

Summary of Bill 19 Amendments introduced to the Alberta Legislature on April 16, 2009

Bill 19 is currently in the Committee of the Whole stage in the legislature. Debate was adjourned to another day after the Thursday session.

Amendments introduced by the Minister of Infrastructure (Hayden) are essentially the same amendments that were drafted and sent to WRAP in March, which stated:

- 1) The time limit on consultation and approval of the project land being two years after it is publicly announced.
- 2) The requirement for negotiation of the purchase of land for market value and that this is outlined more and is clearly laid out in the amendments.
- 3) Removes the mention of the Expropriation Act (Minister Hayden states expropriation is a last resort for land acquisition). But expropriation is still an option for acquiring the land, as outlined in these amendments.
- 4) Emphasized the mandatory requirement of landowner consultation, which is subject to regulations, as pointed out by MLA of Edmonton-Gold Bar Mr. Macdonald

There are two new things stated in these amendments. First, it removes the Lieutenant Governor in Council's ability to designate what a public infrastructure project will be. The re-wording of what a public project is in the amendments also, according to Minister Hayden, clarifies that transportation of people and goods is foremost, but it can also include power lines, high speed fiber optic cables, etc.

Second, it updates Section 15 of the original act so it refers to appropriate sections that were amended (ex: "...subject to section 3.1(4)..." now reads to the amended section "...subject to sections 3.2(1)..."), this amendments refer to the Ministers ability to make regulations on how consultation and plan announcements will be done, which are subject to regulations.

Regulations are not shown anywhere in the websites of the Minister of Infrastructure or on 'Hansard' of the Alberta Legislature. In the legislature, it was also mentioned that no regulations have been seen by those members questioning the bill.

Ms Laurie Blakeman, Liberal Caucus member, asked for the amendments to be severed, meaning they are voted on separately but are debated as a whole. Hayden stated in the legislature on Thursday the 16th that the amendments are to clarify the purpose of the bill, create certainty for landowners, and address concerns that he has heard. Hayden also stated that Bill 19 is strictly for water conservation and transportation utility corridors.

MLA Macdonald, MLA Dr. Taft (from Edmonton-Riverview) and MLA Ms. Blakeman all questioned the regulations and what they are. When this legislation is passed it enables the regulations, so it is important to know what they are. MacDonald also pointed out that the project area orders can go on forever because it is just the project that needs to be placed under orders that will take two years, nothing else. Macdonald made note that there are numerous plans for road and utilities upgrades for cities other than Edmonton and Calgary area so that growth in the province can occur. This legislation will therefore

have to properly notify people affected, and the regulations will need to properly address that. Response to Mr. Macdonald was that the legislation outlines land owner consultation and planning and is a requirement before anything begins. The time limit was reached for the day and debated ended before more could be said.

A question that arises, why not have land consultation for ALL land owner issues? Why limit land owner consultation to the scope of this bill and not open it to all matters involved in land acquisition?