



Legislative Assembly of Alberta

The 30th Legislature
Second Session

Standing Committee
on
Private Bills and Private Members' Public Bills

Bill 205, Genocide Remembrance, Condemnation
and Prevention Month Act

Bill 206, Property Rights Statutes Amendment Act, 2020

Tuesday, November 3, 2020
9:30 a.m.

Transcript No. 30-2-7

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Second Session**

Standing Committee on Private Bills and Private Members' Public Bills

Ellis, Mike, Calgary-West (UCP), Chair
Schow, Joseph R., Cardston-Siksika (UCP), Deputy Chair

Ganley, Kathleen T., Calgary-Mountain View (NDP)
Glasgo, Michaela L., Brooks-Medicine Hat (UCP)
Horner, Nate S., Drumheller-Stettler (UCP)
Irwin, Janis, Edmonton-Highlands-Norwood (NDP)
Neudorf, Nathan T., Lethbridge-East (UCP)
Nielsen, Christian E., Edmonton-Decore (NDP)
Nixon, Jeremy P., Calgary-Klein (UCP)
Sigurdson, Lori, Edmonton-Riverview (NDP)
Sigurdson, R.J., Highwood (UCP)

Also in Attendance

Barnes, Drew, Cypress-Medicine Hat (UCP)
Singh, Peter, Calgary-East (UCP)

Bill 205 Sponsor

Singh, Peter, Calgary-East (UCP)

Bill 206 Sponsor

Barnes, Drew, Cypress-Medicine Hat (UCP)

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Standing Committee on Private Bills and Private Members' Public Bills

Participants

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Nilam Jetha, Assistant Deputy Minister, Culture, Multiculturalism and Status of Women	
Lora Pillipow, Deputy Minister, Culture, Multiculturalism and Status of Women	
Bill 205, Genocide Remembrance, Condemnation and Prevention Month Act	PB-230

9:30 a.m.**Tuesday, November 3, 2020**

[Mr. Ellis in the chair]

The Chair: All right. Good morning, everyone. I'd like to call this meeting of the Standing Committee on Private Bills and Private Members' Public Bills to order and welcome everyone in attendance.

My name is Mike Ellis, MLA for Calgary-West and the chair of the committee. I'd like to ask the members and those joining the committee at the table to introduce themselves for the record, and then I will call on those joining by Skype. Do we have anybody joining by Skype? We do not. We'll begin to my right.

Mr. Schow: Joe Schow, Cardston-Siksika.

Mr. Neudorf: Nathan Neudorf, Lethbridge-East.

Mr. Horner: Nate Horner, Drumheller-Stettler.

Mr. Jeremy Nixon: Jeremy Nixon, Calgary-Klein.

Ms Glasgo: Michaela Glasgo, Brooks-Medicine Hat.

Mr. Sigurdson: R.J. Sigurdson, Highwood.

Mr. Barnes: Drew Barnes, Cypress-Medicine Hat.

Mr. Singh: Good morning. Peter Singh, MLA, Calgary-East.

Ms Ganley: Kathleen Ganley, Calgary-Mountain View.

Ms Sigurdson: Good morning. Lori Sigurdson, Edmonton-Riverview.

Member Irwin: Janis Irwin, Edmonton-Highlands-Norwood.

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

Mr. Koenig: Good morning. I'm Trafton Koenig with the Parliamentary Counsel office.

Dr. Massolin: Good morning. Philip Massolin, clerk of committees and research services.

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

The Chair: Okay. Great. Everyone is in attendance, so there are no substitutions.

A few housekeeping items to address before we turn to the business at hand. Please note that the microphones are operated by *Hansard*. Please set your cellphones and other devices to silent for the duration of the meeting. Committee proceedings are live streamed on the Internet and broadcast on Alberta Assembly TV although today's meeting will be streamed in audio-only format. The audio stream and transcripts of this meeting can be accessed via the Legislative Assembly website.

Approval of the agenda. The question I have is: are there any changes or additions to the draft agenda? I do have one. It's a request made by Mr. Barnes, who does have a previous commitment. The change as recommended, I guess, that I'd like to recommend to the committee, is that Mr. Barnes present first, which is Bill 206, that then we continue with Mr. Singh, and then, finally, Pr.1, which we have on our agenda. Is there anybody opposed to that minor change?

Mr. Schow: I'll move that, Mr. Chair.

The Chair: Okay. So as amended. Mr. Schow, then, will move that the agenda for the November 3, 2020, meeting of the Standing Committee on Private Bills and Private Members' Public Bills be adopted as amended. All those in favour, say aye. Any opposed? That is passed.

All right. Oh, the video is now working. Thank you very much, Madam Clerk.

We'll now move to the approval of the minutes. Next we have the draft minutes to review from our previous meeting. Are there any errors or omissions to note?

Seeing none, okay. If not, would a member like to make a motion to approve the minutes as distributed? All right. Mr. Neudorf. Thank you. Mr. Neudorf would like to move that the minutes of the July 20, 2020, meeting of the Standing Committee on Private Bills and Private Members' Public Bills be approved as distributed. All in favour, say aye. Any opposed? That is passed. Okay. Thank you.

Now we will go to Mr. Barnes. Next we'll move to the amended agenda portion here, which is the review of Bill 206. That's the Property Rights Statutes Amendment Act, 2020. The presentation will be by Mr. Barnes, the MLA for Bill 206. Hon. members, Bill 206 was referred to the committee on Wednesday, October 28, in accordance with Standing Order 74.1(1). Joining us this morning is the sponsor of Bill 206, Mr. Drew Barnes, the MLA for Cypress-Medicine Hat. At this time I'd like to invite Mr. Barnes to provide a five-minute presentation, and then I will open the floor up to 20 minutes of questions from the committee members.

Thank you very much, Mr. Barnes, for being here. The floor is yours.

Bill 206, Property Rights Statutes Amendment Act, 2020

Mr. Barnes: Okay. Thank you, Mr. Chair, and thanks to everyone for your attention. I'm very, very privileged and pleased to be able to bring Bill 206 to the floor, the Property Rights Statutes Amendment Act, 2020, for several reasons. I'm grateful to have represented Cypress-Medicine Hat since 2012, and, my goodness, was 2011 all about property rights. Town halls in Cypress county and Forty Mile county and Medicine Hat used to bring out upwards of 200, 300 people. They were very, very concerned about Bill 36, that the legacy PC government had put in around 2008, 2009.

What Bill 206 is to do is to take out two very draconian parts of that bill, and "draconian" was a word that was used by, actually, constitutional lawyer experts like Keith Wilson and people that studied this for a living. The long and the short of it is that what 206 will do is that it will allow landowners the opportunity to appeal the expropriation of a title to the courts, and it will allow them to receive full and fair compensation. Amazing that in a western democracy these two things were ever challenged, but they were. That's one of the reasons – that's one of the reasons – that led to thousands of people being at these town halls throughout 2011 and very, very concerned. It's one of the reasons that this became a huge part of what was our legacy party, the Wildrose, and one of the reasons that led to the election of 17 of us in 2012. My belief is also that the enhancement and the protection of property rights is part of the legacy of our two founding parties of the UCP, both the Progressive Conservatives and the Wildrose, to enhance and restore these property rights.

Since I've had this opportunity to have this bill drawn and drafted – and to Trafton Koenig and his department, thanks very much for their hard work on this – I've talked to the Western Stock Growers', I've talked to beef producers, and I've talked to many, many constitutional lawyers and landowners around Alberta, who are very, very pleased to see that this bill has the opportunity to come forward.

Again, you know, property rights are maybe of a higher awareness and more top of mind to rural people, where your neighbour is two miles away, but property rights are also important to city people. There are many, many experts who, in my opinion rightly so, suggest that property rights along with the legal system are one of the foundations of creating wealth, creating jobs, and have huge impacts on attracting investment and our overall economy.

Alberta has been in a bit of a tough time the last few years for several reasons, but there's no doubt in my mind that the legacy bill the Alberta Land Stewardship Act, Bill 36, and its removal of some property rights was also part of that difficulty attracting investments.

Mr. Chair, I'm pleased to be able to enhance landowners' rights. I'm pleased to say, from a consultation perspective, that thousands of Albertans have already viewed this and are in favour of it. Again, both legacy parties behind the UCP are in favour of it. I recall that in 2015 even Brian Mason, as an example, from the NDP Party talked about the problems with Bill 36 and how it impacted, so I would hope that, you know, the opposition party would support this as well.

The other part of this bill is adverse possession. There's been from time to time in this Legislature some stuff brought forward about adverse possession. This is some protection on that as well, protecting the landowner's rights to protect their property title but not diminishing the occupant's right to other legal recourse. Again, of course, the access to courts is a huge element of any western democracy and any creation of wealth.

Again, let me thank you, all. I would very much appreciate your support, and I would very much appreciate it if we could expedite this and get it right to the floor of the Legislature.

Thank you.

The Chair: Well, thank you very much, Mr. Barnes.

I'll now open up the floor to questions from committee members. As is convention this is a government member's bill, so we will begin with the Official Opposition and Member Ganley. Go ahead, please.

Ms Ganley: Thank you very much, Mr. Chair. Might I just start by – I apologize. I'm new to this committee. Is it always the case that department officials will come and present on these bills, or do we need to make a motion, and when is that motion?

9:40

The Chair: It's not always the case. It's usually a discussion of the committee members. We were just trying to expedite, we'll say, the bill itself, which is why we just had Mr. Barnes do the presentation. Then we can discuss as committee members. His bill touches a multitude of different departments whereas Mr. Singh's bill only touches one, as an example. We only have so much time in the day, quite frankly. My understanding is that there are about four departments, which would take well over an hour, so there just wasn't enough time. We will discuss as committee members afterwards what departments, if any, we would like to invite to the next meeting.

Ms Ganley: Okay. Well, hopefully, Mr. Barnes can answer my questions, then.

The Chair: Go ahead.

Ms Ganley: Thank you. I'd like to start in section 2 of the bill, specifically subsection (6). It adds a new section, 19.11. In that section it's dealing with the statutory consent. Having gone to the

act, the definition of statutory consent includes: "permit, licence, registration, approval, authorization, disposition, certificate, allocation, agreement" not issued under certain acts. The acts under which it is not issued, so the discluded acts from that definition, are the Land Titles Act, the Personal Property Security Act, the Vital Statistics Act, the Wills and Succession Act, the Cemeteries Act, the Marriage Act, and the Traffic Safety Act, interestingly enough.

That's an interesting definition. This obviously affects what happens with the statutory consent and allows individuals to seek a different sort of remedy for some violation of that statutory consent. In light of the fact that that's super central to this bill, could you just tell me: what classes of sort of legal objects are covered by that and give, say, three or four examples?

Mr. Barnes: Of a statutory consent? Okay. Yeah. The original idea behind Bill 36 was some of the regional planning, and there was some concern around water licences. There were concerns around some building permits, intensive livestock operations. There is also the opportunity for expropriation. You know, if a government decided expropriating land was in the public interest, again, there are key elements. What this bill does is allow the property owner the opportunity to seek appeal, if a deal cannot be reached with a government agency, of course, to go to the courts, which is a benchmark and an element of any wealth system in any western democracy, and then allow them to seek full and fair compensation.

Ms Ganley: Right. I totally get that. I think the concern that I'm having, just before I pass this, is that you're obviously aware of some history, and that history has added a certain amount of context. But I think my concern is that I don't personally – I'm trying to think of what classes of things are covered by the statutory consent so that I understand what we're doing. We're legislators. We're writing laws. It's our duty to understand what we're doing. You know, you're here without the department. There's no one else to answer the question. I'm just asking: what are the classes of orders? Like, I know you're sort of saying: well, generally something could be expropriated. But given that this specifically excludes the Land Titles Act and the Wills and Succession Act and a number of other acts, I'm just trying to understand what it is that's being appropriated. What are the legal objects in question?

Mr. Barnes: The statutory consent that may be extinguished or expropriated?

Ms Ganley: Yeah. Like, give me some examples of the things. If you could tell me what classes are covered, that would be helpful.

Mr. Barnes: Okay. Again, I'd come back to land ownership itself and expropriation by a city growing, as an example. A water licence: if you're the owner of a water licence, that's important to your intensive livestock operation. If a growing city or a municipality decided that that was crucial to their growth plans, I mean, I think that full and fair compensation should be there for that. I mentioned the feedlot one in my last discussion. And some planning in general, you know, some zoning changes: sometimes zoning changes have huge impacts on the values of land, those kinds of things.

The Chair: Okay. Thank you very much.

We'll go to Mr. Horner next. Thank you.

Mr. Horner: Yes, thank you, Chair, and thank you, Mr. Barnes, for your presentation. It made me think back to 2011. I think that's probably when I met you for the first time, at one of those heated

town halls. It definitely was all about property rights and adverse possession, and I know a lot of the context in my area at that time around ALSA was that it was maybe a Trojan Horse to, like you said, extinguish rights and didn't give the landowner the direct avenue to compensation. I see that you're trying to remedy that in this legislation.

I was just curious about – you mentioned a few of the things in answering Ms Ganley's question regarding water licences, where the regional plans basically would act as a firewall between the landowner and the minister. Under your changes the landowner would always have the right to go to the minister or the court and seek fair and timely compensation. There would be no way that there'd be regulatory taking through that. You mentioned zoning. Would that happen with a zoning freeze, when they would just hold your property, as well?

Mr. Barnes: There'd be elements for that in the appeal, I believe, and, again, essential. You know, there were two or three other bills, Mr. Horner, that came out with it at the time, and one of them was where transportation corridors could, for a long time, freeze land for potential city use and sterilize the use of that land and the value of the land. Absolutely, sometimes that's essential for growth and that's essential for municipalities to have that ability, but we have to ensure that individual landowners have protection as well. That protection, as you stated, is essentially around the right to appeal to the minister or appeal to courts.

The Chair: One follow-up, if you have any.

Mr. Horner: Yeah, a quick follow-up in regard to the Responsible Energy Development Act. As it sits currently, myself as a landowner or citizen X would have to respond to the public notice on their own accord – is that correct? – but under this change, then, the regulator, the AER, would be responsible. Am I understanding that correctly?

Mr. Barnes: Yes, I believe you are.

Mr. Horner: Okay. Thank you.

The Chair: Thank you.

We'll go to Member Sigurdson. Go ahead, please.

Ms Sigurdson: Thank you very much. Good morning, Mr. Barnes.

Mr. Barnes: Good morning.

Ms Sigurdson: One of the, I guess, fundamental questions with any policy is to look at, you know, the purpose of that policy and to understand – I mean, a key question is: who benefits? You've touched on that, but I just want you to expand a bit more about who you see really benefiting from, you know, this legislation.

Mr. Barnes: Thank you for that very important question. I think all Albertans benefit. Let's start with the big picture, and I touched on it briefly. Tracking investment: it's a competitive world. Alberta, as good as we are, as good as our people are and the commodities we have, we have struggled, so the more we can do to signify to investors, job creators, and wealth creators that this is a safe, secure place to invest, where we respect the rule of law, where we pay full and fair compensation in the case of landowners, that's, I believe, going to be good for all Albertans, to grow the economy, create wealth, and create jobs. That will attract some investment.

Secondly, to the individual. You're an individual farmer or rancher, as an example of most of the stakeholders I've talked to.

You have the opportunity to know that your hard work, your hours and hours of dedication, and your expertise will be somewhat more protected for, at the very least, full and fair compensation if something is deemed as necessary in the public good.

One of the real joys about being so involved in this since 2011 was starting to really understand and learn about property rights. Many, many experts on property rights talk about how even our ability to earn a wage, our ability to work and sell our services for an hourly wage, how that's a property right. I, for one, would like to see our economy as competitive as possible, wages as high as possible for all Albertans, and I believe that this bill will also signal to Albertans that property rights are important. And, you know, the higher our wages are, the broader our tax base will be, and the more public services we could have as well. I just think that all Albertans will benefit from this in many ways.

Thank you.

9:50

The Chair: A follow-up?

Ms Sigurdson: I have a follow-up, yeah. Certainly, all of us as MLAs must each year do a public disclosure about all of the assets that we have, anything like that. I took the opportunity to look at your public disclosure just before this meeting. I think you're describing a lot about yourself because you're a tremendously large landowner in this province, in B.C., in Saskatchewan. Your report is, like, 21 pages long. I think my report is two. So you have a significant amount of landownership, you know, that you have created over the years. Do you see this as a conflict of interest at all that you are bringing forward this bill? Did you actually talk to the Ethics Commissioner to see if there was a conflict? Obviously, you're bound to benefit from this substantially, considering all of the landownership that you have.

Ms Glasgo: Point of order.

The Chair: Yes. A point of order.

Ms Glasgo: Mr. Chair, under 23(h), (i) and (j). I understand that the member has some legitimate questions, but this seems to be that she is directly implying that the MLA for Cypress-Medicine Hat stands to gain, has a private interest in this, and that she is imputing a false motive upon the member. I would just ask that we redirect our questions or that we find a point of order here.

The Chair: Go ahead, Member Ganley.

Ms Ganley: Mr. Chair, I think it's clear where the member was going. It's a fair question. It's a fair question for the public to have whether the member sought an opinion from the Ethics Commissioner. She's outlining why it's a fair question. I think it was a very good job of outlining why it's a fair question. We are all subject to that legislation. I don't think any of us here dispute the fact that we are subject to the Ethics Commissioner's jurisdiction, so I think it's a fair question to ask whether the member had a conversation. She's not asking him to disclose the details of that conversation, just whether it occurred. In fact, this occurs in the House all the time.

The Chair: Okay. Thank you. Would anybody else like to comment? I'm prepared to rule. All right. I'd like to thank both submissions. I do consider this to be a matter of debate. You know, I will ask Member Sigurdson just to get to the point and we will move on with this but we can continue with the line of questioning. Thank you.

Ms Sigurdson: Yeah. I'm happy to do that. Did you consult the Ethics Commissioner regarding if there was a conflict of interest because of the significant landownership that you have?

Mr. Barnes: Yeah. Thank you. I guess I'll say this: I know of no particular instances where I have any property rights concerns with any of my holdings. I guess I'll also say that I consult the Ethics Commissioner regularly on many of the goings-on because I know of my holdings. In all honesty, I can't remember if I did on this one or not.

Thank you.

The Chair: Thank you.
Member Glasgo.

Ms Glasgo: Thank you, Mr. Chair. MLA Barnes, I just wanted to say that it is really exciting for me to see you get drawn for your private member's bill, first of all, because I know we've worked together for many years, and I know this is an issue that's very close to home for you and how passionate you are about this. I wanted to take it back to the reason why this bill came in in the first place. We talked about the Land Stewardship Act and other pieces of legislation that this will touch, but I just wanted you to take some time, maybe for the benefit of the committee and all Albertans who are watching this right now, to understand exactly where this came from.

I know that you ran for leader a few years ago in the legacy Wildrose Party. This was a huge part of that as well as property rights being part of the founding tenets of our United Conservative Party. I was wondering if you could elaborate on the need for this bill and why you see this as a matter of urgency. I know you said that you wanted to see this process expedited as well.

Mr. Barnes: Yeah. Thank you for that question. Again, a couple of reasons. The main reason is the difficulty Alberta is having in attracting investment. What a good signal this would be to the world and Canadian investors around the world that we believe in giving everybody equal opportunity to create wealth and create jobs and have fairer playing rules.

I can't forget in 2011 how many experts said that not having full and fair access to compensation, not having access to courts to appeal was the most draconian thing that they have seen in western democracy law. Since those days it's been important to me to have the opportunity to create fairness, create equity, and to enhance Alberta's reputation as a fair place for all investors and wealth creators and employees.

Thank you.

The Chair: A follow-up, Ms Glasgo?

Ms Glasgo: No.

The Chair: Okay.

We'll go to the Official Opposition. Member Ganley, go ahead, please.

Ms Ganley: Excellent. I think I'd like to actually circle back around. I have a couple of questions, but I think probably one of the most important in terms of my comprehension of this bill sort of moving forward is around the statutory consent. You've mentioned a water licence. I think that's good to have an example. I'm just wondering if anything else is caught. You've talked about the possibility of expropriation, but the Land Titles Act is clearly excluded from the definition, so obviously expropriation of the

majority of what we think of as land holdings is not covered. I'm just wondering what you mean.

Mr. Barnes: Okay. The other one I can think of off the top – and thank you for the question. Extensive livestock feeding operations was mentioned quite a bit. Of course, there are some extra rules and regulations around that process, and for good reason. If a person had a licence for a number of years and all of a sudden that licence had to be extinguished, as an example, should that person not be entitled to full and fair compensation? Should that person or that operation not be entitled to a right to appeal? I would think that in our western democracy, yes, they should. My belief is that that one would apply as well.

The Chair: Follow-up?

Ms Ganley: Okay. I'm not disputing it. I'm taking no position one way or the other. I'm just trying to understand what we're talking about because when you say an "extensive livestock feeding operation" – like, I'm trying to understand what the legal instrument is. Obviously, you're saying that they don't own – are you saying a grazing lease? Is that the sort of ...

Mr. Barnes: No. I'm sorry. I should have said "intensive." Like, a feedlot – you know, a goats feedlot is an example that has happened in Cypress-Medicine Hat – if you're raising animals, if you're feeding animals for food production or for resale.

Ms Ganley: You don't own that under the Land Titles Act?

Mr. Barnes: No. You need a separate licence for a feedlot.

Ms Ganley: Oh, okay. Do you know what act that's under?

Mr. Barnes: I'm sorry. I do not.

The Chair: Okay.

We'll move on to Member Nixon. Go ahead, please.

Mr. Jeremy Nixon: Thank you, Chair, and thank you, Mr. Barnes, for bringing this forward. As somebody who fought in the trenches with you back in 2012, 2015, and in 2019, I know this was a big issue, and I certainly attended a number of the town halls where this was a topic. I appreciate you bringing this forward and championing this issue that we fought a long time for.

I really see this as a culmination of 10 years of work in regard to your work and the work of our legacy party and many members of that, including members like Pat Stier, that did a lot of work in regard to building this platform and this legislation. I'm wondering if you can kind of expand upon – you talked a little bit about it – what the consultation processes look like for you recently but also over the 10 years and what's informed this legislation.

Mr. Barnes: Yeah. Thank you very much for that question. Let's start with our former colleague from Livingstone-Macleod, Pat Stier. Pat worked on these kinds of things. Pat was a great advocate as well of property rights and the changes to Bill 36, and I've talked to Pat about this and his favourability. You know, in 2011 there were constitutional lawyers going around. Keith Wilson is an example. One of the first things I did was send this bill and the idea behind it to Mr. Wilson for his input. I think back to the Western Stock Growers', people like Aaron Brower, Norm Ward, Bill Newton, many, many people that – Phil Rowland is another one – I've talked to about this bill just in the last two months. I think that universally they're all supportive. They all very, very much like what they see. They're glad that, you know, although it's nine years

later that the government has had an opportunity to listen to them, once again their important issues have had a chance to come to the floor, where they can see it debated, where it actually can have the impact of significant change for wealth and job creators.

10:00

Many of the people from those meetings in 2011, Mr. Nixon and Mr. Horner, that we met at and talked about, when I put this out on social media that it was of interest to me and I wanted to do it – a direct message, a Facebook message, or a text saying: yes, I like what I see; I like what you're doing. They made suggestions, that kind of thing. I would say that even in the last three months, consultation has been in the hundreds of people that have expressed support for Bill 206.

Mr. Jeremy Nixon: Thank you.

The Chair: A brief follow-up, please.

Mr. Jeremy Nixon: For sure. I actually wanted to comment on something you mentioned earlier about the importance for city people and urban dwellers. I think as a property owner myself that lives in the city, certainly this has been brought up at many doors in Calgary-Klein. I think this bill will have an impact for urban dwellers as well as rural dwellers. I'm wondering if you can expand a little bit about how this will impact both urban and rural voters and why this bill is so important to the cities as well.

Mr. Barnes: Yeah. Great. Thank you again. From 2011 the two specific items I remember are transmission lines that were being put behind a residential area – I believe it was Sherwood Park or at least that northeast part of Edmonton – and there was great controversy. There were a lot of Albertans that felt that their voice wasn't going to be heard because of Bill 36, so I'm grateful that Bill 206 will give them that choice for a full and fair hearing, and experts can decide from there.

Secondly, the ring roads. I remember putting the same discussion over ring roads around Calgary.

The Chair: All right. Well, thank you very much, Mr. Barnes. Time has expired. I'd like to thank you once again for presenting here today to the committee.

We will now move to decisions on technical briefings on Bill 206. Hon. members, the customary practice of this committee is to invite a technical briefing on private members' public bills that have been referred to us for consideration. However, in this instance, the proposals in Bill 206 touch on the mandates of multiple ministries, including Justice and Solicitor General, Environment and Parks, Municipal Affairs, Agriculture and Forestry, and Service Alberta. Therefore, I would like to look to the committee for direction regarding a review of Bill 206 based on the contents of the bill, if it is the will of the committee to invite technical briefings from any of these ministries.

Member Ganley.

Ms Ganley: Thank you very much. I think it would be helpful to hear from departments on this for a number of reasons. Part of it is because this is fairly complex. As we know, the adverse possession – I have, of course, reviewed the report from ALRI on how to extinguish adverse possession, having requested it myself, and I've reviewed the act, but I think it would be helpful to get submissions from the department on whether this follows those recommendations in every case, because I think that's important.

I also think this sort of idea that, you know, multiple departments can't work together to create a presentation is just wrong. They do

it at cabinet all the time. There are government bills that touch on multiple areas constantly. The departments are very good at working together to create a 10-minute presentation and have the necessary expertise there to answer questions. I mean, my initial look at this bill seems like: oh, that seems good. But I feel like it's my responsibility as a legislator to feel confident. Mr. Barnes was very helpful in providing some examples of what some of the portions of this bill touch on, but I'd just like to make sure that I understand everything that's going to be impacted, because I think that's my responsibility.

That's why I would like a technical briefing.

The Chair: Okay. Thank you.

Mr. Schow, you're up next.

Mr. Schow: Thank you, Mr. Chair. I want to extend a personal thank you to Mr. Barnes for being here and for introducing this bill. Being in Cardston-Siksika, as many of you know, I call it God's country. This is a very important issue down there and a fundamental pillar of the conservative movement. Knowing Mr. Barnes and the work that he's put into this and the people that he's consulted throughout – I suspect, over a decade now, if I'm not mistaken, Mr. Barnes. The work has been done on this both by Mr. Barnes and a number of stakeholders.

This is not a new issue. This is something that I suspect members of the opposition, with the exception of Member Irwin, who was not here in the previous government, are familiar with, something that the conservatives, at least that I know well, have been pressing on and asking for for a very long time and rightfully so. I understand that we would like to have a briefing from the departments and that that option has been exercised in the past, but, like I said, this is not a new issue. We don't need to have the department come in here and brief us again on something that I think has been briefed on many times.

I think Mr. Barnes has done a tremendous job on this bill. He has represented his constituency and, I think, a lot of Albertans who are very concerned about this issue well today. I'm grateful for him and his advocacy on this, and I would suggest that I don't think I need to hear from the departments.

The Chair: Any other comments? Yeah. Mr. Nielsen.

Mr. Nielsen: Oh. Thank you, Mr. Chair. I, too, of course, would thank Mr. Barnes for coming and bringing this bill forward. I think, because of the fact of the work that you've, you know, gone through over the past decade on this, I would hate to see it trip at the finish line in case we've missed something. I think we'd be remiss if we didn't get a quick technical briefing from the ministries. As maybe Member Ganley had mentioned, it could be a combined effort so that we're limiting the number of presentations. This way, we can assure that what we're sending back to the House could be debated properly, and we wouldn't end up having to make any kind of amendments and things like that just to – I don't know – clean up language or something or re-reference something else. We'd be prepared for that and be able to potentially move this through at a faster rate.

I would urge members to consider a technical briefing. I mean, it's been a decade. I figure another few days probably wouldn't make that much more of a difference.

The Chair: Any other comments?

Okay. I'm sensing a little bit of a division, we'll say, between the government members and the opposition, so I guess I'm going to ask if somebody would like to move a motion. Go ahead, Mr. Nielsen. I saw your hand go up first.

Mr. Nielsen: Sure. I would move, then, that the committee invite . . .

The Chair: I might have one prewritten here: that the standing committee on private members' public bills invite the following ministries to provide a technical briefing on Bill 206, Property Rights Statutes Amendment Act, 2020, at the next committee meeting to be determined.

Mr. Nielsen: I'd say that was almost exactly what I was about to say. It's amazing how you read my mind.

The Chair: All right. You've been here before.

Okay. I will let the clerk put it up on the screen here. Just for the language purposes, Mr. Nielsen, does this sound good to you: that Mr. Nielsen move that the Standing Committee on Private Bills and Private Members' Public Bills invite the following ministries to provide a technical briefing on Bill 206, Property Rights Statutes Amendment Act, 2020, at the next committee meeting. Then it looks like we would list Justice and Solicitor General, Environment and Parks, Municipal Affairs, Agriculture and Forestry, and Service Alberta. As per Member Ganley, of course, if they choose to combine that in some way, we'll leave that up to them. That aside, does that sound good to you?

Mr. Nielsen: Sounds exactly.

The Chair: Okay. All right.

We'll let the clerk put that up there. Okay. It looks like it's there. As written, again, I will just say that Member Nielsen moved that the Standing Committee on Private Bills and Private Members' Public Bills invite the following ministries to provide a technical briefing on Bill 206, Property Rights Statutes Amendment Act, 2020, at the next committee meeting: Justice and Solicitor General, Environment and Parks, Municipal Affairs, Agriculture and Forestry, and Service Alberta.

Mr. Schow: A and G?

The Chair: Agriculture and Forestry.

Mr. Schow: Got it.

The Chair: Okay. All right. I'll just repeat those again: Justice and Solicitor General, Environment and Parks, Municipal Affairs, Agriculture and Forestry, and Service Alberta.

Okay. All those in favour, say aye. All those opposed, say no. That motion is defeated.

10:10

Ms Ganley: A recorded vote.

The Chair: A recorded vote? Yeah. Okay. We'll do a recorded vote. I think, as per the convention of the committee, I will ask that all those in favour raise their hands, at which point I will announce their names.

All those in favour, please raise your hands. Okay. We have Mr. Nielsen, Member Irwin, Member Sigurdson, and Member Ganley. Thank you.

All those opposed, please raise your hands. Okay. We have Member Schow, Member Neudorf, Member Horner, Member Nixon, Member Glasgo, and, of course, Member Sigurdson. Sorry; I just wanted to clarify that that is Member R.J. Sigurdson. Right. Okay. Thank you very much.

That is defeated, four to six.

Okay. Thank you very much. We will now move on to Mr. Singh. All right. Review of Bill 205, Genocide Remembrance,

Condemnation and Prevention Month Act, a presentation by Mr. Singh, MLA, for Bill 205. Hon. members, Bill 205, Genocide Remembrance, Condemnation and Prevention Month Act, was referred to the committee on Monday, October 26, in accordance with Standing Order 74.11. Joining us this morning is the sponsor of Bill 205, Mr. Peter Singh, the MLA for Calgary-East. At this time I'd like to invite Mr. Singh to provide a five-minute presentation, and then I will open the floor up to 20 minutes of questions from committee members.

Mr. Singh, thank you very much for being here, sir. I'll get the clerk to get the clock started. The time is yours. Go ahead, sir.

Bill 205, Genocide Remembrance, Condemnation and Prevention Month Act

Mr. Singh: Thank you, Mr. Chair. I am pleased to be here today to present my bill, Bill 205, the Genocide Remembrance, Condemnation and Prevention Month Act. My bill declares April of each year as genocide remembrance, condemnation, and prevention month.

Bill 205 is based on the definition of genocide found in article 2 of the UN convention on the prevention and punishment of the crime of genocide. I will read this definition for your own ears.

Genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

There is no denying that genocide recognition has been a contentious issue. Genocide is a particular and great form of evil and is narrowly defined. The intention of Bill 205 is to focus on genocide remembrance, condemnation, and prevention. The wording of the bill is not limiting. Not every genocide that has been committed is listed here. To avoid divisive arguments over any particular genocide, Bill 205 relies on the list recognized by the House of Commons because it represents a broad consensus of the nation. The genocides listed are the Armenian genocide beginning April 24, 1915; the Ukrainian famine and genocide, Holodomor, of 1932-1933; the Holocaust of 1933-1945; the Rwandan genocide beginning April 7, 1994; the Srebrenica massacre of July 1995; the Yazidi genocide beginning August 3, 2014; the Rohingya genocide, particularly events beginning August 25, 2017.

I want to note that over the summer the House of Commons unanimously voted to recognize the Romani genocide. The Romani genocide was perpetrated by the Nazis during World War II and involved the murder of over 500,000 Romani people. Unfortunately, I had signed off on the final text of my bill at that time, and the Romani genocide has not been included. This shows that debates on genocide recognition are ongoing. More importantly, it shows that they are not closed issues and that some genocides may still be perpetrated today and in the future. In my view, this reality makes Bill 205 more, not less, relevant and necessary.

The goal of this bill is to combat the causes of genocide by taking April of each year to recognize the impact of the atrocities of genocide on individuals who belong to the many different religious and ethnic communities of Alberta, to remember the victims of genocide, promote better understanding of the causes of genocide,

and increase awareness of genocides that have occurred across the world.

My bill also requires the Minister of Culture, Multiculturalism and Status of Women to table a report within one year that outlines strategies to combat the causes of genocide, including consulting with the Minister of Education when preparing the report. My hope is that Bill 205 will be the starting point for continued discussion and dialogue on the tragic history and reality of genocide as Albertans' awareness grows.

With that, I will close my remarks, and I look forward to answering questions.

The Chair: Well, thank you very much, Mr. Singh.

I will now open the floor to questions from the committee members. As I previously indicated, as is convention, this is a government member's bill, so we will begin with the Official Opposition. I see Member Irwin. Go ahead, please.

Member Irwin: Thank you, Chair, and thank you MLA Singh. You know, this is an important topic, so I appreciate that we're having this conversation. The former social studies teacher in me would like to point out that, actually, this is a topic that is explicit in the high school social studies curriculum, in grade 11 in fact. So students actually delve into the causes of genocide and look particularly at ultra-nationalism as a cause.

I know that you mentioned that you used the UN's definition of genocide. We know that that's a term that's quite contentious, some saying that it's too narrow. I want to ask: did you consult multiple sources in landing upon that choice? Did you consult experts or scholars? If so, whom did you consult?

Mr. Singh: Thank you, Mr. Chair, and thank you, Member, for this question here. Thank you for bringing that up. There were no stakeholders consulted before drafting this bill as the genocides listed are the same ones that were acknowledged by the House of Commons. The convention on the prevention and punishment of the crime of genocide was adopted by the UN General Assembly in 1948. Canada signed the treaty in November 1949 and ratified it in September 1952. As submitted by UN convention to all signatory countries, Canada enacted legislation to give effect to the provisions of the treaty by adding a section to Canada's Criminal Code defining the offence of genocide and imposing penalty to any person advocating or promoting genocide.

The list of genocides in section 2(b)(iv) in Bill 205 are all recognized by the House of Commons. It would be, then, considered that the proper stakeholders were heard by the Members of Parliament and had the opportunity to raise their views. Based on the same set of circumstances and the matters that the House of Commons considered in recognizing the ones listed in my bill, I have arrived at a decision that consulting stakeholders will be no longer necessary.

Member Irwin: A follow-up?

The Chair: Okay. We're going to keep going here.

Member Singh, I'm just going to ask you to try and keep those comments short because we only have 20 minutes here, but a follow-up, please, Member Irwin.

Member Irwin: Thank you. Again, I just want to point out, you know, in my own understanding and having taught on this topic and knowing a little bit about it, again, the UN definition is a controversial one. I just think that we're preparing a sort of made-in-Alberta bill to address this, so it would be very appropriate to consult experts and stakeholders on this bill.

10:20

You yourself mentioned in your opening remarks – you kind of implied that definitions change and things are fluid. So I wondered: did you consider not including a list, again, knowing how things can shift? Once you list and once you name things, you certainly run the risk of excluding events. Did you consider that at all?

Mr. Singh: Thank you, Mr. Chair, and thank you, Member, for asking this important question. I believe consultation must be resorted to in considering to recognize genocide that has not been recognized by the UN Assembly, judicially adjudicated in international courts or other courts designated to try genocide cases. Like you have said, it is a very contentious issue here.

As I mentioned, the need to consult stakeholders about this bill is not needed as the listed genocides are all recognized by the House of Commons. The House of Commons has representatives across the country and would have more resources to reach out to stakeholders. If we are to consult stakeholders regarding the contents of the bill, it would be impractical as issues would again be opened and raised which are presumed to be already resolved by the House of Commons. Should there be a future recognition of genocide by the House of Commons, they are deemed to be included in this bill as it does not limit the same to the list.

The purpose of this bill is to have genocide remembrance, condemnation, and prevention month.

The Chair: Thank you.

Mr. Schow, go ahead, please.

Mr. Schow: Thank you, Mr. Chair. I appreciate you, Mr. Singh, bringing this bill to the committee, and I appreciate how important it is. In 2015 I took a trip to Washington, DC, and had a bunch of meetings there. With limited time on my final day I was given a chance to go and tour the city, and I made a point of going to the Holocaust museum, of all places. When you look at this list that you have here with the Armenian genocide, the Ukrainian famine, the Holocaust, the Rwandan, and so on and so forth, we must never forget these atrocities that were committed. While it was a difficult visit for me to that Holocaust museum, it was important to walk through the train cars that were there, to see the pile of shoes of the victims of the Holocaust, and to hear the stories and read the journal entries. You'd be hard-pressed to find a dry eye throughout that museum, and if we don't introduce things like these kinds of bills, we run the risk of forgetting, which would be a serious detriment, I believe, to Alberta, to Canada, and to the world. So I appreciate you bringing this forward.

Drawing a private member's bill is oftentimes a once-in-a-lifetime thing, in fact, something that many members are never given the opportunity to do. You have used this opportunity to bring genocide to the attention of the Legislature. I'm just wondering if maybe you could elaborate as to why this is so important to you and why you felt it was important to bring this to the attention of the Legislature.

Mr. Singh: Thank you, Mr. Chair, and thank you for this question here. The opportunity to introduce a private member's bill, like you have said, is a rare privilege. I took inspiration for this bill from a motion passed in the House of Commons in 2015, Motion 587, and I wanted to formally enshrine this month in provincial legislation.

There are two reasons I chose this subject. First, I believe there is a lack of awareness of the occurrence of genocide, the causes, and the grave nature of these events. We see this most clearly when people make careless or inappropriate comparisons between a particular event and a genocide.

Secondly, a genocide is not something that happens overnight. The Holocaust, like you've mentioned, is one example of this, with Hitler's anti-Semitism and scapegoating of Jews happening well before he rose to power. Here in Alberta we have people who are either survivors of genocide or the descendants of these survivors. At the Legislature we mark the memorial of the Ukrainian famine and genocide every year. When we consider other months or days that have been declared like National Indigenous History Month or Black History Month, they're the opportunity for us to pay special attention to these issues and learn about them. At the local level we see this in libraries or museums or take the opportunity to highlight specific collections that align with these months.

A recognition month is an opportunity for us to become aware of the hatred that leads to genocide and to prevent future genocides through our awareness and dialogue. We can say that there would be several root causes of genocide. Hatred and racism are some of the triggering factors that I see that could eventually lead to the commission of other elements of this wrongdoing.

As we have been hearing lately over the news, it's important to pay attention to the assertions of an existence of hate and racism all around us. Some describe it as systemic while some might say that this is just an isolated case. I have heard from some of my constituents about their experience of racial discrimination when dealing with officers. Though they were mere allegations or a feeling of unfair treatment, we must not discount these incidents. I know that we have a structure set aside addressing these kinds of issues, but this is just one part of the equation.

The Chair: Okay. Thank you.

Mr. Schow, very briefly.

Mr. Schow: I'm okay, Mr. Chair. You can move on.

The Chair: Okay. Thank you.

Member Sigurdson, go ahead, please.

Ms Sigurdson: Well, thank you very much, and thank you, Mr. Singh, for joining us here today. Certainly, the identified genocides here are all not from our own country, and I think that it's really important for us to reflect on, really, the treatment of indigenous people.

The Chair: Ladies and gentlemen, that is construction below us. They've been told to be quiet, so we're just working with it. Thank you.

You may continue, Member Sigurdson. Thank you.

Ms Sigurdson: I was just getting to the point that, certainly, within our own country there have been some atrocities, human rights atrocities. Certainly, I want to identify the missing and murdered indigenous women and girls group that has identified that this is a genocide of indigenous people. I mean, this is a very significant thing in our province.

The Chair: Can we pause the clock for a second? Our legal counsel has gone downstairs, so hopefully that assists.

Ms Sigurdson: Should we take advantage?

The Chair: I think – you know what? Trafton is back. Okay.

You know what? Ladies and gentlemen, the clock has been paused. Let's take a five-minute break, and we'll let the LAO deal with the construction downstairs. Okay. Thank you.

[The committee adjourned from 10:28 a.m. to 10:34 a.m.]

The Chair: We're going to get started again here. I think I'm going to pause the clock for just a few more seconds even though you're going to start, Member Sigurdson, just to refresh on what the question was that you were asking Mr. Singh.

With that, are you prepared to go, Member Sigurdson?

Ms Sigurdson: I am.

The Chair: Okay. Wonderful. I'll let you continue, and then I'll just signal the clerk when to start the clock. Go ahead. Thank you.

Ms Sigurdson: Again, thank you, Mr. Singh. Certainly, the list that you have shared with us is about genocides or identified as genocides in other parts of the world, but in our own country, certainly through the Truth and Reconciliation hearings and also through, you know, the murdered and missing women and girls work, we know that it's been identified as atrocities against indigenous people in our country, and they have been recommended as genocides also. I just wonder if you have considered that, looked at that. What do you understand about that?

Mr. Singh: Thank you, Mr. Chair, and thank you again, Member, for bringing this very important discussion to this committee meeting here. I think you have asked two questions. One is about cultural genocide, and the other one is on missing and murdered indigenous women and girls. I will start with the cultural genocide, which is not within the scope of this bill.

The final report of the Truth and Reconciliation Commission found that residential schools amounted to cultural genocide. Bill 205 is based on the definition of genocide found in article II of the UN convention on the prevention and punishment of the crime of genocide. "Genocide means any of the following acts committed with intent to destroy, in whole or in part" – I did read this in the beginning, so I won't read it again.

I share Premier Jason Kenney's recognition that the residential school system was fundamentally racist in its nature and was an official policy of the government of Canada, supported as well by the government of Alberta, other provincial governments, and institutions of civil society, and the racism that lies in the heart of the residential schools continues to reverberate through indigenous communities to our own time. Our government is taking concrete action to address racism and to remove barriers to prosperity for indigenous people. Initiatives like the Alberta Indigenous Opportunities Corporation and work to modernize the Police Act demonstrate our commitment to meaningful reconciliation and to empower indigenous communities so we can be partners in prosperity.

I believe the residential school system is a dark part of our history that needs to be remembered so that it is not repeated. We currently observe June as indigenous history month, which includes highlighting the history of residential schools. I think that this independent month of recognition is actually more appropriate to honour the distinct history of Canada's First Peoples. Further, June 21 is celebrated as National Indigenous Peoples Day. Again, this is an opportunity to learn about the heritage, culture, and achievement of First Nations, Inuit, and Métis people.

In 2014 the government of Alberta . . .

The Chair: Member Singh, thank you.

Member Sigurdson, go ahead, please.

Ms Sigurdson: Yes. Thank you. Well, certainly, this is a significant, you know, movement, to call something a genocide, and I think that consultation with indigenous people on this very sensitive issue is key. You said that you haven't consulted. I believe

that's what you said earlier. I'm just wondering if you actually even spoke with your own Ministry of Indigenous Relations regarding this, because I think the view would be that, you know, indigenous people must be included. Canada did commit genocide against the indigenous people, so this is a big missing in this bill. I'm just asking you now if you have consulted with your own Ministry of Indigenous Relations, and what's their view on this?

Mr. Singh: Thank you, Mr. Chair, and again thank you, Member. I will just highlight a little bit of the National Inquiry into Missing and Murdered Indigenous Women and Girls, that finds that this amounts to genocide, and genocide is narrowly defined: international crime that triggers certain legal obligations and consequences. Our government is taking the issue of missing and murdered indigenous women seriously. Minister Wilson . . .

Ms Sigurdson: Did you consult with . . .

Mr. Singh: Minister Wilson personally attended and received the national inquiry's final report. We established . . .

Ms Sigurdson: Well, that's not consulting, though. There's a difference in receiving a report.

10:40

Mr. Singh: Definitely, we have some discussions . . .

The Chair: Member, just let him answer.

Ms Sigurdson: But he's not answering.

The Chair: As has been said in many committees that I've chaired in the past, you know, you can ask the question. You may not like the answer that you're going to get, but the member is trying to attempt to answer the question.

I ask you, Member Singh, to please be brief on this. Thank you.

Mr. Singh: Thank you again, Mr. Chair, and thank you again, Member, for asking about missing and murdered indigenous women and girls here. Minister Wilson personally attended and received the national inquiry's final report. We established the Alberta Joint Working Group on Missing and Murdered Indigenous Women and Girls to provide advice and make recommendations to the government to address the national inquiry's call for justice. We have also implemented Alberta's version of Clare's law, the Human Trafficking Task Force, and the rural crime strategy in our efforts to make the lives of all Albertans safer. As we . . .

The Chair: Thank you, Mr. Singh.

Okay. Let's move on to Mr. Nixon. Go ahead, please. Try to be brief, please.

Mr. Jeremy Nixon: Thank you, Mr. Chair, and thank you, Mr. Singh, for your obvious heart and passion on this issue and for bringing this very important topic forward. If we don't learn from the past, we're destined to repeat it. I also appreciate the comments about understanding the causes, as these things don't happen overnight, and it's important that we study and we learn from what's happened in the past.

My question, Mr. Singh, is about section 4 of the bill, which states that "within one year of the coming into force of this Act, the Minister must complete a report setting out the strategies and proposed actions that the Government commits to undertake to effect the purposes of this Act." I'm just curious if you can talk a bit about why you felt it was important to include that requirement

for the Minister of Culture, Multiculturalism and Status of Women to consult with the Minister of Education.

Mr. Singh: Thank you, Mr. Chair, and thank you for the question. Let me explain the importance of the reporting section of this bill. The federal motion M-587 calls upon the government to honour the victims of all genocide by recognizing the month of April as genocide remembrance, condemnation, and prevention month. I understand that this implies that the federal government will be the lead to carry out the purpose of the motion. Going back to my bill, section 2(a) says that the government will take initiative to carry out its purposes. In my view, this provision was included to make it clear that the government will be the lead in fulfilling the purpose of this bill. This removes doubt or confusion on who will do the initiating.

As to the reporting section, there are not a lot of things, limitations or specific requirements, as to what should be in the report. Also, sufficient time to prepare the report has been provided in the bill. The intent of . . .

The Chair: Member Singh, thank you.

A follow-up, please, Mr. Nixon.

Mr. Jeremy Nixon: Yes. Again, just talking about the importance of reporting and just ensuring that there is meaningful action, I'm wondering if you can kind of continue on your thought about the importance of reporting and the collaboration between the ministry of multiculturalism and the status of women and the Ministry of Education.

Mr. Singh: Thank you again, Mr. Chair, and thank you, Member. It is not intended to be a document that speaks of very exact solutions to combat genocide, which would require a thorough review, research, and budgetary implications. I understand that reporting to the Legislature will be helpful here. What I anticipate is to reflect in the report that the provincial government is willing to engage with stakeholders, organize events to commemorate and spread awareness and prevention. I just want to highlight as well that this is just one-time reporting. As we may see, different cities and municipalities have recognized some genocides not recognized by the federal or provincial governments, but there are activities apart from commemorating.

To sum it up, the report will be just, plain and simple, a reflection that the government is committed to commemorate, condemn, and prevent genocides.

The Chair: Okay. Thank you.

We'll now go to the Official Opposition. Mr. Nielsen, go ahead, please.

Mr. Nielsen: Thank you, Mr. Chair. Mr. Singh, I appreciate you being here as well. I guess I'll just be . . .

The Chair: I'll let you finish the question. Then a brief answer.

Mr. Nielsen: Yeah. I'll just be direct, Mr. Chair. Residential schools, missing and murdered indigenous women, and the '60s scoop have been determined by the Truth and Reconciliation Commission to be acts of genocide, genocide that occurred in our very own backyard of Canada and Alberta. Why have you not included this in your bill?

The Chair: Mr. Singh.

Mr. Singh: Thank you, Mr. Chair, and thank you, Member, for asking this question. There is no denying that genocide recognition

has been a contentious issue. Genocide is a particular form of evil and is narrowly defined. The intention of Bill 205 is to focus on genocide remembrance, condemnation, and prevention. To avoid divisive arguments over any particular genocide, Bill 205 relies on the list recognized by the House of Commons because it represents a broad consensus of the nation. If Bill 205 passes, there certainly will be continued discussion and dialogue on the genocide as Alberta's awareness grows. The genocides listed in Bill 205 are meant to be a starting point of these conversations. It will also give the ministers a clear focus when developing strategies for the report.

Through my preparation in coming up with the bill, I have learned that there is no specific procedure that is set up in recognizing past genocides in Canada or in Alberta. The convention on the prevention and punishment of the crime of genocide, the genocide convention, is an instrument of international law that codified the crime of genocide. Its adoption marked a crucial step towards the development of international human rights and international criminal law as we know it today. The recognition and determination of if a certain genocide constitutes genocide is legally complex and is done with thorough, deep, detailed, and careful examination of relevant facts, documentation, and surrounding circumstances.

The Chair: Okay. Thank you very much, Mr. Singh.

Time has expired. I'd like to thank all members for their participation in this 20-minute question-and-answer period.

Mr. Singh, I'd like to thank you for your presentation.

Next we'll go to, which was already scheduled here, the technical briefing by the Ministry of Culture, Multiculturalism and Status of Women on Bill 205. Hon. members, the committee will now receive a technical briefing on Bill 205, Genocide Remembrance, Condemnation and Prevention Month Act, from the Ministry of Culture, Multiculturalism and Status of Women.

I'd like to invite Ms Pillipow, who is the deputy minister, to provide a five-minute presentation, and then I'll open up the floor to 20 minutes' worth of questions from the committee members.

Ma'am, whenever you are ready, you may proceed. Thank you very much. Thanks for being here.

Ms Pillipow: Thank you, Mr. Chair. Thank you, hon. members. For the purpose of time I'm actually going to skip the first couple of slides as it's repeating what Mr. Singh has gone over already, just reiterating the purpose of the act and how it's outlined in the bill. One of the things I just wanted to note on this slide, as I understand, we're here to give a technical overview on the bill. In addition to this list being acknowledged by the Parliament of Canada, we also in a jurisdictional review found that the province of Ontario also adopted a similar list in legislation as well.

We also would note that in looking at the purpose of the bill, recognizing the month of April as genocide remembrance, condemnation, and prevention month, while it hasn't been specifically noted that the Minister of Culture, Multiculturalism and Status of Women would be the sponsor of the bill, the subject matter does align with our ministry. It also aligns with the work of the Alberta Anti-Racism Advisory Council work on preventing and responding to hate crimes and hate instances and teaching respect for each other. However, genocide isn't currently a specific area of review for the council.

I just also wanted to note that the Minister of Culture, Multiculturalism and Status of Women is responsible for two acts that memorialize two historical genocides, the Holocaust Memorial Day and Genocide Remembrance Act as well as the Ukrainian Famine and Genocide Memorial Day Act, just to note that those already are in existence.

10:50

When we looked at implementation if the act is proclaimed, there may be staffing or resources consequences as we don't currently have any expertise on genocide. We also note that the minister could consider tasking the Alberta Anti-Racism Advisory Council with developing a report, as it's required in the act, although this would involve an expansion of the mandate of the council and require additional resources. We would also advise that stakeholder engagement should occur upon developing the report and implementation, including engaging with the federal government on any current definitions of genocide.

If the act was not passed, some aspects of the act's purposes could also be achieved in different ways. The minister could report on any actions in the required annual report for all ministries, as required under the Financial Administration Act. As well, an oral proclamation could be issued proclaiming April each year as genocide remembrance, condemnation, and prevention month. We have done this for other processes before and have done other proclamations, so it is something that's been done before.

That is the summary that I have on the technical overview from the ministry. I'm happy to take questions, Mr. Chair.

The Chair: Thank you very much for your presentation.

We'll now go to 20 minutes' worth of questions, beginning with the Official Opposition and Member Irwin. Go ahead, please.

Member Irwin: Thank you, Chair, and thank you, Deputy, for being here today and for your overview. I want to repeat some of what we've shared earlier, some of our concerns about the bill. I'm quite familiar with your ministry's annual report as we were expected to be in PAC this morning bright and early, but it was cancelled. Through my analysis of your report one of the things that I was appreciative of was the multiple mentions of missing and murdered indigenous women and girls. In fact, bullet 3.9 on page 25 of your annual report speaks specifically to supporting the recommendations of the final report and, obviously, incorporating those moving forward.

We know one of the findings of the TRC report was that the legacy of residential schools was, in fact, cultural genocide, so can you speak to the exclusion of indigenous issues and the missing and murdered indigenous women and girls crisis in the bill as proposed?

Ms Pillipow: I wouldn't be able to speak to the exclusion in the bill since we didn't support the drafting of the bill. As I mentioned, if we were to support implementation of the bill if it was proclaimed, we would conduct stakeholder engagement and look to other jurisdictions and existing policy priorities in presenting any of the options that would have to go into the report for the minister's consideration.

Member Irwin: Would it be your perspective that it would be important to include indigenous issues and, in particular, the missing and murdered indigenous women and girls crisis moving forward?

Ms Pillipow: It would be my role to advise the minister on the policy priorities of the government and give her options for the required report from the legislation.

Member Irwin: Thank you.

The Chair: We'll now go to the government members. Are there any government members that have a question? No?

We'll go to Member Sigurdson. Go ahead, please.

Ms Sigurdson: Yeah. Thank you very much, Deputy. Member Singh did allude to it, and you talked about it, too, that this is the list, and it's a list from the federal government. I just wonder if you could help me understand, like, when that started or when that was created. Was it passed in legislation? Can you help me understand the federal list?

Ms Pillipow: My understanding is that the federal list was developed, as Member Singh already identified, through the United Nations. I don't actually have that much background. I could read a little bit from the bill itself, if you'd like, but I would have to get you some more information, Member. I apologize.

Ms Sigurdson: Yeah. I'd be interested in that because what we understand is that it was a motion that was brought forward in about 2015, and then it sort of – but some of these genocides that are identified are in 2017. Obviously, it seems to be a living document that's including, you know, other ones.

Also, Member Singh did talk about: well, this is the beginning of the conversation, so this is our list now. Because of that I think that, well, you know – we know the importance of making sure that the recommendations from the Truth and Reconciliation hearing are put forward, and indeed there was a genocide of indigenous people in this country. So that's kind of why I'm asking that. I'm just wondering – okay; so this is seen now as the list – how do we keep this document alive? How do we acknowledge further genocides and genocides that we've already acknowledged but are not on this list? That's my confusion.

Ms Pillipow: My suggestion would be that it would be upon implementation that we would look at the report and what strategies have been requested to be developed as outlined in the bill and look at existing policies and see what strategies could be implemented to address updated definitions.

The Chair: Do you have a follow-up, please?

Ms Sigurdson: I kind of did it.

The Chair: You did? Okay. All right. Thank you.

We'll go to Member Schow. Go ahead, please.

Mr. Schow: Thank you, Mr. Chair, and thank you, Ms Pillipow. Is that correct? I did say your last name right? No one ever gets my last name right, so I figured I'd just clarify that. Thank you.

I appreciate your presentation today and the tremendous work you do in the department. I do have a question regarding just basic procedure. The bill does ask for a report within I believe it's a year, if I'm not mistaken. I was wondering if maybe you could explain what that process looks like for executing this report.

Ms Pillipow: Sure. As this would be a new report for the ministry, we would obviously have to collaborate with the identified Minister of Education and develop a policy process, so we would work with, of course, the deputy minister and the minister to develop some stakeholders that would have to be engaged, and then we'd identify through that stakeholder engagement an outline and framing of which strategies could be included in the required report. Then we would bring those particular strategies to both the ministers and through the decision-making process for consideration and approval prior to tabling the report.

Mr. Schow: Excellent.

The Chair: Do you have a follow-up?

Mr. Schow: I do have a follow-up, Mr. Chair, if I may.

Thank you for that answer. I just maybe want to take a step back in your answer, though. You talked about that when producing the report, you will be engaging some stakeholders on that. My question has two parts. One, who will actually be writing the report? And, two, who will be determining the stakeholders that will be consulted in compiling this report?

Ms Pillipow: Sure. As it stands now, if our ministry was responsible for implementing the report, I would have to identify some resources within the ministry to do that.

Mr. Schow: Sorry. I'm having a hard time hearing you, Ma'am.

Ms Pillipow: Oh, I apologize. I think the computer is in front of it. Is that better?

Mr. Schow: It is, yes.

Ms Pillipow: I think the computer was blocking the microphone.

Mr. Schow: Technology, hey?

Ms Pillipow: As I identified in the implementation, we would have to identify some resources within the ministry, so when you say "who" in the ministry, specifically, it would be public servants that would be working with both the ministries of education. Usually the way that we identify stakeholders is we'd see who has a vested interest in the bill, and we have a pretty comprehensive list of stakeholders on the multiculturalism side, and that's how we would determine basically who would be engaged. Obviously, it would be important to talk to other ministries across government to see if there were any interested parties as well.

Mr. Schow: Thank you.

The Chair: All right. Thank you very much.

We'll go now to the Official Opposition. Any further questions? Ms Ganley, go ahead.

Ms Ganley: I'm just wondering about – I had questions about this bill. Obviously, you can't speak to its drafting directly, but because this would fall into your ministry – the MLA sponsoring the bill has indicated on several occasions that the definition of genocide is legally complex in a series of ways which has caused him to sort of exclude anything that happened here in Canada with respect to the history with indigenous people. I'm just wondering if you could speak to that definition because it would likely fall into your ministry.

Ms Pillipow: Speak to the definition insofar as if it's adequate or speak to the definition . . .

Ms Ganley: Just speak to what the definition is. The member is saying that it's far too complex to include any of these things. I'm just interested in what that definition is.

Ms Pillipow: Sure. The definition, as I read it in the bill, would have been informed by the federal Parliament definition. When we did research to understand where it came from, it was both from Ontario and the federal government. I have no other comments, really, on the definition, Member.

The Chair: Follow up?

Ms Ganley: Yeah. I guess. That's the definition as it's laid out in this bill. I'm just wondering if there's sort of a standard understanding here.

Ms Pillipow: Of genocide? The standard definition of genocide, as I understand it, is outlined in the bill, so I don't have a standard myself.

My colleague, do you have any addition that you'd add?

Ms Jetha: No. That's where we would need subject matter expertise.

Ms Pillipow: Do you want to come to . . .

11:00

The Chair: Could you just identify yourself for the record? Yeah.

Ms Jetha: Sorry. I'm Nilam Jetha, assistant deputy minister at the ministry.

The Chair: Thank you. Okay.

Ms Jetha: We would definitely need to bring in subject matter expertise to take a look at the definitions and stakeholder engagement as well to see where we would need to go with that.

Ms Ganley: Basically, you'd need to do further engagement?

Ms Pillipow: As I had indicated, in implementation we would, yes. Of course.

The Chair: Thank you.

Mr. Nixon, go ahead please.

Mr. Jeremy Nixon: Thank you, Mr. Chair. My concern that I'm hearing here is that, obviously, getting into the definition of genocide sounds like a very complex matter that would probably fall outside of the scope of what this committee is capable of doing. My concern is that – we have what I see as a very thoughtful bill to bring the issue of genocide forward, to make sure that it is an issue that we as Albertans are considering – if we get wrapped up in trying to define a genocide, we're going to lose out on bringing this issue before Albertans. I know the House of Commons recently unanimously recognized the Romani genocide and updated their list. You've kind of touched on it with Ms Sigurdson, but I'd like to find out what the process would be as we as a society further define genocide and learn more, how we would be able to update this list going forward so that we don't lose the good here that is in this bill, and how we can also recognize other atrocities that have happened around the world with future consideration.

Ms Pillipow: I think that, as I'd mentioned in a previous answer, we would approach the implementation and the reporting as getting some expertise and looking at what some of the current definitions are in developing strategies. We would also make recommendations to both the minister of multiculturalism and status of women as well as the Minister of Education on what current practices and what strategies we could implement, which I believe is the member's intention in the bill. That would be part of our recommended approach in developing strategies in the report.

Mr. Jeremy Nixon: So very much this bill could be used as a starting point to launch – actually, it sounds like work you're already doing, that it could help supplement the work that you're doing as a ministry to recognize.

Ms Pillipow: I would say that it would be work that we could start.

Mr. Jeremy Nixon: We could start? Okay. This is a launching point to start this conversation within the ministry.

Ms Pillipow: Yes.

Mr. Jeremy Nixon: Okay. Thank you.

The Chair: Mr. Nixon, you're good? Yeah. Thank you very much. We'll go to the Official Opposition. Mr. Nielsen, go ahead.

Mr. Nielsen: Thank you, Mr. Chair. The bill is based on some of the language that's contained at the federal level, with which to guide by, so we certainly can't create any kind of language that goes below that standard, but we do have the ability to create language that would go above that standard. Is there anything preventing us from maybe adding recommendations for the House to go over and above what may be present at the federal level?

Ms Pillipow: Are you suggesting – I'm sorry, Mr. Chair. May I ask a clarification?

The Chair: Yes. Absolutely.

Ms Pillipow: Are you suggesting an amendment to the bill? Are you asking if there's a possibility to expand the definition?

Mr. Nielsen: Well, the committee does have the ability to suggest things that the House could consider when looking at this bill, so as long as they go over and above what the bill was based on at the federal level, we would have the ability to do that. Do you see any concerns?

Ms Pillipow: I think, as I've mentioned before, we would look at implementation and look at the strategies that are being requested, Mr. Chair, on the annual report, that we would look at the ongoing body of knowledge that's evolving around genocide and identifying what those strategies could be in the reporting.

Mr. Nielsen: Thank you. No follow-up.

The Chair: Thank you.

We'll go back again to the government members.

One last time for the Official Opposition. All right.

Thank you very much, Ms Pillipow. Thank you very much for being here as well as your staff. Thank you very much for being here as well.

Committee members, decision on the review of Bill 205. Hon. members, the committee must now decide how to conduct its review of Bill 205. In accordance with our agreed-upon process the committee may decide to invite additional feedback from stakeholders on the bill at a later meeting, or it may choose to expedite this review and proceed to deliberations. What are the members' thoughts on this issue? Would members wish to hear from stakeholders, or would members wish to expedite the review? Member Irwin, go ahead, please.

Member Irwin: Thank you, Mr. Chair. I think it's been made quite clear today. The deputy just highlighted the exact need for stakeholders and for further engagement. I think we'd be doing an incredible disservice if indigenous folks were not consulted on this piece of legislation, so absolutely on our side we believe that we need to invite stakeholders.

Thank you.

The Chair: Thank you.

Member Schow.

Mr. Schow: Thank you, Mr. Chair, and I appreciate the comments from Member Irwin. I believe we probably maybe interpreted those comments a little bit differently. I believe that she said that if a

report was written, they would have stakeholders that they would talk to, an extensive list of stakeholders, far more than we could ever even imagine to bring into this committee for a number of reasons.

I do look at this bill from a few different angles. One is that it really is closer to a copy and paste of what was passed unanimously in the House of Commons by Member of Parliament Butt. I think that there was – well, unanimous. That tells us that we had support from all the parties. That tells us that it was a good motion and that across this country we are recognizing the importance of remembering genocide and not forgetting. Looking at the current list that Mr. Singh has put on this bill, I do believe that, you know, we are looking at – and also the report. He's outlined this very clearly.

I don't see a need for stakeholders. This is something that's already really been looked at extensively on the federal side of politics, and we are effectively adopting this provincially to ensure that we are also recognizing the importance of remembering genocide in Alberta by creating a month and a report as to what we are doing to combat genocide. My recommendation, Mr. Chair and to the rest of the committee, is that we forgo stakeholders.

The Chair: Okay.

Member Sigurdson, go ahead.

Ms Sigurdson: Thank you very much, Mr. Chair. I certainly am speaking in favour of us having stakeholders here. It does trouble me that this committee – if we don't have stakeholders here, then we are doing what, unfortunately, generations of other Legislatures have done, which is exclude indigenous people. That should not be done, and we should make sure that we do our due diligence and make sure that indigenous people are consulted, especially because of the previous work with the Truth and Reconciliation hearing, murdered and missing women and girls commission. It's just really quite troubling to me to think that we would just push this into the Leg. without doing our due diligence in terms of consultation.

I just want to add, you know, that it was suggested that this is way beyond the scope of this committee, I mean, that to look at genocide and what it means is too complex. It is our work. We are supposed to be supporting the legislative process, so I disagree wholeheartedly with what was said previously. Having stakeholders would make a big difference in us doing the work of this committee, so I certainly think that it is crucial that we invite stakeholders.

The Chair: Thank you, Member Sigurdson.

Mr. Schow, if you'd like to comment again.

Mr. Schow: Would you, maybe through the chair to Ms Sigurdson, like to clarify what you just said and who stated that this is beyond the scope of us to have this conversation? Maybe just restate what you just said and who you believe said that.

Ms Sigurdson: Member Nixon said that. He said that it was beyond the scope of this committee.

Mr. Schow: Okay. I just wanted to make sure that you weren't putting words in someone's mouth.

The Chair: I think he thought you were referring to him. It's fine. Is there any – Member Nixon, go ahead, please.

Mr. Jeremy Nixon: Sorry. Just to address what was just said, my concern was that we were not going to proceed with this bill because of some discussion about the definition of genocide. I think

that we are very clear on what genocide has been in the list that was provided by the member, that these were atrocities and terrible things. I was concerned that we were going to not proceed with this bill and sacrifice good for great.

As well, I think it is very important to recognize that Ms Pillipow talked about this as a bit of a catalyst and a launching point for their ministry to drive the conversation about how we as a province and as a community will continue to make sure genocide is on the forefront and that we as a community are learning and recognizing it and working towards addressing it going forward. My comments were simply within the understanding that, obviously, there's discussion about the definition here, but I did not want that to get in the way of this great bill and the message that it brings.

11:10

The Chair: Member Ganley, go ahead, please.

Ms Ganley: Yeah. I think I just want to highlight for the committee that I think we're making a bit of a logical error because we're drawing this dichotomy between proceeding with the bill or inviting stakeholders. It's not an either/or conversation. It's entirely possible to invite stakeholders to do that consultation, to have those conversations, and then to proceed with the bill.

I appreciate that this is sort of coming from a line on consultation done by the federal government, and I don't mean to seem particularly pedantic, but I'm not sure. I don't know enough about the work done by the federal government to know whether I'm comfortable relying on that work done by the federal government. I don't think it's unreasonable that we as the provincial legislators do our own consultation and do our own seeking and have our own conversations. I think it is a really important conversation to have.

I want to be clear that we're not minimizing the importance of the bill. It is, in fact, because of the importance of the bill that we think it's so important, because, potentially, individuals are being left out. In particular, one of the things that concerns me is that it sort of leaves the impression that genocides are things that happen in other places. I think we need to recognize that that is not the case. Genocides have happened here at home, and it's very important for us to take that to heart.

The Chair: Are there any further comments? I'm sensing a bit of a division again, but would anybody else like to speak up? Mr. Nielsen, go ahead.

Mr. Nielsen: Thanks, Mr. Chair. I kind of alluded to this in my final question, when I asked if there was anything impeding us from making a recommendation to the House to go over and above. We cannot go below, but we can go over and above. We can make it even that much better. This is a good piece of legislation. It can be made better, especially with what we have in our history right here in our own backyard, and we would be irresponsible if we did not invite indigenous stakeholders. I know there might be a lot of them, but I'm sure we can find a few to at least inform us so that we can do our job as a committee and make a recommendation for the House. Then it's up to the House whether they follow our recommendation or not.

The Chair: Okay. Thank you.

Oh. Yup. Go ahead, Member Irwin.

Member Irwin: Absolutely. In my final comment I want to just use it as a warning that, again, the final event of the Truth and Reconciliation Commission in 2014 was held right here in Edmonton on Treaty 6 territory and, again, just to underscore how much of a slap in the face it will be to many indigenous folks across

this province if they are not consulted and engaged with on this piece of legislation. I'd really like for the members opposite to consider that. Consider the indigenous communities that you represent before making a decision on this.

Thank you.

The Chair: Thank you.

Last call. Any further comments? Okay. Hearing none, I will ask if somebody would like to make a motion.

Mr. Nielsen: So moved.

The Chair: All right. Mr. Nielsen, I don't want to put words in your mouth, but I have something possibly you might want to say. Mr. Nielsen to move that the Standing Committee on Private Bills and Private Members' Public Bills – it says "invite the following stakeholders." May I suggest that you might want to say "invite stakeholders to make presentations regarding Bill 205, Genocide Remembrance, Condemnation and Prevention Month Act at an upcoming meeting"? I think it has been the convention of the past that we haven't specifically listed the stakeholders. Usually the groups on both sides go and talk.

Okay. I'll just repeat that again. Mr. Nielsen to move that the Standing Committee on Private Bills and Private Members' Public Bills invite stakeholders to make presentations regarding Bill 205, Genocide Remembrance, Condemnation and Prevention Month Act, at an upcoming meeting. Does that sound good to you, Mr. Nielsen?

Mr. Nielsen: Yes, it does, Mr. Chair.

The Chair: All right. Thank you. I'll let the clerk get that up.

Ms Rempel: Mr. Chair, if I could, just based on some of the motions that I've used before, you have included a deadline for the caucuses to submit their suggestions, so I can just post something, and we can see if that works.

The Chair: Okay. Sure.

All right. I'll read this again. It looks like the clerk has put November 4. Does that sound good to you, Mr. Nielsen? Yeah. Okay. All right. Mr. Nielsen moved that

the Standing Committee on Private Bills and Private Members' Public Bills invite a maximum of six stakeholders with three stakeholders chosen by each of the government and Official Opposition caucuses to present to the committee on Bill 205, Genocide Remembrance, Condemnation and Prevention Month Act, at an upcoming meeting and request that the caucuses submit their lists of stakeholders to the chair by noon on Wednesday, November 4, 2020.

All those in favour, say aye. All those opposed, say no.

That has been defeated.

Mr. Nielsen: A recorded vote.

The Chair: We'll do a recorded vote. As previously, I ask those members who are in favour of the motion to raise their hands, and I will announce your name. All those in favour, put your hand up, please. Thank you very much. We'll start with Mr. Nielsen, Member Irwin, Member Lori Sigurdson, and, of course, Member Ganley. Thank you. All those opposed, please raise your hand. All right. Mr. Schow, Mr. Neudorf, Mr. Horner, Mr. Nixon, Ms Glasgo, and, of course, Mr. R.J. Sigurdson.

That is defeated, four to six.

Thank you very much for participating.

We will now move to deliberations on Bill 205. The committee will now begin its deliberations on 205. At this time the committee must consider its observations, opinions, or recommendations with respect to Bill 205, including whether or not the bill should proceed. The committee's process allows for up to 60 minutes of deliberations on the bill, although members may extend this time limit if there is consensus that additional time is necessary.

I will now open the floor to discussions from committee members. Member Irwin, go ahead, please.

Member Irwin: Thank you. We would like to include recommendations on the committee's report. Is this the appropriate time to do so?

The Chair: I'll consult with counsel. Are you talking about, like, a minority report?

Member Irwin: No. Just including recommendations.

The Chair: Okay. Trafton?

Mr. Koenig: Mr. Chair, if I'm understanding the question properly, it relates to the committee making observations or recommendations in addition to whether the bill proceed or not proceed. So I would suggest for the committee's consideration that it decide, first, on whether the bill proceed or not proceed because that will impact what recommendations can be made because, of course, the committee can't pass contradictory motions, so it really depends on whether the bill proceed or not proceed. That will impact what other observations the committee might make, if that makes sense.

The Chair: Just so I'm clear on this, we're just talking at this time about whether the bill proceeds or does not proceed. I'm just talking about process, the bill to proceed or not proceed. Not to presuppose the outcome of the committee, but if the bill proceeds, then certainly would Member Irwin and her colleagues be able to provide additional information that they would like to put in there?

Mr. Koenig: Subject to the committee clerk, if she has anything to add, my understanding is that under Standing Order 74.2 the committee is empowered to make other recommendations or observations with respect to the bill. So in addition to the primary decision on whether to recommend that the bill proceed or not proceed, there may be other observations that the committee wishes to include in its report.

The Chair: Okay.

Member Irwin: I can wait, then. It's fine.

The Chair: Mr. Schow.

Mr. Schow: Sure. Maybe Mr. Koenig, Trafton, you could tell me about this, but if recommendations are made by the committee to be put in the report, those recommendations have to be made by the majority of the committee. Is my understanding correct? Or are you saying that – because I believe if not, then you'd basically be submitting a minority report.

11:20

Mr. Koenig: Yes. If I'm understanding – I'm not exactly certain what committee members might wish to do, but a recommendation of the committee itself would be made by a majority vote. So likely a member would move a motion to make an observation to be included in the report, and then there would be a vote on that. A

minority report would be dealt with slightly differently. That wouldn't be a decision of the committee itself.

Mr. Schow: That's the point that I was making, that the committee's job here today is to make decisions about bringing in stakeholders or not and then also determine whether or not the bill should proceed, so anything beyond that, I believe, might be out of scope. Now, I do believe that in the past Mr. Nielsen has asked for minority reports. It's not new to this committee, but in terms of recommendations that would effectively represent the will of this committee, my understanding is that would have to be passed by a majority vote, as you said, a motion, and that motion would then go into the report, but that motion would have to pass this committee.

But I do have concerns about, well, two things: one, looking at the clock and understanding that we still have items on the agenda, opening up this committee to further deliberations on something that I think we've deliberated. I believe we should probably go to deliberations on whether this should proceed or not and maybe entertain a motion, but I would hate to effectively lose an opportunity to deliberate on Bill 206 as well today.

The Chair: Okay. I think what I'm hearing from both sides, quite frankly, is that – I don't want to put words in anybody's mouth – you know, genocide is wrong, and I'm seeing kind of consensus among the group that they would like to of course support collectively the bill. However, I recognize that Member Irwin may want to put a motion forward that touches on and outlines the points that she had, that we can allow the group to discuss briefly, of course, and then vote upon. Does that sound right? Does anybody have any objections to that route, I guess? Okay.

May I make a suggestion that, Member Irwin, if you'd like to maybe put a motion forward – and we can help draft this – and we'll allow the committee to vote, and then for process' sake we will then just go back to maybe somebody putting a motion forward to support or not support Bill 205. Then, of course, as has been done in the past, as mentioned by Mr. Schow, Mr. Nielsen has always suggested minority reports as a possibility as well.

Mr. Schow, go ahead.

Mr. Schow: Mr. Chair, forgive me, but I believe it might be the inverse. We have the first vote on whether or not the bill proceed – that's my understanding from Mr. Koenig – and once that's done, then we potentially entertain further discussion.

Mr. Koenig: It's entirely up to the committee how it wishes to deal with this. However, I would just underline the potential issue, that the committee can't make contradictory decisions. If, for example, the committee decided that the bill not proceed, you wouldn't be able to move another motion that, you know, the committee recommend the bill be amended. You can only pick one because they're contradictory to each other. So it really depends on that first decision, what those other recommendations could be.

The Chair: Okay. Thank you very much, sir.

I'm seeing a lot of nodding of heads in agreement in regard to proceeding. Mr. Schow, you'd indicated you might want to move a motion in regard to proceeding.

Mr. Schow: Yes, Mr. Chair. I suspect you have a draft motion. My motion would go along the lines that the committee recommend that Bill 205 proceed to the Chamber.

The Chair: Mr. Schow moves that

the Standing Committee on Private Bills and Private Members' Public Bills recommend that Bill 205, Genocide Remembrance, Condemnation and Prevention Month Act, proceed.

We'll let the clerk get that up. Okay. Thank you. All those in favour, say aye. Any opposed, say no.

That motion is carried.

Now, Member Irwin, have you got a possible outline of something you . . .

Member Irwin: I do. Yes.

The Chair: Okay. Thank you. Member Irwin, let's hear what you have to say.

Member Irwin: Okay. Thank you. We'd like to include the following recommendations. We recommend that Bill 205, Genocide Remembrance, Condemnation and Prevention Month Act, be amended to include and recognize as a genocide the atrocities committed against indigenous peoples by colonialism, including the ongoing murder and disappearance of indigenous women and girls. We also recommend that the Assembly consider expanding the list of genocides included in this bill.

The Chair: Okay. Thank you. We'll let Mr. Schow – I think maybe Parliamentary Counsel wants to go, but, Mr. Schow, go ahead.

Mr. Schow: While I appreciate the amendment and I understand the concern about making that amendment, this is not the place for that. There is Committee of the Whole. This bill will go to the Chamber as it has passed. It will be deliberated or, rather, the committee's decision to pursue this bill will be deliberated. We have actually already been down this road with a previous bill about introducing or considering amendments in our discussion previously. That motion, in my opinion, is out of order, Mr. Chair. I actually don't understand or really even believe there is any further conversation now that we have done our job as a committee, determining whether the bill should or should not proceed.

The Chair: Parliamentary Counsel, did you have a . . .

Mr. Koenig: Well, not to get too ahead here, because I'm not sure if the wording of the proposed motion is on the screen yet, but I would just suggest that those two recommendations might be separated so that it's not a compound question. They are separate questions. So if there are two recommendations, they be moved separately, just so that the committee can decide on both if that's the direction that the committee goes in.

The Chair: Yeah. I mean, I'd like to see it up on the screen. However, I think we've – you know, we don't want to presuppose the outcome of second reading in the Legislature, but, I mean, I'll see what comes up on the screen. I don't want to rule this out of order at this very moment until I see it, but certainly I do have a concern that this is an amendment that would be, essentially, in Committee of the Whole if the bill proceeds to that stage.

Maybe Parliamentary Counsel or the LAO could assist us. Has there been any – I'm trying to reflect on my memory here. Have we had any precedence on something like this in this committee in the past other than minority reports?

Dr. Massolin: I can speak to this. Mr. Chair, I can speak to, like, the history of this Standing Order 74.2(1). Prior to the creation of this committee when a private member's public bill was referred to a committee in the past, this standing order has been employed for this very purpose, to offer observations, opinions, and

recommendations with respect to the bill, as that standing order has indicated. So, yes, it has happened in the past.

The Chair: Okay. I'm just going to read it so that the member is satisfied, of course.

The Standing Committee on Private Bills and Private Members' Public Bills recommend that Bill 205, Genocide Remembrance, Condemnation and Prevention Month Act, be amended to include and recognize as a genocide the atrocities committed against indigenous peoples by colonialism, including the ongoing murder and disappearance of indigenous women and girls.

Member Irwin, that's consistent with what you wanted up there? Okay.

Further discussion on this? Mr. Schow.

11:30

Mr. Schow: Thank you, Mr. Chair. While addressing this, I think it's important to preface my comments with saying that I wholeheartedly agree that the acts committed against indigenous peoples of this province and this land are horrific. However, this is an amendment to a bill that we have now voted to go to the Chamber to be debated by the members of the Legislature. The committee, I believe, would be circumventing the legislative process by not allowing all members to discuss an amendment like this. So while I do believe that we must acknowledge, as the truth and reconciliation report has done as well, the atrocities committed against indigenous communities, I don't believe it's within the scope of this committee to entertain this amendment.

I believe this committee has done its job in the fact that we are going to proceed to the Chamber with this bill, and at that time all members of the Legislature will be given an opportunity to speak on this. Without presupposing the will of the Chamber, if it goes to Committee of the Whole, an amendment like this can be proposed by members of the opposition or the government side, for that matter, and that would be the appropriate time for such an amendment.

The Chair: Ms Ganley.

Ms Ganley: Yeah. I just think I want to take a moment to respond to those comments. The idea that by recommending anything to the Legislature, we're presupposing its will would completely undercut the purpose of this committee because we are recommending or not recommending bills to proceed to the Legislature. Now, a skeptical person might comment on what that means about the role of this committee with respect to opposition bills and whether any will ever make it to the House. But I think my point is that if the purpose of this committee is to recommend or not recommend bills going forward, the suggestion that somehow by sending with the bill a recommendation about something the Legislature ought to think about further is circumventing the will of the Legislature I think is just a bit absurd.

The Chair: If I can say something here, just speaking with counsel, which is somewhat consistent with what you had to say, Member Ganley – [An electronic device sounded] sorry, that was Siri, apparently; all right – the word is “recommend.” That's a very key word and not “is.” So it is not saying that this is going to be an amendment. This is just acknowledging, as Member Schow had indicated, the atrocities that have occurred over the generations of our indigenous friends and that this is a recommendation. It is not presupposing an outcome, saying that this will be an amendment if it is indeed the desire of the Chamber to have this bill proceed actually into Committee of the Whole.

I hope that provides a little bit of clarification. On the advice, of course, of Parliamentary Counsel this is not out of order. As indicated, there is precedence I think in the standing orders that have been cited.

With that, I certainly welcome any further comment and questions on this.

Okay. I will read it again.

Mr. Horner: Just for clarification here, did this get split? You said it was a compound question. This is the first, and there's another to follow?

The Chair: You just want to know the other one, just for discussion purposes?

Mr. Horner: Yeah, just for an understanding of what's coming next.

The Chair: That's fair.

Member Irwin: Do you want me to speak to that?

The Chair: Member Irwin, go ahead.

Member Irwin: It's simply that we recommend that the Assembly consider expanding the list of genocides considered in this bill. Again, to clarify the need for that is the fact that MLA Singh himself noted that he did none of his own consultation. He's relying solely on the feds from 2015. Much has changed in the world since 2015. In fact, new genocides have occurred since 2015. So our recommendation is that by adding this piece, that will allow for some fluidity and some ability to change the list as we move forward.

The Chair: Sure.

Member Schow, go ahead.

Mr. Schow: Thank you, Mr. Chair. I recognize that, and it's an excellent point you're making. But, again, this is a motion specific to one recommended form of genocide. I know that there are many. We already had the conversation about the definition being in some cases blurred. We have a list here that has been looked at by the committee. We have talked about it today. We are dipping our toe into water, where now the committee's going to start making recommendations or amendments to a bill that we could continue on and proposing other forms of genocide. I think it is an appropriate conversation to be had but not in this committee. That conversation should be had in the Legislature, where all members of the Legislature have the opportunity to join this conversation and propose amendments if they see fit in Committee of the Whole, should that be the will of the Chamber.

Again, the convention of this committee and what we have done so far, the precedence, is that we make the recommendation to proceed or not to proceed. While I recognize that this motion is in order and I recognize that it's an important motion, I do believe that conventionally it's out of the scope of this committee, and I ask that we vote on this motion and also recognize that there is ample time to have this discussion going forward as it goes to the Chamber, but we are running out of time here to deliberate other pieces on the agenda. So that would be my recommendation.

Member Irwin: It's very important that we look at some of the timelines here. Motion 587 was presented in April of 2015 by the looks of it. The final report of the Truth and Reconciliation Commission, the first draft interim report was released in May of

2015 and the final report in December of 2015. This means that when this discussion took place initially in the House of Commons, they did not have the final report of the TRC.

We are trying to do two things here by including these recommendations. We're trying to avoid you experiencing a lot of push-back from indigenous communities, and we're also trying to do the right thing for indigenous communities across this province and across the country, in fact.

Member Schow, I mean, I know that you represent a number of indigenous communities, too – there we go – large numbers of indigenous folks in your own riding. We need to do the right thing here. We can make this adjustment now. We can address indigenous folks. They are not mentioned at all in the bill as it stands. Let's do the right thing. As for your own ministries – Culture, Multiculturalism and Status of Women – it's clear in their annual report that one of the key aims is to support the findings of the TRC. We must do the right thing as provincial legislators and amend this bill.

Mr. Schow: If I may, Mr. Chair.

The Chair: Yes, go ahead, Mr. Schow.

Mr. Schow: May I request a five-minute recess?

The Chair: As long as we get some progress here, I will allow a five-minute recess. We'll take five minutes.

[The committee adjourned from 11:39 a.m. to 11:44 a.m.]

The Chair: All right. Thank you very much, ladies and gentlemen.

Just for clarification here, I was speaking with Parliamentary Counsel. Standing Order 74.2(1) is what allows this to be in order. I just want to reiterate with this that this is a recommendation. It is not – I want to be clear on this; it is not – amending the bill. It is only a recommendation that would come from the committee.

Is there any further discussion on this? Go ahead, Mr. Schow.

Mr. Schow: Yes. As I had previously stated, I believe that while it may be in order – thank you for that clarification, Mr. Chair – it is beyond the conventional scope of this committee to further debate suggestions to bills that we recommend proceed or not proceed to the Chamber. Given the time – we are 15 minutes from an adjournment – if we continue this debate and continue bringing forth future recommendations, we run the risk of not allowing a bill like this to go back to the Chamber to be deliberated when it should, which also means we are not allowing Members of the Legislative Assembly, elected by their constituents, to have a conversation about genocide, which would be very disingenuous.

So I urge members of the opposition to allow us to stick to what we have done conventionally with this committee up until this point since the election and proceed to deliberations on Bill 206 given that I agree that these are important conversations to be had. Absolutely. I do not equivocate one bit on that. But this is not the time. The time is in the Chamber, where all members can participate in that discussion.

The Chair: Thank you very much.

I will add – I'm sorry. I apologize for not adding this as well. Setting this precedent with this particular committee: I mean, there could be 10, 100 recommendations. This would be something that could go on for days, if not weeks. That's again talking with Parliamentary Counsel. It could technically – this sort of precedent, which Mr. Schow had indicated is unprecedented, would certainly cause a lot of additional sittings for this particular committee, which has not been the scope in the past.

With that, are there any further comments before I take this to the official question? No?

All right. Member Irwin moves that

the Standing Committee on Private Bills and Private Members' Public Bills recommend that Bill 205, Genocide Remembrance, Condemnation and Prevention Month Act, be amended to include and recognize as a genocide the atrocities committed against indigenous peoples by colonialism, including the ongoing murder and disappearance of indigenous women and girls.

All those in favour, say aye. Any opposed, say no.

Mr. Nielsen: Recorded vote, please.

The Chair: Recorded vote.

If you are in favour, I ask you to put up your hand. Thank you very much. We'll start with Mr. Nielsen, Member Irwin, Member Sigurdson, and Member Ganley. All those opposed? Mr. Schow, Mr. Neudorf, Mr. Horner, Mr. Nixon, Member Glasgo, and Mr. R.J. Sigurdson.

That has been defeated four to six.

Mr. Nielsen: Mr. Chair, have we got room for a minority report regarding Bill 206?

The Chair: Regarding minority reports . . .

Ms Rempel: Well, it depends when they finished.

The Chair: Pardon?

Ms Rempel: Are we finished deliberating on this?

The Chair: Yes.

Ms Rempel: Yeah. You need to know when the committee is done deliberating first. I believe that we may have another motion.

The Chair: Member Irwin, did you have another motion?

Member Irwin: Yes.

The Chair: Okay. Well, let's get that.

Mr. Schow: May I ask a question?

The Chair: Yeah.

Mr. Schow: While we are deliberating what I believe to be another motion from Member Irwin, if the time does expire, the committee has in fact recommended that this bill proceed. Will it not proceed unless we finish deliberations on proposed motions by Member Irwin?

The Chair: I think it will not proceed.

Mr. Schow: Until we conclude the discussion?

The Chair: Go ahead.

Dr. Massolin: Thank you, Mr. Chair. I can answer that one. Well, the committee has to report to the Assembly, so I don't think – while you have one recommendation, so far you haven't completed all your consideration and deliberations for the report. That has to be completed first so the committee can report to the Assembly.

Mr. Schow: The committee can?

Dr. Massolin: No. You have to finish your deliberations. Directions on the report have to be completed before this portion of the agenda is completed.

The Chair: Okay. Member Irwin moves that the Standing Committee on Private Bills and Private Members' Public Bills recommend that the Assembly consider that Bill 205, Genocide Remembrance, Condemnation and Prevention Month Act, expand the list of genocides included in the bill.

Is that somewhat what you wanted to say? Okay.

Discussion?

Mr. Schow: Yes.

The Chair: Mr. Schow.

Mr. Schow: Again, an understandable motion, one that I think would be a great place to be proposed within the Chamber in Committee of the Whole should the bill proceed to that stage. But, again, this is a standing committee that reviews bills and whether or not they should proceed to the Chamber. This is not a committee that by convention looks at potential recommendations or future amendments. Again, if it's the will of the opposition to bring an amendment like this in Committee of the Whole, that is their will, but it is not the place of this committee. I don't know if Member Irwin has any future motions, but I believe we actually are verging on the cusp of filibuster in this committee. I believe that's very unfortunate because this is an important bill. Having that conversation about genocide is important, and we run the risk of not having that conversation if we do not meet the timeline outlined by the chair.

11:50

The Chair: Lots of hands here. Mr. Nielsen, go ahead.

Mr. Nielsen: Thank you, Mr. Chair. I must absolutely disagree with what Mr. Schow has said. It's within the purview of this committee to make recommendations to the House for consideration, just like the bill itself being recommended to proceed in the House is but a recommendation. The House has the ability to go against that recommendation. Those things are within the purview of the committee. Again, we would be irresponsible to not use those when necessary.

The Chair: Okay. Thank you.

Government members? Okay.

Member Irwin and then Member Ganley.

Member Irwin: Thank you. Absolutely. I agree. This is absolutely not filibustering. We want to do the right thing here. We have an opportunity to adjust the bill currently or at least to include the recommendation. Again, I've pointed out multiple times that by doing so, we're trying to avoid disrespecting indigenous communities across our province and also disrespecting the recommendations of the Truth and Reconciliation Commission. We have an opportunity to make a change now. It's not unprecedented. It's laid out in the standing orders, so I would urge this committee to consider our recommendation right now.

The Chair: I see nobody on the government members' side.

Member Ganley.

Ms Ganley: Yeah. I think I'll be very brief, but I do want to say that, like, these are incredibly serious recommendations. It's absurd to refer to them as a filibuster, and I think the suggestion that

somehow – I think that if you were to go back and look at the time that has been spent discussing these motions, it is the member who is claiming that there's a filibuster who is the one who has spoken the most with respect to these motions, so if anyone is attempting to slow down the progress of this committee, it is he. I think, yeah, these are incredibly serious recommendations. I think, again, the suggestion that it's out of the scope of the committee to make recommendations to the House is a bit silly in the sense that the committee literally exists to make recommendations to the House.

The Chair: Okay. Thank you.

Seeing no further hands – oh. Member Sigurdson, go ahead.

Ms Sigurdson: Yeah. I guess I certainly want my voice heard in this. In my questions to MLA Singh, I mean, I was a bit concerned by sort of the unclarity, lack of clarity for any kind of revision or how exactly certain genocides were put on the list in the first place. Certainly, I mean, I must say that in my experience of being a legislator with this government for the last year and a half or so, usually they do quite a bit of due diligence regarding the federal government's decisions. They have a lot of concerns about how things are done and want to make their Alberta Proud way of being known, yet in this case it seems like all of that is forgotten. That makes absolutely no sense to me.

I mean, certainly, as a legislator in this province and having understood and learned much – and I attended the Truth and Reconciliation hearings back in 2004 with my younger two sons at the time, and I was deeply moved and concerned and certainly did not want to be someone who continued to oppress and continued to hurt indigenous people in this province. I'm very proud now to be an MLA and to be able to represent, so I think this motion: it's absolutely imperative that we pass it and that we really take the Truth and Reconciliation hearings into account, that, you know, genocide of indigenous people is something that needs to be included in this bill.

At least, if we don't do that, then we need to have stakeholders come and speak to the committee about this very important issue, and this is absolutely the right place to be doing that.

The Chair: Okay. Thank you.

Seeing no further hands up, we'll go to the question, that the Standing Committee on Private Bills and Private Members' Public Bills recommend that the Assembly consider expanding the list of genocides included in Bill 205, Genocide Remembrance, Condemnation and Prevention Month Act.

All those in favour, say aye. Any opposed?

Mr. Nielsen: A recorded vote.

The Chair: A recorded vote.

All those in favour, please raise your hand: Mr. Nielsen, Member Irwin, Member Sigurdson, and Member Ganley. All those opposed, raise your hand: Member Schow, Member Neudorf, Member Horner, Member Nixon, Member Glasgo, and Member R.J. Sigurdson.

Defeated four to six.

Okay. Ladies and gentlemen, committee members, we'll now finish the deliberations on Bill 205. Hon. members, with the committee having finished its deliberations on Bill 205, the committee should now consider directing research services to prepare a draft report, including the committee's recommendations.

Would a member wish to move a motion to direct research services to prepare the committee's draft report? Mr. R.J. Sigurdson – thank you very much – moves that

the Standing Committee on Private Bills and Private Members' Public Bills direct research services to prepare a draft report on the committee's review of Bill 205, Genocide Remembrance, Condemnation and Prevention Month Act, in accordance with the committee's recommendations and authorize the chair to approve the committee's final report to the Assembly on or before noon on Wednesday, November 4, 2020.

Okay. All those in favour, say aye. Any opposed?

That motion is carried.

And to Mr. Nielsen's comments regarding a minority report: maybe, Counsel, do you have an answer for him on that?

Ms Rempel: Thank you, Mr. Chair. Perhaps by noon on Thursday.

The Chair: I'm advised: by noon on Thursday, Mr. Nielsen. Thank you very much.

Bill 206, Property Rights Statutes Amendment Act, 2020
(continued)

The Chair: Members, we still have a few minutes. I apologize. If we could just go back to Bill 206, please. We will not get to Bill Pr. 1, but we just need to discuss a motion regarding stakeholders if I'm not mistaken.

Mr. Sigurdson: I'd like to put a motion forward that we don't proceed with stakeholders and that we immediately move forward with this bill to the Assembly.

The Chair: So that would be that the Standing Committee on Private Bills and Private Members' Public Bills not invite the following stakeholders – I'm sorry. I thought we had this question before.

Sorry. Are you asking that we just proceed with the bill?

Mr. Sigurdson: Yeah. As a clarification – I think we dealt with that in an earlier motion to not proceed – to proceed directly to the Assembly.

The Chair: Okay. Sorry. Go ahead, Mr. Koenig.

Mr. Koenig: Yeah. I would just suggest that it's not necessary to move a motion to not have stakeholders. Typically you wouldn't pass a motion to not do something or take no action, so I would just offer that to the committee.

The Chair: Okay. Forgive me here. Maybe I'll ask for the assistance of the clerk because we kind of jumped all over the place here. I know we're done with Bill 205. Bill 206: if I'm not mistaken, I was advised that there was just one small part that we did not complete. Is it fair to say that somebody would have to make a motion to recommend stakeholders, which will either pass or not pass, right? Is that correct? Okay.

Member Ganley.

Ms Ganley: I would like to make a motion that we invite stakeholders.

12:00

The Chair: Okay. All right. Let's get that up on the board there. Member Ganley would be moving that

the Standing Committee on Private Bills and Private Members' Public Bills invite stakeholders to make presentations regarding Bill 206, the Property Rights Statutes Amendment Act, 2020, at an upcoming meeting.

Let's get that up on the screen.

Members, just since it is 12 o'clock at this very moment, I would like to ask unanimous consent of the committee to just proceed for an extra, we'll say, 15 minutes. We will not get to Bill Pr. 1, but at least to complete Bill 206. Is there anybody opposed to that? Yes. Okay.

I'm advised by counsel that we have to finish the motion that is currently on the floor.

Mr. Koenig: Yeah. You can adjourn before a decision is made. However, if there is no debate – and we're a little bit before noon; there's a bit of time remaining, but you can adjourn, and this will be held over to the next meeting.

The Chair: It is noon.

Mr. Koenig: Okay. Well, then, there you go.

The Chair: Okay. All right. With that being said, I will discuss with members what a possibly good next meeting date will be.

At this time, I guess, somebody can make a motion to adjourn. Somebody has to make a motion. All right. Mr. Neudorf to make a motion to adjourn. All those in favour, say aye. Okay. Any opposed? Nope. This meeting is now adjourned.

Thank you.

[The committee adjourned at 12:01 p.m.]

