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Alberta Scan

Issue 1115

week ending 11 October 2019

Gross mismanagement...

On October 9, Service Alberta minister **Nate Glubish** introduced changes to the *Real Estate Act* to address concerns raised by real estate professionals, buyers, sellers and regulatory officials about the operations of the Real Estate Council of Alberta (RECA), the industry's regulator. The proposed amendments to the *Real Estate Act* were recommended by consultant KPMG, which identified significant concerns with RECA.

The changes will:

- ▶ dismiss the current council members.
- ▶ enable the minister of Service Alberta to appoint an official administrator to manage RECA's affairs and continue its functions, such as hearing and appeals processes.
- ▶ enable the transition to a new council.

An official administrator will be appointed to provide leadership and oversight for RECA over an interim period, until new council membership is established following further amendments to the *Real Estate Act* during spring 2020.

Bill 15 is [here](#). Details are [here](#).

The real estate fiasco wasn't the only regulatory oversight issue in the past week. On Friday, October 4, three officers of the Legislature held a joint news conference to condemn activities of the Alberta Energy Regulator (AER) leadership.

Separate investigations by three independent officers of the Legislative Assembly of Alberta into activities at the AER and the International Centre of Regulatory Excellence (ICORE) found a conflict of interest by the former CEO of AER, gross mismanagement and waste of public resources, and critical failures related to board oversight and management override of internal controls.

Ethics Commissioner **Margaret Trussler** found former AER president and CEO **Jim Ellis** had a conflict of interest in that he furthered his own interest and improperly furthered the private interest of three other employees.

An investigation by Public Interest Commissioner **Marianne Ryan** found serious and significant wrongdoing occurring within the AER, through the establishment of ICORE, under the authority of **Ellis**.

Auditor General **Doug Wylie** found there were critical failures related to the use of resources, managing potential conflicts of interest, information management, compliance with legislation, and corporate culture relating to ICORE.

The Ethics Commissioner's report is [here](#). The Public Interest Commissioner's report is [here](#). The Auditor General's report is [here](#).

"We cannot condemn the practices noted in these reports strongly enough," **said** energy minister **Sonya Savage** and environment minister **Jason Nixon**. "Our government was elected on a promise to reform the AER, which is precisely why we have already taken action, launching a review of the AER in August and replaced the board in the same month." □

Government Scan...

The following announcements were made this week by the provincial government. The title of the announcement, as written by the government, is in bold. Cabinet

decisions, called Orders in Council, are marked with the abbreviation "OC" and the number of the decision. Copies of the full text of the OCs mentioned below are available online [here](#).

Finance

10 October 2019

Boosting Job Creators in Alberta

Finance minister **Travis Toews** announced the province is implementing the accelerated capital cost allowance enhancements adopted by the federal government.

The change allows companies to write off 100 per cent of investments in manufacturing and clean energy equipment in the first year, as opposed to the previous rate of 25 per cent.

For other types of capital investments, this enhancement allows a write-off of up to three times the normal first-year allowance.

"Faster write-offs of capital investments provide income tax relief for companies and support new investment and job creation," the minister said.

Details are [here](#).

Indigenous Relations

8 October 2019

Delivering on a Promise to Partner in Prosperity

Indigenous relations minister **Rick Wilson** introduced Bill 14, the *Alberta Indigenous Opportunities Corporation (AIOC) Act*, to establish a Crown corporation to facilitate Indigenous investments and job creation.

The AIOC is designed to increase access to capital for Indigenous communities, and provide them with the support they need to get involved in viable projects.

Details are [here](#).

Information and Privacy Commissioner

9 October 2019

Former Healthcare Employee Fined, Banned from Accessing Health Information

A former billing clerk with Alberta Health Services (AHS) was fined \$8,000 and sentenced to one year of probation with conditions after plead-

Chief Electoral Officer

10 October 2019

Chief Electoral Officer Releases 2018 Enumeration Report

Chief Electoral Officer **Glen Resler** released his report on the 2018 Provincial Enumeration.

A total of 1,444,821 electors participated in the process, including 926,731 electors that confirmed their information, 193,763 electors that updated their information to reflect a change in address, and 324,327 new electors that were added to the Register of Electors.

There were 2,654,119 electors registered to vote in the 2019 Provincial General Election. The enumeration had a total cost of \$10,344,580.

Details are [here](#).

Energy

8 October 2019

Financial Administration Act (section 80).

Cabinet approved the incorporation of a provincial corporation, the Canadian Energy Centre, to establishing an energy information office to support the ministry of energy and the government. OC 192/2019.

Energy minister **Sonya Savage** said the centre will establish three business units, each assigned a core function.

The rapid response unit will be responsible for issuing swift responses to misinformation spread through social and traditional media. The energy literacy unit will create original content to elevate the general understanding of Alberta's energy sector. A data and research unit will be in charge of centralizing and analyzing data to reinforce

this story with factual evidence for investors, researchers and policy makers.

The corporation will be run by new managing director **Tom Olsen**, who ran unsuccessfully against NDP MLA **Joe Ceci** in the recent provincial election.

The corporation will have a three member board of directors led by the ministers of energy, environment and justice.

Details are [here](#).

Environment and Parks

10 October 2019

Calgary Company Convicted for Ammonia Release

Agrium Inc. pleaded guilty to one count of failing to report an ammonia release from its Carseland Nitrogen Operations facility southeast of Calgary.

The Calgary-based company was penalized \$28,750, including a victim fine surcharge, under the *Environmental Protection and Enhancement Act*.

Details are [here](#).

9 October 2019

Court Upholds Environmental Conviction

A former water treatment operator has lost an appeal of his sentencing and conviction for violating the *Environmental Protection and Enhancement Act*.

Michael Dockman was penalized \$56,350, including provincial fine surcharges, at the time of his conviction. The charges were the result of non-compliance of an enforcement order issued in 2013 for the East Airdrie Waterworks System.

Details are [here](#).

...continued next page

...government

ing guilty Sept. 30, 2019, in Red Deer Provincial Court to knowingly accessing health information in contravention of the *Health Information Act*.

Details are [here](#).

Municipal Affairs

8 October 2019

Municipal Government Act (sections

133, 134, 135 and 137); *Foreign Ownership of Land Regulations* (section 14).

Cabinet passed the Order Dissolving the Village of Ferintosh. OC 190/2019. □

Recent Consultant Lobbyist Registrations

The following lobbyists recently registered to represent the clients below with Alberta's lobby registry.

Consultant Lobbyists (in order of registration)

Registered	Client	Lobby Firm	Lobbyists	Target Departments/Organizations
09-Oct-19	BluEarth Renewables	Course Consulting Ltd.	Jeff Johnson, Diana McQueen	Alberta Environment and Parks, Alberta Energy, Alberta Electric System Operator
Program or Policy: General Policy Development on Renewable Energy. Ensure fair and reasonable policy and open dialogue / consultation happens to inform policy.				
08-Oct-19	Qualico Edmonton Regional Office	AND Strategies Ltd.	Karin Finley	Alberta Infrastructure, Alberta Education, Alberta Treasury Board and Finance
Guideline or Directive: Public-Private Partnerships. Qualico has a development in SE Edmonton that the company wants the Government of Alberta to lease a portion of for education services delivery. Goal of the lobbying initiative is to help Qualico present the benefits of the proposal to the government of Alberta.				
04-Oct-19	Enterprise Holdings, Inc.	Counsel Public Affairs Inc.	Philip Dewan, Bradley Lavigne, Art Agolli, Amber Ruddy	Alberta Economic Development, Trade and Tourism, Executive Council, Alberta Municipal Affairs, Alberta Justice and Solicitor General, Alberta Transportation, Alberta Legislative Assembly, Alberta Treasury Board and Finance, Premier's Office
Guideline or Directive: Transport Department. Directives as to which companies are considered transportation companies. Add rental companies in the list of transportation companies.				
Program or Policy: Alberta Regulation 122/2001 -Insurance Agents and Adjusters Regulation and Alberta Insurance Act. Amend the Ministerial Order, as it pertains to classes or types of insurance for the purposes of section 454 of the <i>Alberta Insurance Act</i> (the "Order"), to add "Rented Vehicle Personal Accident" and "Rented Vehicle Personal Effects" as types of insurance that may be sold by a restricted insurance agent.				
03-Oct-19	Zone Startups Calgary Inc.	Guardian Law & Public Affairs	Jonathan Denis	Alberta Economic Development, Trade and Tourism
Financial Benefit or Grant. Support for startup firm in Calgary Economic development				
03-Oct-19	Savers (Operating as Value Village in Canada)	CWell Consulting Inc.	Ramiro Mora	Alberta Labour and Immigration, Alberta Energy, Executive Council, Alberta Legislative Assembly, Alberta Treasury Board and Finance
Program or Policy: Savers (operating as Value Village in Canada). Introductory meetings to UCP and NDP Members of the Legislative Assembly with a focus on the Ministers of Environment, Labour and Finance and President of the Treasury Board. Meetings will focus on Value Village's economic activity in Alberta - stores throughout the province, the number of jobs, role of Value Village in the circular economy (levels of recycling) and social programs including programs for seniors, veterans and people with mental disabilities and autism spectrum disorders.				
03-Oct-19	Morneau Shepell Ltd.	21 39107 Alberta Ltd. (operating as Crestview Strategy (West))	Reed Larsen, Melissa Caouette, Michael Lohner	Executive Council, Alberta Health, Alberta Legislative Assembly, Alberta Treasury Board and Finance, Alberta Health Services
Existing Legislation: Employment Pension Plans Act. Opportunities for Morneau Shepell to offer services to the Government of Alberta in the areas of employee assistance, disability management, and pension management for provincial government employees.				
03-Oct-19	GNL Quebec Ltd	1689986 ALBERTA LIMITED carrying on business as Navigator	Jason Hatcher, Brent Kossey, Rosa Ellithorpe	Alberta Energy, Executive Council, Alberta Treasury Board and Finance, Premier's Office
Decision: Alberta Government's support for the Energie Saguenay Project, a LNG complex project in Quebec. Seeking the Alberta government's support for the Energie Saguenay Project, a LNG complex project in Quebec that will source natural gas from Alberta.				

Alberta Scan

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Photocopying

Please do not photocopy this publication. Every photocopy makes it more difficult to gather useful information on your behalf.

Research

Thanks to staff at the Legislature Library for their ongoing help with researching items in this newsletter.

Political Monitor

Word of Mouth Communications provides *Alberta Political Monitor*, a service about ongoing policy developments. Call or e-mail for further information.

Seminars on Alberta Politics

Word of Mouth Communications offers presentations of varying lengths about how the Alberta government decides and how the Cabinet Policy Committee process works. Call or e-mail for further information.

Feedback

If you have suggestions to improve *Alberta Scan*, please contact:

Paul McLoughlin
Publisher

(780) 938-9074

womcom@shaw.ca

Appointments Scan...

The provincial government made the following appointments this week. Cabinet appointments are

followed by the Order in Council (OC) number of the decision. The full OCs are available online [here](#).

Justice and Solicitor General

10 October 2019

Court of Queen's Bench Act (section 8).

Cabinet appointed **Brian Summers** as a master in chambers of the Court of Queen's Bench of Alberta. OC 195/2019.

Summers was a partner with Dentons Canada LLP, primarily focused on civil litigation, with an emphasis on insolvency law.

An active community member, **Summers** was a volunteer and board member with the Edmonton Community Legal Centre. He also worked with a number of pro bono law programs and headed Dentons Edmonton Pro Bono Law Group. He volunteered as general counsel and a member of the Board of Directors and Executive for the Edmonton Symphony Society and the Francis Winspear Centre for Music.

Details are [here](#). □

Regulations Scan...

The provincial cabinet passed the following regulations this week. Copies of the cabinet decisions

(called Orders in Council or "OCs") are available online [here](#).

Finance

8 October 2019

Insurance Act (section 498).

Cabinet passed the Insurance Agents and Adjusters Amendment Regulation. OC 193/2019.

8 October 2019

Insurance Act (sections 511 and 548).

Cabinet passed the Fair Practices Amendment Regulation. OC 194/2019.

Health

10 October 2019

Mental Health Act (section 53).

Cabinet passed the Community Treatment Order (Expiry Date Extension) Amendment Regulation. OC 196/2019.

Labour and Immigration

8 October 2019

Land Surveyors Act (section 16).

Cabinet approved the Code of Ethics Amendment Regulation. OC 186/2019.

Cabinet approved the Discipline Amendment Regulation. OC 187/2019.

Cabinet approved the Examination and Training Amendment Regulation. OC 188/2019.

Cabinet approved the Professional Practice Amendment Regulation. OC 189/2019.

Municipal Affairs

8 October 2019

Municipal Government Act (section 693).

Cabinet passed the Calgary International Airport Vicinity Protection Area Amendment Regulation. OC 191/2019. □