



Legislative Assembly of Alberta

The 29th Legislature
Third Session

Standing Committee
on
Resource Stewardship

Office of the Property Rights Advocate

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The 29th Legislature
Third Session**

Standing Committee on Resource Stewardship

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Hunter, Grant R., Cardston-Taber-Warner (UCP), Deputy Chair

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Also in Attendance

Strankman, Rick, Drumheller-Stettler (UCP)

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Standing Committee on Resource Stewardship

Participants

Office of the Property Rights Advocate

Karen Johnson, Acting Property Rights Advocate

Ministry of Justice and Solicitor General

David Peace, Assistant Deputy Minister, Justice Services

Ministry of Municipal Affairs

Andrew Horton, Director, Strategic Policy

Ministry of Environment and Parks

Rick Blackwood, Assistant Deputy Minister, Strategy

1 p.m.

Tuesday, October 10, 2017

[Loyola in the chair]

The Chair: I'd like to call the meeting to order. Welcome to members, staff, and guests in attendance for this meeting of the Standing Committee on Resource Stewardship. My name is Rod Loyola, the MLA for Edmonton-Ellerslie and chair of this committee.

I would ask that members and those joining the committee at the table introduce themselves for the record, and then I'll call on the members teleconferencing to introduce themselves. We'll begin here to my right.

Mr. Hunter: Thank you, Mr. Loyola. It's Grant Hunter from Cardston-Taber-Warner.

Mr. Drysdale: Wayne Drysdale, MLA, Grande Prairie-Wapiti.

Mr. Strankman: Rick Strankman, MLA, Drumheller-Stettler.

Ms Johnson: Karen Johnson. I'm the Acting Property Rights Advocate.

Mr. Kleinsteuber: Jamie Kleinsteuber, the MLA for Calgary-Northern Hills.

Mr. Dang: Good afternoon. Thomas Dang, Edmonton-South West.

Mr. Rosendahl: Afternoon. Eric Rosendahl, West Yellowhead.

Ms Woollard: Good afternoon. Denise Woollard, Edmonton-Mill Creek.

Mr. Carson: Good afternoon. Jon Carson, Edmonton-Meadowlark.

Ms Babcock: Erin Babcock, Stony Plain.

Mr. Nielsen: Good afternoon, everyone. Chris Nielsen, Edmonton-Decore.

Mr. Malkinson: Afternoon. Brian Malkinson, MLA for Calgary-Currie.

Ms Robert: Good afternoon. Nancy Robert, research officer.

Ms Dean: Good afternoon. Shannon Dean, Law Clerk and director of House Services.

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

The Chair: Okay. We will now go to the phones. If those joining us by teleconference could introduce themselves as well.

Mr. MacIntyre: Don MacIntyre, MLA, Innisfail-Sylvan Lake.

Mr. Clark: Good afternoon. Greg Clark, MLA, Calgary-Elbow.

Mr. Hanson: David Hanson, MLA, Lac La Biche-St. Paul-Two Hills.

The Chair: Thank you all to those joining us on the phone. I'd note for the record that Mr. Carson is an official substitute for Ms Kazim.

A few housekeeping items to address before we turn to the business at hand. The microphone consoles are operated by the *Hansard* staff, so there's no need for members to touch them. Please ensure all cellphones, iPhones, BlackBerrys are in silent mode. Audio and video of committee proceedings are streamed live on the Internet and recorded by *Hansard*. Streaming access and meeting transcripts are obtained via the Legislative Assembly website.

Up next is the approval of the agenda. Would a member move a motion to approve? Thank you, Mr. Malkinson. All in favour of the motion to approve the agenda, please say aye. Any opposed? On the phones?

Just as a reminder, in past practice I tend to ask the people on the phones just to cast their vote at the time that I ask for all in favour. I just want to remind those on the phones that that's been a past practice of mine, and we'll follow that for the remainder of this meeting and future meetings.

We have the minutes from our last meeting. I'll just ask if there are any errors or omissions to note. If not, would a member move adoption of the minutes, please? Mr. Nielsen, thank you. All in favour of the motion to approve the minutes? Any opposed? Thank you. The motion is carried.

At our last meeting this committee passed a motion inviting the Property Rights Advocate and three ministries to appear before the committee as part of the committee's review of the 2016 report of the Property Rights Advocate office. To begin with, we'll hear from the Acting Property Rights Advocate, Karen Johnson, regarding their 2016 report.

Ms Johnson, please go ahead. You have 10 minutes, and then I will open the floor to questions from committee members.

Ms Johnson: Good afternoon, Chair Rod Loyola, Deputy Chair Grant Hunter, and all members of the Standing Committee on Resource Stewardship. Thank you for the opportunity to appear before you today to talk about the Property Rights Advocate office's 2016 annual report.

As you may recall from past presentations to this committee, the Property Rights Advocate office provides a place for Albertans to connect with their government. In turn, the office provides an evidence-based, unbiased voice to government, which ultimately can positively influence how property rights laws and policies are modernized and developed. When I appear before this committee to talk about and review the annual report recommendations, Albertans can see how their property rights concerns are heard by their elected officials and understood by their elected officials and move forward for action by their elected officials, so it's important to acknowledge the work of this Standing Committee on Resource Stewardship and to recognize the valuable contribution this committee makes to advance fairness and equity regarding property rights in Alberta.

Your deliberations and feedback about the recommendations I present to you each year in my annual report offer guidance to government on how to address property rights issues and concerns and facilitate a meaningful conversation about property rights between Albertans and government. Thank you for the due consideration you give to my annual report each year and, in particular, thank you for the recommendations you've helped to move forward by your endorsements. Earlier this year this committee endorsed two recommendations made by this office in the 2015 annual report. These past recommendations form the basis for this year's advice, so I'd like to briefly touch on those first.

The first recommendation in 2015 was for the Ministry of Environment and Parks to create a crossministry committee to discuss gaps, overlap, and fragmentation in property rights laws. I believe that a representative is here today from Environment and Parks to speak in regard to that recommendation. But I want to acknowledge what I perceive as increased awareness in government about property rights. I believe this increased attention to property rights can be attributed at least in part to the endorsement by this committee of 2015's recommendation to foster a crossministry conversation about property rights. During my reviews and consultations I have been impressed to find that discussions on property rights laws and

policies are taking place at a level and at a pace that after 20 years of working in government I can only describe as extraordinary.

There is also increased awareness and appreciation of the work of the Property Rights Advocate office and the role it's playing as a resource for government departments when they consider improvements to property rights laws and policies. I know of this increased awareness because of the many requests the office receives from ministries and organizations to help provide context and information on a wide range of policies and laws that touch upon property rights.

The second recommendation from 2015 was to develop a process for this committee, the Property Rights Advocate office, and stakeholders to follow up on progress being made in implementing the recommendations endorsed by this committee. That recommendation was also endorsed by this committee, and I look forward to its application because when Albertans can read reports on government's progress toward completing the actions it was tasked with by this committee, it will demonstrate accountability for those actions.

I'll now turn to the 2016 annual report and the two recommendations it contains. The first recommendation for 2016 is asking government to consider developing more cost-effective ways to resolve property rights issues. Sometimes a family cannot afford to take time away from their family, their business, or their jobs. Sometimes the cost of retaining a lawyer is more than the size of the loss incurred. This occasionally means that attaining a just response to correct the injury is beyond the reach of those families. Many property rights issues are considered civil law cases. This means precious court time may be taken up for matters that could be considered straightforward. For some families the procedural requirements to get to a court hearing can seem more daunting and complicated than the main issue needing to be resolved.

I propose that government should explore the feasibility of forming some type of dispute resolution service, board, or quasi-judicial body to address a broader range of common property rights issues. What I'm proposing is about fundamental justice and finding ways for people to have a case heard, understood, and remedied without undue financial risk or hardship. The relevance or importance of a property rights issue is not about which class of individuals or how many individuals are affected. It's not about the size of a person's wallet. It's about reasonably correcting and resolving property offences.

There are examples to draw from about how our government currently deals with some disagreements without having to go to court and without having to incur unreasonable delays or costs. For example, Service Alberta's residential tenancy dispute resolution service is a relatively simple and cost-effective process that doesn't require court time, and it's for resolving residential and landlord-tenant issues. This service model is also being considered as a way for addressing some of the more common property rights issues of owners and residents of condominiums. Is there an opportunity to create a similar model for addressing some of the more common property rights issues? A simplified service could assist Albertans better and at the same time free up court and tribunal time so they can focus on arbitrating more complex matters. Ideally, access to a timely, straightforward, fair, and consistent system should be within the financial reach of all Albertans.

1:10

I'm asking for the support of this committee to place the issues I just described for discussion on the agenda of a crossministry committee such as the group which was envisioned and endorsed by this committee earlier this year.

For my second 2016 annual report recommendation I'm proposing that government undertake a review of the Property Rights Advocate Act and to consider as part of that review what role the Property Rights Advocate office should have. Although I did not identify any ministry as a lead for this initiative in my report, I now suggest the review be led by Justice and Solicitor General. I believe Justice should lead the review since the Property Rights Advocate Act is administered by this ministry and the Property Rights Advocate office resides there. I believe a review of the act aligns with the government of Alberta's gender-based analysis plus and the policy development process. Briefly, that process is to set objectives and priorities, analyze and research, consult, plan communications, implement, and, most relevant in this instance, evaluate.

An evaluation could determine if the Property Rights Advocate Act and the office are achieving all the outcomes they were put in place to achieve. The review could ask questions like: is raising awareness of property rights in government and reporting to government and reporting to the Legislature the right thing to do? Is reporting on the state of property rights in Alberta and giving a voice to Albertans at the policy development level still a relevant objective? Is the office meeting, exceeding, or disappointing in achieving its goals? Is the vision Albertans had in mind when they asked for a Property Rights Advocate still in place?

I believe it's time for a review because government has not had a recent conversation with Albertans on this subject. In 2011 the government at that time hosted an engagement with Albertans on the topic of property rights concerns. During that engagement Albertans identified the need and their desire for a property rights office to be created, so in 2012 this office came into being. Today the Property Rights Advocate office serves many functions. This office has now spent nearly five years listening to property rights stakeholders and monitoring and assessing how Alberta's existing property rights laws and policies are functioning. It's appropriate for the Property Rights Advocate Act and the office created under that act to be subjected to the same evaluation as Alberta's other laws and policies. A review would provide clear direction on which functions the office should maintain and which should be replaced or removed entirely.

For example, in the past this office's 2014 annual report recommended and this committee endorsed the removal of section 4 of the Property Rights Advocate Act. This is the section which allows for reviews of individual cases by the Property Rights Advocate office. While action on that recommendation moves forward, Albertans continue to request individual reviews and become frustrated when their issues do not meet section 4's criteria to trigger a review. Before removing this section of the act, I suggest that its removal be included as part of the overall review of the Property Rights Advocate Act.

To conclude my discussion in this area, I ask for this committee's endorsement for the recommendation to review the Property Rights Advocate Act, which would establish clearly identified goals for the office, confirm continued relevance, and ensure necessary legislative supports are in place. In closing, thank you to this committee for your leadership in taking the recommendations of this office and helping us to move toward action. I look forward to hearing from the representatives from Justice and Solicitor General, Environment and Parks, and Municipal Affairs who are here today to speak in regard to past recommendations. Together we are demonstrating to Albertans that we are listening and generating a transparent and accountable process for addressing property rights issues.

As in the past I'm looking forward to reading your report and learning about the new actions this committee thinks government should take in regard to the recommendations. I'll continue to be

available to the committee to answer questions today and throughout the review process.

Thank you all.

The Chair: Thank you, Ms Johnson.

Before I open it to questions, I just want to share with the people who are on the phones: please just raise your voice and let me know if you want to be put on the speakers list.

We're now going to open it to questions for Ms Johnson. MLA Denise Woollard.

Ms Woollard: Thank you very much, Ms Johnson, and thank you for appearing again before the committee. The work you do is so important. It's great to hear that more and more people are coming to your office for information and advice.

Now, I noticed in the annual report when I was reading it that your office received between around 45 to 75 calls per month to the end of April 2017. Can you share with us how many calls per month you've received over the months between May and September?

Ms Johnson: May and September of this year?

Ms Woollard: Yes.

Ms Johnson: I can. I don't have from May to September, but I have from January to September of this year. So far this year we've received 512 calls. In January to September of 2016, for comparison, we had 175 calls.

Ms Woollard: That's from January until . . .

Ms Johnson: January to the end of September.

Ms Woollard: Okay; 512.

Ms Johnson: Five hundred and twelve this year.

Ms Woollard: Right.

Ms Johnson: And in 2016 it was 175 between January 1 and September 30.

Ms Woollard: All right. Thank you very much.

Now, can you share with us how many of the calls you received were dealt with or handled by referring the callers to other government or nongovernmental organizations?

Ms Johnson: I don't have that information with me, and it would take quite a bit of work, I think, to try to assess it, but I could try to provide what I can find.

Ms Woollard: Well, thank you very much. That would be appreciated.

Can I ask a little bit more?

The Chair: Please go ahead.

Ms Woollard: Can you share with us – the next part is related to that last one – what kind of interactions you had with the other callers who contacted your office? Just in a general sense, the people who weren't necessarily referred to another government or nongovernmental agency: what kind of interactions would your office have had with them?

Ms Johnson: Most interactions we have are with people that recognize that we're not going to step in and arbitrate or mediate their particular situation, but they recognize that by telling us what they're experiencing and what they're going through, we record

that information and use that as part of how we determine how property rights laws and policies are working. Mainly it's just information sharing.

Ms Woollard: Okay. Good.

One last, really quick one. In how many cases would you estimate that you work extensively with people who contact your office? Is the information sharing usually fairly brief, fairly long, or does it vary?

Ms Johnson: It varies. Sometimes people call back with updates, and there are some people that call fairly regularly as well.

Ms Woollard: Thank you very much.

The Chair: We're going to jump over here to Mr. Strankman.

Mr. Strankman: Thanks, Mr. Speaker. It's a pleasure to be here, and it's a pleasure to hear a member from the government honing her skills of opposition, where we get to ask three questions. We don't necessarily always get three answers, but we're striving for questions.

I'm appreciative of your being here and talking about the legislation formed in 2012 because I was elected under a lot of the questions that came forward in that regard. I wanted to ask Ms Johnson: of all the inquiries you get, how many are under section 36 of the Land Stewardship Act?

Ms Johnson: We hear a fair bit about section 36 but from individual landowners not so much. Generally we hear about that through some of the surface rights groups who deal with that issue.

Mr. Strankman: So you haven't actually categorized them under that segment of legislation, under section 36?

Ms Johnson: When we're talking about not getting surface rights payments?

Mr. Strankman: Yeah.

Ms Johnson: Okay. Rather than categorize it under section 36 – not getting their surface lease payments we do hear about, yes.

Mr. Strankman: Yeah. That's a growing concern amongst Albertans, actually.

Ms Johnson: Yes.

Mr. Strankman: Thank you for that. It's a pleasure to hear your comments.

The Chair: Thank you.

We're going to move on to Mr. Rosendahl.

Mr. Rosendahl: Thank you for your presentation today. As part of your office's work, it's indicated that you engage with many other government departments and organizations. Do you have some sense of how much overlap your office has with some of these offices like, say, for example, the Surface Rights Board, the Land Compensation Board, or the Farmers' Advocate? Can you expand on that a little bit?

1:20

Ms Johnson: We have a different role, so we're more monitoring and taking in information and allowing Albertans to provide their input and to have a voice at the policy development table. The jurisdictions: if you're talking in terms of the different types of property rights – for example, surface rights – then on the surface,

no pun intended, there is some overlap, but the roles are very different.

Mr. Rosendahl: Okay. I have one more follow-up.

The Chair: Please go ahead, Mr. Rosendahl.

Mr. Rosendahl: Okay. Are there any other boards or offices that you're familiar with, like, overlapping services and stuff, that you deal with as well? Can you expand on that at all?

Ms Johnson: Have you something specific in mind?

Mr. Rosendahl: No. Just wondering whether there were any other groups that you have interaction with in your role.

Ms Johnson: Well, we do have a fair bit of interaction with different groups, largely sharing information and understanding what's going on. I don't think there's a direct duplication if that's what you're getting at.

Mr. Rosendahl: Okay. Thank you.

Ms Johnson: But similar interests.

Mr. Strankman: I just wanted to ask you one final question in relation to some of these overlaps or whatever. Do you get particular inquiries in your office regarding the surface acquisitions for renewable resources, whether they be windmills or solar farms or anything of that nature?

Ms Johnson: We haven't had a lot of those queries. We have had some question about what it means, and generally in those circumstances we would refer them to the Farmers' Advocate. The Farmers' Advocate has quite a bit of information out there on that topic.

Mr. Strankman: Thanks.

The Chair: I just want to double-check with those on the phone to see if there are any questions, those joining by conference call.

Okay. I did see Ms Woollard's hand go up. Please go ahead, Ms Woollard.

Ms Woollard: Thank you, Chair. In your 2016 report you recommended that a crossministerial panel review the possibility of establishing a comprehensive board or resolution service, and you also listed some of the various boards and agencies and services that Albertans can now access in particular circumstances. I have a few questions about this.

You mentioned that there may be circumstances where Albertans are not being afforded justice because of the current set-up. Can you give us a summary of how many of the people who have contacted your office are in this situation, I guess, basically, where the cost may be daunting? How many, in your opinion, are not able to find a fair and equitable solution to their concerns?

Ms Johnson: Well, I don't have numbers. That I don't have.

But I can give you an example. Alberta Surface Rights Board decisions 506, 507 – and this is just a sampling; I haven't gone through all the decisions – 554, 701, and 702 are all examples where there had been a hearing where landowners were not receiving the surface lease payments that they're entitled to, so they had to go in front of the board. They had to put in an application. At that time they made an application to receive their costs back and a ruling from the Surface Rights Board as to whether they could have their costs. All of the claims submitted for costs varied in amounts, from

\$176.40 to \$346.50. In other words, all of the requests were under \$350. The board awarded zero.

There are other examples. I have one here where a lady was entitled to \$434, representing two years of unpaid rents. The Surface Rights Board found that, yes, she was owed the rents, and she asked for her costs of \$505.56. The board awarded \$105 of those costs, which means that at the end of the day, of the costs that she was entitled to to compensate her for her losses, she received \$33.44 for two years. That's \$16.72 a year, what she was compensated for hosting the oil and gas on her property.

I have other examples as well.

Ms Woollard: Well, thank you very much. This is really something to think about.

You also mentioned that a crossjurisdictional scan . . .

Can I ask this?

The Chair: Go ahead.

Ms Woollard: . . . would also be beneficial. Can we assume from this that you haven't yet looked at any other jurisdictions yourself?

Ms Johnson: You can assume that, yes.

Ms Woollard: Okay. Thank you.

Have you found any models in your research or day-to-day work that you think would be of benefit to Albertans given what you've described?

Ms Johnson: I do have one example that I just found, actually, this morning. Toronto has a program – and I believe Edmonton had or has a similar program – for helping with neighbour-to-neighbour disputes. What I'm suggesting is that it would be nice if all communities could have access to that type of assistance. In Toronto the information I found suggests that 80 per cent of the disputes are diverted away from the court system by having people participate in the mediation. Sometimes just a matter of having that facilitated conversation between the parties is enough to keep it out of the courts.

Ms Woollard: Thank you very much.

Ms Johnson: You're welcome.

The Chair: Okay. Mr. Rosendahl, please go ahead.

Mr. Rosendahl: Thank you. In previous presentations from Municipal Affairs, for example, it was explained that municipalities have a degree of autonomy in regard to land use within their borders. That's something that's there. The autonomy was, if I remember correctly, an important part of our democratic system, which it is, and it should be maintained as much as reasonably possible. In looking at your recommendation, then, that a single entity could offer a range of services, including a quasi-judicial panel, it seems to me that if the provincial government moves to set up a quasi-judicial panel that has authority over the municipalities, then it is one more layer of bureaucracy and something that could very well conflict with the municipalities' rights. That is a concern that we need to think about. Can you tell us if you've given any thought to that discussion or considered the consequences in terms of existing property right laws? How is all that all going to work, then?

Ms Johnson: I never intended and I don't believe I did suggest that this should overrule municipal decisions. Those are members elected by their community, and they are supposed to represent their

community. The mention that I had specific to Municipal Affairs was more addressed to the process. Is there a fair and transparent process so that landowners understand why one person gets one decision and their neighbour gets another decision? It's looking at the process. I believe that one of the things that's being considered right now is giving that type of ability to review the process to the Ombudsman's office, but it wouldn't overrule municipalities.

Mr. Rosendahl: Okay. Thank you.

The Chair: Good. We're going to go over to Mr. Drysdale.

Mr. Drysdale: Thank you very much for being here. As you've stated lots here, concerns have been for landowners not being compensated by the oil companies. What exactly do you do for those landowners when they come to you? Do you refer them to AER? What exactly is the process that you do?

Ms Johnson: When landowners aren't getting their surface rights, they can apply under section 36 to the Surface Rights Board. But I would suggest that – I looked at the Surface Rights Board's annual report for 2015, which is the last one I could find. Fifty-two per cent of the applications to that board were for recovery of rentals, and of the 475 recovery of rental applications resolved in 2015, 89 per cent were paid for by the minister. Just 10 per cent were paid for by the company. What I'm suggesting is that something like this could possibly be managed more effectively and more cost-effectively through an administrative process rather than official board hearings and could free the Surface Rights Board up to hear some of the more complicated cases for things such as damages that can occur from time to time during the life of the lease.

Mr. Drysdale: So you basically just refer them to the Surface Rights Board when they come to you?

Ms Johnson: For a section 36 request, yes, I would refer them to the Surface Rights Board.

Mr. Drysdale: Thank you.

1:30

The Chair: I'm just going to check in with those members joining us by phone to give them one last chance to see if they'd like to ask any questions. Okay.

Thank you for your time, Ms Johnson. We're going to hear from the ministries next, but I hope that you'll remain with us for the remainder of our meeting today in case committee members have any further questions of you.

At this time I will invite the ministry representatives to come forward and join us at the table. Each ministry has 10 minutes of presentation time, and once we've heard from all of you, I will open the floor again to questions from committee members.

We will begin with the Ministry of Justice and Solicitor General. Please begin by introducing yourself, and proceed with your presentation when ready.

Mr. Peace: Thank you, sir. My name is David Peace. I'm the assistant deputy minister of the justice services division in Justice and Solicitor General. I'd like to thank you for the opportunity to address you this afternoon and thank the acting advocate for presenting her 2016 report this year.

I'm new to this role, having just come into it in February of this year, but I've been working with the acting advocate during that time, and we're comfortable with where we're going with this portfolio and the work that we're doing with our sister ministries. I look forward to working with both the Property Rights Advocate

and the standing committee on both the current and the past recommendations.

I'd like to start by saying that I recognize the importance of the Property Rights Advocate and the standing committee. People have a right to fairness and equity, and property matters are no exception to this. Both the acting advocate and the standing committee have ensured that the voices of Albertans and property rights stakeholders are heard, given due consideration, and, where appropriate, acted on.

In May 2017 the Acting Property Rights Advocate tabled the 2016 annual report. This report makes recommendations and observations on a broad range of property rights issues, including dispute settlement, the role of the Property Rights Advocate, surface rights issues in general, and changes to specific legislation. Of direct relation to our ministry, the acting advocate recommends that government undertake a review of the Property Rights Advocate Act and further consider the role of the advocate's office. This report will inform the government's ongoing consideration of property-related issues, including surface rights issues. I look forward to the results of the standing committee's review of the 2016 reports and recommendations.

Regarding this year's recommendations, we've already started some of this work as ongoing discussions are happening at the Deputy Ministers' Council. We would like to take the time needed to see what comes of these discussions before proceeding with any reform to the act or the role of the advocate. I commend the Property Rights Advocate as it continues to consult with various government departments on property rights laws and processes.

Currently the standing committee has endorsed six of the advocate's recommendations, three of which were directed to our ministry. I'd like to assure the standing committee that our ministry is working to address each of these recommendations and the often complex legal and justice issues associated with them. In March 2017 Alberta Justice and Solicitor General provided the response to two recommendations from the 2014 annual report, and just recently we responded to the committee's endorsement of recommendations from the advocate's 2015 annual report.

At this time I'd like to take an opportunity to speak more directly on each of the outstanding recommendations for our ministry. In the recent review of the advocate's 2015 annual report the standing committee endorsed a recommendation to develop a process that would ensure that the advocate's recommendations are acted on after they are endorsed by the standing committee or where the committee asked for additional information. I would like to emphasize to the standing committee that we are committed to the practice of transparency and accountability for these recommendations, and we will be considering what process could be implemented to achieve those goals. One possible option being explored is the publication of a regularly updated tracking document on the government of Alberta's open data website.

In the same review the standing committee endorsed the advocate's 2014 recommendation to abolish adverse possession in Alberta. A comprehensive review of that law of adverse possession certainly has merit. However, changes to the law must be made carefully and deliberately. Adverse possession has been part of the legal landscape on property rights for a long time and impacts a wide range of individuals and stakeholders. If government opts to make policy decisions to abolish adverse possession, the policy needs to be developed with careful attention to possible unintended consequences. We need to carefully consider the impact of any change on the wide range of stakeholders as well as the availability and effectiveness of alternative measures to resolve boundary disputes and other private land disputes.

It may be that more robust rules would be needed to replace adverse possession, including the possibility of payment of appropriate compensation between landowners. Transitional issues would also need to be considered such as how to deal with existing claims of owners or occupiers.

With this complexity in mind, consultation should occur with affected ministries and stakeholders to minimize any negative impacts. The ministry is currently determining the next appropriate steps and is in discussion with the Alberta Law Reform Institute about potentially expanding on and updating the work they have previously done on this issue. The Alberta Law Reform Institute has the foundational knowledge to fully assess these complex issues and can provide independent and objective advice. While I cannot confirm the full extent of the institute's work or timelines right now, I will be able to provide more information on that in the future.

Another recommendation endorsed by the standing committee is to amend the Property Rights Advocate Act to repeal the complaint mechanisms established under section 4 of the act. The government of Alberta recognizes that landowners need an accessible process to resolve disputes relating to expropriation or a compensable taking of land. While a number of landowners have made complaints citing section 4, the Property Rights Advocate has found that these complaints are usually related to a matter within the jurisdiction of another body such as the Surface Rights Board or the Land Compensation Board.

The government of Alberta appreciates the perspective provided by the standing committee on property rights on this matter. These perspectives will inform the government's ongoing consideration of property-related issues. Property rights are important to all Albertans, and our government is committed to protecting and upholding these rights.

In closing, I would like to again recognize the importance of the Property Rights Advocate and the Standing Committee on Resource Stewardship in ensuring that the voices of Albertans are heard. These recommendations and observations coming from the advocate and the standing committee are important, and they reflect the complex legal and justice issues and the number of partners and stakeholders that must be involved.

With this in mind, I hope that my comments have assured you that my ministry is working towards addressing the recommendations of both the past and the current reports, and I thank you for inviting me.

The Chair: Thank you very much, Mr. Peace.

We'll now move on to Mr. Horton from Municipal Affairs.

Mr. Horton: Thank you. My name is Andrew Horton. I'm with Municipal Affairs. Thank you for the opportunity to speak on behalf of Municipal Affairs as part of the standing committee's review of the 2016 annual report of the Alberta Property Rights Advocate office. We've reviewed the two recommendations made in the 2016 report of the advocate's office and are able to speak to them today.

Regarding the first recommendation, for a crossministry committee to look at options for a comprehensive board or resolution service for property rights disputes, we are willing to participate in such a committee should it be established. To provide a little more background from our perspective, our ministry already has existing legislative requirements. It has adopted new policies that address the recommendation previously made in 2014 by the advocate's office regarding dispute resolution between landowners and municipalities. As you may recall, these legislative requirements were outlined by Gary Sandberg, assistant deputy minister of municipal services and legislation, during the standing committee in February.

Most notably, a number of changes have occurred through a comprehensive set of amendments to the Municipal Government Act, some relating specifically to appeal mechanisms under the act. First, there has been and will continue to be a requirement for every municipality to have a quasi-judicial board in place to hear appeals on local subdivision and development matters. A municipality may have its own appeal board, or neighbouring municipalities may jointly set up an intermunicipal appeal board in an area.

We'd heard quite clearly in our MGA review consultations that there were sometimes perceptions of bias regarding these boards, and this has led to an MGA amendment which now prohibits municipal councillors from forming the majority on any panel hearing these appeals. In addition, there will now be a requirement for mandatory training of members and clerks of these appeal boards based on a standard curriculum. Previously the training was voluntary and delivered in multiple ways across the province.

Secondly, the mandate of the Alberta Ombudsman has been expanded to include municipalities. This means the Ombudsman will now have the authority to objectively investigate complaints from Albertans to determine if a municipality has acted fairly and reasonably on a matter. Previously the authority of the Ombudsman extended only to provincial government and certain professional organizations.

Additionally, a number of other changes have been made to the Municipal Government Act, including a new requirement for municipalities to offer orientation training to local elected councillors within 90 days of the councillor taking the oath of office. This will ensure that the councillors have a clear understanding of their roles.

A clarification as to the hierarchy of statutory land-use plans in municipalities and a clarification of which plans prevail in the event of any inconsistency. These plans include intermunicipal development plans and municipal development plans and may include area structure plans, area redevelopment plans, and how they fit together. A new requirement is for municipalities to publicize all of their planning policy documents, including any other nonstatutory plans such as neighbourhood plans or concept plans, and to describe how these documents relate to their statutory plans.

1:40

Taken together, these MGA policy changes are strengthening the municipal land-use planning framework and complaint mechanisms and increasing transparency, accountabilities, and oversight. The local planning framework has been enhanced by clarifying the hierarchy of local land-use plans. The impartiality and effectiveness of local appeal boards will be strengthened through the new requirements relating to board membership and mandatory training. The Alberta government, through the expanded role of the Ombudsman, will be exercising a greater degree of oversight in relation to citizen complaints about municipalities.

In its 2016 annual report the Property Rights Advocate notes that the recent MGA amendments are responsive to the property rights concerns raised by Albertans. The report also notes that the advocate's office will be monitoring the effect of the MGA changes to assess whether the issues subside. During the course of the MGA review we appreciated the opportunity to hear from representatives of the advocate's office in 2014, and Municipal Affairs will welcome further comment from the advocate's office as the MGA changes are implemented over the coming years.

As for the current status of these amendments, on October 10, today, a package goes to cabinet to put forward recommendations for orders in council to proclaim most of the amendments.

January 1, 2018, is the proposed coming-into-force date for the prohibition on councillors forming the majority of an appeal board panel.

April 1, 2018, is the proposed coming-into-force date whereby a local appeal board member or clerk may not participate in a hearing without mandatory training.

April 1, 2018, is the anticipated date whereby the Ombudsman will be ready to implement their expanded role.

January 1, 2019, is the new date whereby the requirement applies for a municipality to publicize its nonstatutory plans.

The date of issue, when the Lieutenant Governor signs the order in council, is the proposed coming-into-force date for the clarifications on the hierarchy of statutory plans.

Finally, the requirement for councillor orientation training after elections is already in force, so after these upcoming municipal elections this will have to take place.

Regarding the second recommendation of the 2016 report, which proposes a review of the Property Rights Advocate Act and the role of the Property Rights Advocate office, at this time our focus is on the very large task of implementing the MGA amendments and regulations. The second recommendation is beyond the scope of the MGA, and Municipal Affairs has no specific comment to offer or contribute on this question at this time. However, we are willing to participate in a crossministry review of the property rights related legislation if the decision is to conduct a review of this nature.

That concludes my comments, and I pass it on.

The Chair: Thank you, Mr. Horton.

We'll move on to Mr. Blackwood.

Mr. Blackwood: Thank you very much for your invitation to Alberta Environment and Parks to provide an update on recommendations from the Property Rights Advocate's annual reports. I was pleased to present to your committee earlier this year, in February, and I'll now provide you with an update on our activities since that time and progress relative to the recommendations.

[Mr. Hunter in the chair]

Earlier this year your committee endorsed the Property Rights Advocate's 2015 recommendation to establish a crossdepartment committee to develop a framework for systematically modernizing property rights policies and legislation. We gladly accepted this recommendation, and I can report that Environment and Parks has started working with crossministry partners to examine the overall system supporting surface rights.

As mentioned in February, the surface rights system is very complex, involving a lot of different people and organizations in a myriad of ways. The crossministry partners are looking at opportunities to strengthen the system and also to improve operational efficiencies. This had broadened the scope of the work of the Surface Rights Act that I spoke about in February but will help to address concerns and issues we are hearing in a more systematic way to strengthen landowner rights for fair compensation and due process.

Regarding the 2014 recommendation that section 36 be amended to clarify and establish that payments ordered under the section do not conflict with the federal Bankruptcy and Insolvency Act, the committee recommended that Environment and Parks seek an opinion from the Ministry of Justice and Solicitor General. We subsequently consulted with legal services for advice as to whether the Surface Rights Act can be amended to clarify and establish that payments ordered under the section do not conflict with the federal act. The advice we received is being used to consider policy options to address expediency of section 36 payments under the act.

With respect to the 2013 recommendation on amending and updating the right-of-entry fees in section 19(2) of the Surface Rights Act, we're also examining a broad range of opportunities to improve the act. Modernizing the right-of-entry fee is included as a part of that.

That concludes my report on applicable recommendations from the Property Rights Advocate office. I'd now like to provide information and updates on a few other key activities under way that have linkages to surface rights.

Alberta has a growing inventory of aging infrastructure and liabilities relating to upstream oil and gas development. Alberta Energy, in collaboration with Alberta Environment and Parks and the Alberta Energy Regulator, launched a review to look at how to better manage the historic, current, and future liabilities with oil and gas infrastructure. Over the summer engagement took place with key stakeholders in indigenous communities, gathering advice to help inform the development of policy options to help improve Alberta's liability management system. Policy options are expected to be brought forward for government's review later this fall.

At the February meeting I had commented on the legal action also being taken by the Alberta Energy Regulator, the AER, in what is referred to as the Redwater case. If you'll recall, in May of 2016 a decision by the Court of Queen's Bench in Alberta allowed receivers and trustees to disclaim AER licensed assets and avoid their abandonment and reclamation obligation for those sites. That is, the receiver successfully argued that it should be able to sell the best wells and disclaim or leave the rest for the Orphan Well Association to clean up. In the months since that decision about a thousand AER licensed sites have been disclaimed, with estimated liabilities of more than \$56 million. The decision has resulted in an unacceptable risk to Albertans and also presents an environmental risk across Canada.

In July of this year the Alberta Energy Regulator and the Orphan Well Association filed for leave to appeal the Redwater decision to the Supreme Court of Canada. The Farmers' Advocate office, Dene Tha' First Nation, British Columbia, and Saskatchewan have all provided materials in support of that appeal.

Finally, a quick update on the government loan to the orphan well fund. The Orphan Well Association is funded by industry through an orphan fund levy collected annually from energy companies. The association manages the abandonment of upstream oil and gas orphan wells, pipelines, and facilities and the remediation and reclamation of those sites.

In May of this year the government of Alberta loaned \$235 million, allocated over four years, to the Orphan Well Association to accelerate the proper abandonment and reclamation of orphan oil and gas well sites. It is estimated that loan in the annual program will decrease the orphan well inventory by up to 35 per cent over the four-year term of the loan. The loan will be repaid by industry over a 10-year period, and a \$30 million commitment from the federal government will help to cover interest costs.

[Loyola in the chair]

I, as my colleagues have indicated, would also like to recognize the work of the Property Rights Advocate and the importance of property rights to Albertans.

This concludes my presentation. I'd be pleased to answer any questions you might have.

The Chair: Thank you, Mr. Blackwood.

We're now going to open it up to questions. So far I have Mr. Strankman on the speakers list. Okay. Please, Mr. Strankman, go ahead.

Mr. Strankman: Thanks, Mr. Chair, and thanks, all, for your attendance. I was listening intently because as a third-generation farmer I have, you know, surface interests in the province.

My first question I want to direct to Mr. Horton from Municipal Affairs. I talked about some comments made by Mr. Sandberg in the February meeting. I was wondering if you had a chance to be fluent with the *Hansard* comments made by Mr. Sandberg there relating to special areas. It's the first time I heard your presentation, so I didn't know your fluency in the Special Areas Act.

Mr. Horton: I'm not as familiar on the Special Areas Act, I confess. I think that Mr. Sandberg is much more familiar in that light. However, if you do have a question related to that, I'd be pleased to respond in writing afterwards.

Mr. Strankman: Okay. I guess I'd like to put that in the record, then, Mr. Chair, if I could. The question is . . .

The Chair: Please go ahead.

Mr. Strankman: Recently it has come to my attention in the special areas that renewable resource companies have taken industrial mortgages on the whole of the LSD; in other words, the whole of the quarter-section that they're placing the wind resource on. I wanted to know how that would relate to a government agency. You seem to allude that there is a fluency between municipalities and some of these pieces of legislation, but the Special Areas Act and the special areas are not a municipality.

1:50

In this case when, I will say, mischievous land acquisition companies come to the government-agency-controlled land and apply, from what I'm hearing from the representatives of the landowners in that area, industrial mortgages on the whole of their land, differently than they would, at least from my experience, in the case of oil field acquisitions on our property, where they simply take a caveat for the small parcel that they're actually situating their industrial equipment on. There's a different presentation there, and I'm wondering if that's going to be cumbersome. I believe Ms Johnson commented or someone commented earlier that there may be unintended consequences to these presentations.

You know, I'm also pleased to hear the responses from Mr. Peace and Mr. Blackwood there in regard to Sol Gen and the environmental consequences of those types of acquisitions. Minister Anderson was just out there on September 26. I was wondering if any of those concerns came to his purview while he toured the area as to the jurisdiction of a government agency and how these acquisitions may relate to that government-agency-controlled land.

Mr. Horton: Again, I wasn't with the minister when he toured the special areas, but we will be able to follow up.

Mr. Strankman: Fully understood. Mr. Chair, I'm sorry for the long-windedness there, but it's in *Hansard*, so you should hopefully be able to decipher that. I'm looking forward to your response within 30 days.

Mr. Horton: Sure.

Mr. Strankman: Or fewer?

Mr. Horton: Thirty days.

Mr. Strankman: Thank you, Mr. Chair.

The Chair: You're most welcome.

We're going to move on now to Mr. Malkinson.

Mr. Malkinson: Thank you very much, Mr. Chair. My questions are going to be for Mr. Peace from Justice and Solicitor General. I'm just going to ask sort of two parts to things related to what you had in your preamble if I could. Mr. Chair, feel free to correct me if I'm wrong on that. In the preamble you were talking about the Alberta Law Reform Institute. I was wondering if you could tell me a little bit about how it works with government and other stakeholders in situations like adverse possession or with property rights.

Mr. Peace: The Alberta Law Reform Institute is an independent, not-for-profit organization that's run out of the University of Alberta. It has a 14-member board, and it is useful for government to consult with them because they provide objective analysis on various issues. When it relates to adverse possession – they studied it back in 2003 – we've been in discussions with them about updating that and doing a more comprehensive analysis on the intricacies of the policy debate around adverse possession.

Mr. Malkinson: Thank you very much, Mr. Peace.

You mentioned in your preamble, of course, that you're relatively new at your role at Justice and Solicitor General, but I was wondering if you could give us a little bit of more perspective in general about how policy recommendations become legislation. Specifically, in the preamble you were talking about the recommendation that was endorsed by this committee to remove the law of adverse possession, and we sent that recommendation out in early 2017, which was about 10 months ago now. How long does it normally take for a government department to review a request for legislation that should be removed, develop the regulations or alternative legislation to replace it, and, of course, to have that implemented?

Mr. Peace: I don't believe that there's a standard period of time. It would depend on the complexity of the issue and how much knowledge government has at the time that the recommendation was made. In this case we want to do some further analysis around the factors that are implicated. It's relatively complex and affects more than one piece of legislation, so it's not as easy as just saying that we're going to change this legislation without looking at its impact to all the others. There are good policy arguments on both sides of the fence.

Once those factors are analyzed, the process from there to getting passed is relatively straightforward. We would probably go in this case to one of the policy committees that Executive Council runs, and they would assess our factor analysis to see whether we've thoroughly analyzed it and looked for all of those unintended consequences. Then from there it would go to cabinet for consideration and debate. I think the quickest that could reasonably happen is probably six months. The longest could be years depending on how much analysis is required.

Mr. Malkinson: Perfect. Thank you.

The Chair: We're going to go over to Mr. Drysdale.

Mr. Drysdale: Thank you. Mr. Malkinson kind of stole part of my first question here, but I'll just – you know, I know it's been a long time since adverse possession has been brought up. I didn't realize it went back to 2003. I knew it had been a while. I mean, we're talking 15 years, but I know, seriously, that in the last four or five years it has been brought up a few times. How many more years do you see it being before we actually resolve this?

Mr. Peace: Well, I know that we are in talks . . .

Mr. Drysdale: It won't be six months. I know that.

Mr. Peace: No.

Mr. Drysdale: Honestly, how many more years?

Mr. Peace: We'll know the timings. We'll know for sure whether the Alberta Law Reform Institute is going to be able to take on this work, and we'll have a timeline on when we'll see the results of that shortly, so I could probably report back in writing on a bit of a time estimate for that, if you'd like. I don't have that information now.

Mr. Drysdale: Okay. Thanks. I have a couple of follow-ups.

The Chair: Please go ahead if you have a follow-up.

Mr. Drysdale: With Environment and Parks' review of section 36 there, you know, it's getting to be a bigger issue. Landowners, when a company is insolvent or bankrupt, have to come back every year to get this. So have you got any plans to kind of streamline that process for the landowners so they're not having to come back with the same request year after year? That whole process is kind of bogged down. Is there any way to streamline it and speed it up?

Mr. Blackwood: That's a very good question, and thanks for that. There is work going on right now with the Surface Rights Board in terms of streamlining section 36 applications. The intent is to try to establish entitlement to compensation and complete a new application and sign it. What that would mean, then, is that if you've already filed through that process, you wouldn't have to file again. So it's trying to get away with a lot of that front-end paperwork that's redundant and get you on a schedule. It makes it a lot simpler and easier to actually process an application in following years. The Surface Rights Board is working on that right now.

Mr. Drysdale: You know, I know of a case where it's been two years of missed payments, and they still haven't got the first year's payments. Anyway, it's a long time.

Thanks.

The Chair: Thank you, Mr. Drysdale.

Before we continue, I just want to double-check with those on the phone if they'd like to be put on the speakers list. Okay.

Hearing none, we're going to move over to Mr. Nielsen.

Mr. Nielsen: Well, thank you, Mr. Chair, and through you to our guests and specifically Mr. Peace from JSG. You had touched on this in your opening remarks, so I just wanted to kind of explore this a little bit more. I know that some people have expressed, you know, some frustration with how long sometimes processes can take. I'm just wondering. Are there any real dangers to proceeding too quickly without considering the legal consequences when a law is repealed before appropriate replacements are considered? Just so that we can understand what's going on, I was wondering if you could give us an example of a case that could be complicated or could negatively affect an Alberta landowner, should that law be repealed just immediately.

Mr. Peace: I don't think I could give you a case off the top of my head, but I could construct one and provide one in writing to you. In terms of rushing forward, that's something that our ministry is not interested in doing. We want to take a considered approach to this to make sure that we've considered all of the implications on both sides of the argument.

Mr. Nielsen: Okay. I look forward to seeing, you know, what the real consequences could be should we rush too quickly.

Mr. Peace: Absolutely. We could easily come up with one. I just can't think of one right now.

Mr. Nielsen: I appreciate that. Thank you so much.
Thank you, Mr. Chair.

The Chair: We're going to go on to Mr. Hunter.

Mr. Hunter: Thank you, Mr. Chair. This question, again, is to Mr. Peace. Back to adverse possession. I think that's what Mr. Nielsen was talking about there, I believe. I would like to ask the question – when we talk about, you know, hastily going into this, again, we go back to 2003 that we've been studying this. Now, this panel, obviously not an expert on this issue, was able to come to a consensus that this was not a good piece of legislation, was not a good law. You've been studying it since 2003 at least, that we know of. You said that there are pros and cons to both sides of the argument. I guess we really couldn't see the pros to this law. What are the pros in your mind?

2:00

Mr. Peace: I think that as bureaucrats we try to give unbiased analysis on everything. The factors that are being considered by government include the complexity of the multiple viewpoints. I mean, in the simplest case it's the landowner versus the occupier, but there are other stakeholder groups, including the position of municipalities or other government agencies. There are the alternative remedies that would have to be in place if the adverse possession rule was appealed. There is the impact on other legislation including – we have a list here – the Limitations Act, the Law of Property Act, the Land Titles Act, the Municipal Government Act, and the Irrigation Districts Act. These are just a couple of examples of the interconnectedness of our legislation. There are also transitional issues when claims or assertions have been made that need to be considered.

I wouldn't want to characterize our analysis of this as being continuous since 2003. In 2003 the Law Reform Institute did a limited-scope paper on adverse possession, presented a position on that. We're now going back to them and asking them to do a more comprehensive analysis of all of those factors so that we make good policy advice to government to consider the pros and cons. It's not for us to dictate that, but it is up to us to do a fulsome analysis for government to decide.

The Chair: Okay. Thank you, Mr. Hunter.

We're going to go to Mr. Kleinsteuber now.

Mr. Kleinsteuber: Thank you, Chair. This question is directed to Mr. Blackwood of Environment and Parks. Thank you all, again, for appearing today and for the presentations. I appreciate that the Surface Rights Act plays a very important role in regard to property rights in Alberta. You provided a bit of information about the review in your presentation, and in that information you said that you're working in a crossministry panel. Can you give us a little bit more information about who is on that panel and how it might be working together?

Mr. Blackwood: Absolutely, and thank you so much for the question. As mentioned in my preamble, the concept is quite complex, so there are a variety of different players that are involved in the crossministry exercise. There are ourselves in Environment and Parks, Alberta Energy, Alberta Municipal Affairs, Alberta Indigenous Relations, and we're also connecting as well with Justice and Solicitor General, Service Alberta, Alberta Agriculture and Forestry. Again, there are a number of other entities, quasi-

judicial or otherwise, such as the Surface Rights Board, Property Rights Advocate, Farmers' Advocate office, the Alberta Energy Regulator, and the Alberta Utilities Commission. So, as you can see, there are a number of different players that we have to connect with, but right now the core ministries that we've engaged with are ourselves, Energy, Municipal Affairs, and Indigenous Relations. Okay?

Mr. Kleinsteuber: Yeah. That's certainly a lot of groups to bring together, I think, on that one. I was wondering if I could just supplement in the area of . . .

The Chair: Please. Go ahead.

Mr. Kleinsteuber: Can you provide us a little more detail about the progress of the review of the Surface Rights Act, then?

Mr. Blackwood: The act was last reviewed comprehensively in 1983, so we would be looking at past recommendations from the Property Rights Advocate such as addressing operational conflict between the Surface Rights Act and the federal Bankruptcy and Insolvency Act, which, again, is at the crux of the Redwater circumstance right now. Other potential amendments are to areas such as 19(2) to modify the right-of-entry fee.

Other issues that we might look at as part of the review would be the development of a cost guideline to improve transparency of costs. Applicants can claim on making an application to the board, as mentioned today by the Property Rights Advocate; gaps in enforcement and termination orders; better alignment with the provincial Court of Appeal on appeal amounts; and administrative amendments to regulations. Those would all be areas that we would be looking at as part of a future review.

Mr. Kleinsteuber: Okay. Thank you for the update on that. Are you able to tell us when it may be taking place?

Mr. Blackwood: Again, as we work on the crossministry review, much has been said on the complexity of some of these tasks. Right now we're gathering a lot of information. Part of the other element that I think will be really germane to a future review is actually the Supreme Court of Canada review of the Redwater decision because that's a foundational piece to a future review. We'll probably have to allow that to progress down the road to some degree before we can actually move forward.

Mr. Kleinsteuber: Okay. When it is initiated, what would be included in the review of the Surface Rights Act?

Mr. Blackwood: I think a number of the elements that I mentioned earlier. Again, the follow-up would be based on a decision from the Supreme Court on the Redwater decision, any other factors that that perhaps brought forward from the Supreme Court in addition to those that it had already rendered on that we would have to follow up.

Mr. Kleinsteuber: Okay. One final piece.

The Chair: Is it a follow-up?

Mr. Kleinsteuber: Just one final piece, I guess.

The Chair: Okay.

Mr. Kleinsteuber: Who would be involved in or engaged in the review of that Surface Rights Act?

Mr. Blackwood: All of the partners that I'd mentioned earlier. In addition there would be a significant consultation phase in regard

to the review as well to make sure that we were dealing with landowners, indigenous communities, et cetera. Again, it's a very complex matter that absolutely impacts property rights of individuals and also the industrial sector as well, who's involved in terms of the payment of those fees.

Mr. Kleinsteuber: Okay. I'm finished. Thanks.

The Chair: Thank you, Mr. Kleinsteuber.

We're going to move over to Mr. Strankman.

Mr. Strankman: Thanks, Mr. Chair. I'll follow Mr. Kleinsteuber's lead there on that. I think I'll continue with Mr. Blackwood, but possibly, Mr. Peace, you could interject. Mr. Kleinsteuber was talking about the Surface Rights Act, section 36(5). Would you consider possibly cancelling or terminating lease agreements with energy companies to make it more difficult for other companies to access those assets and take the burden off the taxpayer? Is that in any consideration in your discussions? Or is that premature?

Mr. Blackwood: Yeah. I think right now perhaps a bit premature. We would have to see what comes from the Redwater decision. In addition, the consultation that I'd mentioned, when we dealt with all the different parties, we would need to gather that broad opinion in regard to: what would be some of the best mechanisms? To your point, perhaps the cancellation of a lease or termination: we would have to look at what would be the most effective remedies for that actual problem and gather significant input around that to make sure that, again, we weren't perhaps jumping to a quick solution that wasn't actually achieving the desired outcome. But as we went through a consultative phase, we would help to gather that information that would shape those different tools.

Mr. Strankman: Thanks for that.

Just as a comment, too, to add a further fly to the ointment, if you will, possibly the perusal of the land agent act would be significant as well. To my question to Mr. Horton there, these gentlemen are out there accruing what they believe to be resources, and there may be a significant amount of unintended consequences to their actions.

Mr. Blackwood: One of the entities that I forgot to mention in regard to who would be engaged in a review: the land agents absolutely would be part of that as well.

The Chair: Thank you.

We're going to go to Mr. Malkinson next.

Mr. Malkinson: Perfect. Thank you very much, Mr. Chair. This question is once again for Mr. Peace. I swear I'm not picking on you.

Mr. Peace: No worries.

Mr. Malkinson: You know, I assume that whenever we discuss a subject like the Property Rights Advocate office, you take into consideration what is being done in other jurisdictions. Have you done any crossjurisdictional analysis of what other provinces do to ensure that their citizens have access to an advocate in their dealings with property rights? Is that something that you've been able to do?

Mr. Peace: The last time we looked at that in terms of comparing it to other Canadian jurisdictions, there's nobody that really does the role that Ms Johnson does. Property rights are split up in various ministries depending on the specificity of the issue, much like we've heard today. It's a multiministry issue. I think we're lucky to

have an advocate like Ms Johnson, and we're lucky to have that interministry co-operation that both her office and our sister ministries bring to the table.

Mr. Malkinson: Awesome.

If I could follow up, Mr. Chair.

The Chair: Please. Go ahead.

2:10

Mr. Malkinson: With us being a bit unique, is there anything that the other provinces do, even if it's not through an advocate or through some other mechanism, that might be better or might be useful for us, I mean, or are the other jurisdictions just handling this even more poorly than we are?

Mr. Peace: I think, as a general answer, we're looking inwards at our own processes and looking to improve the way we do our business and not really looking to others to guide us in a general sense. But I think that issue by issue there's always good benefit in doing some sort of a crossjurisdictional analysis on the specificity of the issue at hand to see what best practices are out there that we can learn from, for sure.

Mr. Malkinson: Perfect. Thank you very much.

The Chair: We're going to go over to Mr. Hunter.

Mr. Hunter: Thank you, Mr. Chair. Again my question is to you, Mr. Peace. From what I understand, eight of the 10 provinces have done away with squatter rights, and ourselves and Nova Scotia are the only ones that still have that on the books. Can you tell me: what was the year that the last jurisdiction actually did away with squatter rights? Then if you could tell me, you know: why are we so far behind 80 per cent of the other provinces right now on this issue?

Mr. Peace: I would have to research when the last jurisdiction was to cease adverse possession and get back to you on that, sir. In terms of why we're not in that position yet: because we're still analyzing that information. We don't feel that we have enough to make a recommendation to government on the issue, and we're trying to get those answers so that we can do that.

The Chair: Before I go over to Mr. Carson, I just want to double-check with those on the phone. I want to make sure that you don't feel you're being forgotten here. Please speak up if you'd like to be put on the speakers list. That being said, we'll jump over now to Mr. Carson.

Mr. Carson: Thank you, Mr. Chair. Thank you to all the staff that are here from the various ministries. My question is for Mr. Horton. You mentioned in your presentation that the Property Rights Advocate office has been very helpful to you in your review of the MGA. Would you be able to tell us a bit about the work that you've done with various agencies and boards dealing with property rights?

Mr. Horton: Sorry. Could you maybe just rephrase the question?

Mr. Carson: I'm just wondering how you work with them on various levels.

Mr. Horton: With the Property Rights Advocate themselves or with other boards and agencies?

Mr. Carson: Other agencies and boards.

Mr. Horton: I can speak a little bit to the MGA review that we've done specifically and, I think, a little bit more broadly with respect to some of the other agencies that we did. The MGA is obviously one of the larger pieces of legislation. It was last really reviewed in 1995, so when we opened it up this time, we really wanted to make sure we were being as comprehensive as possible. So we have worked quite extensively with a number of people who would have an interest in that. Again, the Property Rights Advocate was very helpful in letting us strengthen some of those pieces that needed strengthening, specifically around the land-use process and the role of the Ombudsman.

With respect to other boards and agencies and the review of the MGA: again, we had certainly some discussions with them to see if there was anything within that MGA that needed changing, but that was obviously balanced with other input from other stakeholders such as AUMA and AAMD and C as well as Albertans in general. Again, the review itself took a number of years, and we did consult quite extensively on it.

Mr. Carson: Thank you.

Just another one to you, Mr. Horton, again. In your ministry's presentation previously you mentioned that the role of the provincial Ombudsman had been expanded to include issues of administrative fairness and the quasi-judicial boards and municipalities which deal with property disputes. Do you know if they have had to deal with any of these issues since that time?

Mr. Horton: If the Ombudsman has? No. They will take on the responsibility for municipalities and these quasi-judicial boards on April 1, 2018.

Mr. Carson: Okay.

Mr. Horton: That gives them some time to get set up and ready for that responsibility.

Mr. Carson: And just a follow-up on that. Has the Ombudsman role been publicized at all?

Mr. Horton: Yeah. We've been working quite extensively with, again, the associations to ensure that their members are familiar with all the changes to the MGA, including the Ombudsman and expansion of that role as well.

Mr. Carson: Thank you.

The Chair: Mr. Dang, you are on the speakers list. Please go ahead.

Mr. Dang: Thank you, Mr. Chair. I just have a question for Mr. Blackwood and perhaps Ms Johnson as well. I know that, obviously, right now the economy is in a difficult place in Alberta and oil and gas companies are experiencing some difficult times, and I believe and we know that this must have an impact on the number of surface rights leases that aren't being paid out to property owners. Could you give us an update on what you're hearing in your offices about this and if there's been an increase?

Mr. Blackwood: I'd be happy to – thanks for the question – and then perhaps if Ms Johnson has anything to add. In 2016 the Surface Rights Board received 2,570 applications on outstanding surface rights rental payments. That's significantly higher than the 506 received in 2014. The Surface Rights Board has indicated to us that they expect to receive more applications this year than last year, so that trend is continuing to move upward.

The total amount directed to the minister to pay out of the general revenue fund was \$3.3 million, which works out to be about an

average of \$1,280 per application. So that's the current state. Just in a discussion last week with the Surface Rights Board they did indicate to me that those numbers definitely are trending upward still this year.

Ms Johnson: Again, we continue to hear from our stakeholders their concerns about not getting their surface lease payments. There's also a concern out there that some of the landowners that are not getting their payments aren't aware of the option of applying for that at the Surface Rights Board through section 36, so that's another thing that needs to get out there to landowners. They need to know that they have that right and what that process is.

Mr. Dang: Thank you.
Just a quick follow-up, Mr. Chair.

The Chair: Please go ahead.

Mr. Dang: Thank you. That is concerning. I think it's obviously an increase of almost four times in the last couple years and looking to continue to increase. Is the government taking any additional steps to help protect these landowners' rights?

Mr. Blackwood: I think, as I'd mentioned earlier, right now the Surface Rights Board is trying to streamline their process to at least make access simpler and easier, especially if it's an instance of a repeat offender, if you will, or someone who perhaps has been before them earlier. I think some of the key things that we'll be looking at in the future will ultimately be dependent upon the Redwater decision and its outcome because many of those relate to the way that the case law has come about to date through the Redwater decision as it makes various options unavailable, if you will. Ideally the Redwater decision and what it brings to us down the road may actually give us other avenues to pursue in terms of changes to the legislation that may help make it easier for a landowner to pursue adequate compensation.

Mr. Dang: Thank you.

The Chair: Okay. We're going to go to Mr. Nielsen next.

Mr. Nielsen: Well, thank you, Mr. Chair, and through you to our guests. Mr. Peace, I noticed in your presentation that you had mentioned an ongoing discussion with the Deputy Ministers' Council. I was wondering: just so that all of us here today and those who are listening in are on the same page, can you explain a little bit about what the Deputy Ministers' Council does?

Mr. Peace: I have limited insight into what happens in those rooms, but the deputy ministers get together on a regular basis and make sure that the interconnectedness of each of the departments is occurring. They discuss whatever issues of the day need to be harmonized between departments. One of the issues is the complexities of the interplay between all of the different ministries on some of the issues that you've heard both from the advocate and from my colleagues today.

Mr. Nielsen: Okay. Just a quick follow-up, Mr. Chair.

The Chair: Go ahead.

Mr. Nielsen: I was wondering, then, if you could – and Ms Johnson, if you want to weigh in on this as well, I'd love to hear from you. Maybe you can explain some of the ongoing discussions with regard to property rights and the Property Rights Advocate office through that.

Mr. Peace: Sorry. Are you directing that question to me?

Mr. Nielsen: Yes. To both. Sorry.

Mr. Peace: Sure. Our interest is in making sure that the similar interests that are happening between multiple ministries on the issue of property rights, land use, land in general are co-operating and collaborating as well as possible. You've heard the advocate talk about her interactions with multiple ministries. Since they administratively are within my division, we're interested in making sure those linkages are working as well as possible. When we talk about potentially reviewing the role of the Property Rights Advocate, it's in an effort to make it more effective for Albertans.

2:20

Ms Johnson: I have nothing to add to that. If it's about the Deputy Ministers' Council, I'm not privy to the discussions there.

Mr. Nielsen: Great. Thank you.

The Chair: Okay. We're going to go to Mr. Kleinsteuber next.

Mr. Kleinsteuber: Okay. Thank you, Chair. Another question for Mr. Blackwood. One of the issues raised at the last committee meeting was about renewable energy projects and how those projects might affect municipalities and private landowners. I was wondering if you could tell us what the government is doing to protect landowners' rights in relation to renewable projects. I also saw that that topic was included in the annual report here as well. If Ms Johnson would like to comment as well.

Mr. Blackwood: Okay. Thank you very much for the question. Currently government is not contemplating any right-of-entry or expropriation process for a renewable energy project. That's what separates it – right? – from the Surface Rights Act, which is focused largely on upstream oil and gas. Landowners are not obligated to accept a renewable energy project on their land, and if in fact they did, government would respect the contractual dealings between a developer and a private landowner with respect to that renewable energy project. It would be a private matter between two parties.

Beyond that, we do want to make sure that landowners are protected from bad contracts, and there is a legislative review under way right now to improve consumer protection through the Fair Trading Act. The Farmers' Advocate office has been developing materials to help guide and advise landowners on considerations related to renewable energy developments so they have a greater awareness of what tools are available to them.

Mr. Kleinsteuber: Okay. Thanks a lot.

Ms Johnson: I would just suggest that when there is such a broad difference in financial ability between a landowner and a large corporation, it's almost a monopolistic type of relationship, and there's room there or there's potential there for some bullying from the larger companies. I understand absolutely that we wouldn't want to step in with an expropriation type of move or right-of-entry type of move, but at the same time government may be the only other entity that can keep those large, financially well-backed companies in line. It's a topic for discussion. I haven't made any defined recommendations along those lines. It's just something to be aware of.

Mr. Kleinsteuber: Yeah. Well, thanks for that. I think it is early days for some of this stuff, and it's, as mentioned, in the report here.

Ms Johnson: Yes.

Mr. Kleinsteuber: Thanks for that.

The Chair: Thank you, Mr. Kleinsteuber.

We're going to go to Mr. Hunter now.

Mr. Hunter: I'd like to follow up on the question. I'd like to ask Mr. Peace this. Who would be liable in the event that one of these renewable projects went belly up? We've seen the liability for the Alberta taxpayer when oil and gas projects go awry. I mean, I guess, to preface this, I know that with the climate action plan that the government has, it would be subsidizing these projects so that they become viable. Now, the question is: if there was a regime change and they were no longer subsidized and many of them went under, what kind of liability – who would be responsible, first of all? Would it be the landowner, would it be the county, or would it be the province? Have you actually taken a look at what the cost of that possible liability would be to whichever party would take it?

I asked a lot of questions there. I apologize, but I hope that you can decipher them.

Mr. Peace: I'm just jotting them down. I think so. From a legal point of view it's a different part of my department that's responsible for that. I've jotted down your question. I can research the legal answer to that.

My colleague from Environment and Parks has an initial comment.

Mr. Blackwood: Thanks for the question. It's a little bit different from oil and gas type dispositions because it is certainly an emerging industry now in Alberta. The one thing that also makes it a bit different is that because it is a private contractual agreement between a landowner and a corporate entity, the only thing that we could perhaps provide any counsel, if you will, or advice on would be some form of security provided by the developer. If, in fact, as you say, that particular installation or whatever perhaps went into bankruptcy, then the security could actually be used to help reclaim or remediate. Again, because it is a private contractual obligation between those two parties, at this point in time there's really nothing that we have that we could use. Ideally within the contract they could have some security provision. That would be the only thing I could offer.

Mr. Hunter: Thank you, Mr. Blackwood.

It's interesting. You say that it's an emerging market in Alberta, but many provinces, Ontario, Europe, California have been doing this for some time, so they've addressed these issues already. Have you taken into consideration, once again, the scope of the liability that could be placed on whoever it is that's going to be liable, whether it's the landowner or whether it's the province, the municipality, and what the scope of that is? What is the cost going to be? If we were taking a look at a cost-benefit analysis, you'd be able to say: the benefit is this, but the cost could be this. If this committee could find that information, that would be very helpful to us.

The Chair: Thank you.

Now we're going to jump to Mr. Malkinson.

Mr. Malkinson: Thank you very much, Mr. Chair. Again this is a question for Mr. Peace. You know, one of the recommendations that came forward in previous years was that the Ministry of Justice and Solicitor General find a way to track the process of recommendations made by committee. I noticed that the government of Alberta has an open data website. I was wondering if perhaps that is a way that could be used to track these recommendations. If that's something that you're working on, when could something like that

be ready? Do you have a solution for how to track those government recommendations? I'm noticing a little bit of a head nod there.

Mr. Peace: Yeah. Thank you very much. That is one of the options that's being evaluated, a database that's on the open data website, very similar to the tool that's online for fatality inquiry tracking. That option is being analyzed; so is an option of using the property rights annual report as a method of conveying updates. We're just weighing the pros and cons of both of those alternatives.

Mr. Malkinson: It's good to hear that that is coming along because I know that is something that I think would be a desire of this committee. Thank you for your work on that.

The Chair: I'm just going to double-check one last time with those on the phone, making sure that they feel that they've had the opportunity to ask questions of our guests.

Okay. Hearing no requirements from those on the phones for questions, we'll move on, then, with our agenda. I just want to make a note that written responses may be sent to the committee through our committee clerk, if you could follow up that way.

Thank you very much for your time today. We appreciate your participation in our review process. If you wish to stay, you're welcome to watch the rest of the proceedings from the public gallery, or if you wish, you may leave to attend to other commitments. Thank you very much once again.

As indicated on our agenda, we will now move to the deliberation stage of our review of the 2016 annual report of the Property Rights Advocate office. Are there any members wishing to speak on this matter? Okay. Mr. Drysdale, followed by Mr. Rosendahl.

Mr. Drysdale: Yes. Thank you, Mr. Chair. I would like to move that the Standing Committee on Resource Stewardship recommend that a committee of the Assembly conduct a comprehensive review of the Property Rights Advocate Act and, as a part of that review, consider the future role of the Property Rights Advocate office.

I can talk to it, or do you want to discuss that now?

The Chair: Sure. Please speak to it now, Mr. Drysdale.

Mr. Drysdale: You know, this motion supports the recommendation from the Property Rights Advocate's 2016 report. The Property Rights Advocate Act was proclaimed in March of 2012, and there was no provision made in the act for a review. As a result, now it's been more than five years without a review occurring.

You know, this may have been an oversight because two- to five-year reviews of the advocate offices are fairly standard for advocates. For instance, the new disabilities advocate act requires a review two years after the appointment, and the Child and Youth Advocate Act requires a review five years from when it was proclaimed, and that review just occurred in the Legislature. The Conflicts of Interest Act is every five years to review it, and that was also proclaimed in 2012.

2:30

You know, furthermore, many circumstances relating to property rights have changed in the past five years, including the new green energy sector taking root. That has brought new technology and methods of extracting resources that were not foreseen when the act was written, in 2012. As a result, the advocate's role and ability to deal effectively with all property rights issues need to be reviewed with an eye on modernizing the act. Clearly, it is time for a full review of the act, and this committee is the appropriate venue to do so.

Shortly after the government was elected, the Government House Leader said, and I quote: we'll make sure property rights are

protected. Well, it's been more than two years, and this motion offers this government a chance to start taking that action.

For all of these reasons that I've mentioned, I look forward to the support of this common-sense motion.

The Chair: Just before I ask for a seconder, can you confirm that the way that you've worded the motion has been captured? Thank you very much.

May I get a seconder for the motion? Oh. We don't need a seconder. Pardon me.

Okay. I will open it up to discussion at this point if anybody would like to make comments on the motion before the committee.

Mr. Drysdale: Basically it's the same as the recommendation from the Property Rights Advocate's office.

The Chair: Yeah.

Okay. I see that Mr. Strankman would like to make a comment.

Mr. Strankman: Thanks, Mr. Chair. Yes. Although I'm not a voting member of the committee, I did come here today to hopefully encourage the government to support this review. I think it's fairly plain that the presenters that were in front of us today, in fact the advocate herself, Ms Johnson, did strive to present the need for a change in the act or at least a review of it. I just wanted to reinforce that and have that record brought forward for *Hansard*.

Thank you.

The Chair: Okay. We're going to go over to Ms Babcock.

Ms Babcock: Thank you, Chair. I was just looking for some clarification on Mr. Drysdale's motion. I'd like to support it. It says, "the Standing Committee on Resource Stewardship recommend that a committee of the Assembly" – now, are we talking an official standing committee of the Assembly? Can we clarify that?

Mr. Drysdale: Well, that's what I said. I thought this committee would be the perfect one to do it, so yeah.

Ms Babcock: Can we just clarify with "a standing committee" somewhere in there? Is that a friendly amendment that we can do?

Ms Dean: You could add the word "standing" in front of "committee." This just provides some flexibility in the event that the standing committees are otherwise occupied. It could be a special committee of the Assembly.

Mr. Hunter: I guess the question is: does that narrow what the government can do, then, what the Assembly can do? "A committee" could mean that they could strike a new committee; they could use a standing committee. This is a little more broad. I think that the way that it reads now would make more sense in terms of being more flexible for the Assembly. But those are just my thoughts.

Mr. Kleinsteuber: Well, I was just wondering if I could get some clarification from Parliamentary Counsel, maybe. This sounds like it's suggesting that it comes from the committee as a recommendation. But should we be endorsing, maybe more so if we're going to proceed with it, like, the recommendation 2016.02, that the government undertake a review of the Property Rights Advocate Act? Can the request originate from the committee, or does it need to recommend to go to the Legislature first and then come back to this committee? I guess that's what I'm kind of looking at.

Ms Dean: Well, at the present time the report stands referred to the committee, and there are recommendations in the report. This

motion differs from the second recommendation in the report in that it talks about the government undertaking a review whereas Mr. Drysdale's motion refers to a committee of the Assembly. It's really, you know, a decision for the committee in terms of what they want to come forward in terms of commenting on the report.

The Chair: Okay. Would anybody else like to speak to the motion before us?

Mr. Hanson: Yeah. I'd like to.

The Chair: Okay. Well, I'm going to go to Mr. Drysdale, followed by Mr. Hanson.

Mr. Drysdale: I mean, if the government wishes, I don't have a concern with adding, you know, "standing" or "this" in front of "committee" there or "recommend that a standing committee." It doesn't matter to me. Like I suggested, I think this would be the proper committee to do it. I'm fine with adding "committee" in front.

The Chair: I'm going to go to Mr. Hanson on the phone.

Mr. Hanson: Thank you, Chair, and thank you, everybody, for your presentations. I agree with Mr. Drysdale. I think it's very timely to review. We've got some significant changes specifically with the renewables contracts. I know that there are many issues out here. The Farmers' Advocate has been very helpful with people out here in this area. But, you know, considering the issues that we have with the existing oil and gas contracts and the difference between them and the renewables contracts, I think it's very, very important that we do have a significant review of the role of the Property Rights Advocate and property rights in general.

Thank you.

The Chair: Mr. Nielsen.

Mr. Nielsen: Thank you, Mr. Chair. I mean, I guess, given the recommendation from the Property Rights Advocate that the government undertake the review, I guess I'm just kind of testing how people feel about this, if we were to possibly amend. Instead of "a committee of the Assembly," it would be "the government." That way we're still achieving what we're hoping to here in terms of a review being done.

The Chair: Okay. Mr. Drysdale.

Mr. Drysdale: Thank you. I guess my only concern is that they've been reviewing adverse possession since 2003, and I would hope that it wouldn't take this committee that long to review this. If you just put it in the government's hands, you know, how long is that going to take, and who are they going to consult with? An all-party committee is consulting more openly.

The Chair: Please go ahead, Mr. Nielsen.

Mr. Nielsen: Well, I guess, just listening to the comments earlier, you know, the Property Rights Advocate office was very pleased with how discussions have gone between ministries and their office in terms of moving forward on the file. It sounds to me like there's progress being made. I think that's where that recommendation came from, that feeling that the government could get this done and in a very timely fashion. It's just something for us to consider here.

The Chair: Okay. Am I to understand that you would like to amend the existing motion, Mr. Nielsen? Oh. One second.

Okay. Mr. Strankman, please go ahead.

Mr. Strankman: Thanks. To other members, government members of the committee, the advocate herself has advocated for a review, and this is the body, an all-party body, that can make that review. In fairness, I think that it should be allowed to play the role. That's simply what's allowed to happen here.

To Mr. Drysdale's comments on adverse possession and, should I call it, the slowness of action by the government: it hasn't happened. That's what I would understand to be the body of his motion here, that an all-party committee be allowed to play its role in fairness to Albertans. That's what Ms Johnson, the advocate, the person of that department, is requesting.

I don't understand the hesitancy here in that regard. We're dallying over words here. This body or this committee is here to do its government role, so I don't understand a fear in allowing open, all-party discussion. I can only add that as a commentary, not as a voting member.

I appreciate your allowance, Mr. Speaker, allowing me to have this time.

2:40

The Chair: No problem. Thank you for the promotion. That's the second time I've been promoted by you, Mr. Strankman, but I get what you mean.

I'm going to go to Mr. Hunter, and then we're going to go back to Mr. Drysdale.

Mr. Hunter: Thank you, Mr. Chair. We still have Ms Johnson here. Maybe we could have her present whether she feels this addresses her concern adequately or whether or not there was a specific reason why she said "government" versus "a committee of the Assembly."

The Chair: Thank you.

Ms Johnson.

Ms Johnson: Thank you. When I made the recommendation, I didn't point to any particular entity for doing the review. When I was here today, I did suggest that Justice and Solicitor General could do it, but my point was just to have the review done and look at the role of the office and the act and whether or not the support that's needed to do the job that's being looked at is in fact there. It matters not to me whether it be done by a standing committee or whether it be done by government itself. I think it would work well in either case.

The Chair: Mr. Drysdale.

Mr. Drysdale: Yeah. I mean, this committee will review it and put in a recommendation, but it's the government that's going to do it in the end anyway. If the government and the departments want to start their review before we're done, at least we'll have our recommendation in. The government will be doing their work. Then they're going to act on our recommendation, so it's going to be reviewed by the government anyway after we recommend it or subsequently. I'm pretty sure this committee will have a recommendation in before the government is ready to move on it anyway. I think we can do both.

The Chair: Okay. Are there any further comments regarding the existing motion? Mr. Nielsen, please go ahead.

Mr. Nielsen: Thank you, Mr. Chair. I just wanted to quote something. It was on February 11, 2016. Rob Reynolds, Parliamentary Counsel: "The only problem is that committees can only undertake investigations and inquiries within their mandates, and this committee's mandate does not include Justice."

I think that with that being said, I will make an amendment, because I think there's agreement that the review needs to be done. There's no question about that. So I move to amend, that we strike out "a committee of the Assembly" and replace it with "the government."

Then if they need to assign work to a committee, we have a mandate in order to proceed.

The Chair: Okay. I'm just going to wait for that to show up on the screen here so that everyone has an opportunity to read the amendment. We still don't have it updated on the screen. We'll just wait.

Before we open it up to discussion, would you like to add any other comments on your amendment?

Okay. We will then go to Mr. Hunter on the amendment.

Mr. Hunter: Yes. Could we ask Parliamentary Counsel to clarify? There was an interpretation, I believe, of what Mr. Reynolds had said. My question is: can this committee not make a recommendation to Justice, then? That's the assertion. Is that correct?

Ms Dean: I'm not quite sure what your question is, Mr. Hunter, but there seem to be two voices here. The original motion proposed talked about a recommendation coming from this committee that a committee of the Assembly be tasked with conducting a review. Then the amendment talks about, instead of a committee of the Assembly, instead of the legislative branch, this review being undertaken by the government. In terms of whether or not this committee or any other committee could be charged with that review, that could be done through a motion in the Assembly.

Mr. Hunter: Mr. Chair, if I could . . .

The Chair: Please go ahead.

Mr. Hunter: . . . maybe do the CliffsNotes of that. If I understand you correctly, you're saying that this committee does have the ability to make a recommendation that a committee of the Assembly be struck to study this.

Ms Dean: If you're just making a recommendation as part of your review of the report.

Mr. Hunter: Okay. Thank you.

The Chair: I believe that Mr. Drysdale would like to make a comment.

Mr. Drysdale: I mean, I don't want to get into the details, but, you know, this committee does the review of the Property Rights Advocate Act, so I think it is in our mandate to oversee, to do a review of the property advocate's office. We do every year. I think it's in our mandate, so I'm not going to argue about wording.

The only other thing is that if we lose the argument and they insist on the government doing it, I'd like to have a time or a date in there at least. If we're going to give it to the government, at least put in a timeline. I'd hate to see this go on for 15 years, that's all. I'd like to leave it the way it is, but I'm sure we're going to lose that.

The Chair: Okay. Any further discussion on the amendment?

Hearing none, I will now ask for a vote on the amendment. Just to make absolutely a hundred per cent sure, what people are voting on is to strike out "a committee of the Assembly" and to replace it with "the government." All those in favour of the amendment, please say aye. All those opposed? And, of course, we're including those on the phone, remember? But I will double-check with those

on the phone. All in favour? Okay. I do believe the amendment is passed.

Mr. Drysdale: Can we have that recorded, Mr. Chair?

The Chair: Okay. A request for a recorded vote has been made. We'll start over here, to my right. Mr. Hunter, please go ahead.

Mr. Hunter: No.

Mr. Drysdale: No.

Mr. Kleinsteuber: In favour.

Mr. Dang: Yes.

Mr. Rosendahl: Yes.

Ms Woollard: Yes.

Mr. Carson: Yes.

Ms Babcock: Yes.

Mr. Nielsen: Yes.

Mr. Malkinson: Yes.

The Chair: All right. Now we'll go to those on the phone. Please cast your vote. I'll go with Mr. Hanson first.

Mr. Hanson: No.

The Chair: Mr. MacIntyre, I believe you're on the phone.

Mr. MacIntyre: No.

The Chair: Okay. Finally, Mr. Clark.

Mr. Clark: No.

The Chair: Okay. The amendment is carried.

We are now back on the motion itself as amended. Any further discussion on the motion as amended? Mr. Drysdale, please go ahead.

Mr. Drysdale: I mean, I don't want to belabour it, but could we put a date on it if we're going to leave it this way, to do a review by, say, January 1, 2019?

The Chair: Are you proposing an amendment, sir?

Mr. Drysdale: Yes.

The Chair: Okay. Would you like to state specifically your amendment, how you would like the motion amended?

Mr. Drysdale: Just add at the end that
this review be completed by January 1, 2019.

2:50

The Chair: Okay. We're just waiting to make sure that that's captured and up on the screen so that people are able to read it.

Okay. There you see the amendment as it's been suggested by Mr. Drysdale. We'll open it now to discussion if anybody would like to speak to the motion itself. Yes, Ms Babcock.

Ms Babcock: Thank you, Mr. Chair. You know, I think it's really important that we make sure that the review is done in full and is done to the very best of the ability of the people doing the review,

and as it's hit five years at this point by the end of this year, of course now is the time to start a review like that. I'm more than happy to support the motion that we do the review, that the government do a review on this act. I think that giving them a timeline with just a number, not looking at what work they have in front of them or not looking at how long this review will actually take – I think we need to let them figure out how long the review will take.

Thank you.

The Chair: Thank you, Ms Babcock.

Are there any further comments, discussion on the amendment as proposed by Mr. Drysdale?

Mr. Drysdale: I'm not going to belabour it, but when a committee is given the task to do a review, typically we're given 12 months to complete it, so I think that's more than fair because this is more than 12 months. That's why I wanted the committee to do it, because it would be done in a timely fashion. We'll probably lose this one, too.

The Chair: Okay. Any further discussion? Yes, Ms Babcock.

Ms Babcock: Thank you, Mr. Chair. The only thing that I would say on that is that when we as a committee are tasked to complete a review of a piece like the advocate's report, it's the only piece of work put in front of us. With the government, we aren't privy to what work they have in front of them at the moment, and to assume that this would be the only piece of work in front of them would be an assumption I wouldn't want to make.

Thank you.

The Chair: Okay. Mr. Hunter.

Mr. Hunter: Thank you, Mr. Chair. Not to be contrarian, but it sounds like you're advocating for a committee to do the work, then, because it would be done in 12 months. You said earlier that you are in favour of reviewing the Property Rights Advocate Act, yet you're saying that this committee or a committee that could do it within 12 months shouldn't be doing it, that, rather, the government should be doing it. I'm just not sure I understand the argument.

The Chair: Ms Babcock.

Ms Babcock: Thank you, Mr. Chair. All I can say to that is that I believe that the best body to review this act is the government, and it will take them the time that it takes them, and it will preserve their flexibility.

The Chair: Okay. Any further discussion on the amendment as proposed by Mr. Drysdale?

Hearing none, I will call for a vote. Just to be clear, the amendment is that at the end of the current motion "and that this review be completed by January 2019" be added. All in favour of the amendment as proposed by Mr. Drysdale, please say aye. All those opposed, please say no. Okay. That amendment does not carry.

Back on the motion now as amended previously. Any further discussion on the motion as people see it on the screens before them?

Mr. Hunter: Mr. Chair, is there a way that we could have the government, the proper departments, provide us with a time so that we know and that they could present that time to us so that it addresses Ms Babcock's concern? I think the timeline is important. Obviously, we talked about this. We've been talking about this

since 2003. Eight out of the 10 jurisdictions in terms of adverse possession have already changed, and we're kind of lagging behind, so I think that waiting another 15 years is unacceptable, especially if you're on the one side of that squatters' rights argument. I do hear that. In fact, I had a fairly interesting case right in my riding that has caused a lot of problems, and I think that this is very important.

The Chair: Well, I cannot answer that question, Mr. Hunter.

I don't know if Parliamentary Counsel would be willing to offer some information on that.

Ms Dean: Well, it's really a matter of whether the committee wants to engage in a dialogue again with ministry officials before it makes its final deliberations with respect to the report.

The Chair: That would mean having another meeting and inviting them back in, basically.

Mr. Hunter: Once again, we want to accomplish something here. This is very broad based, Mr. Chair. We have no measurables – absolutely no measurables – in terms of timelines. In order for us as a committee to be able to say that we've done what we're supposed to do, I think that we need to have a timeline. Let's allow the government to provide us with a timeline, what they think would work, and then we can go from there.

The Chair: Okay. Any further discussion on the motion as amended?

Okay. I'm hearing a call to move ahead and vote, so we will do so. Ladies and gentlemen, it was moved and then later amended by Mr. Drysdale that

the Standing Committee on Resource Stewardship recommend that the government conduct a comprehensive review of the Property Rights Advocate Act and, as a part of that review, consider the future role of the Property Rights Advocate office.

All those in favour, please say aye. All those opposed, please say no. Those on the phone? Okay. That motion is carried.

Okay. Yes. Back to you, Mr. Rosendahl.

Mr. Rosendahl: Thank you, Mr. Chair. I would like to move that the Standing Committee on Resource Stewardship endorse recommendation 2016.01, that a cross-ministry committee discuss options to provide Albertans with cost-effective access to fairness and equity in settling property rights disputes. As part of those deliberations, the committee should discuss whether a comprehensive board or resolution service should be formed to determine or facilitate fair and equitable outcomes for property rights disputes.

I and MLA Woollard would like to talk in regard to this motion.

The Chair: I'm sure that we're in the process of capturing that. Oh. Look at that. We have it there already.

Can you please double-check that what's up on the screen reflects exactly what you've stated in your motion, Mr. Rosendahl?

Mr. Rosendahl: It says, "Access to fairness and equity in settling property rights disputes," period. Then the second part starts, "As part . . ."

The Chair: I'm being told that a motion should be just one sentence.

Mr. Rosendahl: Okay. All right. Sorry.

3:00

The Chair: Okay. And correct me if I'm wrong. I'm not a hundred per cent sure that you used the word "recommend" at the beginning. Is that indeed what you said? "Recommend" or "endorse"?

Mr. Rosendahl: "Endorse."

The Chair: That's what I thought I heard, so I just wanted to make sure.

Okay. Mr. Rosendahl.

Mr. Rosendahl: Okay. Well, thank you. We've heard from the different ministries today. They all stated that they're working in different ways and that they're working together a lot to deal with property rights issues in the province. We heard from the different ministries stating that, that they're working on this issue, and it's important that they do so. I certainly want to thank them for the work that they're doing on this very important file.

I'll now turn it over to MLA Woollard.

Ms Woollard: Okay. I'm not sure that it's clear in everyone's mind whether or not they have achieved everything that needs to be done. We've heard about quasi-judicial boards that work with municipalities, and we've heard about the Alberta Ombudsman and about the Surface Rights Board and a few others, but I'm not sure that every Albertan has a clear idea about how to address a grievance if they have one, no matter where they are or who they're dealing with.

Mr. Rosendahl: I want to make sure that we clearly understand that our government has always stood up for landowners in Alberta. Our government believes in due process, proper notification, and fair compensation.

Ms Woollard: Can I keep going?

The Chair: Please go ahead, Ms Woollard.

Ms Woollard: Our government has made a commitment to address these issues, and that's what we're doing. It's important to Albertans, and it's important to our government. The members of the committee have demonstrated this by endorsing the recommendations of the previous reports which called for action on modernizing property rights legislation, endorsing the recommendation which called for a process to ensure recommendations of the Property Rights Advocate office are followed up on, and supporting the call for related ministries to appear before the committee and update all members on progress.

Mr. Rosendahl: Also, I'd like to add that it's pretty clear that the Property Rights Advocate office doesn't think that everything is settled. That's clear from what we've heard. Otherwise, they wouldn't be making this recommendation. This is a recommendation that they're making, right? I think it's the committee's role to support the recommendation and keep looking for ways to make life better for Alberta landowners, and that's the whole idea behind this. It follows closely in line with other recommendations of the Property Rights Advocate office when you really look at that.

Because of all these things, we stand to support this motion. Thank you.

The Chair: Okay. We're going to go to Mr. Malkinson, followed by Mr. Hanson.

Mr. Malkinson: Thank you very much, Mr. Chair. This is just a quick clarification. My understanding is that Mr. Rosendahl has attempted to make a motion to basically follow the recommendation that is in the report, and I don't think the report talks about the legislation. I think it says that the Standing Committee on Resource Stewardship endorses recommendation 2016.01, that "a cross-ministry committee discuss options to provide Albertans with cost-

effective access to fairness and equity in settling property rights disputes.”

I guess this would be a good question for Shannon. Is this in line with the recommendation? I think that was Mr. Rosendahl’s intention. Is what we have in line with the recommendation?

Ms Dean: Well, ultimately, the report of this committee goes to the Assembly. If it is in keeping with Mr. Rosendahl’s intent, then the committee clerk can adjust that wording so that it just simply says: that the committee endorse recommendation 2016.01.

The Chair: Does that address the issue that you’re attempting to shed light on there, Mr. Malkinson?

Mr. Malkinson: Yeah. That was just my understanding from what Mr. Rosendahl was suggesting, that we are endorsing that recommendation. I think that perhaps we might have to slightly adjust the wording up there. I guess that would be my suggestion.

The Chair: Okay. While Mr. Malkinson is looking at that, we’re going to go to Mr. Hanson on the phone.

Mr. Hanson: Thank you, Chair. Yeah, I’m just a little confused that now we’re going to hand this back to the Resource Stewardship Committee. We just moved the review of the Property Rights Advocate to the government; now we’re back to doing most of the work as part of the committee. So I’m just a little confused. I just want to ask the member opposite that put the motion forward if he’s in campaign mode.

The Chair: Okay. For clarification’s sake, I’m just going to have our committee clerk read the motion as it currently stands.

Ms Rempel: Thank you, Mr. Chair. Moved by Mr. Rosendahl that the Standing Committee on Resource Stewardship endorse recommendation 2016.01, that “a cross-ministry committee discuss options to provide Albertans with cost-effective access to fairness and equity in settling property rights disputes [and that] as part of those deliberations, the committee should discuss whether a comprehensive board or resolution service should be formed to determine or facilitate fair and equitable outcomes for property rights disputes.”

The Chair: As a point of clarification, I’ll just bring to everyone’s attention that it is the crossministry committee that would be doing this work. Okay?

Is there any further discussion on the motion as proposed by Mr. Rosendahl?

Mr. Hanson: If I could add on.

The Chair: Sure. I’m going to go to Mr. Drysdale first, then to you, Mr. Hanson.

Mr. Hanson: Thank you.

Mr. Drysdale: I guess there’s probably not much point, but I would again like to put a timeline on that. Again, we’ve got a government committee discussing it, and, you know, it’s kind of an overlap from our first resolution we passed. We’ve got government and a government committee discussing property rights and the Property Rights Advocate. They’re doing the same jobs in overlap there. Hopefully, they can sort it out so that we don’t have two committees talking about the same thing half of the time. I can see that taking a lot longer. I guess I’d like to put in the same amendment, to have it

reported back by January 2019, but I guess that’s probably a waste of time, Mr. Chair.

The Chair: Okay. Mr. Hanson, please go ahead.

Mr. Hanson: Yeah. Just, you know, to clarify, this motion sounds very much like the last motion, that we just passed, that was passing the review of the Property Rights Advocate over to a government body rather than the all-party committee. I don’t see the difference between what this motion is asking for and the previous motion to review the Property Rights Advocate. Just some clarity there, please.

The Chair: You know, I’m going to ask Ms Johnson if she wouldn’t mind coming to the table and perhaps speaking a little bit to the issue of why you made both recommendations from your report and how you would address Mr. Hanson’s question, please.

Ms Johnson: The first recommendation was to look at ways of bringing the availability to justice for Albertans. The idea was to make it more cost-effective, simpler, easier for these issues to be resolved.

The second, in looking at the Property Rights Advocate office, is more to do with: are we doing the right things, and is the act achieving everything that it was designed to achieve when it was put in place? So there are two different things.

Does that clarify your question?

The Chair: For me, it’s been clear all along, Ms Johnson. I hope it’s clear to the rest of the members of the committee.

I will now go to Ms Woollard.

3:10

Ms Woollard: Thank you, Chair. I agree. From what I can see, this is endorsing recommendation 2016.01 from the 2016 annual report of the Property Rights Advocate office. This is not our own creation.

The part about the comprehensive board or resolution service I think was really dealt with when Ms Johnson spoke about the various boards in other parts of the country that have been set up to be able to facilitate resolution of property rights disputes without them going to court, so it’s faster and less expensive. You mentioned some of the examples of places that have settled 80 per cent of disputes without having to go to court. Now, this is the kind of thing, I think, that was meant, and I think that that is really worth while to have in a motion and does not in any way correspond to the previous motion, to my mind.

Thank you.

The Chair: Thank you.

So far I have no one on the speakers list.

Mr. Drysdale.

Mr. Drysdale: I mean, here we get into the details, which we won’t see because the government is going to discuss them, and it won’t be for the public. I almost read in here that they’re wanting to set up another board. I’m not sure if it’s different than the Surface Rights Board or the Land Compensation Board or any of the property rights – it’s just another board to send landowners in circles to. They don’t have to go to the courts for these two. I’m not saying that the recommendation isn’t a good one, but we’ll never know until the government enforces it. If they consult with landowners and people the way they have been doing, we’ll never know until it comes. I also have a hunch that it’s a way – it seems

they won't agree with the date – of the government putting it off till after the next election and not having to deal with property rights.

I'll leave it at that.

The Chair: Okay. I believe that we're ready for the question unless anybody else wants to make a comment.

Hearing none, we'll move to the question. Moved by Mr. Rosendahl that the Standing Committee on Resource Stewardship endorse recommendation 2016.01, that "a cross-ministry committee discuss options to provide Albertans with cost-effective access to fairness and equity in settling property rights disputes [and that] as part of those deliberations, the committee should discuss whether a comprehensive board or resolution service should be formed to determine or facilitate fair and equitable outcomes for property rights disputes." All those in favour of the motion, please say aye. All those opposed, please say no. Again, I'm going to check with those on the phone. If you are for the motion, please say aye. Against the motion, please say no. Okay. Thank you. That motion is carried.

Mr. Malkinson: Can we get a recorded vote, please, Mr. Chair?

The Chair: Yes. Mr. Malkinson has requested a recorded vote. I will go here to my right-hand side.

Mr. Hunter: No.

Mr. Drysdale: I see what they're doing here. I support reviewing this. I just don't support the government . . .

The Chair: Please, just go to your vote.

Mr. Drysdale: That's why I'm voting no.

The Chair: Okay. Please, over on this side.

Mr. Kleinsteuber: In favour.

Mr. Dang: Yes.

Mr. Rosendahl: Yes.

Ms Woollard: Yes.

Mr. Carson: Yes.

Ms Babcock: Yes.

Mr. Nielsen: Yes.

Mr. Malkinson: Yes.

The Chair: I'm going to go to Mr. Clark, first, on the phone.

Mr. Clark: No.

Mr. Hanson: No.

Mr. MacIntyre: No.

The Chair: Okay. That motion is carried. Thank you very much.

Any more discussion, issues that members would like to bring up? Okay.

Hearing none, the committee has determined this position regarding the recommendations contained in the 2016 annual report of the Property Rights Advocate office. Would the committee like to meet again to review a draft report or authorize the chair and deputy chair to approve the committee's final report after it has been distributed to committee members for comment?

Mr. Malkinson, I see that you have your hand up.

Mr. Malkinson: Thank you very much, Mr. Chair. You know, with those two options presented before us, I have a particular preference. I'd like to move that

the Standing Committee on Resource Stewardship direct research services to prepare a report regarding the review of the 2016 annual report of the Property Rights Advocate and that the committee authorize the chair and deputy chair to approve the committee's final report on the issues.

I think that that would be appropriate, and I think that that would be the best use of our committee's time.

The Chair: Okay. Thank you, Mr. Malkinson.

Is there any discussion on the motion put forward by Mr. Malkinson?

Hearing none, we'll just go straight to the question. I believe everyone is clear on what we're voting on. This is so that the chair and the deputy chair review the report put together by research services, okay?

Mr. Malkinson: I could read the motion again, Mr. Chair, if that would be helpful.

The Chair: I believe that everyone is clear about what we're voting on. Unless anyone says that they are not, I will proceed with the vote.

All those in favour of the motion by Mr. Malkinson, please say aye. All those opposed, please say no. Okay. That motion is carried.

Ms Johnson, I want to thank you for all your time today and for all the information that you provided this committee. You're welcome to stay. We also want to give you the opportunity to leave if you have other duties that you'd like to attend to, but you're most welcome to stay.

Before we end our meeting today, I would like to quickly note that once the final report on the 2016 report of the Property Rights Advocate has been released, this committee will have completed all the work currently assigned to us by the Assembly. Therefore, I would like to remind committee members that we have received requests from groups that wish to make presentations to this committee, including organizations involved in recycling, the Independent Power Producers Society of Alberta, and the AAMD and C. These requests were distributed to all committee members when they were received. Of course, any work we wish to pursue will need to fall within the committee's mandate and scope as defined by the standing orders.

Does anyone have any questions on this? Please go ahead, Mr. Malkinson.

Mr. Malkinson: Thank you very much, Mr. Chair. You know, our committee has been busy with reviews that have been directed to us from the Legislature. Several of these requests go back to the beginning of 2016. The president of the Alberta Association of Municipal Districts and Counties wanted to present to us around leaner taxation and STIP funding. I think that a lot of those issues I would perhaps suggest have been cleared up during the Municipal Government Act that just recently went through the Legislature and the consultations around that, so I'm not sure if that particular group would want to come forward.

I believe that there's perhaps a similar situation with the Independent Power Producers Society of Alberta. They contacted us in May of 2016 wanting to give an overview of the electricity system in Alberta. Of course, government and we in the Legislature have done a lot of work on the electricity file in the past year, and again, the system has changed quite a bit. It might perhaps be the same situation, that what they wanted to present to us in the

committee has been fixed or changed or is something that they don't need to bring through to this committee.

Also, in June 2016 the Alberta Used Oil Management Association wanted to present about the work that they did along with the Alberta recycling management association and the Beverage Container Management Board. You know, I know that government is in the middle or nearing the end of a major review of our agencies, boards, and commissions in the province. In particular we're looking for ways where we can save Albertans some money and create some efficiencies in these areas. These organizations, from my understanding from the information they sent us, want to present as a part of that review. I would perhaps suggest here that I don't think it's productive to have them come and speak to the committee before the current review is completed. I would imagine that government would be talking to them as part of that review of agencies, boards, and commissions.

I think that that same consideration would also apply to the May 2017 request by the Alberta Recycling Management Authority to present, which I believe is also on essentially the same topic.

3:20

Mr. Chair, what I would suggest is that, perhaps, you could contact these organizations to see if they still feel like they would want to present, especially in light of some of the legislative changes that have happened to relevant pieces of legislation that affect those agencies. I wouldn't mind making a motion to that effect.

The Chair: How about before we go to a motion, Mr. Drysdale, do you have comments that you would like to make?

Mr. Drysdale: Yeah. That's assuming quite a bit. I think we should offer all these organizations that have contacted us – you know, we can do three or four of them all in one meeting, give them a half-hour each. Seeing as we're here in session and we give all our work away to the government and now to the chair and the vice-chair to wrap things up, we don't have a whole lot on our plates. So while we're here in session this fall, I think we could meet with every committee that wants to meet with us and leave it up to them if it's relevant or not. I think you should offer it to everyone.

Mr. Clark: Mr. Chair, I'd like to be added to the list, please.

The Chair: Please go ahead, Mr. Clark.

Mr. Clark: Thank you, Mr. Chair. I just want to echo the comments of Mr. Drysdale. I couldn't agree more that it is a huge assumption on the part of the Member for Calgary-Currie that, given the time that has passed or activities that may have been undertaken or may not have been undertaken by the government, any or all of these groups would just simply choose to forego or withdraw their request. I would suggest at the very least that we should approach each of these groups, ask if they would still like to meet with the committee, and then – I agree with Mr. Drysdale – present them with that opportunity. It looks like our schedule is fairly open.

Our job, I think, is to listen to what Albertans have to say from whichever stakeholder group they align themselves into. I think there are a lot of very interesting things that this committee and, through us, all Albertans could learn from that process. So I would really hope that we have the opportunity to at least give them the chance to present to the committee.

Thank you.

The Chair: Thank you, Mr. Clark.

Mr. Malkinson.

Mr. Malkinson: Thank you very much, Mr. Clark, Mr. Drysdale, for that. I think we're actually on the same page on this one. The motion I was working towards would basically be something to the effect of just having our chair reach out to all the stakeholders who have applied to the committee. You know, I specifically called out some of those ones where perhaps their situation had changed, but I don't think it should be interpreted as being presumptuous that, you know, we don't want them to present, just, for the purposes of perhaps streamlining a future meeting, to see if these organizations are still interested. Mr. Clark, I think, alluded to the same thing. The same with Mr. Drysdale. Perhaps we might have some ability in our schedule to do this. But I think it would make sense, like I said, before we decide on such a meeting, to make sure that some of these organizations that had applied to us previously – and I'm happy the stakeholders are doing that – are in fact still interested, especially the ones, like I said, where there has been some legislation work done in that area, that may be to their satisfaction or may not be. I'm not especially limiting.

The Chair: Thank you, Mr. Malkinson.

I believe we are all on the same page. As chair I'm listening to everybody. I think we're all on the same page. So to expedite this, can I just have you put a motion forward, the motion that you intended, and then we can vote on it?

Mr. Malkinson: Absolutely. I would like to move that the chair of the Standing Committee on Resource Stewardship contact the organizations who have submitted requests to present over the last two years, determine if they still want to present, and bring that information forward to a future meeting for discussion.

The Chair: Okay. I'm just going to make sure that our committee clerk has captured your motion. Do you have a paper copy of it?

Okay. Since Mr. Malkinson has spoken at length regarding his motion, I believe that we are – I'll open it up for further discussion. Mr. Drysdale, you have a comment to make?

Mr. Drysdale: Just to be brief, Mr. Chair.

The Chair: Yeah.

Mr. Drysdale: I agree a hundred per cent, but hopefully we can accomplish that, you know, this fall while we're all here. I don't want to push this into the new year. Then all of a sudden we're into budgets and again we can't meet with them. We have a window here when we're all in Edmonton, from now till the middle of December. Maybe we can expedite it and get it done in that time frame. That's all.

The Chair: Thank you, Mr. Drysdale.

Okay. I believe that we're all on the same page here. We know what we're voting for, but just to make a hundred per cent sure, I'm going to ask our committee clerk to read the motion into the record one last time before we vote.

Ms Rempel: Thank you, Mr. Chair. I believe that Mr. Malkinson has moved that

the Standing Committee on Resource Stewardship direct the chair to contact the organizations that have requested the opportunity to present to the committee over the last two years to determine if they still want to present and to bring that information forward to a future meeting for discussion.

Mr. Malkinson: That would be correct.

The Chair: Okay. Thank you very much.

I will now call the question. All those in favour of the motion put forward by Mr. Malkinson, please say aye. All those opposed, please say no. That motion is carried.

Okay. Thank you, everyone, for all of your input today. Our next meeting will be at the call of the chair dependent on the answers from these organizations.

I will now ask for a motion to adjourn, please. Thank you, Mr. Nielsen. I appreciate that. All in favour of adjourning the meeting, please say aye. All those opposed, please say no. That motion is carried.

Thank you, everyone.

[The committee adjourned at 3:27 p.m.]

