



Legislative Assembly of Alberta

The 30th Legislature  
Second Session

Select Special  
Committee on  
Real Property Rights

Monday, May 31, 2021  
9 a.m.

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**Legislative Assembly of Alberta  
The 30th Legislature  
Second Session**

**Select Special Committee on Real Property Rights**

Sigurdson, R.J., Highwood (UC), Chair  
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Nielsen, Christian E., Edmonton-Decore (NDP)  
Orr, Ronald, Lacombe-Ponoka (UC)  
Rowswell, Garth, Vermilion-Lloydminster-Wainwright (UC)  
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**9 a.m. Monday, May 31, 2021**

[Mr. Sigurdson in the chair]

**The Chair:** Good morning. I'd like to call this meeting of the Select Special Committee on Real Property Rights to order and welcome everyone in attendance.

My name is R.J. Sigurdson, MLA for Highwood and chair of the committee. I'd ask that members and those joining the committee at the table introduce themselves for the record, and then I will call on those joining in by videoconference. I will begin to my right.

**Mr. Rutherford:** Brad Rutherford, MLA, Leduc-Beaumont.

**Ms Goodridge:** Laila Goodridge, MLA, Fort McMurray-Lac La Biche.

**Mr. Orr:** Ron Orr, Lacombe-Ponoka.

**Mr. Rowswell:** Garth Rowswell, Vermilion-Lloydminster-Wainwright.

**Mr. Milliken:** Nicholas Milliken, MLA, Calgary-Currie.

**Mr. Schmidt:** Marlin Schmidt, Edmonton-Gold Bar.

**Ms Sweet:** Heather Sweet, MLA, Edmonton-Manning.

**Mr. Nielsen:** Good morning, everyone. Chris Nielsen, MLA for Edmonton-Decore.

**Mr. Kulicki:** Good morning. Michael Kulicki, clerk of committees and research services.

**Mr. Huffman:** Good morning. Warren Huffman, committee clerk.

**The Chair:** Then by videoconference we have MLA Ganley.

**Ms Ganley:** Good morning. Kathleen Ganley, MLA for Calgary-Mountain View.

**The Chair:** As well, we have MLA Glasgo.

**Ms Glasgo:** Good morning. Michaela Glasgo, MLA, Brooks-Medicine Hat.

**The Chair:** And, finally, MLA Hanson.

**Mr. Hanson:** MLA David Hanson, Bonnyville-Cold Lake-St. Paul.

**The Chair:** Thank you.

A few housekeeping items to address before we turn to the business at hand. Pursuant to the February 22, 2021, memo from the hon. Speaker Cooper I would remind everyone of the updated committee room protocols, which encourage members to wear masks in committee rooms and while seated except when speaking, at which time they may choose not to wear a face covering. Based on the recommendations from the chief medical officer of health regarding physical distancing, attendees at today's meeting are reminded to leave the appropriate distance between themselves and other meeting participants.

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Approval of the agenda. Are there any changes or additions to the draft agenda? If not, would somebody like to make a motion to approve the agenda as submitted? MLA Rowswell. Moved by MLA Rowswell that the agenda for the May 31, 2021, meeting of the Select Special Committee on Real Property Rights be adopted as distributed. All those in favour? On videoconference? All those opposed? Thank you. That motion is carried.

Approval of the minutes. Next we have the draft minutes of our May 17, 2021, meeting. Are there any errors or omissions to note? If not, would a member like to make a motion to approve the minutes? MLA Milliken. Moved by MLA Milliken that the minutes of the May 17, 2021, meeting of the Select Special Committee on Real Property Rights be approved as distributed. All those in favour? On videoconference? All those opposed? Thank you. That motion is carried.

Item 4, business arising from the report of the subcommittee on committee business, (a) recommendations relating to the scope of the review. Hon. members, the subcommittee on committee business met on Thursday, May 20, to discuss how the committee may want to conduct its review. A report of the subcommittee's recommendations to the committee has been distributed to members.

Do any members have any comments about the subcommittee's recommendations relating to the scope of the committee's review? MLA Rutherford.

**Mr. Rutherford:** Thank you, Chair. I appreciate that, and good morning, everybody. I'd like to move a motion if I could, Chair.

**The Chair:** Please go ahead.

**Mr. Rutherford:** It's motion 1. I move that

the Select Special Committee on Real Property Rights approve the recommendation pertaining to section 3.1 of the subcommittee on committee business May 20, 2021, report: that the committee scope be kept broad within the bounds of the given mandate and the review of Bill 206 and that the subcommittee be provided an opportunity at a future meeting, after the technical briefings are held, to provide additional recommendations with respect to other matters the committee may wish to consider as part of its mandate.

I think that this motion keeps us within the bounds of the government motion on Bill 206, which is important. It is broad already in its scope, but we are not limiting ourselves as we get feedback later on in this process.

Thank you.

**The Chair:** Thank you.

Are there any further questions or comments relating to the motion? MLA Schmidt.

**Mr. Schmidt:** Yeah. Thank you. I do agree with Member Rutherford that it will be important to keep the mandate of this committee broad, and I appreciate that the motion that he's brought forward for us to consider does that. However, you know, looking down the agenda and at some of the motions that are going to be considered by the committee earlier this afternoon, I'm afraid that the government is not sincere in its desire to keep the mandate of this committee broad.

You know, we've heard from many property owners about a whole host of issues that affect their property rights, not just the issues in Bill 206 but issues around surface rights, water rights, issues pertaining to coal development, oil and gas leases, abandoned well cleanup, grazing leases, a whole host of issues. It goes on and on. The motion is worded so that after the technical briefings are held, the subcommittee can review the mandate and propose any changes to the mandate. My fear is that the technical briefings are going to be so limited in scope that the members of the committee won't have the information given to them by the ministries that we are going to invite to discuss issues around property rights to give the members enough information as to know where to go from here.

I challenge all members of the government to live up to the commitment that it made by bringing forward this motion to keep the mandate broad, to also keep the rest of the work that we're going to agree on today broad and not limit the scope of the technical briefings that we're going to be discussing later in the agenda.

**The Chair:** Thank you.

MLA Orr, please go ahead.

**Mr. Orr:** Yeah. Thank you, Mr. Chair. This is a difficult balancing act, and while I agree that there are all kinds of issues out there, many, many issues out there that may have some sort of secondary impact to this particular committee, we do have a mandate that we need to stay within, and we also have a very tight timeline to get this thing done. While we could expand this forever almost – and I'm not saying that some of those other issues aren't valid. What I am saying is that they don't necessarily fit within the scope of the government's purpose in this particular committee.

My suggestion is that maybe there should be some other committees to deal with some of those issues, but if we're to complete this within a reasonable time, the timeline we've been given, we need to stick within the bounds of the mandate and not allow it to sort of creep out into all these other valid but not necessarily immediately pertinent issues to this particular committee.

Thank you.

**The Chair:** Any further questions or comments?

Seeing none, based on the motion moved by Mr. Rutherford that is on the screen, all those in favour of the motion? On video conference? All those opposed? And on the video conference as well? Thank you.

That motion is carried.

Going on to (b), recommendations relating to technical briefings and departmental assistance, the subcommittee recommended that the committee request technical briefings from the ministries of Justice and Solicitor General, Energy, Agriculture and Forestry, Indigenous Relations, Transportation, Municipal Affairs, Environment and Parks, and Service Alberta. The committee also recommended that ministries cover specific topics in their briefings.

I'll now open up the floor to members for discussion on this item.

**Mr. Rutherford:** Mr. Chair.

**The Chair:** MLA Rutherford.

9:10

**Mr. Rutherford:** Thank you, Chair. I'd like to move another motion if I could. It's motion 2. I move that

the Select Special Committee on Real Property Rights approve the recommendations pertaining to section 3.2 of the

subcommittee on committee business May 20, 2021, report and (a) invite the following ministries to provide technical briefings to the committee on specific legislation and issues as they relate to the mandate of the committee and the agreed-upon focus areas:

- (1) Justice and Solicitor General
- (2) Energy
- (3) Environment and Parks
- (4) Agriculture and Forestry
- (5) Indigenous Relations
- (6) Transportation
- (7) Municipal Affairs
- (8) Service Alberta,

and (b) request that these ministries provide written materials to the committee prior to their presentations.

Mr. Chair, I think that, starting with point (b), having information ahead of time will allow the committee to formulate questions and to develop a perspective on issues that we are going to receive in these briefings. I think that is important. Also, the areas of focus identified by the subcommittee provide direction to the departments; however, they are not constraining the departments either. With eight ministries, I think we'll have robust feedback from them that will help us in our decision-making.

**The Chair:** Next I have MLA Ganley. Please, MLA Ganley, go ahead.

**Ms Ganley:** Yes. I think the intent of this motion is in some ways very good. Obviously, the procedure that has been added to this committee has the result that oftentimes the government is able to move motions which render obsolete, shall we say, a number of motions that the opposition would like to move. I think we all know where this is going since we all have seen those things ahead of time. So my suggestion is simply that we look at this particular motion and consider the sort of broadness, I guess, of that motion. I think the difficulty here is that – and I appreciate Mr. Orr's comments with respect to, you know, that some things are in order and some things are out of order; that is true. But there are some things you can't discuss without touching on certain other issues.

The idea that somehow we can discuss, you know, the process for notice and how landowners receive notice with respect to projects that may be on their land without discussing the fact that coal will have an impact there or that those things will have an impact on water or that surface rights are impacted – I mean, one of the great frustrations is that if the AER rules that you're not directly and adversely affected, then it's the case that the Surface Rights Board won't necessarily hear your appeal.

I think that, with that in mind, I would like to move an amendment, which has been submitted ahead of time, so I'm just going to read it here for all involved, that the motion be amended by adding the following after (b):

- (c) request that technical briefings the committee receives address the following statutes: the Surface Rights Act; the Coal Conservation Act; the Oil and Gas Conservation Act; the Pipeline Act; the Mines and Minerals Act; the Public Lands Modernization (Grazing Leases and Obsolete Provisions) Amendment Act, 2019; the Irrigation Districts Act; the Alberta Land Stewardship Act; the Water Act; and the Environmental Protection and Enhancement Act as they may relate to the mandate of the committee.

I just want to point out, before people start talking about this broadening of things overly much, that there is that proviso at the end: "as they . . . relate to the mandate of the committee." These acts are impacted by and interact with the acts that we are considering. I'm not suggesting we get sort of a full-scope briefing on these additional acts. What I'm suggesting is that to the extent that the provisions of those acts are impacted by the changes we are

considering in Bill 206, those should be included in the briefing because otherwise we're receiving a briefing which only touches on some issues. As anyone in this room who sort of started their advance research on this matter is aware, this is an incredibly complicated issue, and it's impossible to fully pull these things apart from one another.

So I'm hopeful that because we have that little proviso in there that just says only as far as those acts are impacted, members will consider amending this motion so that we can ensure that we have all the relevant information before us. Again, this isn't going to the full deliberations phase. This is just that as we're scoping the work of the committee, we understand what the issues are so that when we're scoping, we know the full substance of what it is that we're talking about.

With that, I move that amendment.

**Mr. Orr:** Point of order, Mr. Chair.

**The Chair:** MLA Orr.

**Mr. Orr:** I believe that these items were – well, okay. Section 23(f), debates in a previous vote: the minutes we just approved specifically identified all of these particular acts as something that was not within the scope. That motion from the May 17 meeting was defeated, so I find this a point of order partly because it's already been voted on, and it's just needless repetition.

Thank you.

**The Chair:** Thank you.

Any further debate on the point of order?

**Ms Ganley:** Mr. Chair, I'm happy to jump in on this.

**The Chair:** Please proceed, MLA Ganley.

**Ms Ganley:** We had this conversation about the subcommittee when it was originally struck, and we had this conversation about how, in my view and perhaps the view of my colleagues, the subcommittee was essentially an effort to take issues which are important to Albertans, which are important to the public, and put them somewhere which is off the record. That was extremely problematic, and at that time members of the government intervened and said: "Not to worry. That's not what we're trying to do. We don't want to put things off the record. You know, if we send it to the subcommittee and then it comes back and you still want to discuss it, you're welcome to come and you're welcome to discuss those things on the record for all Albertans to hear." That's exactly what I'm trying to do right now. At the government's very first opportunity to prove that they are true to their word, to prove that the point of the subcommittee was not, in fact, an intentional movement of issues that are important to Albertans off the record, the government tries to rule something out of order because it was discussed at the subcommittee.

So, Mr. Chair, I think this is not a point of order. This is not a previous vote on the record. It is, in fact, something that is well within the scope of this committee to discuss.

**The Chair:** Thank you for both of those arguments, but based on the standing orders and the previous decisions made at the previous meeting, I do find that this a point of order. I would say that this amendment is out of order and that we would move back to the main motion proposed by MLA Rutherford.

Are there any further questions or comments about the main motion? MLA Sweet.

**Ms Sweet:** Well, thank you, Mr. Chair. I guess I need some clarity, then. If this motion were to pass – and I'm not going to presuppose the outcome of the vote – will this then make all of the motions that we have made out of order?

**The Chair:** One second, MLA Sweet. I will check with counsel.

Yes. Any of the specific motions relating to tech briefings would then, yes, be out of order.

9:20

**Ms Sweet:** Okay. Then, Mr. Chair, would we be able to get direction from the clerk if all the motions that have been submitted under – so, for example, mine, that would be 4(b). Can I use that as a subamendment to this motion? It's been provided to the committee ahead of time. The committee is aware of the content of the motion that I was going to propose. I would like to make it an amendment to this motion, please.

**The Chair:** One sec. I will check and see if that is acceptable.

Technically, because there is no amendment, we cannot have a subamendment if there isn't an amendment.

**Ms Sweet:** Can I amend the motion, though, with a motion that I was going to put forward earlier in the day, that would now be ruled out of order?

**The Chair:** No. Technically, it would be out of order.

**Ms Sweet:** So for clarity for the committee: if the government chooses to put a motion forward that could erase all other discussion for the rest of the committee, that is in order, but any other motions that the opposition wants to put forward will be deemed out of order, correct?

**The Chair:** Technically, you could put an amendment to it, but it would have to be at the approval of the committee.

**Ms Sweet:** Okay. Then I would like to submit an amendment to the motion by Mr. Rutherford, please.

**The Chair:** To the committee, before we get to the amendment, the committee at this point in time would have to agree in a majority to allow amendments to proceed. At this time – I apologize, MLA Sweet. You can propose the amendment first.

**Ms Sweet:** Yes. Then the committee will determine whether it moves forward. Thank you very much, Mr. Chair. I had submitted that there would be an amendment to another motion coming forward that would now be ruled out of order, so I would like to submit it to this motion, which was 4(b) by Sweet, that the Select Special Committee on Real Property Rights invite officials from the Department of Agriculture and Forestry to provide a technical briefing on issues related to the mandate of the committee, including the Property Rights Advocate, the Farmers' Advocate, and the Irrigation Districts Act.

**The Chair:** At this time I'm just going to give a few seconds for this amendment to get up on the screen for the benefit of those joining us on teleconference, at which time there will be no discussion. This will be a vote just for this amendment to proceed to discussion. Sorry; MLA Sweet, could you please repeat the amendment for the benefit of counsel?

**Ms Sweet:** That

the Select Special Committee on Real Property Rights invite officials from the Department of Agriculture and Forestry to provide a technical briefing on issues related to the mandate of

the committee, including the Property Rights Advocate, the Farmers' Advocate, and the Irrigation Districts Act.

It would be an amendment after "May 20, 2021, report and" and then it would be, instead of the pieces that Ms Ganley was not able to do, inserting "Agriculture and Forestry" and "provide a technical briefing" with the following.

**Ms Goodridge:** Agriculture and Forestry is already on the list.

**The Chair:** Just one sec. Of course, at this point in time we can't proceed to discussion as of yet. I will wait for the clerk to get the motion amendment on the screen, at which time we will vote on whether that amendment is to proceed. I apologize for the delay. We just want to make sure to get this up, which it is now.

MLA Sweet, can you please quickly review that to make sure that is correct?

**Ms Sweet:** That's correct. Thank you, Mr. Chair.

**The Chair:** Thank you.

At this time the amendment is on the screen. This vote is for this to proceed to discussion at this time. On the amendment moved by Ms Sweet, all those in favour of if we are to proceed with the amendment, say aye. On videoconference? All those opposed? On videoconference?

That motion is defeated.

Yes, MLA Schmidt.

**Mr. Schmidt:** I would also like to propose an amendment.

**The Chair:** One second. MLA Schmidt, can you please read the amendment?

**Mr. Schmidt:** I move that

the Select Special Committee on Real Property Rights invite officials from the Department of Environment and Parks to (a) provide a technical briefing on issues related to the mandate of the committee, including the Public Lands Modernization (Grazing Leases and Obsolete Provisions) Amendment Act, 2019, the Water Act, the Environmental Protection and Enhancement Act, and sections 9, 11, 14, 15, and 19 of the Alberta Land Stewardship Act, and (b) with regard to Bill 206, Property Rights Statutes Amendment Act, 2020, provide information on the definition and scope of "statutory consent" and the effects of changes in Bill 206 on the ability of the Ministry of Environment and Parks to do land-use planning.

**Mr. Rutherford:** Point of order.

**The Chair:** One sec, MLA Schmidt.

I have a point of order. MLA Rutherford.

**Mr. Rutherford:** Thank you, Mr. Chair. Given the previous point of order and your decision on it and then what I am taking from this, under 23(f) we are now reading out the motions that were decided to be out of order. It is basically going against what your ruling is, is it not?

**The Chair:** You're raising a point of order based on which standing order? I apologize.

**Mr. Rutherford:** Standing Order 23(f), that the decision of the committee – our previous main committee, I believe, on the 17th, had a vote on these acts. I just want to make sure that we're following your ruling properly, that the main motion, for what it covers from points 1 to 8, which is on our screen – that we're not having an opportunity here where amendments that would have

been ruled out of order are now just repeatedly read in just for the sake of it, I guess.

**The Chair:** Thank you.

MLA Sweet, please proceed on the point of order.

**Ms Sweet:** Well, thank you, Mr. Chair. Again, when I asked for the point of clarity, we have not voted on this motion as it is right now. It is still on the floor for discussion. The opposition had amendments that they would have liked to have made that this motion would have ruled out of order. We have not voted. Therefore, discussion is still on the floor. The opposition has things they would like to add to the discussion. Therefore, it's not a point of order. This is part of our democracy, and this is how it works.

**The Chair:** Just one sec, MLA Sweet.

Based on the review that I've received from the clerk and counsel, I do rule in favour of MLA Rutherford that this is out of order and that at this time we proceed back to business. I would recommend that we get back to the main motion and discussion on that main motion so that we can proceed forward as a committee.

Yes, MLA Schmidt.

**Mr. Schmidt:** Sorry. Point of order under Standing Order 13(2). If the chair could explain the reasons for the decision behind this. It's not clear to me from your decision, Mr. Chair, why Ms Sweet's motion was in order but my motion was not in order.

9:30

**The Chair:** At the time I reviewed with both counsel and the clerk, there was a point of order raised deeming that these were out of order and that these amendments were out of order. At that time I discussed with them, and it seems to be that this is just bringing all those amendments back into this principal motion. That's why I found it out of order, and that's why we're moving back to the main motion, in which we can have further discussion about the main motion moving forward.

Yes, MLA Sweet.

**Ms Sweet:** Mr. Chair, I need clarity as to when an amendment is deemed out of order when we're still in debate on the main motion. You can always amend a main motion under the standing orders. So how is it that they're now being deemed out of order when we're still in debate?

**The Chair:** As I was in discussion with counsel, it is because of a point of order being raised on the issue which had been ruled on. Thank you, MLA Sweet.

We are back on the main motion. Is there any further discussion on the main motion that is on the screen?

Seeing none . . .

**Ms Ganley:** Oh, sorry, Mr. Chair. I put myself on the list, but maybe the clerk didn't quite get it to you.

**The Chair:** Please proceed, MLA Ganley.

**Ms Ganley:** Yes. I too would like to move an amendment, and that amendment is as follows. Sorry. Just let me pull it up here.

Oh, in addition, might I just note that for those of us on videoconference, because we can't see the screens, it's a little bit harder to follow the proceedings because they're not putting the motions in the chat. So, like, we don't really know exactly what's happening.

Nonetheless, I will make my attempt at an amendment here, and that amendment is that the Select Special Committee on Real

Property Rights invite officials from the Department of Energy to – and I’m going to add “also” because we’re redrafting this – provide a technical briefing on issues related to the mandate of the committee, including the Surface Rights Act, the Coal Conservation Act, the Oil and Gas Conservation Act . . .

**Mr. Rutherford:** Point of order.

**The Chair:** Thank you, Ms Ganley. We have a point of order. MLA Rutherford, please proceed.

**Mr. Schmidt:** She hasn’t even read out the full motion yet.

**The Chair:** There’s a point of order raised. MLA Rutherford, please proceed.

**Mr. Rutherford:** Thank you. Standing Order 23(f): we are again into, I think, the third attempt to circumvent your rulings, Mr. Chair, in that the out-of-order motion before includes acts that are now being discussed again in another amendment. This is the same attempt as the last one to move out of order amendments. I don’t see the difference between what just transpired and was ruled on and what is happening now.

**The Chair:** Thank you, MLA Rutherford. I do agree with that.

**Ms Sweet:** Mr. Chair. I do have a right to respond on behalf of the opposition.

**The Chair:** MLA Sweet, go ahead, but please make it brief. This is becoming quite repetitive.

**Ms Sweet:** Thank you, Mr. Chair. Just to be clear, under debatable motions under 18(c), the previous question. You will then refer to motions received during debate:

- 43 When a motion is under debate, no motion may be received except
- (a) to amend it;
  - (b) to refer it; [or]
  - (c) to postpone it to a certain day.

I would like to remind everybody in this chamber that debatable motions are allowed under 18(c), with the previous question, and that a motion received under debate under 43(a) is to amend. These are not out of order. It is within the standing orders to do what we are doing right now.

**The Chair:** MLA Sweet, I will review this one last time with both the clerk and counsel. Please give me a minute.

At this point in time we’ll take a five-minute recess just to discuss this, and then we’ll reconvene. We will reconvene at 9:40.

Thank you.

[The committee adjourned from 9:36 a.m. to 9:41 a.m.]

**The Chair:** Excellent. I want to thank everybody for their patience in this matter. Of course, I want to make sure that we do get this correct. Based on the in-depth discussion I’ve had with the clerk and Parliamentary Counsel and based on both 52.041 and reviewing 43(a), you can propose the amendment, but if it is deemed to be out of order, the chair can rule that it is out of order.

At this point in time I do believe we had MLA Ganley reading an amendment. Please reread your amendment. Go ahead. Thank you, MLA Ganley.

**Ms Ganley:** Yes. Absolutely. All right. I’ll just start from the beginning if that’s okay. I would amend the motion as follows: that

the Select Special Committee on Real Property Rights invite officials from the Department of Energy to . . .

And I’m just adding the word

. . . also . . .

to what had previously been submitted because it’s now an amendment.

. . . provide a technical briefing on issues related to the mandate of the committee, including the Surface Rights Act, the Coal Conservation Act, the Oil and Gas Conservation Act, the Pipeline Act, the Mines and Minerals Act, and sections 30 to 41 of the Responsible Energy Development Act.

Those essentially just add some of the collateral issues that I had mentioned earlier . . .

**The Chair:** At this point in time we’re not proceeding to discussion on this amendment. As the chair I do deem that motion out of order.

We are back on to the main motion moved by MLA Rutherford. Is there any further discussion on the main motion? Mr. Nielsen.

**Mr. Nielsen:** Thank you, Mr. Chair. I too would also like to provide a motion for the committee’s consideration. I know we seem to be going through a bit of a process here where we’re deeming stuff that has already been decided – I would point out that . . .

**Mr. Milliken:** Just a point of clarification.

**The Chair:** Thank you, MLA Milliken.

MLA Nielsen, we’re at the point where – if you’re going to propose an amendment, please read the amendment, and we’ll move forward from there. Thank you.

**Mr. Nielsen:** Yes, Mr. Chair, but I also need to provide context so that people understand what the motion is about.

**The Chair:** At this point in time we have a motion moved by Mr. Rutherford on the floor as per 52.041. If you have an amendment, you can read the specific amendment, at which time we’ll rule whether it is in order or not. Thank you, Mr. Nielsen. Go ahead.

**Mr. Nielsen:** I propose a motion that the select special committee . . .

**Mr. Milliken:** A point of clarification. We are on a motion right now as proposed by Member Rutherford, and the hon. Member Nielsen is proposing another motion right now? I don’t understand what the process is. Is he trying to do an amendment? I’m just trying to figure out what he’s doing here because we can’t have a motion on a motion as far as I believe.

**The Chair:** Thank you, MLA.

**Mr. Nielsen:** It is an amendment.

**The Chair:** Thank you.

**Mr. Milliken:** My apologies.

**The Chair:** MLA Nielsen, please proceed with your amendment.

**Mr. Nielsen:** I propose an amendment to the main motion that the Select Special Committee on Real Property Rights invite officials from the Department of Indigenous Relations to also provide a technical briefing on the issues related to the mandate of the committee, including the distinction between federal and provincial jurisdictions and how Crown lands and reserves interact with property rights.

**The Chair:** MLAs, I have heard this amendment, and – just one sec – reviewing the previous one, I do find this one as well out of order based on Standing Order 52.041 and the previous decision of the committee.

We are back on the main motion proposed by MLA Rutherford. Are there any further questions or comments?

Seeing none, all those in favour of the motion proposed by MLA Rutherford, please say aye. On videoconference? All those opposed? Those on videoconference?

That motion is carried.

**Mr. Rutherford:** Can we get a recorded vote, please?

**The Chair:** MLA Rutherford has requested a recorded vote. I will proceed, starting on my right. Sorry. For all those in the room in favour, please raise your hand: MLA Rutherford, MLA Goodridge, MLA Orr, MLA Rowsell, MLA Milliken, MLA Schmidt, MLA Sweet, MLA Nielsen. Those on videoconference, please go ahead.

**Mr. Hanson:** Yes.

**Ms Glasgo:** Yes.

**The Chair:** Anyone further?

Seeing none, all those opposed in the room, please raise your hand. All those on videoconference opposed? Hearing none.

**Mr. Hanson:** Chair, just a point of clarification. There was one member that distinctly voted no online, and I would recognize that that be recorded.

**The Chair:** At this point in time on the recorded vote we did not hear anybody online vote no.

At this point in time we'll report the vote.

**Mr. Huffman:** Mr. Chair, for the motion, 10; against, zero.

**The Chair:** Thank you.

That is carried.

At this point anything further?

Seeing none, moving on to agenda item (c), recommendations related to timeline of review. The subcommittee also has a proposed timeline for the committee's review. Do members have comments or questions regarding the subcommittee's suggested timeline? Go ahead, MLA Rutherford.

**Mr. Rutherford:** Thank you, Mr. Chair. I'd like to move a motion. It's motion 3. I move that

the Select Special Committee on Real Property Rights approve the recommendation pertaining to section 3.3 of the subcommittee on committee business May 20, 2021, report, and adopt the timeline as presented with the following edit:

1. Move item "Decide on a stakeholder list" from May to June.

I think it's important that we have a timeline for this committee to follow. We have a lot of work to do, and I think that this timeline allows us to get that work completed and shows the committee exactly what is expected as we're going forward.

9:50

**The Chair:** Thank you.

Based on the motion moved by Mr. Rutherford, are there any further questions or comments? Please proceed, MLA Sweet.

**Ms Sweet:** Thank you, Mr. Chair, and thank you to Mr. Rutherford for moving the motion. I would like to amend it, only because one

of the recommendations of the subcommittee was doing public meetings. So I had an amendment, which is 4(c), that

the motion be amended by adding: "2. Add 'Public meetings, potentially on the road, in October.'"

Now, the rationale for this was two things; one being COVID and not being quite sure whether or not we were actually going to be able to do public – that was prior to the announcement by the government around the reopening strategies – but also, in addition, just recognizing that we will have many of our farmers and ranchers quite busy come the end of August and September with harvest, and if we want to be able to have a wholesome consultation, it would be nice if we could look at setting some dates that would make it more accessible for our farmers and ranchers to be able to attend in person. I believe that this is a friendly amendment; however, I'm open to discussion from the floor.

**The Chair:** Thank you, MLA Sweet.

I have MLA Orr.

**Mr. Orr:** Thank you. I wonder, Member Sweet, if you could just clarify for me: does this mean that we are adding September and October, or does it mean that we're deleting September and going to only October? I would be in favour of both but not one or the other.

**Ms Sweet:** Well . . .

**The Chair:** Sorry. Please proceed, MLA Sweet, with that clarification.

**Ms Sweet:** I think the intention of using the words "potentially on the road" was because of the COVID response. If the committee would like to clarify by amending it to be more concrete, I would be open to that discussion. I do believe that October is more appropriate, though, just because of harvest, but, again, I'll leave it to the will of the floor.

**The Chair:** Thank you.

MLA Orr.

**Mr. Orr:** I just confirm that I have no problem with adding October – I think there may be some validity to that – but I would also want to leave it open to the potentiality of some in late or mid-September, whatever works for the committee. So that's my comment: I would support it if it's in addition.

**The Chair:** Sorry. I have MLA Ganley. Please go ahead, MLA Ganley.

**Mr. Rutherford:** Sorry, Mr. Chair . . .

**The Chair:** Sorry. I apologize.

**Mr. Rutherford:** That's all I was trying to highlight, Mr. Chair, that MLA Ganley is trying to get back in the meeting.

**The Chair:** Maybe we'll just give it a brief second to see if she can get logged on immediately.

But, in the interim, please go ahead, MLA Sweet.

**Ms Sweet:** Just to follow up with Mr. Orr's comments. You're okay with September and October, so would it be "adding public meetings, potentially on the road, in both September and October," and then we would decide as a committee, I guess, later? Like, I don't . . .



**The Chair:** Just for clarification on this – and I apologize, MLA Sweet. If a subamendment was to come forward, it could be subamended to include both, just as clarification, if a subamendment at this time to the amendment is available. Thank you.

MLA Goodridge.

**Ms Goodridge:** Thank you, Mr. Chair. I will bring forward a subamendment to change: “potentially on the road, in September and October.”

**The Chair:** We’ll just give the clerk a couple of seconds here to get the subamendment up on the screen.

**Mr. Milliken:** Just a point of clarification.

**The Chair:** Yes. Please proceed, MLA Milliken.

**Mr. Milliken:** Do we have to vote on considering the subamendment before we vote on the subamendment? Okay.

**The Chair:** The subamendment: that the amendment be amended to include September and October. Is there any further discussion on the subamendment?

**Ms Goodridge:** Mr. Chair?

**The Chair:** Sorry. I saw MLA Sweet first. Please proceed, MLA Sweet.

**Ms Sweet:** Well, Ms Goodridge might actually clarify this for me. I just wanted to make sure that it’s “add public meetings, potentially on the road, including September and October.”

**Ms Goodridge:** Mr. Chair, that is correct. I think it is critically important, if at all possible, that we be able to go out and talk to Albertans face to face. By having meetings available to us in September and October, it can give us a little bit more flexibility. While I appreciate MLA Sweet’s concern for the farmers and ranchers, there are many people in this province that are concerned about property rights that are not farmers and ranchers. There are many people that live in my constituency of Fort McMurray-Lac La Biche that are very concerned about property rights right in downtown Fort McMurray, and I’m sure that is the case for folks all across the province, so this just gives us a little bit more time to be able to solicit feedback from Albertans.

Thank you, Mr. Chair.

**The Chair:** Thank you, MLA Goodridge.

Based on the subamendment that the motion be amended or subamended to allow September and October, is there any further discussion on the subamendment? Seeing none, all those in favour of the subamendment, please say aye. And on videoconference. All those opposed. And on videoconference. Seeing none, that subamendment is carried.

We are back on the amendment proposed by MLA Sweet. Is there any further discussion on the amendment? Seeing and hearing none, all those in favour of the amendment proposed by MLA Sweet, say aye. And on videoconference. All those opposed. And on videoconference.

That amendment is carried.

We are now back on the main motion as amended, moved originally by MLA Rutherford. Is there any further discussion about this motion at this time? Seeing and hearing none, all those in favour of the amended motion by MLA Rutherford, say aye. All those opposed. And on videoconference.

That motion is carried.

Is there anything further? We are now on (d), recommendations related to stakeholder engagement process. The subcommittee also discussed the creation of a stakeholder list for the purpose of inviting stakeholders to make oral presentations to the committee or provide written submissions. I’ll now open up the floor to discussion on the subcommittee’s recommendations with respect to the stakeholder engagement process. MLA Rutherford.

**Mr. Rutherford:** Thank you, Chair. I’d like to move motion 4 if I could. That is, I move that

the Select Special Committee on Real Property Rights approve the recommendations pertaining to section 3.4 of the subcommittee on committee business May 20, 2021, report.

Basically, we want to solicit stakeholder submissions, you know, as soon as possible, but it makes sense that we also are waiting to hear tech briefings as well to finalize some of those decisions. That’s all I have on that.

**The Chair:** Thank you, MLA Rutherford.

Are there any further questions or comments related to the motion moved by MLA Rutherford? Seeing and hearing none, all those in favour of the motion moved by MLA Rutherford, please say aye. And on videoconference. All those opposed. And on videoconference.

That motion is carried.

Is there anything further to section (d)?

Seeing none, item 5, written submissions from members of the public, (a), communications options. According to the committee’s timeline the committee would like to invite public written submissions in June. The committee should therefore consider how it would like to communicate this message to the broader public. A report on the estimated costs for different public engagement options has been provided by LAO communications. This was distributed to members and posted to the internal committee website. We have Janet Laurie from LAO communications here to go over the options in this report and to answer any questions the committee may have.

Please go ahead when you’re ready, Ms Laurie.

**Ms Laurie:** Thank you so much, Mr. Chair. I think that the report that we provided last week is pretty self-explanatory in terms of the options that the committee has available. We would, at this point, appreciate direction from the committee in terms of what options you would like to employ. I understand, with the discussion this morning, that if there’s a possibility of doing any kind of public meetings in the fall, we would tailor our approach around those specific meetings in terms of targeting locations and advertising probably within a 100-kilometre radius around those specific locations. The more information that you provide us with, we’ll provide a more detailed report in terms of what communications initiatives we would undertake.

10:00

**The Chair:** Thank you, Ms Laurie.

**Ms Laurie:** Thank you.

**The Chair:** At this time I’ll open it up for members if they have any questions. Please proceed, MLA Rowswell.

**Mr. Rowswell:** Is there a budget? Like, how does this all get financed when a special committee gets established and we go about doing these things?

**Ms Laurie:** If I may, I would defer to the chair in terms of the committee's budget and your overall approach, what you'd want to do. We included in that document a rough estimate of sort of – typically what we've done for committees in the past has been a three- to four-week campaign, so the estimates that we included in that document would run for approximately a campaign of that duration. Of course, if it was a longer campaign, the budget would increase. I think we probably wouldn't want to tighten it up too much, but again, when we have a better feel for the direction of the committee and the will of the committee going forward, then we would be able to provide more precise estimates.

**The Chair:** MLA Orr.

**Mr. Orr:** Yeah. To me, there seems to be a bit of a challenge here in that we're seeking early written submissions, but then we're also looking at later wanting public engagement. I mean, I don't think we want to end up having to do two media campaigns. Somehow we have to intertwine those two pieces and make the one advertising piece work for it. I think it has to be fairly early, but it needs to bring about awareness that there will be public engagements later, which, it seems to me, would be really confusing to the public. I don't know if you have any advice on that.

**Ms Laurie:** I think that once we've nailed down the committee's approach, what we would probably do is develop sort of standardized, pretty generic advertising pieces that could be used for social media. I'm not sure if we'd want to delve into, you know, sort of more traditional paid advertising. However, what we would do in all of those communications is drive people back to the website, where we would have all of the information really detailed and laid out, because it gives us a better opportunity to explain it. Instead of trying to do a post on Twitter, where you're limited by the characters, if you're sending people back to the website, we can properly explain the committee's approach and what the next steps are. That's what my thinking would be at this point, that we would create sort of a two-pronged campaign for you, if that was the will of the committee, but at all points of that we would be driving the members of the public to our website so that they could get more fulsome information.

**Mr. Orr:** I have a follow-up on that.

**The Chair:** Yes, a quick follow-up. Please go ahead, MLA Orr.

**Mr. Orr:** I know we have our committee website, where there's member business kind of stuff posted. Are your communications pieces going to be on the same website or a separate website?

**Ms Laurie:** No. We recently relaunched the Legislative Assembly of Alberta website, and each committee of the Assembly has a page dedicated to them on the public-facing website. It's very different from the internal committee website. We wouldn't, obviously, drive members of the public to that internal piece, but it would be the external channel.

**Mr. Orr:** Okay. Thank you.

**Ms Laurie:** Thank you.

**The Chair:** Next I have MLA Hanson. Please go ahead.

**Mr. Hanson:** Yeah. Thanks a lot, Chair. This is a pretty important review that we're doing. Property rights is a huge issue all across the province. I would say that if we're looking for written submissions in the late spring, early summer and then have town

halls in the fall, we really need to do two campaigns. I would recommend, especially, the radio campaigns because a lot of folks are out on the fields and in tractors. They listen to the radio all the time. Broadband is an issue in some areas of the province. Social media is not easily accessible by everyone. I think that with the importance of this review, we spend a little bit of money and get everybody involved.

**The Chair:** Thank you.

Next we have MLA Sweet. Please go ahead.

**Ms Sweet:** Thank you, Mr. Chair. For clarity's sake, are we also talking about doing some town halls online, so similar to what we were doing during COVID, when we were doing, like, the democracy consults? We had people call in and do presentations and ask questions. I'm just wondering, if we're doing a hybrid, if we're going to do some of that but are also going to tour, what, I guess, the will would be. Also, I think that from using the calling-in tool that was used during the democracy committee, there was a significant financial component to it as well, which would add to the cost. I don't remember what it was. I just think that if we're discussing what that's going to look like, we should make sure that if we're going to do both, we have to bring in the financial component of the calling in plus if we're going to do tours and then also the advertising cost on top of that.

**The Chair:** Thank you, MLA Sweet.

Are there any further questions or comments? MLA Goodridge, go ahead.

**Ms Goodridge:** Thank you, Mr. Chair. I appreciate that. I know I sat on the democratic reform committee, and the virtual options were very beneficial, but I would suggest that perhaps it would be best to send this to the subcommittee to have some more fulsome conversation and bring back some recommendations to the committee on the format.

**The Chair:** Sorry. I apologize. I was just getting to the point of: are we finished with Ms Laurie and her presentation? To make sure that we've finished with her on communications, were there any further questions for Ms Laurie?

**Mr. Orr:** Yeah. Thanks for being here. I know that in some of the other committees – well, in the Heritage Savings Trust Fund – we asked if you would prepare some social media pieces that could be made available to MLAs, and then MLAs could push it out on their sites. Everybody could do that. So I just wonder if – I think that that should be included. It's probably not a big budget item or maybe not at all. If you could prepare a bit of a package for MLAs to push out on their sites, it would be helpful.

**Ms Laurie:** We would certainly proceed with those. With social media, you can either do some paid advertising, or you can do organic posts. What we would do is prepare the material, share it with all of the Members of the Legislative Assembly so that it can then be further shared with your contacts within your communities.

Just to go back to your prior question, with regard to the call for written submissions and then looking at doing actual town halls or virtual, whatever that looks like given the state of the province at that point in time, with whatever we're planning towards for next fall, we could start with doing the no-cost options for written submissions because that's something that we would be able to implement really quickly. It doesn't impact the committee's budget significantly. We would be able to proceed with that, you know, later this spring, early summer. We could then implement some

advertising options next fall for the actual meetings as we ramp up for that. I think that once we have direction and we determine the will of the committee, we'll be able to come back to you with a more fulsome plan in terms of timelines and what we would proceed with and what we would recommend at each separate interval.

**The Chair:** Thank you.

MLA Sweet, please go ahead.

**Ms Sweet:** Well, thank you, Mr. Chair. I appreciate the comments from MLA Goodridge in regard to sending it back to the subcommittee, but I'm wondering, from a let's-get-some-stuff-done perspective, if there's a way that we can maybe ask that there be a draft budget created with some different scenarios anyway, and then if the subcommittee would like to review those prior to bringing them back to the committee, that's up to the subcommittee. Maybe we could get some real numbers done in the interim. I can't make that motion because I think there might be a member of the committee that's already submitted that motion.

**The Chair:** I think that at this point in time we just want to make sure everybody gets a chance to ask Ms Laurie questions. Are there any further questions directly to Ms Laurie about communications at this time?

Seeing none, I want to thank Ms Laurie for coming and presenting and answering all of our questions.

For the purpose of providing direction to LAO communications, the committee should now decide on what communication options it would like to use to invite written submissions from the public. Are there any questions, comments, or motions at this time?

**Ms Sweet:** Just to clarify, you're asking about written submissions, how we want to do that?

*10:10*

**The Chair:** Well, I guess that at this point in time it would be communications options. Yeah, for the purpose of providing direction to LAO communications, the committee should now decide on what communications options it would like to use to invite written submissions from the public, which I think is the first topic that we need to deal with, how we provide notifications through LAO communications to submit those written submissions.

Are there any questions or comments or motions relating to this section?

**Mr. Orr:** I guess that if nobody else wants to talk, I will.

**The Chair:** MLA Orr, please go ahead.

**Mr. Orr:** I wonder. I'd just throw this out as a suggestion, if we can arrive at some consensus following on Ms Laurie's suggestion of maybe doing the social media stuff now with regard to the written – it isn't a big budget item – and then we could discuss at a later date, after we get some information back, some of the more costly stuff and target that at the public engagements for the fall. The reason I suggest that is because I think we need to get the stuff for the written out ASAP, before summer if possible, because people are going to be at the lake or wherever this year especially. I think we should get that stuff out as soon as possible. So just a suggestion. I don't know if committee members agree or not, but I'd throw it out there.

**The Chair:** Thank you, MLA Orr.

I just want to apologize to everybody on the committee for the confusion. I have a little bit of a typo here, so I just want to reword what I was trying to phrase before because there was a little bit of confusion on that based on what I have here. Of course, for the purpose of providing direction to LAO communications, the committee should now decide on communications options and plan options with costing for the committee's consideration moving forward based on Ms Laurie's presentation. We're at that point as far as advertising on this, and I just want to know if there are any questions or comments at this time on that.

**Ms Sweet:** Mr. Chair.

**The Chair:** Please go ahead, MLA Sweet.

**Ms Sweet:** I guess I'm just trying to get clarity. My past experience has been that we request a budget with different scenarios of online advertising, virtual consultation, in-person consultation. We receive that information from the LAO, and then, based on that information, the committee decides how we would like to do our next steps. Obviously, I think that given our fiscal world that we live in, probably the most cost-effective would be ideal but recognizing that we do want to hear from Albertans. I guess I think we may be putting the cart before the horse a little bit when we're saying, "Well, how do we want to do this?" when, in fact, we don't actually know what the budgets are going to be yet for that. So I'm just wondering if maybe this discussion should be postponed until we get the recommendations from the LAO around cost efficiency.

**The Chair:** Excellent. Thank you, MLA Sweet.

**Mr. Rowswell:** From what I'm reading here, it sounds like you'd told us that a province-wide radio advertising campaign would be about \$10,000. That's the low-cost option, and then the no-cost option would be the social media. Like, relative to a budget, would it be any different than that?

**Ms Laurie:** I think that when you look at the document that we prepared for the committee last week, the traditional paid advertising would be roughly \$10,000, but it, of course, depends on the scope of the campaign, the length, you know, if we're targeting advertising within different communities. If we were to host in-person town halls throughout the province, it would depend on how many. So there are a number of variables there that would impact it. The low-cost would be more sort of the social media advertising, and that's items that we can push out from here. It's a much more reduced budget if we want to do the low-cost options. Then, of course, to Member Orr's point, there are also no-cost options, where we will prepare graphics and material, and instead of actually having paid advertising on social media, we would lean on the members of the Assembly to distribute and disseminate that information. Of course, we would do the same thing on behalf of the committee through the LAO, through our channels, but it wouldn't be paid, so it doesn't have as much reach; it's not as targeted. It's organic posts on social media.

**Mr. Rowswell:** So are we in a position to make a recommendation, or we're not? I guess that's where my head is at.

**The Chair:** Sorry. I apologize. Just one sec.

**Mr. Kulicki:** If I could just expand maybe on my colleague's comments in terms of the communications plan, in terms of the LAO needing direction from the committee at this stage, based on discussion among members already, I think that the committee may want to consider a motion to the effect that the committee use low-

or no-cost options to begin with to publicize the written submissions, as the written submissions will be due much earlier than the public hearings, and then also direct LAO communications to put together a draft communications plan involving paid options for both written submissions and public hearings. So the idea here is just to, I think, execute on the no-cost options first, provide direction there, and then also direct communications to put together a plan for paid options.

**The Chair:** Thank you, Mr. Kulicki.

I have MLA Schmidt first, then MLA Goodridge afterwards.

**Mr. Schmidt:** I appreciate that suggestion from the table. My question to the chair is: would such a motion be in order given the rules under which we are working?

**The Chair:** At this point in time, MLA Schmidt, we would have to get consensus from the committee, but we could proceed.

MLA Goodridge.

**Ms Goodridge:** Thank you, Mr. Chair. As such, I am going to request permission from the committee to move a motion. I will move the motion as follows: that the committee direct LAO communications to explore all no-cost options for seeking public feedback on public submissions.

**The Chair:** One second, MLA Goodridge.

Yes. As this is directed directly to the LAO, this can come directly from the floor, so we can proceed right to a vote on this, proceed as directed. I'm going to give it a sec here just to allow the clerk to be able to get that up on the screen, to make sure that we have this correct and for the benefit of those that are joining us over videoconference if they are viewing the website.

Sorry. Ms Laurie, please go ahead.

**Ms Laurie:** If I may, I just wanted to request clarification. It sounds, based on the motion, that it would just be no-cost options for written submissions at this point. We may want to look at doing some low-cost social media advertising as well because it will drastically increase our reach, our ability to target. It will, in all likelihood, not be a significant investment of funds, but I think it might make the campaign that much more effective, which would be the end result. I would just add that. I don't want to put a fly in the ointment.

**The Chair:** Sorry. I have MLA Sweet, and then back to you, MLA Goodridge, right afterwards.

**Ms Sweet:** Thank you, Mr. Chair. At the advice of the LAO I would like to request that we do no-cost to low-cost, please.

**The Chair:** No-cost to low-cost.

**Ms Goodridge:** I will accept that as a friendly amendment.

I was just wondering if Ms Laurie could provide us with a maximum budget of the low-cost so that we have that in our motion.

**Ms Laurie:** The figures that we provided in the document last week, as I said earlier, would typically apply to roughly a three- to four-week campaign. So if we're sort of looking at almost a phased approach to this whereby we would be seeking written submissions – and we would initiate the campaign with that. But there would be further advertising, perhaps more targeted. As we get closer to meetings in the fall, we would – I can look at all of the options there. It would certainly be less than \$2,000 as an upper maximum. We can certainly scale that down if the need were there.

10:20

**The Chair:** Thank you, Ms Laurie, for the presentation.

**Ms Goodridge:** So my motion will be that the committee direct LAO communications to use low-cost and no-cost options to a maximum of \$2,000 for seeking the public submissions.

**The Chair:** Thank you, MLA Goodridge.

**Mr. Rutherford:** Just so I don't get lost in the friendly amendment conversation here, could we get the original motion up, I think, that Warren is trying to type up on the screen? I believe MLA Sweet had then provided an amendment, right? That happened? Okay. See, I'm lost already. Then MLA Goodridge's just so we can see the text.

**The Chair:** Duly noted, MLA Rutherford.

We will put the clerk's typing skills to the test here and see how quickly he can get this up on the screen just to make sure we're all clear on what is being proposed for the communication options.

Sorry, MLA Goodridge. Just so we can proceed here with as much structure as possible, can you please reread the motion for the benefit of those on videoconference just so everyone is aware of what you're proposing? Then we'll move to a quick discussion on this.

**Ms Goodridge:** Moved by Ms Goodridge that

the committee direct LAO communications to use low-cost and no-cost options to a maximum of \$2,000 for receiving public submissions.

**The Chair:** Are there any further questions or comments? MLA Orr.

**Mr. Orr:** Yeah. This is, in my mind, the first half of it. Are we going to then proceed to – I think we have to give the LAO some direction with regard to a budget for the radio advertising and later public engagement. Or do we want to add it to this amendment? That's my question, because I think this is only half of it.

**The Chair:** It could be two independent motions or one combined. It would be at the will of the committee.

**Mr. Orr:** Keep it clean, and do it as two.

**The Chair:** Excellent.

Are there any further questions or comments regarding the current motion moved by MLA Goodridge?

Seeing none, based on the motion moved by MLA Goodridge as read and posted on the screen, all those in favour, say aye. On videoconference? All those opposed? On videoconference?

That motion is carried.

Is there anything further regarding communications at this time?

**Mr. Orr:** I'd like to propose a motion that

we direct LAO comms to recommend a budget with regard to radio and possibly even some moderate newspaper advertisements.

I don't think I need to say the purpose, do I?

**Ms Laurie:** No. Certainly, the purpose is well understood. It will be challenging for us to produce a budget prior to knowing the extent of travel, to which communities, the number of meetings, so I think we probably would need a little bit more information to provide meaningful numbers for you in that respect.

**Mr. Orr:** Wow. Yeah. That's a challenge because we don't know that ourselves yet.

**The Chair:** Sorry, MLA Orr. Is there anything further that you have?

**Mr. Orr:** Well, I guess we should think about this a little more before I actually put the motion forward here. How would it work if we were to suggest that we ask the subcommittee to do some more work on this and then bring it back to the full committee after we've got some things sorted out in terms of those details that will be critical?

**The Chair:** That would have to be at the will of the committee. If you have a specific motion that you would propose in regard to that, we could hear it at this time.

**Mr. Orr:** Sure. I'll move that the subcommittee be asked to research the needs for the – I was going to say "more expensive," but I don't know if that's the right language.

**The Chair:** We have your original motion as moved right now, which I assume you want to retract at this time, MLA Orr.

**Mr. Orr:** Yeah, I do. For sure. Yes. Maybe somebody else will take a try at that motion. I'm lost.

**The Chair:** At this point in time, just for clarity, because we do have the original motion by MLA Orr, we're just going to kick it out there. It sounds like we do have to vote on this because it was posted.

**Mr. Rutherford:** Could we amend it?

**The Chair:** Yes, we can amend it. MLA Rutherford.

**Mr. Rutherford:** Thank you, Chair. I believe, at the end of this, that

after "newspaper advertisements" we could add "and report back to the subcommittee for further consideration."

**The Chair:** Thank you.

Maybe I'll have Ms Laurie comment on that just so the committee is totally clear. If you could just maybe go through some of the similar scheduling and processes that you've experienced in the past on how normally this is done, to be able to engage LAO communications so you have the adequate ability to be able to prepare costing options, just as a brief overview for the committee, please.

**Ms Laurie:** Definitely. My pleasure, Mr. Chair. What we would need is, ideally, which communities. By narrowing that down, we would know how many meetings we're thinking about, whether that's, you know, four located throughout the province. Then what we'd be able to do is look at targeted advertising in those specific areas – and that may involve radio advertising; it may involve newspaper advertising – but we would have a better feel for what different outlets we're dealing with so that we could pull together a proper budget that would include everything. We would still employ some of the low-cost options like social media advertising because that, too, can be very targeted and is a good way of reaching a certain demographic, but as one of the members mentioned previously, not everybody is on social media, so for these particular meetings we would look at other ways of reaching the public as well. I guess, in summary, we would need a schedule of events with the location, and that way we would be able to provide a detailed

budget as to what the costs would be with our recommended approach.

**The Chair:** Excellent. Thank you, Ms Laurie.

Based on that explanation, of course, we still have the motion originally moved by MLA Orr on the screen, as amended by MLA Rutherford. I'm going to move to MLA Milliken for questions or comments on the motion and amendment.

**Mr. Milliken:** Sure. Yeah. Thank you, Mr. Chair. It looks like, just from kind of getting some nods and some looks around the table, the goal – I think what the committee as a whole wants to potentially do is move this to the subcommittee to put together, essentially, a bit of a draft schedule or a few draft schedules to then put back to the LAO in order to do, potentially, a budget from that kind of framework. I think that we're not getting where we want to go with this amended motion, so on that note I would be voting against this motion in order to then bring forward perhaps another motion that would push this to the subcommittee.

**The Chair:** Thank you, MLA Milliken.

Any further questions or comments on this motion?

**Mr. Schmidt:** Sorry to get stuck on process, Mr. Chair, but that seems to be the theme of this committee. Under Standing Order 52.041(3) "a Member may not, without the approval of the committee, move a substantive motion or an amendment that was not filed in accordance with suborder (1)." Does the chair not have to ask the committee whether or not we're willing to vote on this amendment and vote on the motion before we can – can somebody clarify exactly for me what the process is here?

*10:30*

**The Chair:** Yes. Thank you, MLA Schmidt. I did talk to the clerk and Parliamentary Counsel, and as far as the committee is concerned on 52.041 and substantial motions, if this is a motion that is directed directly to the LAO, we can do so as a committee. That's what I've been instructed by the clerk and Parliamentary Counsel, that any instructions that are as far as direct to the LAO could proceed.

**Mr. Schmidt:** Okay. But with respect to this amendment, then, dealing with matters that we are referring to the subcommittee, is that subject to the same rule, or is that a substantive motion that needs approval of the committee?

**The Chair:** Yes. The current motion is only on directing the LAO for current costing options. That's what's on for the current motion and amendment. Oh, it does have the subcommittee research costing options, so, yes, I guess, I do believe we would need approval for this to proceed from the committee.

So before moving to any further discussion on this, at this point in time as far as the amendment as submitted by MLA Rutherford, all those in favour of this amendment proceeding to discussion, please say aye. And on videoconference? All those opposed? And on videoconference?

This motion is defeated.

We are back on the original motion. As far as the original motion is concerned, are there any further questions or comments on the original motion moved by MLA Orr?

**Mr. Milliken:** I just want to quickly reiterate that I think that the effective process to be able to move forward on this would probably be for some sort of motion regarding sending this to the subcommittee in order to put together a potential schedule or a few

potential schedules which might then inform the LAO with regard to a budget. So, on that, I am going to be voting against this motion.

**The Chair:** Thank you, MLA Milliken.

Are there any further questions or comments?

Seeing and hearing none, on the original motion moved by MLA Orr, all those in favour, say aye. And on videoconference? All those opposed? And on videoconference?

That motion is defeated.

Are there any further questions or comments? MLA Sweet.

**Ms Sweet:** Thank you, Mr. Chair. Although I was just going to leave this, I feel like the LAO does need some direction from the committee, so I would like to request that

the committee request that the LAO prepare draft communication plan options with costing for the committee's consideration.

**The Chair:** Okay, MLA Sweet. We will get that motion up on the screen. Just give us one second here.

**Ms Sweet:** Because it's to the LAO, we don't have to vote, right? I can give you my rationale while we wait?

**The Chair:** Absolutely. Go ahead, MLA Sweet.

**Ms Sweet:** I'll give the rationale. The reason for that is that past practice has been that typically the committees have requested that the LAO create draft plans that would include things such as how many public consultations you would do, what radio advertising would look like, what online advertising would look like. We get a few different options so that we know that if we do four community consultations plus some radio advertising plus some Facebook ads, this is what it would cost. If we do six, this is what it would look like. The LAO is very good at doing these things, and they do have templates that they have historically used that are consistent from committee to committee. I think that it would be appropriate to just say that, with all the discussion that we've had this morning around, "Well, how much would it be for radio? How much would it be for this?" maybe the LAO can just tell us what our four options would be or three – I'm not sure what would make sense – based on previous historical practices of committees and that that is then discussed at our next meeting and voted on appropriately and we go from there.

**The Chair:** Excellent. Thank you, MLA Sweet.

**Mr. Milliken:** It sounds like past practices that've been provided. So I think that on that, I would probably be in agreement with this.

**The Chair:** Are there any further questions or comments from committee members?

The clerk has just requested that you review the motion as it's posted on the screen to confirm that it aligns with your intent. Thank you, MLA Sweet.

**Ms Sweet:** I think I would like clarity from the LAO. I want to make sure that this motion will meet the needs of being able to provide the information to committee if this is how it normally would be drafted, just so we're not missing anything.

**The Chair:** Thank you.

Please go ahead.

**Ms Laurie:** Yes. We would be able to provide you with some generic costing, and we could make recommendations for including radio advertising, some local-targeted advertising, some no-cost,

some low-cost. All of those things can come together. It wouldn't be sort of your finalized budget, by any stretch, but we can definitely give the committee a better estimate so that that can help guide your decision-making.

**Ms Sweet:** If the motion works, then let's go ahead.

**The Chair:** Thank you.

MLA Goodridge.

**Ms Goodridge:** No. That's good.

**The Chair:** That's good?

Any further questions or comments?

Seeing none, based on the motion moved by MLA Sweet, all those in favour say aye. And on videoconference? All those opposed? And on videoconference?

That motion is carried.

As far as communications go and item 5(a), is there anything further?

Seeing none, we are now on 5(b), submission period. As the committee would like to invite written submissions from members of the public, members should now consider the date that they would like to start receiving public submissions as well as a submissions deadline. Do members have any comments on this?

**Ms Sweet:** Mr. Chair.

**The Chair:** Yes. Please go ahead, MLA Sweet.

**Ms Sweet:** In regard to submission periods I think that it would be appropriate to consider that we could start submissions right away if we were just using it through the LAO website, which would be no cost, but we would have to acknowledge that if we were going to be looking at any type of advertising externally of the LAO, there would be a cost associated. That wouldn't be able to start until we receive the budget back and then, of course, giving lead time for the LAO to create the campaign, which I believe usually takes four weeks, maybe? Yeah, four weeks. It's like I've done this before. I would like to request that maybe we do use the LAO for now and put out a request for submissions, and then maybe we can extend it. I don't know if that becomes too complicated for the LAO, in fairness.

**The Chair:** Are there any further questions or comments relating to the public written submissions as well as submission deadlines? Thank you. Please go ahead.

**Ms Laurie:** I would just – further to your comment, four weeks would probably be the upper limit that we'd be able to turn something around. When we're looking at those no-cost options, obviously, we'd have all the information on our website. We would do organic social media posts. We would be able to prepare graphics and other materials that members could disseminate and share within their groups and distribution lists. That's something that also could be included in any newsletters that go out from the constituency offices. So I feel like four weeks would be the upper limit. I would hope that we'd be able to turn something around more quickly than that because I understand the need to get this going as soon as possible.

**The Chair:** Thank you.

**Ms Sweet:** Mr. Chair, with that in mind, to be respectful of the LAO and the fact that we are still working virtually, I think, in some

scenarios because of COVID, we would not be able to start, probably, public consultations until July. That's four weeks from now.

**The Chair:** As it related to section (b) on submission period, I was more requesting on receiving public written submissions so as far as the written portion of submissions and the deadline in relation to that. Is that what you're . . .

**10:40**

**Ms Sweet:** Yeah. I appreciate that, Mr. Chair, that it would be written submissions, but if we're not going to advertise appropriately, then we can't really, like – we would have to advertise the written submission component. I think in fairness to Albertans we have to make sure we're advertising even the written piece appropriately. For the LAO to be able to even create a campaign for written submissions, it's four weeks, so we wouldn't be able to start requests for four weeks, and then that would put us through July, and honestly the deadline, then, would have to be sometime in August.

**The Chair:** Thank you, MLA Sweet.  
Please go ahead, MLA Goodridge.

**Ms Goodridge:** I think that let's not let perfect be the enemy of the good here. We can start collecting public submissions tomorrow for all that it matters. I know that I've seen in previous committees where there's been some flexibility there, so I just think that we need to try and do what we can so that we can get some public submissions.

**The Chair:** Thank you.

I just want to remind committee members, we're having a discussion about this, but of course if any motions do come forward, it is a substantive motion under 52.041, so we would have to get approval of the committee to move forward with any motion at this time, just as a reminder. Thank you.

**Mr. Nielsen:** Well, Mr. Chair, just given that it seems like we're in a position of having to decide on, at the very least, a deadline for submissions, where we're going to have to probably defer that to a future meeting, I don't know if at least starting to accept submissions and when that could be available is considered a substantive motion or not.

**The Chair:** I will check. Thank you, Mr. Nielsen. One sec.

Yeah. Basically, any motion at this point in time is a substantive motion, even moving it to another meeting, so we would have to have a motion which we would put to the committee, and upon their approval we could proceed with discussion on that motion and then a vote on the motion. Thank you.

MLA Goodridge.

**Ms Goodridge:** Thank you, Chair. Well, hearing that, I believe that now would be a great time to bring forward a substantive motion. The motion that I propose is that  
the Select Special Committee on Real Property Rights solicit  
public submissions from June 15 to August 15, 2021.

**The Chair:** Thank you, MLA Goodridge. We will just wait for the clerk to bring that up.

Of course, at this point in time that is a substantive motion, and we can't proceed to discussion on that until it is approved. Thank you.

Please go ahead.

**Ms Laurie:** Was the motion for July 15 or June 15?

**Ms Goodridge:** June.

**Ms Laurie:** Okay. On behalf of the LAO we will be able to turn around the no-cost initiatives. We can do that. We can have the website updated. We can reach out with that, initially, I would hope, even towards the end of this week and early next week, and then we'll have to pull some of the other pieces in as we proceed. If we have a submission deadline like this, that just means that it provides enough opportunity for Albertans to engage with this, and we would be able to sort of ramp up and build on our initial efforts, the no-cost, and add in the low-cost, the paid social media. That would all sort of fall in line. I think this would work well from our perspective if it's the will of the committee.

**The Chair:** Thank you, Ms Laurie, for that clarification on that.

Before we proceed, we do have to vote as a committee on whether this motion should proceed. At this time all those in favour of proceeding to discussion on the motion as moved by MLA Goodridge, please say aye. And online? All those opposed? And online?

That motion is carried.

We are now moving to discussion on the motion moved by MLA Goodridge. MLA Goodridge, do you have any further comments on your motion as proposed?

**Ms Goodridge:** Thank you, Mr. Chair. I think that it's a pretty self-evident motion. It gives a couple of months to solicit feedback in terms of public submissions. I would just urge everyone to vote in favour of this.

**The Chair:** Thank you, MLA Goodridge.

Are there any further questions or comments regarding the motion as proposed by MLA Goodridge?

Seeing and hearing none, all those in favour of the . . .

**Mr. Milliken:** I have one quick question.

**The Chair:** Oh, sorry. MLA Milliken.

**Mr. Milliken:** Just a very quick question of clarification, I guess. "Solicit public submissions": are we specifically asking for just written submissions in that, or is that taken into account through "solicit"? I just don't know what soliciting public submissions exactly looks like.

**The Chair:** Sorry, MLA Milliken. I will . . .

**Mr. Milliken:** I'd maybe put an audible out there where we do an amendment and  
insert the word "written" between "public" and "submissions."

**The Chair:** Thank you, MLA Milliken. Just one second.

**Ms Goodridge:** It's a pretty common sentence.

**Mr. Milliken:** Is it?

**Ms Goodridge:** Yeah.

**Mr. Milliken:** Okay. So then I'll hold back my . . .

**The Chair:** Before we move into discussion on this, of course, under 52.04(1) we have to put it to the committee on whether we would allow that amendment.

**Ms Goodridge:** Before we go there, could we just get clarification from the clerk as to whether this is standard wording for a motion?

**The Chair:** MLA Goodridge, we do have an amendment on and an amendment proposed, but we can maybe get a quick comment to clarify from LAO just to make sure prior to proceeding. Thank you. Please go ahead, Ms Laurie.

**Ms Laurie:** I wouldn't be able to comment in my capacity whether or not this is a typical motion that would be put forward by the committee. I know that the spirit of the room was that we were all talking about written submissions, so that's how I understood that motion. If it's worth clarifying that within the motion, then that would be at the will of the committee.

I'm not sure if the committee clerk would have any more expertise around whether this is a standard motion to put forward.

**The Chair:** Thank you, Ms Laurie.

Mr. Huffman or Mr. Kulicki, any comments?

**Mr. Kulicki:** Sure. I think if it would improve clarity, the committee could certainly proceed with the amendment to clarify that it's written submissions that are under discussion.

**The Chair:** Thank you.

To the committee members, we do have an amendment that is proposed to insert the word "written" into the motion moved before we proceed at this time. We do have to put to a vote to allow the amendment.

All those in favour to allow the amendment, please say aye. Online? All those opposed? All those opposed on videoconference?

That motion is carried.

In relation to the amendment please go ahead, MLA Milliken.

**Mr. Milliken:** Yeah. I think that based on all the conversations that we've been having here, I felt that the original motion, maybe just for myself anyways, wasn't clear enough, so that's why I requested that we consider putting "written" in between "public" and

"submissions" to ensure that we're kind of staying on task. That's just because I personally wasn't quite sure exactly what we were requesting when we laid it out as just "public submissions." It was just purely for clarification.

**The Chair:** Thank you, MLA Milliken.

Are there any further questions or comments regarding the amendment as proposed by MLA Milliken?

Seeing and hearing none, all those in favour of the amendment, please say aye. On videoconference? All those opposed? On videoconference?

That motion is carried.

We are back on the original motion moved by Ms Goodridge and amended by MLA Milliken. Are there any further questions or comments regarding this motion as amended?

Seeing and hearing none, all those in favour of the amended motion, please say aye. On videoconference? All those opposed? On videoconference?

That motion is carried.

**10:50**

Is there anything further on 5(b)?

Seeing and hearing none, on agenda item 6 are there any other issues for discussion before we wrap up today's meeting?

Seeing and hearing none, moving on to agenda item 7, date of the next meeting. The next meeting will be at the call of the chair.

Agenda item 8, adjournment. If there's nothing else for the committee's consideration, I'll call for a motion to adjourn. MLA Rutherford. Moved by MLA Rutherford that the meeting be adjourned. All those in favour, please say aye. On videoconference? All those opposed? On videoconference? Thank you. That motion is carried.

Thank you, everyone. For the health and safety of LAO staff please remember to take any drinks and other items with you as you leave.

This meeting is adjourned. Thank you.

[The committee adjourned at 10:51 a.m.]









