

2008 Bill 35

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First Session, 27th Legislature, 57 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 35**

**GOVERNMENT ORGANIZATION  
AMENDMENT ACT, 2008**

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THE MINISTER OF INFRASTRUCTURE

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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## BILL 35

2008

### GOVERNMENT ORGANIZATION AMENDMENT ACT, 2008

(Assented to \_\_\_\_\_, 2008)

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

#### Amends RSA 2000 cG-10

**1 The *Government Organization Act* is amended by this Act.**

**2 Schedule 11 is amended in section 10**

**(a) by repealing subsection (3) and substituting the following:**

**(3)** A sale or other disposition under subsection (1) may be made only

- (a) if it is made
  - (i) following an invitation to submit tenders or through a listing with a real estate broker licensed under the *Real Estate Act*,
  - (ii) after the Minister has obtained 2 or more appraisals of the market value of the land, at least one of which is obtained from an appraiser who is not an employee of the Government and carries on business as an appraiser, and
  - (iii) for an amount not less than the market value of the land, as determined by the Minister, having

## Explanatory Notes

**1** Amends chapter G-10 of the Revised Statutes of Alberta 2000.

**2** Schedule 11, section 10 presently reads:

*10(1) Subject to this section, the Minister may sell or otherwise dispose of any estate, interest or right in land held by the Crown and under the Minister's administration.*

*(2) The Minister may grant a lease, licence, easement or right of way with respect to land held by the Crown and under the Minister's administration.*

*(3) A sale or other disposition under subsection (1) may only be made*

*(a) following an invitation to submit tenders or through a listing with a real estate broker licensed under the Real Estate Act,*

*(b) after the Minister has obtained 2 or more appraisals of the market value of the land, at least one of which is obtained from an appraiser who is not an employee of the Government and carries on business as an appraiser, and*

*(c) at not less than the market value of the land, as determined by the Minister, having regard to those appraisals.*

regard to the appraisals referred to in subclause (ii),

- (b) to a person referred to in section 3(3) and, where applicable, under circumstances referred to in section 3(3), or
- (c) under circumstances authorized by the Lieutenant Governor in Council, subject to any conditions that may be imposed by the Lieutenant Governor in Council.

- (b) in subsection (4) by striking out “Subsection (3)(a)” and substituting “Subsection (3)(a)(i)”;**
- (c) in subsection (5) by striking out “Subsection (3)(b)” and substituting “Subsection (3)(a)(ii)”;**
- (d) in subsection (6) by striking out “Subsection (3)(c)” and substituting “Subsection (3)(a)(iii)”;**
- (e) in subsection (7) by striking out “Subsection (3)(a) and (c)” and substituting “Subsection (3)(a)(i) and (iii)”;**
- (f) by repealing subsection (8);**
- (g) in subsection (9) by striking out “subsection (8)” and substituting “subsection (3)(b)”.**

*(4) Subsection (3)(a) does not apply*

- (a) if the land is sold or otherwise disposed of to the person who sold the land to the Crown and that person owns land adjacent to that Crown land, or*
- (b) if the land is sold or otherwise disposed of to a person who owns land adjacent to that Crown land to facilitate the development of the land.*

*(5) Subsection (3)(b) does not apply if the costs of conducting the sale or other disposition in accordance with that clause would, in the opinion of the Minister, exceed the market value of the land as determined by the Minister.*

*(6) Subsection (3)(c) does not apply if,*

- (a) following the invitation to submit tenders, no tenders were received or the highest tender received was for less than the amount determined by the Minister, having regard to the appraisals, to be the market value of the land, or*
- (b) following the listing, no offers were received or the highest offer received was for less than the amount determined by the Minister, having regard to the appraisals, to be the market value of the land.*

*(7) Subsection (3)(a) and (c) do not apply if the sale or other disposition is made in exchange for other land and, in the opinion of the Minister, having regard to the appraisals, adequate compensation is obtained for the land sold or otherwise disposed of by the Minister.*

*(8) Subsection (3) does not apply if the sale or other disposition is made to a person referred to in section 3(3) and, where applicable, under circumstances referred to in section 3(3).*

*(9) A sale or other disposition referred to in subsection (8) may be made for a nominal consideration.*

*(10) The Minister may transfer the administration of any public land under the Minister's administration to any other Minister of the Crown or to a Crown corporation if*

- (a) the public land is required under a program administered by that Minister or Crown corporation, and*



*(b) that Minister or Crown corporation consents in writing to the transfer.*

*(11) Notice of the sale or other disposition of land under subsection (1) must be published in The Alberta Gazette within 30 days after the land is sold.*

*(12) The notice must contain the name of the person to whom the land is sold or otherwise disposed of, a description of the land and the amount paid for the land.*

### RECORD OF DEBATE

Stage	Date	Member	From	To
		Questions and Comments	From	To
Stage	Date	Member	From	To
		Questions and Comments	From	To
Stage	Date	Member	From	To
		Questions and Comments	From	To
Stage	Date	Member	From	To
		Questions and Comments	From	To