



Standing Committee on Private Bills

Final Report **Bill Pr1, *St. Joseph's College*** ***Amendment Act, 2023***

Thirty First Legislature
First Session
November 2023



Standing Committee on Private Bills

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STANDING COMMITTEE ON PRIVATE BILLS

November 2023

**To the Honourable Nathan M. Cooper
Speaker of the Legislative Assembly
of the Province of Alberta**

I have the honour of submitting, on behalf of the Standing Committee on Private Bills , the Committee's final report containing recommendations on Bill Pr1, *St. Joseph's College Amendment Act, 2023*, for consideration by the Legislative Assembly of Alberta.

Sincerely,

(original signed by)

Angela D. Pitt, MLA
Chair, Standing Committee on Private Bills

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MEMBERS OF THE STANDING COMMITTEE ON PRIVATE BILLS

31st Legislature, First Session

Angela Pitt, MLA
Chair
Airdrie-East (UC)

Jason Stephan, MLA
Deputy Chair
Red Deer-South (UC)

Eric Bouchard, MLA
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Edmonton-Riverview (NDP)

Justin Wright, MLA
Cypress-Medicine Hat (UC)

1.0 INTRODUCTION

Bill Pr1, *St. Joseph's College Amendment Act, 2023*, was introduced and received first reading on November 22, 2023. A copy of the Bill is attached to this report in accordance with Standing Order 105(3).

2.0 ORDER OF REFERENCE

Pursuant to Standing Order 100(1):

- After a private Bill has been read the first time,
- (a) the private Bill, and
 - (b) all petitions before the Assembly for or against the Bill,
- stand referred to the Private Bills Committee.

3.0 COMMITTEE ACTIVITIES

The Committee reviewed the petition for Bill Pr1 at its meeting on November 20, 2023, and confirmed that it complied with Standing Orders 90 to 94. Another meeting was held on November 29, 2023, at which the following representatives for St. Joseph's College made presentations to the Committee:

Dr. Shawn Flynn, President of St. Joseph's College
Dr. Matthew Kostelecky, Vice-president (Academic) and Dean of St. Joseph's College
Mr. David France, Legal Counsel

On November 29, 2023, the Committee completed its consideration of the Bill.

4.0 RECOMMENDATIONS

Pursuant to Standing Order 105(2) the Standing Committee on Private Bills recommends

that Bill Pr1, *St. Joseph's College Amendment Act, 2023*, proceed.

APPENDIX A: BILL Pr 1 *St. Joseph's College Amendment Act, 2023*

2023 Bill Pr1

First Session, 31st Legislature, 2 Charles III

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL Pr1

ST. JOSEPH’S COLLEGE AMENDMENT ACT, 2023

MS SIGURDSON

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill Pr1
Ms Sigurdson

BILL Pr1

2023

ST. JOSEPH'S COLLEGE AMENDMENT ACT, 2023

(Assented to , 2023)

WHEREAS St. Joseph's College was incorporated by *An Act to Incorporate St. Joseph's College*, Chapter 79, Statutes of Alberta, 1926 (the "Incorporating Act");

WHEREAS St. Joseph's College, pursuant to section 4(1) of the Incorporating Act, entered into an affiliation agreement with the Governors of the University of Alberta, dated April 28, 1926; and

WHEREAS a petition has been presented praying that the Incorporating Act be amended as set out below and it is expedient to grant the prayer of the petition;

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

Amends SA 1926 c79

1(1) *An Act to Incorporate St. Joseph's College* is amended by this section.

(2) The title of the Act is repealed and the following is substituted:

ST. JOSEPH'S COLLEGE ACT

Explanatory Notes

1(1) Amends chapter 79 of the Statutes of Alberta, 1926.

(2) The title presently reads:

An Act to Incorporate St. Joseph's College

(3) Section 1 is repealed and the following is substituted:

Definitions

1 In this Act,

- (a) “agreement” means an agreement between St. Joseph’s College and the University of Alberta providing for the College to be affiliated with the University of Alberta;
- (b) “Board” means the board of governors of the College constituted under section 2;
- (c) “College” or “Corporation” means the corporation continued under section 1.1;
- (d) “rules” means the rules made by the Board under section 3(3)(b);
- (e) “Senate” means the Senate of the College established under section 3.1.

College continued

1.1 St. Joseph’s College is continued as a corporation under the name “St. Joseph’s College”.

Programs, degrees, diplomas and certificates

1.2 The College has the authority to

- (a) operate in the Province as a Catholic college to provide instruction in the liberal and fine arts, the humanities, theology, the physical, natural and social sciences, and professional studies,
- (b) provide programs of study, approved in accordance with the *Post-secondary Learning Act* and the regulations made under that Act, that lead to the granting of baccalaureate, master’s and doctoral degrees,
- (c) provide institutionally approved programs of study that lead to the granting of diplomas and certificates, and
- (d) conduct scholarly research related to approved programs of study provided by the College that lead to the granting of baccalaureate, master’s or doctoral degrees.

(3) Section 1 presently reads:

I Most Reverend Henry Joseph O'Leary, Edmonton, Alberta, Archbishop of the Catholic Diocese of Edmonton, Alberta, Right Reverend John T. Kidd, of Calgary, Alberta, Bishop of the Catholic Diocese of Calgary, Alberta, Brother Austen, F.S.C., and Brother Alfred, F.S.C., both Brothers of the Christian Schools, of Edmonton, Alberta, Christian Brothers, Patrick Burns, K.S.G., of the City of Calgary, Alberta, President of P. Burns & Company Limited, and Honourable Nicholas D. Beck, Edmonton, Alberta, a Justice of the Appellate Division of the Supreme Court of Alberta, together with such other persons as shall from time to time become Governors of the said College hereby incorporated, are hereby constituted a body politic and corporate under the name of "St. Joseph's College," and shall have a perpetual Succession and a Common Seal.

(4) Section 3 is repealed and the following is substituted:

Board of Governors

3(1) The College is governed by the Board.

(2) Subject to subsection (3), the Board consists of

- (a) the Archbishop of the Catholic Archdiocese of Edmonton,
- (b) the individual holding the office of President of the College,
- (c) an individual nominated by the University of Alberta, provided that the College is affiliated with the University through an agreement, and
- (d) a minimum of 4 additional individuals appointed by the Board.

(3) The Board may do any of the following:

- (a) exercise any of the powers of the College as set out in section 4;
- (b) make rules respecting the following:
 - (i) the governance, operation, conduct, management, administration and control of the College, including its property, revenue, business and affairs;
 - (ii) the number of members of the Board and Senate;
 - (iii) the election or appointment, removal and term of office of members of the Board and Senate;
- (c) select a seal for the College and have the custody and use of the seal;
- (d) appoint committees consisting of members of the Board;
- (e) confer on behalf of the College
 - (i) baccalaureate, master's and doctoral degrees,

(4) Section 3 presently reads:

3 The said Corporation shall be governed by a Board of Governors, the first members of which shall be the Petitioners, who shall hold office until their successors shall be appointed, and a meeting of the Board shall promptly, after the passing of this Act, be called for that purpose, when a new Board of Governors shall be elected and the Board thereafter shall consist of—

- (a) The Archbishop of the Catholic Diocese of Edmonton for the time being.*
- (b) The Bishop of the Catholic Diocese of Calgary for the time being.*
- (c) The person holding the office of Rector of the College for the time being.*
- (d) The person holding the office of Bursar of the College for the time being.*
- (e) Three Catholic Laymen selected by the officials designated in clauses (a), (b), (c) and (d) hereof.*
- (f) A person nominated by the University of Alberta so long as the College is affiliated with the said University.*

- (ii) honorary doctorates, and
- (iii) awards, diplomas and certificates of merit and proficiency in other areas of learning;
- (f) delegate its powers, except the power to delegate.

Senate

3.1(1) The Senate of the College is established and consists of

- (a) the President,
- (b) members of the faculty appointed by the Board on the recommendation of the faculty,
- (c) individuals appointed to the Senate by the Board, which may include members of the Board, and
- (d) other individuals elected to the Senate pursuant to the rules of the College.

(2) The Senate may exercise any of the powers conferred on it under the rules.

(3) Without limiting the powers conferred on it by the rules, the Senate may do any of the following:

- (a) provide for the governance of the curriculum and education offered by the College;
- (b) determine all questions relating to the academic and other qualifications required of applicants for admission as students of the College;
- (c) recommend to the Board the conferring by the College of
 - (i) baccalaureate, master's and doctoral degrees,
 - (ii) honorary doctorates, and
 - (iii) awards, certificates and diplomas;
- (d) exercise academic disciplinary jurisdiction with respect to students in attendance at the College;

- (e) make such recommendations to the Board as it considers appropriate in promoting the interests of the College or for carrying out the objects and provisions of this Act.

(5) Sections 4(5) and (6) are repealed.

Transitional

2(1) In this section

- (a) “previous Act” means *An Act to Incorporate St. Joseph’s College* as it read immediately before the coming into force of this Act;
- (b) “amended Act” means the previous Act as amended by *St. Joseph’s College Amendment Act, 2023*.

(2) The rules, regulations and bylaws of the College as described in section 4(5) of the previous Act, to the extent they are not inconsistent with the amended Act, are continued as rules made by the Board under section 3(3)(b) of the amended Act.

(3) The membership of the Board as it existed immediately before the coming into force of the amended Act is, to the extent that its composition is not inconsistent with this Act, continued as the Board of the College under section 3 of the amended Act.

(5) Sections 4(5) and (6) presently read in part:

4 The said Corporation shall have, in addition to the powers with which the Corporation will become vested by virtue of section 30 of The Interpretation Act of the Revised Statutes of Alberta, 1922, the following plenary powers and authority:

(5) Full power and authority to exercise all the powers of the Corporation and to make rules, regulations and by-laws concerning the government, conduct, management and control of the College and its property, revenues, business and all affairs thereof.

(6) The Board shall have full power and authority, amongst other things to increase the number of members of the Board, the term of office thereof and the removal therefrom of the selected members.

2 Transitional.

RECORD OF DEBATE

Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
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