that we haven't. We did not receive anything to date.

The Chair: Do you have any more? No, no. That's okay. We're here for questions now.

Okay. With that settled, in accordance with Standing Order 99(1) I will provide an oral report to the Assembly tomorrow regarding our review of the petition, following which the process for introducing Bill Pr1 may begin.

Now to the schedule. November 29, 10 a.m.: do we like? We'll sort some stuff out. I like 10; 10 seems to be – I think we could probably sort that out then. Okay.

With that, I will seek a mover of the motion. Go ahead, hon. Member Ceci.

7:20

Member Ceci: Sure. I move that

the Standing Committee on Private Bills meet to hear the petitioner for Bill Pr1 and hold deliberations November 29, 2023, at 10 a.m.

Thank you.

The Chair: Any discussion?

Seeing none, all those in favour, please say aye. Any opposed, please say no.

That is carried.

Are there any other items for discussion under other business? Yeah.

Ms Sigurdson: So the committee has – so this is probably likely the only meeting that we're going to have besides this one on the 29th?

The Chair: Yes. Well, depending on how the 29th goes, yeah.

Ms Sigurdson: Right. Okay. But there were no other petitions that were received, nothing?

The Chair: Nothing.

Ms Sigurdson: Nothing. Okay.

The Chair: Not for this. The deadline has passed.

Ms Sigurdson: Gotcha.

The Chair: We're that efficient. That's two meetings and done. Well, maybe.

Okay. So the next meeting date is November 29 at 10 a.m.

Would a member like to move a motion to adjourn? This is the favourite one. There we go. MLA Petrovic has moved to adjourn. All those in favour, please say aye. Any opposed, please say no. Carried. The committee is adjourned until November 29 at 10 a.m.

[The committee adjourned at 7:22 p.m.]

