

2018 Bill 208

Fourth Session, 29th Legislature, 67 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 208

PUBLIC RECREATION AREAS CONSULTATION ACT

MR. WESTHEAD

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 208

2018

PUBLIC RECREATION AREAS CONSULTATION ACT

(Assented to _____, 2018)

WHEREAS recreation areas on public land are important environmental and economic assets to be enjoyed by all Albertans;

WHEREAS community stewards play an integral role in the development, maintenance and protection of public recreation areas throughout Alberta; and

WHEREAS the protection of Alberta's public recreation areas will come about when business, government and community stewards work together;

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

Definitions

1 In this Act,

- (a) "assignment" includes transfer;
- (b) "consult" means, with respect to a public recreation area, engaging in a consultative process used to identify priorities for the development, management or environmental protection of the public land and the natural features and facilities situated on the public land, in connection with any current or proposed change in land use activity;
- (c) "consultative notation" means an instrument registered in a book or record of public land administration that is intended to give notice of a recreational interest with respect to a public recreation area;

- (d) “Department” means the Department administered by the Minister;
- (e) “disposition” includes any lease, permit or licence, or any instrument granting an estate or interest in public land;
- (f) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for the *Public Lands Act*;
- (g) “public land” has the same meaning as in the *Public Lands Act*;
- (h) “public recreation area” means
 - (i) an area of public land declared pursuant to the *Public Lands Administration Regulation* to be a public land use zone and described in Schedule 4 of that Regulation,
 - (ii) an area of public land declared pursuant to the *Public Lands Administration Regulation* to be a public land recreation area and described in Schedule 5 of that Regulation, and
 - (iii) an area of public land declared pursuant to the *Public Lands Administration Regulation* to be a public land recreation trail and described in Schedule 6 of that Regulation.
- (i) “recreational interest” means, with respect to a society, involvement with the development or management of recreational activities on public land, including the natural features or facilities situated on that public land;
- (j) “society” means a society incorporated or continued under the *Societies Act* with a declared purpose of developing, managing or protecting public recreation areas.

Amendments to the Public Lands Administration Regulation

2(1) Within 3 months of the coming into force of this Act, the Lieutenant Governor in Council shall make amendments to the *Public Lands Administration Regulation* (AR 187/2011) to provide for the following:

- (a) a society with a recreational interest in a public recreation area may apply for a consultative notation to be registered

with respect to that public land in a book or record of public lands administration maintained by or on behalf of the Department for that purpose;

- (b) prior to any assignment or disposition of a public recreation area, the Department must publicly consult with all societies that have registered a consultative notation with respect to that public land, as well as any other interested person who wishes to participate in the public consultation;
- (c) the registration of a consultative notation in connection with a public recreation area must in no way prevent or prohibit the assignment or disposition of that public land;
- (d) a process must be implemented whereby a consultative notation registered by a society may be removed by the Department if
 - (i) the society no longer has a recreational interest in the public recreation area subject to the consultative notation,
 - (ii) the society has been dissolved, or its registration has been revoked and cancelled, in accordance with the *Societies Act*, or
 - (iii) the public recreation area subject to the consultative notation no longer exists under the *Public Lands Act*.

(2) The Lieutenant Governor in Council may prescribe additional public land to be subject to the amendments required under subsection (1), as it considers appropriate.

Coming into force

3 This Act comes into force on Proclamation.

Record of Debate

STAGE	DATE	MEMBER	FROM	TO	TOTAL	CUMULATIVE TOTAL