



Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

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Issue 63e

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

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Progressive Conservative: 59      Wildrose: 17      Alberta Liberal: 5      New Democrat: 4      Independent: 2

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Eggen	Rowe
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**Select Special Chief Electoral Officer Search Committee**

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Hale	Vacant

## Legislative Assembly of Alberta

7:30 p.m.

Wednesday, October 30, 2013

[Mrs. Jablonski in the chair]

**The Acting Speaker:** Please be seated.

### Government Bills and Orders Second Reading

#### Bill 28 Modernizing Regional Governance Act

Mr. Anderson moved that the motion for second reading be amended to read that Bill 28, Modernizing Regional Governance Act, be not now read a second time because the Assembly is of the view that the bill will severely undermine local autonomy and that further input is necessary from the public, municipal officials, the Alberta Urban Municipalities Association, and the Alberta Association of Municipal Districts and Counties.

[Debate adjourned October 30]

**The Acting Speaker:** We were speaking to RA1, and RA stands for reasoned amendment. It doesn't stand for the name of the sponsor of the amendment.

Hon. Member for Airdrie, your time was up.

**Mr. Anderson:** It was up? The whole thing? I had so much to say.

**The Acting Speaker:** Thank you very much.  
The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you very much, Madam Speaker. I got it right the first time. Let's hope I do it right all the way through. I have, just to be correct, 10 minutes?

**The Acting Speaker:** Fifteen.

**Mr. Griffiths:** Fifteen. Okay. Thank you very much, Madam Speaker. I'm still going to be as concise as I can be.

I think the biggest challenge for genuine – and I mean genuine – leadership, people who are really trying to do the best in politics, was best summarized by a quote from Winston Churchill. That quote says, "A lie gets halfway around the world before the truth [gets] its pants on." I always thought that was very telling. It's not just a lie but misinformation as well that can travel faster than getting out the facts. I am pleased to be able to stand up today and talk about some of the facts.

To start, I want to talk about section 603 of the MGA because that, Madam Speaker, is the regulation that has, I guess, generated this piece of legislation. That legislation specifically authorizes the minister to pass any regulation that's not within the rest of the act to deal with a situation that needs to be dealt with. But it specifically says in that section that that regulation can only exist for two years, and then it is supposed to expire or be moved to legislation.

Now, the Capital Region Board was one of those 18 regulations made under section 603, but it existed for more than two years. In fact, it existed for six years, and the reason that it existed for six years is because the Capital Region Board itself is an incredible enterprise: all those municipalities coming together, working on a growth plan, working on their management to make sure that they have the proper land-use strategy in place so that when people move here, they feel like they live in an environment that's going to be successful, not haphazard. We wanted to make sure we got it

right. We wanted to make sure that we had six years to let it evolve, and now we have the Capital Region Board, which is an exceptional example of success to other municipalities of regional collaboration and co-operation.

We realized that it was time to start to move that regulation over to legislation. We began the work very early, but we had a scenario that evolved that made us have to speed up the process. Now, I'll come back to that in a moment. First, I would like to run through some of the misinformation that seems to have gotten halfway around the world ahead of the facts.

First, the Member for Airdrie had talked about on page 5 of the bill the section that reads 708.02. He read it. It says:

- (1) The Lieutenant Governor in Council, on the recommendation of the Minister, may establish a growth management board by regulation.
- (2) The regulation establishing a growth management board must
  - (a) specify the name of the growth management board,
  - (b) designate the municipalities that are members of the growth management board,

which he had pointed out was horrible and awful,

- (c) designate all or part of the land lying within the boundaries of the participating municipalities.

And this was such horrible legislation. Such horrible legislation. Interestingly enough – and it cites it in the legislation – these growth management boards are intended to operate like commissions.

We've had service commissions in this province, Madam Speaker, for 17 years, since the MGA was created, and I'd just like to compare. Section 602.02 says:

- (1) The Lieutenant Governor in Council, on the recommendation of the Minister, may establish regional services commissions by regulation.

Now, this member, the Member for Airdrie, had suggested that I had this arbitrary authority to create them wherever I wanted.

It also says:

- (2) The regulation establishing a commission must
  - (a) specify the commission's name;

Exactly like we have in the legislation.

- (b) identify the municipal authorities that are the members of this commission.

This is on commissions, on water commissions and waste commissions. This has been existing for 17 years, and it's identical, Madam Speaker. It's identical. How is this draconian, yet for 17 years this has worked incredibly well for municipalities that are working on water commissions and now waste commissions, partnering their municipalities together?

The second piece of misinformation the member pointed out was about fines, on page 11 of the current bill. The member had pointed out how horrible – horrible – the fines were that we were going to levy arbitrarily – I anticipate that that is what his assertion was – against municipalities. It says at 708.17:

- (2) A person who contravenes subsection (1) is guilty of an offence and liable to a fine of \$10 000 or to imprisonment for a term of not more than one year, or to both a fine and imprisonment.

Such draconian measures, Madam Speaker. Yet the regulation that has existed for six years for the Capital Region Board says in section 24:

- (2) A person who contravenes subsection (1) is guilty of an offence and liable to a fine of \$10 000 or to imprisonment for a term of not more than one year, or to both a fine and imprisonment.

But it's not done, Madam Speaker. [interjections] It's not done.

**The Acting Speaker:** Hon. members, the hon. minister has the floor.

**Mr. Griffiths:** Madam Speaker, that's not even done.

In the MGA, the Municipal Government Act, which has existed for 17 years, it says under 566(1) that

a person who is found guilty of an offence under this Act is liable to a fine of not more than \$10 000 or to imprisonment for not more than one year, or to both a fine and imprisonment.

So draconian.

Madam Speaker, the whole point of this is to make sure that you prepare for the worst, but we have never levied a fine or a jail sentence for anybody. You have to have a punishment for the worst possible event. Thankfully, our municipal councillors all work very well together. We've never had to levy a punishment.

The third point. The member went through the legislation and said that on page 5 it reads – and it's so draconian, Madam Speaker – under 708.02:

(3) The regulation establishing a growth management board may deal with one or more of the following matters:

And this is horrible.

(a) the appointment of persons to represent the participating municipalities.

It's horrible. Unfortunately, it's two paragraphs away, so he probably didn't notice it.

Under 708.04 it says:

Each participating municipality must, in accordance with the regulation establishing the growth management board of which the participating municipality is a member, appoint a person to represent the participating municipality on the growth management board.

The municipality appoints the person, not me. But the member has managed to spread incredible misinformation about that, or maybe he just didn't read two paragraphs ahead, where the facts are.

Finally, Madam Speaker, the challenge that we had was that there was a court case, that came up very quickly, that challenged the section 603 regulations because some of them existed longer than two years, as they were intended to. It was deliberately done to make sure that we got them right before we embedded them in legislation. That court case put at risk the Capital Region Board and all of the great work it did because it could have disappeared like that overnight.

But it's not just that, Madam Speaker. It put all 18 of the section 603 regulations at risk for the Alberta Central East Water Corporation, which could have disappeared overnight; the Chestermere Utilities corporation, which would have disappeared overnight; the Peace Regional Waste Management Company – I've been to Peace River, and I know how proud they are of that system, that corporation, and it would have been terrible if it disappeared or was put at risk because of that – the New Water Ltd. company; the Capital Region Board, that I mentioned; Aqueduct Utilities Corporation; the Newell Regional Services Corporation; Aquatera Utilities, all put at risk because of that court case.

That's why, through all this, we evaluated what we were going to do and realized that we were taking the regulations and making them legislation, just as we'd always intended, without changing it any way significantly that would have impacted municipalities. It gives us, me, no new powers. Frankly, Madam Speaker, I could have under the section 603 regulations created anything that I wanted to anyway. This puts it in legislation so that everyone is aware of what's going on, and it has to come before this House if there are changes.

7:40

It had to be done to protect these municipalities. Once every single municipality in this province understands the reason and rationale for doing this and is aware that there is nothing to be

afraid of but that it is a tool, if a bunch of municipalities, just like a water commission, just like a waste commission, decide they want to come together and have a large regional planning board so that they can plan for growth – quite frankly, we're looking at a million people moving here in the next 10 years still – if they want to get together and plan it so it's done smartly, Madam Speaker, they can come to me and ask for it. We'll work through this, just like we do with water commissions, just like we do with waste commissions. They will realize, when they see all of this, that the fearmongering and misinformation that's gone on has wasted a lot of time, and they'll get back to work.

Thank you.

**The Acting Speaker:** We have 29(2)(a) for five minutes available at this time.

**Mr. Anderson:** Madam Speaker, it's always great to hear the intellectual powerhouse that is the Member for Battle River-Wainwright. He never ceases to amaze all of us. Let's give him a hand. Clearly, we should not question this individual for any of the public statements that's he's made in his life.

You specifically pointed to the regulation and said that this is the regulation that establishes commissions in this province, water commissions and so forth. I would ask: do you not see a difference between a water commission and a regional planning board that has the ability to set the rules with regard to whether a community can develop, how they can develop, what resolutions they can pass, what bylaws they can pass? I'm sorry. I'm not understanding your point here. You're saying that because there are regulations in this province that allow you to establish water commissions and commissions like that, somehow you have always been able under that regulation to establish governance boards that oversee regional areas. Well, let's go through it.

**The Acting Speaker:** Hon. member, through the chair, please.

**Mr. Anderson:** I'm just saying: you were always able to approve an area or a board that can decide the voting rights of participating municipalities, mandate the growth of the management board, that they can determine the contents of a growth plan, the timelines for completing a growth plan, the form of a growth plan, the effect of a growth plan, that they can overrule bylaws, that they can overrule resolutions, that they can go to Queen's Bench if there's any municipality that passes a bylaw that doesn't conform with the growth plan, that they can go get an order to stop that? You're actually telling us that you already had that power because you can form a commission, a water commission or something to that effect? Honestly?

Well, why do you need the legislation, then? You're saying: oh, because it expires in two years. Why wouldn't you just apply it to the Capital Region Board if that's all that you were worried about? Why are you passing a regulation that applies to every region in this province and every municipality in this province? Why, sir, did you not do any consultation with any municipality, with the AAMD and C or the AUMA? You did none of these things. [interjection] But he's not changing anything. Then why are we passing the bill, genius? Genius Minister of Transportation, stick to building roads.

**Speaker's Ruling  
Addressing the Chair**

**The Acting Speaker:** Hon. member, I have to make a statement. [interjection] Hon. member, when the Speaker stands, you sit.

When I say, "Through the Speaker," it means you have to speak to whomever you're directing your . . .

**Mr. Anderson:** They're yapping over there.

**The Acting Speaker:** I'm talking about the minister. You're talking to me, so you need to use the third person, not: you, you, you.

**Mr. Anderson:** Fair enough.

**The Acting Speaker:** Please remember that.

Hon. minister, there's a minute and 40 seconds left.

### Debate Continued

**Mr. Griffiths:** Thank you, Madam Speaker. Let's see. I'm actually reading from the regulation, not from this legislation that existed previously.

(19)(1) The council of a participating municipality shall amend every statutory plan and bylaw as necessary to conform with the Capital Region Growth Plan . . .

(2) If the council of a participating municipality fails to amend a statutory plan or bylaw in accordance with subsection (1), the statutory . . . bylaw is deemed to be invalid.

Everything in here is in the legislation, and everything in the legislation is in here. Nothing has changed. I already explained that the reason why we needed to do this was because this eminent court case that appeared this summer was putting everything at risk in a matter of two weeks tops, when a judgment came down that could have made all of it, not just the capital region board but everything else, invalid.

Our notion when we crafted this was that if there were another group of municipalities that wanted to come forward and have a regional growth management board, why would we deny them the option? It would be as though we put in Aquatera Utilities as having the only water commission in the province. We created the ability to have waste commissions, water commissions, and now regional growth planning boards so the municipalities could decide if they want to come together, either voluntarily like they've done in Calgary, which will remain that way as long as they want it to, or in Edmonton, which has worked very well for six years. They're going to get to decide their option, Madam Speaker. That's the way it's going to work.

Nothing in here, as I've proven, gives me the authority to do anything I didn't have the authority to do before. It makes sure that it's in legislation so that the 18 groups that have done exceptional work over the years can continue to do so.

**The Acting Speaker:** We are on RA1. Are there other speakers to the amendment? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. Contrary to my colleagues here in the Official Opposition, I actually want to thank the minister for bringing this forward because I'm running on this in the next election. It will get me elected – thank you very much – and I'm very happy for it. You can giggle and you can mock, but I am going to win this debate out in the rural halls, and any one of you who wants to challenge me in a debate in a rural hall, I'm happy to have that. [interjections] Well, let's talk about that. Let's talk about stealing of land because the member wants to bring it up. It's quite interesting. Despite any decision of a court, regardless of the court's decision to the contrary or made before or after this comes into force – to heck with the court. We're overriding the court.

What happened to due process of law? We have seen this in bill after bill recently from this government. It's why we have 17 members, and it's why we're going to be the next government. It's because of these things that they're passing. They don't understand it, but they will understand it in the future. They're not listening. They're angry, but they're not listening to what's going on out in the public. It's a denial of what's happening, and that's why this amendment should pass. We need to consult. We need to have this debate at the AUMA with municipal councillors. We need to have this debate at the AAMD and C so these county councils, these municipal councils can actually hear and see and decide for themselves.

It is absolutely amazing to me. There are various sections in here. One in particular talks about the Expropriations Act. I can quote it, but I'll have to look it up. Somebody can look it up for me. It says that the Expropriations Act, in effect, does not apply. We went down this road once before. We did it with the Land Assembly Project Area Act, also known as Bill 19. This government denied it was in there. They said that the Expropriations Act will apply if we take your land. It was right in there, and I remember it because I knew that bill so well. It was section 19 of that bill.

Now, what this government did eventually was that it removed that. It removed that because of all the noise out in the public. They denied it was in there, but they eventually amended the act. But it took all that noise before this government would react. There's going to be noise on this bill. I do not expect this government to act, but they should at least try to hear it. Hopefully they would listen, but they haven't done that. What's a real tragedy is the bill. The tragedy is that nobody is against planning, and nobody is against these regional plans, but as the member had said earlier, you have to do it by collaboration. [interjections] You have to do it by co-operation. It is extremely important. [interjections] I will address you as long as I can see you. That's important.

7:50

When it's thrown at people, that "if you do not do this, there are penalties. We will make the decision and, oh, by the way, now you have to act on our decision. You have to change," that is denigrating the democratic process. That is not democratic in any way, shape, or form if you believe in the democratic process. That's what's really extremely important here. It's not the premise of having regional commissions, and it's not the premise of planning. I don't think anyone here is opposed to planning, but when it's my plan and you have no input, that's not planning. That's dictating.

If you have a board that's been appointed, an unelected board, dictating to an elected official, there are issues there that I would hope the members on the other side would at least recognize, that that's not going to fly. These councillors, these newly elected mayors in all of these rural communities that are going to be directly affected and those that see the potential to be affected are not going to like this. They can call it disinformation. They can call it lies. They can call it whatever negative name they want. But if it's in writing, it's in writing, and that's what it is.

When you look at the fine and the jail term that they bring up, this bill says that the Alberta Land Stewardship Act supersedes it. What does that bill say? It says right in there that a minister can issue an enforcement order as if it's a judgment of the Queen's Bench. And now you have penalty associated with that. So how does that work? Some of the lawyers would have to get up and scratch their heads and figure out how that would actually come to be should a minister issue an enforcement order where it actually

has a penalty or a jail term as if it were the judgment of the Queen's Bench. That was also in Bill 19, that this government did not believe – but only after a lot of noise from outside did they remove it. They removed it from Bill 19, but they left it in the Land Stewardship Act, and here we are now with an associated – when we take these regulations and we bring them into legislation, that act reigns supreme. This penalty now is there, a \$10,000 fine with the jail term.

The question is: can the minister, then, bring these two together and actually make that enforcement order? It looks like he can. Is that legal? Well, according to the laws, if passed, it would be. Now, that's a real question that people need to ask themselves: is that what the intent was? I don't believe that's what the intent of this government was. I would like to think that this government wanted to keep due process of law, but you don't even have to get to all the provisions the minister said or even talked about. You only have to go to the very first page, page 2, where it starts, and it says that contrary to "any decision of a court" before or after this bill comes into force and the courts no longer matter. That's wrong. That's wrong. That needs to be changed. And that's not found in any other regulation in the MGA. I challenge the minister to find that, where a court has no say in the matter.

We have separation of powers. That's important. We like to think that legislation gets passed without any mistakes, but we know it happens. That's why we have amending bills. Or situations change. Courts rule on these bills, but when we start not allowing the courts to actually rule for our constitutional rights, that's a deadly trail, a deadly path to head down that nobody wants to go down. We cannot be passing laws that say: this law supersedes whatever a court will determine. That's wrong.

I will not say that even if the law was perfect, if another law contradicted, then the court needs to rule. Good. Then we come back to the Legislature and we make whatever changes need to be made so these laws work in conjunction with each other. But the fact that we would just say that there could be mistakes between legislations and that a court's ruling doesn't matter: that's wrong. That's not what this society was founded on. We haven't even gotten to the rest of the bill. There are a lot of offences in here, but that offence jumps right off the page.

I tell you, there are municipal councillors in this room. There are former municipal councillors, and their independence, to me, is paramount. They need a certain amount of authority to have jurisdiction that is democratic over their own area. That is where democracy, I think, works the best, at the local level. We seem to lose touch with it as we go up to the provincial and then to federal. But it's at the local level, where the local mayor, who walks down the street and hears it every day about the sidewalks and the sewers, if they don't take care of the job, gets voted out. That's where democracy works the best, and that's where it responds quite well.

There's a good phrase, and I think I heard this from Mayor Nenshi, but I'm not going to quote him because I don't know if he took it from someone else: if your federal government were to just disappear today, how long would it take us to notice it? If the provincial government just disappeared today, how long would it take to notice it? It's subjective, but the reality, Madam Speaker, is that if your local government disappeared, you'd miss it within a day as the sewers backed up, as the water stopped working, and as the snow removal didn't occur. You would notice that right away.

We know how important the local government is, and what this bill has done is taken away much of their jurisdiction, much of their authority. And that's wrong. That's wrong. That democratic process has to be respected, and it should be maintained. It should reign, in my view, supreme on certain matters, those matters being

all the municipal bylaws, the municipal planning. If you want to create a regional plan, you create a regional plan that has the co-operation of those municipalities, that has the buy-in of those municipalities. The fact is that if it's a very bad regional plan, then they're not going to buy into it. But if it's a good regional plan, then as a provincial government creating a planning board, you'll be able to sell it to these municipalities. That's the democratic process, and that's why this motion should pass.

Thank you very much.

**The Acting Speaker:** Thank you, hon. member.

We have 29(2)(a) for anyone who would like to comment or question the member.

Seeing none, we'll move to the next person on the list, Edmonton-Strathcona.

**Ms Notley:** Thank you very much, Madam Speaker. I'm pleased to be able to rise to speak to this, and I hope that the minister is listening because, in fact, as much as I appreciated him sailing in here on his white horse named Indignation and then sort of going into a full rant, it would have been helpful to have been able to have a more reasoned and perhaps calmer exchange of ideas and questions because while he raises some interesting points, the fact of the matter is that there are still some very serious concerns that exist around this legislation, notwithstanding the impassioned and indignant rant that we were subjected to. Don't get me wrong. I have a lot of respect for the occasional impassioned and indignant rant, I think it's fair to say. It would be a bit hypocritical for me to go after that. That being said, there are actually some reasonable questions that need to be asked here.

Now, first of all, the minister has all day long been saying that this piece of legislation is "a mirror" of the regulation that enables the Capital Region Board. It is not "a mirror image" of the regulation that enables the Capital Region Board. That needs to be pointed out. There are critical areas in which it is not a mirror image. Those people out there who think that they're supporting Bill 28 because they think that the Capital Region Board regulation is a good thing – you know, I think the Capital Region Board regulation has many good things in it, too. I'm not opposed to the Capital Region Board regulation. What I am opposed to is this piece of legislation, which has some significant changes to it. It looks to me, just listening to the very rushed and impassioned defence of this legislation, that perhaps what we're dealing with here is a piece of legislation that was drafted perhaps a little bit quickly and a little bit reactively and without enough consultation because we have a piece of legislation that has some distinct differences in it from the Capital Region Board regulation.

The first thing, of course, is that the regulation itself that continuously is compared to this piece of legislation is itself the product of negotiation between municipalities whereas this piece of legislation is not. That becomes clear when you look at certain provisions of this legislation. So let's go over them, with a little bit less anger than the minister did, on a point-by-point basis.

**8:00**

Let's talk, first of all, about the process through which the members of the Capital Region Board get to be on that board versus the way they would find themselves on the management growth board under this piece of legislation. Now, the minister suggests: well, you know, yeah, 708.02 says that the minister has the authority to do many things, including making regulations about the appointment of members to the growth board. But then he sort of dismissively says, "Oh, well, we didn't look at 708.04," because that says that, in fact, the municipality has to appoint their

members to the growth board. In fact, what it says is that it has to appoint them to the growth board in accordance with the regulation that the government has just made about the appointment to the growth board. So there's no limit on the criteria for who is appointed to that growth board that is included in the regulation that the government has the authority to make under 708.02.

The fact of the matter is that the government can significantly limit the discretion and the ability and the authority of the municipality in terms of who they would appoint pursuant to 708.04, and that's a reasonable interpretation of those two sections read together. Now, perhaps in his anger the minister didn't have a chance to sort of consider that possibility in looking at those two sections together, but the fact of the matter is that that's the way many people would read those.

The next thing is that the Capital Region Board regulation section 4(1), I believe, also states that the representatives who are on that Capital Region Board themselves select the chair of the Capital Region Board, yet in 708.02(3)(b) of the new legislation what we actually see is that the minister may appoint the chair. Now, maybe they'll do that in consultation. We don't know. The government is simply giving itself authority to do it. That is a significant difference, difference 3.

Difference 4. The Capital Region Board regulation lays out some very laudable objectives that the Capital Region Board must work to achieve. Let me just say that I support those objectives, and I applaud the municipalities who participated in that negotiating process to come up with those objectives. They include the issues of environmental planning and regional land use and regional transit and mapping strategies and ensuring collaboration on social and affordable housing. These are all things that, you know, as a New Democrat I'm all thumbs-up about. But, you see, that's in the regulation; that's not in the act. In the act it's just the minister who may choose the objectives that, you know, depending on what kind of mood he's in – you know, let's face it; his moods change from day to day. I think we've seen that. Depending on what kind of mood he's in, the objectives may also change.

Again, what you need to do is actually have a piece of legislation that has been through some really substantive consultation with not just the Capital Region Board but with others so that we can maybe set some criteria and some limits on the types of objectives that the minister might impose. That is difference 4.

Difference 5. The Capital Region Board regulation says: thou shalt have a complaint resolution process. The act says: if the minister wants to, there may be a complaint resolution process; we don't really know what it's going to look like. Again, a significant difference.

Finally, today I was informed that – you know, the minister said: no, no, no, none of this stuff will come into play unless the municipalities request it. You know what? I went through this legislation, and maybe I missed it. If the minister were willing to answer me on that issue, I'd be happy to hear the answer, but I can't find anything in this legislation that says that this growth board is triggered by the request of the participating municipalities. Quite the opposite. What I see is that the minister may just do it whenever. I think the most defining criteria there for when it would happen is: whenever.

I think it is misleading to Albertans to suggest that this is merely a mirror image of the Capital Region Board regulation because it is not. It enables the Capital Region Board regulation. Absolutely. That is true. But it also enables a whole bunch of other stuff, and it doesn't enable those other things because they are the product of genuine and effective negotiations between the affected municipalities. It doesn't even suggest that there needs to

be a consultation with the affected municipalities. Rather, it enables whatever the minister wants it to enable, and that is the problem with this legislation. If you want this legislation to go through, you need to put some limits on what the minister's authorities are.

Quite frankly, if you get to the point where what you really are asking for here is the authority to deal with some regions of the province where the municipalities are just not working well together and in certain cases you are going to exercise the authority to bang some heads together to get some resolutions, fine. Be honest about that. Say that that's what you're going for, and let's have that debate here in this Legislature. But don't suggest that this is simply pro forma, evergreening legislation to replicate the Capital Region Board regulation, because it's not. It came through a different process, and it does not include critical components of it, and it expands greatly the authority of the minister to do a whole bunch of other things.

That's where this legislation gets into trouble, and that's where in a calmer exchange I think there could be value to cleaning up the legislation, putting in criteria and standards that get the government to where it wants to go, but at the same time does not making the minister king of the world for a week. That's kind of what you're doing here. You're asking municipalities across the province to put their faith in the minister without there being any provision in here for negotiation with the municipalities or having them sign off or even, you know, that horrible, waffly consultation language. None of that's in here right now.

As I say, I think the Capital Region Board regulation was for the most part a success although perhaps they could use some more authority. There might be strong arguments on that side of the argument, quite frankly. But the fact of the matter is that that's not what this legislation gets us. This legislation gets us that plus 25 other things that we cannot predict, and that's the problem with it.

I don't think it helps the argument at all to talk about, you know, lies travelling around the world while people are changing their pants. I think that, quite frankly, it's a lot more helpful to actually look at the legislation, look at what it says, look at what you're comparing it to, look at whether your legislation is achieving the objective that you're telling Albertans you want it to, and if it doesn't do that, then you sit down, and you have a reasonable conversation about how to get it to where you want it to be. I would suggest that that is why this motion should be successful, because that latter action, that reasonable conversation, figuring out how to get this legislation to where you want it to be, has not yet happened. Until it does, this motion needs to succeed.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

We have 29(2)(a). The Member for Airdrie.

**Mr. Anderson:** A question to the hon. member: if we wanted to put in statute the Capital Region Board regulation, if we wanted to turn that into a statute and legislate it, which, apparently, most of the players on that board, although not all, would like, why wouldn't we just call this the Capital Region Board act and put it into statute? Why do you think the government would, instead of just doing that because of this little running out of regulation time issue that they're having, expand it to take the entire province, so now they no longer have to come here in the future and do this? They can just regulate a board now. They can establish a board by just saying, "It is so," and they'll never have to come back here to do that. Do you have any comments on that? Isn't it kind of weird that they wouldn't just put the Capital Region Board act in place,

that just affected that? Why the expansion all across this great province of ours?

**8:10**

**Ms Notley:** Well, thank you for that question. You know, if you were in a province where the government appreciated the opportunity to come into the Assembly and democratically debate critical policy changes with people that have been elected by all Albertans as opposed to just a minority of Albertans, then you would think it was weird. In this province you don't really think it's weird because, in fact, this is the way this government has been going for years and years. I mean, I'm just waiting for the act that comes in and says: the minister may make regulations about anything at all, ever. Then that will be the act, and we will debate it probably about 4 o'clock in the morning, and then they'll bring closure, and then we'll be done. And it'll be another three years before we . . .

**Mr. Anderson:** But it was always like that.

**Ms Notley:** Exactly. This is that kind of thing. Somebody is scurrying around, writing up that act as we speak. [interjections] Tomorrow, I'm told. We could see it tomorrow.

In any event, the member makes a good point. Well, I think the minister talked a little bit about some implications for some other bodies, but it would have been possible to bring in this legislation to deal with the specific bodies that they want to by identifying those bodies. Conversely, if they want to expand the opportunity across the province for replication of the Capital Region Board process, then that's fine, too, but then you put in place provisions for that to happen that include fundamental protections. The municipalities want in. The municipalities are definitely choosing who participates. The municipalities have sign-off. Negotiation has to occur. These are the kinds of things that would be components of that legislation.

If you think at the end of the day that you need to be concerned about, "Well, municipalities may never agree," you might actually even give yourself the authority to push them a little bit. But presumably you would start with: they need to sit down, they need to agree, they need to work amongst themselves, yada, yada, yada. What we've got instead is: the minister may do whatever the heck he wants on this issue. That is where we run into problems with this legislation.

I think we are dealing with some new issues, new ones that are coming up every day. In Alberta we never thought that we'd run into towns running into each other. You know, we're a rural province, and we think of ourselves that way. But the fact of the matter is that we are coming up with density and population growth issues that we're unused to. So when we deal with those, we should talk about it here because we're the ones who have the authority for dealing with that, and it should be discussed in this Assembly. It should not be discussed in the minister's office if he's having a good day and not in a bad mood.

**The Acting Speaker:** Thank you, hon. member.  
Thirty-five seconds left under 29(2)(a).

**Mr. Anderson:** So what you're saying is that under this act it actually wouldn't be voluntary. If the minister decided that, say, Airdrie or Chestermere had to be in that plan, in this regional board plan, they wouldn't have a choice under this regulation. Is that what this act says?

**Ms Notley:** Well, indeed, the minister suggests that this would only apply if they wanted it to, but, you see, there's nothing in the

act that says that. You know, one would expect the act would say something along the lines of "upon request," but it's not there.

**The Acting Speaker:** Thank you, hon. members.

We have the hon. Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta, followed by Little Bow.

**An Hon. Member:** Say that three times real fast.

**Mr. Fawcett:** It's a tough one.

Madam Speaker, I just want to stand up and voice my opposition to this particular amendment. I'll get to it, but I do want to chat briefly about the reality that we face today here in Alberta. The metropolitan area of Edmonton is 1.15 million people. The metropolitan area of Calgary is 1.2 million people. That's a considerable number of people, and that doesn't include the surrounding communities, all of which use and utilize the services and the public infrastructure that are part of these metropolitan areas. We expect that growth to increase substantially over the next decade.

The thing that is a bit frustrating, listening to this debate, and a bit frustrating with this motion is that I could understand if this was a debate about the particular policy of putting in growth management boards. But, as we've quite clearly heard from the minister, this is actually to deal with a legal technicality to keep the capital region growth management board intact and to keep them doing the good work that they're doing in dealing with those growth challenges for the region here, Madam Speaker.

I can't let it go without saying. The Member for Rimbey-Rocky Mountain House-Sundre talked about going out and campaigning on this particular issue, and what I would say is: go for it. In the next election this government is going to be talking about the Alberta that we have today, dealing with the growth pressures that we have today because we have people coming here that want to come here for the quality of life and the prosperity and the economic freedom that we enjoy. If they want to go out and have a debate about what we need to do to deal with the Alberta that we're facing today and the realities of our challenges and opportunities and they want to go out and talk about Alberta circa 1970, then go ahead. I know who's going to win that election. So let's go have that debate around growth management boards and regional planning at election time. Bring it on. I know that in the two large cities, if that's what the election came down to, my seat would be very, very safe, Madam Speaker.

But that's neither here nor there because that's not what this bill really deals with. This bill deals with a technical legality where we're required to put this under a different regulation rather than in section 603 in the Municipal Government Act so it can legally stand as the government's policy, which we've had in place for close to six years, Madam Speaker. That's what this bill is really about, and that's why I just simply cannot support this motion.

Finally, Madam Speaker, and then I'll sit down, the opposition constantly, constantly begs us to put stuff in the legislation rather than regulation. That's what we're doing right here. We're taking it out of the regulation, putting it in the legislation, and I would think – I would think – that we could get the whole support of the Legislature for that reason alone, considering that that regulation has existed for six years. Let's go have the policy debate in the next election.

**The Acting Speaker:** Thank you, hon. member.

Under 29(2)(a), the hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thanks. I'm going to be brief. I'd just like to ask the minister in his discussions with the mayor of Edmonton and,

being from Calgary, his discussions with the mayor of Calgary what exactly he's told them about the legislation. I'd be interested to know that.

**Mr. Fawcett:** Thank you, hon. member. Certainly, I've had very casual conversations with the mayor of Calgary. I've not yet talked to the new mayor of Edmonton, and I don't know when I'll get the chance. I'm sure he's a busy guy getting caught up on his new duties. But I do know that I have had casual conversations with the mayor and many of the aldermen in the city of Calgary who are very, very supportive of regional collaboration and growth management boards.

Now, is Calgary different than Edmonton? Certainly. Is this regulation going to apply to Calgary? Not that I'm aware of at this point. We want Calgary to come up with their own particular solution with their neighbouring communities.

Those are the conversations. I can tell you that the aldermen in my particular area and the mayor of the city of Calgary are very supportive of us looking at different collaboration models to allow their neighbours and them to work together for the betterment of their citizens, for the betterment of taxpayers, for the betterment of communities.

**The Acting Speaker:** Thank you.

Do you have a short comment, hon. Member for Calgary-Fish Creek?

**Mrs. Forsyth:** Yes. You know what, Madam Speaker? I appreciate what the hon. member is saying. I honestly do. As a Calgary MLA I appreciate the fact that he's had a short conversation with the mayor of Calgary, and I appreciate the fact that he's had conversations with the aldermen. I guess what's concerning me is that the people I've talked to have said that they haven't seen the legislation, they haven't had an opportunity to even read the legislation, and they haven't had an opportunity to even be consulted on the legislation. I just look forward to further conversation with him.

**The Acting Speaker:** Thank you.

The hon. member.

8:20

**Mr. Fawcett:** Thank you, Madam Speaker. The truth is that, actually, this piece of legislation has nothing to do with Calgary. The minister, again, has explained why the need of this legislation has come up. It's definitely in response to a court issue, and this is going to allow what has currently existed in the capital region moving forward. If the city of Calgary eventually wants to become part of this legislation and they have some concerns about it, then we can address that back in the Legislature at that point. Remember, hon. member, members of the opposition are always complaining that once we create regulation, we can't bring it back into the Legislature, and the minister can just keep doing what we're doing. If the city of Calgary, when they get to this point, if they want this, decide that they want to do it but they require some changes, certainly the minister is going to engage them in that conversation and be very much open to that.

**The Acting Speaker:** Thank you.

The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thanks very much, Madam Speaker. Well, the minister of a name that I can't remember has said that the opposition is always trying to get the government to take things out of regulation and put it into the act. But as I look at the act, it's

a piece of legislation for the creation of regulations so quite contrary to what the minister has said. For example, under the growth management board section in division 1, "The Lieutenant Governor in Council, on the recommendation of the Minister, may establish a growth management board by regulation," then the regulation must do this, then the regulation that, then the regulation that. I just can't understand how the minister would allege that this was a way of getting rid of regulations when, in fact, it's just designed to create more.

**The Acting Speaker:** Hon. member, there's one minute left.

**Mr. Fawcett:** Yeah. You know, that's a very interesting question, Madam Speaker. What I would say is that there are, I guess, various levels of what goes into regulation, what level of detail goes into legislation, what level of detail goes in regulation. Certainly, what we've done here is take what is wholly in a regulation right now under section 603 and put it into legislation.

Of course, in any legislation there is regulation-making authority that will drill down into some of those policies. But in the overall aspect of what we're doing with this particular policy area, there is more in regulation because of this particular bill than there was previously under the regulation in section 603. While you might not like the complete, I guess, picture of that or the complete package of that, it's certainly a lot better than having that whole thing existing completely in regulation.

**The Acting Speaker:** Thank you, hon. member.

On RA1, the hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. I guess I'm speaking in favour of motion RA1 just because of a couple of things. With my colleague that was just speaking there we had some conversation earlier that it's been in the books for six years and we're just making it law and all that. Just because something has been in something for six years doesn't mean it's right. It doesn't mean that because that's the way it was laid out for the Capital Region Board, that's the best thing we should do with it, and that's how we should roll along with it, because people change. I'm pretty grassroots on letting the local people have their decisions on what they do.

Unfortunately, what this bill does – and this is why I'm in favour of the motion that's before us for the amendment to it – is that it's basically going to make your MDs and counties land banks for your larger areas. Now, I understand growth, and I understand what we're doing with growth. I understand my previous colleague just went on a slight rant about how it has nothing to do with Calgary, yet it does because with the Calgary Regional Partnership there were people that were involved in that that really didn't find it worked that good, people that went in with good intentions when it started.

I remember going to Calgary when the previous MLA from Lac La Biche-St. Paul-Two Hills was the Minister of Municipal Affairs, and that was back when our previous Calgary mayor Mr. Bronconnier was in at the time. Some definite decisions on how MSI funding was going to be done caused a lot of stress around the table. As that all got along, everybody was allowed their little pieces of what they were going to be able to do to make MSI funding work. At the time, though, everybody wanted to be in on the Calgary Regional Partnership because it looked like it was going to be a great idea on how to grow and how to work with everybody. The problem is that you get veto votes and things like that where things weren't working out well. So great intentions when it started, but then everything goes a little sideways. Then

you sit there, and you get: as long as it works for one party, it doesn't work for another.

The MD of Foothills and the town of Okotoks have also run into these issues of planning. Now, this goes back to where if you put everybody in a room and you tell them they have to do something, it doesn't go over as well as when you ask them to do something. It's just a good rule of thumb that if you ask somebody to do something, it goes much smoother; if you tell them to do it, you get everybody's arms up a little bit.

I mean, the minister was very passionate in his speech, which is good. That's a good sign to have. One of the qualities in him that I kind of like is that he does get his gears in, and he wants to let you know what he's thinking about it. It's not a bad thing. I get that it was in policy, section 708.17(1), about telling the officials in a municipality that they have to be part of something, and if they don't, there's a fine. This is usually where things go awry. When you put in legislation that says that we're going fine you or you could go to jail for not more than a year, which is nice – you don't want to miss two Christmases – those are the things that scare people. It's a natural reaction people have. When they see that they're going to have legislation like that put in, you're going to have people panic a little bit. I guess that with all these questions this is why I think the motion has some merit to it.

The addition to it is if you put yourself in the other set of shoes. For instance, say the federal government came along and told us: well, we've kind of been doing this for a little while, but we want you and B.C. to work together to do a pipeline out to the coast. I think it's got some great merit yet a downside if they put the rules in of B.C. getting a veto vote. Kind of hard to negotiate with somebody when you're not sure how you're going to be able to work with them because not everybody is on the same playing field. That's where, I think, the questions come in with this. This goes back to consultation, and I understand, in laying out a bill and stuff like that, where the problems can come in of trying to get the communication out there.

I appreciate the Associate Minister of Finance, and now he's got recovery, the three Rs in the southwest. Good work on it. You're doing a good job of it. But you sit there and you talk with everybody on it, and the problem is that when you do these things and you lay it out, you get everybody in a fight. So then it's the whole question of how you get the conversation back around the table. You're going to have your larger urban centres that have more pull than some of the rural ones that are around them, and the planning to go forward on that can be quite a challenge because you just make the centres around the urban areas land banks. You're just telling them: you have to do this. Maybe in the Edmonton regional plan, the Capital Region Board – I remember its first inception when I was on council. It wasn't the smoothest thing rolling at the time, but it worked along, and it got things going and progressed.

What worries me is that it's like everything. It starts off with a good idea. We're kind of fixing a problem that's obviously shown up there. But once you do that, you put a Band-Aid solution on the problem, and you end up having to do a lot of other ones. I guess one of the ones that worries me is when you sit there and you look at how something started six years ago, and it might have had a great idea to it, and we're trying to solve that. I wouldn't want to be in the minister's shoes when you've got municipalities fighting and wanting to fight over planning. I've seen it myself where everybody wants to have the growth in their area, but they don't want somebody else to have it, and some places want to have less growth.

When you put everybody in a room and you tell them that they have to be on a regional management board – this is, I guess,

where I'd want some clarification on the original bill. But on the motion itself I think it plays it out as just to scrap the process. It scares people when they don't have the opportunity to debate the process of it. So I guess that's something I'd like to see come forward, whether it be some time on it to go out and talk to the AAMD and C and AUMA and get their input on how to do things because in best intentions of putting this into a bill and making it law, which has been working for six years for one capital region, it does panic people a little bit when it has to be thrown in. Why does it have to be done?

I guess the questions I raise and wonder about is if that's a positive thing to have done. That's where the amendment to this motion, I guess, lays it out as: do we need to do it right away? Is this something that could be shelved for a little while to get some input from new councillors? I don't know what the full rollover was, but it was probably 35 per cent, 30 per cent new councillors municipally on the AAMD and C side that need to get this stuff figured out.

8:30

I think collaboration does work well. I think we've seen it. But forced collaboration never does work well. I've seen it in quite a few of the municipalities in my riding alone, where five, 10 years ago they wouldn't talk to each other over stuff. Now they're doing regional waterlines together such as the minister talked about. But it's the process of how you get them into that room together rather than forcing them in. Have a decent conversation on how we work together on it and come up with some actual solutions rather than making it law. You tie your hands to some things when you make a bill; you have to do it this way instead of letting people try to figure out how they could do it.

I'll leave it at that on the amendment. That's why I'd be supporting it. I think that until it gets rolled out and actually talked about with other people, it needs to be shelved for a while.

**The Acting Speaker:** Thank you.

We have 29(2)(a). Anyone wishing to speak to this hon. member?

Seeing none, I would ask: are there any other members who would like to speak on the amendment? The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Madam Speaker. I appreciate the chance to rise and talk in favour of the motion. The hon. Member for Airdrie has moved that the motion for second reading of Bill 28, Modernizing Regional Governance Act, be amended by deleting all of the words after "that" and substituting the following:

Bill 28, Modernizing Regional Governance Act, be not now read a second time because the Assembly is of the view that the bill will severely undermine local autonomy and that further input is necessary from the public, municipal officials, the Alberta Urban Municipalities Association, and the Alberta Association of Municipal Districts and Counties.

I'm in favour of the amendment, a good amendment. Consultation is important any time. I actually think the Premier ran for the PC leadership on increasing the level of consultation – consultation from all Albertans, consultation from our municipality reps, involvement from the opposition – and ran on some other ideas, too, for making this House more effective, with more time for bills, more time for amendments from the opposition, more time to take a long, hard look at these things. Life is full of unintended consequences, full of broader implications, and I think that nothing is more true of that than legislation – of course, I'm very, very pleased to hear that there are 4 million Albertans right now – an implication that could not

only affect all 4 million of us but future generations for years and years to come.

I'm a bit surprised by the notes that our excellent research team has prepared. What I'm understanding is that we're back to the top-down, government knows best: we're going to impose these regulations because we're in a hurry or because we need to get it a certain way or our way. Our researchers have pointed out that if we look back 19 years, to a time when major changes were last made to the Municipal Government Act, the intent at the time was to emphasize the jurisdictional autonomy of municipalities, totally the opposite of what it appears that we're doing now, and to increase their freedom to operate. This created a legislative framework where elected local officials actually had the power to make decisions in the best interests of residents and in turn be accountable for those decisions to those residents.

As the hon. Member for Rimbey-Rocky Mountain House-Sundre pointed out, many, many hard-working municipal officials, hard-working municipal employees are responsible for so many of the basic daily things that make it so our lives can function, make it so we can get our kids to school, make it so our businesses can prosper and provide wealth and jobs and all those things, things that we need for daily life to make Alberta strong, to make Alberta better. The Associate Minister of Finance mentioned that: oh, it's not like 1970 because we're 4 million people now, and it's growing. Well, like the pants around the world story, I don't think people have changed. I think people, in 1970 or now, want to be involved, want to have local autonomy, want to have their local reps have their opportunity. They don't want top-down government.

It's interesting. Medicine Hat: 61,000 people, brand new mayor, a very, very capable man with two terms on council. Redcliff: seven, eight miles away from us, brand new mayor, a very capable man. I wonder what they think of this legislation. I wonder if they've seen it. I wonder if they've had the chance to consult. I wonder if they've had the chance to put their feedback into it. Both jurisdictions have several new council people, and I wonder if a day, day and a half is enough for them. I would say that the same is true for Bow Island and Foremost and Forty Mile county and Cypress county. The hon. Member for Little Bow I think said 35 per cent turnover.

**Mr. Donovan:** Ballpark.

**Mr. Barnes:** Ballpark?

**Mr. Donovan:** The minister would know, but yes.

**Mr. Barnes:** Okay. Well, Little Bow, I think that's very accurate for the six or seven municipalities in my district. It's approximately 35 per cent turnover. In Cypress county we have a brand new 25-year-old. He looks like a very sharp young man. I wonder what his thoughts will be on this.

The consultation thing is interesting. Why it's so important to go back and give a sober second thought to the hon. Member for Airdrie's amendment: to get these people involved. The Premier, when she wanted to be Premier, when she wanted to be the PC leader, said that she was going to do this. Is part of the reasoning behind this to align the regions with the land stewardship plans, this proposed draconian bill and the measures it takes with the \$10,000 fine or imprisonment for a year for refusing? My goodness. If it was just a mirror change, why in the world wouldn't we take that out? I understand several municipalities have hired lobbyists to help with other issues, and here we are in a situation where if we are aligning regions with the land stewardship plan, here we go again.

I want to talk a little bit about the difference in consultation. Keith Wilson and other independent people went very much around the south prior to the last election, and I'm going to guess that his crowds were somewhere in the vicinity of 250. If we compare that to the consultation that I've seen when the Progressive Conservative government arrives in Cypress-Medicine Hat – I think you guys know how big your crowds were. I think we can just say that there's no comparison in the level of consultation, in the difference in the numbers that independent people who, again, as the Member for Rimbey-Rocky Mountain House-Sundre pointed out, put parts of the law on the wall and clearly say what it says, the difference in the number of people it got out, the difference in the impact it had on the crowd.

I guess as maybe a last thought, during the last election and at a lot of these town hall meetings – I had several myself in the nomination process for the Wildrose and during the campaign – many, many rural people would come to me, and they would say things like: "Drew, with these property rights, this ranch, this is my sixth generation. How are we going to help the people in the cities understand how important property rights are to us? How are we going to help people in the city understand the importance of property rights? How are they going to understand that this will affect them, too?" Guys, I'm thinking that's Bill 28.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Before we go to 29(2)(a), the hon. Minister of Environment and Sustainable Resource Development has requested unanimous consent to revert to introductions.

[Unanimous consent granted]

## Introduction of Guests

**The Acting Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Madam Speaker, and to the Assembly as well. Tonight it's a real pleasure. Joining us in the members' gallery, we have a number of members representing the Potato Growers of Alberta. We had the opportunity to meet with some of the folks from Chops and Crops earlier this evening. I want to thank you for joining us in the Assembly. We have with us John Bareman, Jeremy Carter, Rob Van Roessel, Jake Schutter, Louis Ypma, Wayne Groot, and Albert Ypma. If you'd please rise and receive the traditional warm welcome of the Assembly.

**The Acting Speaker:** Thank you.

8:40

## Government Bills and Orders Second Reading Bill 28 Modernizing Regional Governance Act (continued)

**The Acting Speaker:** Now we'll revert to 29(2)(a) with the Member for Cypress-Medicine Hat. Is there someone who would like to comment? The hon. Member for Airdrie.

**Mr. Anderson:** Thank you. To the member. Consulting with every community out there can be difficult, Madam Speaker, obviously. So two of the organizations that we have in place in this province, of course, that have the research capacity and the contacts and so forth to kind of suss out these bills and take a look at them and pick them apart and so forth to make sure that they're good for their membership are the AAMD and C and AUMA. Do

you think it would have been a good idea for this minister to perhaps have consulted those groups on this bill to see if there was anything that they found alarming – I don't know – say, prior to introducing it?

**The Acting Speaker:** Thank you, hon. member.

**Mr. Barnes:** Thank you for the question, hon. Member for Airdrie. Absolutely, it would have been a fantastic idea, and I understand there are conventions coming up. I understand that the hon. minister wouldn't have had to wait more than 17 or 18 days, and he could have talked to all of them or most of them, again, especially these newer individuals. It's so nice, Madam Speaker, to see a lot of these new people get involved in the process and put their names forward to be councillors or mayors or whatever. It's rewarding to see that a lot of them were successful, and I trust that a lot of them enjoyed the process, but part of the process is being involved in what's going on, being part of Alberta, having control over your destiny, having control over your economy, having control over your property rights.

Thank you for the question.

**Mr. Anderson:** So I don't get it. Do you think that if you had the conferences, the conventions, coming right up in the next couple of weeks and we still have the sitting left after those conventions, wouldn't it have made more sense just to – I don't know – talk to the AAMD and C and AUMA prior to that and then let them have the bill in draft form, a draft of it, or the main . . . [interjections]

**The Acting Speaker:** Continue. The Member for Airdrie has the floor.

**Mr. Anderson:** You're a good example to us all, deputy whip. You are.

Wouldn't it be a good idea to allow them to have the information of what they were considering beforehand and then, during the conference, talk to the AUMA and the AAMD and C about the bill? Wouldn't that make a little more sense? Then they could have given feedback, and then they could have come back to the Leg. with a bill that had feedback and consultation with, at the very least, those two large and well-respected organizations in Alberta. Do you think that might have been a good idea?

**Mr. Barnes:** Yeah. That sounds like a great idea. Or perhaps a great big sign right at the front door when they come in saying, "Brought to you by the Premier of Alberta," with all these rules, would have been a better way to do it. Of course, we could have maybe paid a teacher or something for that instead. I don't know.

You know, I'm back to my very, very first point. When the Premier wanted to be Premier, she said that she was going to do it differently: she was going to consult, she was going to listen to the opposition, she was going to have more time on these laws. I mean, I don't see that happening.

You know, I guess it's one thing to leave us out. We have researchers; we're all working hard at it. But a lot of these councillors end up being involved in this part of the process as future MLAs. A lot of these guys have great backgrounds, and we're leaving a lot of their brainpower on the table without using it. I don't know. This is a very expensive process not to make it as best as we can, in my opinion. I'm thinking that in the two conferences, was there 347 municipalities? Most of them would be there. It would be a great way, a great chance to talk to them all. You know, from Reeves to mayors to councilmen maybe there's one more good idea out there.

**The Acting Speaker:** Thank you, hon. member. There are 10 seconds left.

**Mr. Anderson:** Are you saying that there's something other than the brainpower of this minister in the province? Seriously? Hon. member, that's just unacceptable.

**The Acting Speaker:** Thank you, hon. member.  
The Member for Banff-Cochrane.

**Mr. Casey:** Thank you, Madam Speaker. I wasn't going to speak to this because, of course, we're approaching midnight. Anyway, sorry, but I can't help myself. I've got a little bit of background in all of this, too, having spent most of the last 15 years of my life in municipal politics and certainly 10 of it with the Calgary Regional Partnership. So I understand some of this, what's going on.

There are a couple of things I do not understand at all. That's the shock that people seem to have that the province has authority over municipalities. There seems to be some righteous indignation that the province actually has authority over municipalities, but the truth is that that's the case. That's the way it has always been. There's nothing new here. I spent a great deal of my time during those years in municipal politics buried in the Municipal Government Act because in our municipality we had particular challenges, and we had to push the Municipal Government Act and, in fact, find places that we could allow the things we needed to do within the latitude that was given to us by that act. So I fully understand and everyone in this room should fully understand that as a municipality you work within the act.

That said, commissions are there. They have been there. This is just a commission of a different name, and that's the end of the story. Nobody went randomly across the province and said, "By the way, you have to have a waste management commission," but we formed a waste management commission collectively with our neighbours. Nobody said that we had to get together as municipalities and form a regional transportation commission, which was the first one developed in the province. Thank God we didn't have to consult with every other municipality in the province to find out if it was okay to do something the first time. We did it, and it's working great. So commissions are there. They've always been there.

The ability of the minister to do everything that he's suggesting or that everyone seems to be shocked that they have the right to do within this act is already there. No one's going to force a county somewhere to join into this. That's not what this is about. But if the county wants to get together with their neighbours and with their urban neighbours and form a growth management commission because they have specific issues that they need to deal with on their own terms, this gives them the latitude to do it. This is good news.

This is not something that we've had the ability to do before, apart from going individually to the minister and begging him to create regulations that allow us to do something. This is an enabling piece of legislation that allows municipalities from one side of this province to the other to get together and plan their futures and deal with their own particular issues on their own particular ground. If that's taking away somebody's rights, then I'm missing the picture in this, and I must have missed the last decade or so of my life. This is good news. There's nothing in this but good news.

I'm not saying that the structure of the Capital Region Board is perfect. I don't know because I don't know enough detail about their circumstance. I can tell you with all honesty that the Calgary Regional Partnership's plan is as good as they can get it collabora-

tively. Is it perfect? No. Are they still working with their neighbours to try to bring them into a collaborative process? Absolutely. So no one is forcing this on Calgary. Nobody is forcing this on a municipality.

This is a piece of legislation that allows you to plan your future. I understand that the opposition is paranoid about planning. I understand that. I understand they're paranoid about regional planning because, God knows, we wouldn't want to know what our future looked like. Why would we want to do that? Let's just leave it random like it's been. You know, 1950 was a good year. Actually, it was '51. Sorry; I digressed.

**8:50**

To the point, Madam Speaker, this is a piece of good-news legislation. It has every opportunity to allow us to move forward as a province, as municipalities. As far as going out and running this by every municipality in the country, well, they're already familiar. Anybody that is in the municipal world is familiar with commissions, knows what this is about. There's nothing to consult on here.

Thank you, Madam Speaker.

**The Acting Speaker:** Standing Order 29(2)(a). The hon. Member for Airdrie.

**Mr. Anderson:** Hon. member, you said that no one would ever use this to force people to remain or stay in or bring them into a regional plan. I'm just reading an article out of the *St. Albert Gazette* of July 12, 2013, which is reporting, of course, as you probably well know, that the town of Redwater has asked the province to leave the Capital Region Board, and then the Capital Region Board got together and voted to not allow Redwater to leave the board. Now, I'm understanding that that's still in your office, that you're still considering that or you've ruled on that. I'm not sure. Maybe you could update us. Would that be an example of a municipality being able to voluntarily leave these regional boards? That seems like they don't really have the choice unless the minister says yes or no to that.

**Mr. Casey:** To be honest, I don't know the details of the Capital Region Board. Like I said earlier, I don't know the details around that, but what this legislation allows you to do is to build structure around that. So if you decide that you can't leave, well, then that's the structure you've decided as a party when you set it up. It's no different than a waste management commission. We set up a commission; you're in. You don't get to just walk out the door because you'd commit. That's the structure. Each one in the case of a commission is set up by bylaw. You set up your bylaws, you set up your regulations around it, and you live within it. If that's what the Capital Region Board's bylaws or regulations say, well, live with it. You signed in. You're part of it.

**The Acting Speaker:** The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. I appreciate the member's background in municipal politics. I've also spent a couple of years on that side of the floor. The intermunicipal development plans, which a lot of places have – when I was on county council in Vulcan for 16 years, we had one with other adjoining municipalities, whether it be the town, the villages, or other MDs beside us. I guess I'd ask your thoughts. Do you think those don't work? I got confused there.

**Mr. Casey:** I think that intermunicipal plans are a great part of any planning exercise. They can form an early foundation for

something. If you want to form a regional growth management board, intermunicipal development plans are the foundational building block for that.

The one problem we have in the province is that you have two neighbours over here that have an intermunicipal development plan, and then you've got other neighbours over here that don't because there's no legislation that requires you to have intermunicipal development plans. It says that you may develop. If I had a magic wand and I could wave it, I would say that if you actually required intermunicipal development plans, that would help us overall in the province to plan our province better. It doesn't negate the fact that by having a series of municipalities that have intermunicipal development plans, they can't come together. They've already got the foundational building blocks on which to build a regional plan that suits their particular circumstance, that deals with their issues, whether it's water or housing or industry. Whatever it is, it allows them to collectively do what they can't likely do individually. Good news.

**The Acting Speaker:** The hon. Member for Airdrie. One minute left.

**Mr. Anderson:** So there were municipalities prior to the formation of the Capital Region Board, of course, that couldn't get along and didn't want to be part of what was being proposed, so they were forced to come together. Now at least one member can't get out without the approval of the minister. How is that okay in that sense, but then how does that jibe with your saying that the municipalities in and around Calgary, if this was forced on them, would have the ability to leave of their own volition?

It seems to me that with the Capital Region Board plan that's not what's going on. It seems to me that member municipalities can't just leave. It just seems to me that we're just kind of setting this up. We've done it in Edmonton. If they can't get along in the Calgary region, if they can't agree to a voting structure or whatever or density requirements, et cetera, we're just going to force them to work together, and then they're going to have to get the minister's permission to leave. Are you saying that that won't happen in this case? I'd feel good if you did. Is that what you're saying? Maybe the minister can answer that when he has a chance.

**The Acting Speaker:** Thank you, hon. member.

Are there any other members who wish to speak to RA1? The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Thank you, Madam Speaker. I'd like to take a little slash at this if I could. First of all, I'd like to say that I'm glad that the Member for Airdrie was so adamantly opposed to this and was going to bring this amendment through to not allow the second reading of this. It's based upon a great argument, where he believes it will severely undermine local autonomy, and we need further input from public officials, AUMA, and AAMD and C. It seems like an automatic idea that should have been done in the first place, and obviously from what we're hearing today, it has not.

I'd just like to take a few minutes to go back in time if I could. There's been a lot of great information shared here today, and I'm going to share a little bit of mine with you again if I could. If we look back to the planning system of the '80s and '90s, we had regional planning. We had a Calgary regional planning board. I'll focus on Calgary because that's the area that I'm most familiar with. We had an awful lot of conflict in those days. We had areas in the transitional zones outside of Calgary that had an awful lot of development, and we had a lot of businesses wishing to move there. We wanted to have growth. We tried to work with our neighbours to the north in the city, and we established a greenbelt

around the area of Calgary that stretched out for many miles. In that greenbelt area we had the opportunity to have discussions with our neighbours. But unfortunately with the regional plan, they had the Calgary regional planning board; it was weighted such that they had the largest amount of power. Obviously, therefore, we had an awful lot of difficulties in getting any of our developments pushed through because as often as not the city wanted to control the land outside their boundaries. They essentially wanted to freeze all the lands for their future needs and, therefore, perhaps drive a wedge into negotiations for annexation. This did not work.

In the early '90s the Municipal Government Act was revised, and regional planning and the Calgary regional planning board were thrown out and for a valid reason, because it was a stumbling block for individual municipalities to have local autonomy, to be able to make their own decisions. Since 1997 and up until just recently municipalities have had that autonomy. They've been able to make their own decisions, other than the capital region, which I can't speak to as well, and it has worked fairly well. There have been intermunicipal committees that have been set up between most municipalities, and they have been able to grow and work together, design roads, talk about regional water systems, et cetera, with absolutely, most of all, a great understanding of what each other needs. It's done quite well.

Could it have been tweaked a little bit? Sure, as everything can be tweaked a little bit more and improved as we go along. That's what legislation is all about, and that's what an amendment is about, like we're dealing with right now. But we also have an appeal process and a Municipal Government Board that works with that and an arbitration process, and if it still falls down, we have the Court of Queen's Bench. This system has worked reasonably well, as I've said, and it is something that has always included a lot of consultation, and it's included a lot of collaboration and some very good development, if you ask me, around the two major cities, from what I can see.

9:00

During that time, too, we had the cities try to understand how they could grow out – they were massively being accused of urban sprawl – and they decided that this was something they couldn't negotiate between each other. They thought that perhaps they needed a heavier hand. When they started complaining to the provincial government – and this is my experience – at the same time there were a lot of environmental issues going on in the province. So the Calgary Regional Partnership was formed, and in the Calgary area 17 members decided that it would be good to talk about how we could all co-operate better.

But there was opposition to this because part of the Calgary Regional Partnership's policies included an awful lot of problems where the major city was going to be trying to impose areas that could not be developed unless they were developed at a very high density. It also included an awful lot of information pertaining to how the governance rules would be set up, and that veto vote was included in that whole system. Obviously, there was a lot of opposition by certain municipalities to that. Most specifically, the rural municipalities were very concerned because, of course, the city wanted to use the rural municipalities as a land bank. They wanted to impose huge areas called blue blobs, and I had a large number of people, including the current Minister of Infrastructure, arguing with me on a municipal committee about that very topic.

Anyway, to go further, there were a lot of open houses, and there were a lot of public meetings about that. Municipalities put out warnings to the residents that this was going to be a problem. Hundreds of people attended many of these open houses, and there

was a real roar over these land sterilizations and the governance model. But they did not include at that time nor did they ever mention that they were going to be creating a board that was going to be controlling everyone and forcing everyone. It was a voluntary thing. In that regard, because of all of these situations, four rural municipalities bowed out because they immediately saw problems, including, by the way – isn't it interesting? – the MD of Bighorn, where Banff-Cochrane happens to be located. They didn't want to be part of that. They were a little worried.

**An Hon. Member:** Really?

**Mr. Stier:** Yes. It was interesting. It also included the MD of Foothills, the MD of Rocky View, and the MD of Wheatland, but the MD of Bighorn bowed out almost immediately. They were really worried about returning to regional planning.

Anyway, after that, of course, we had the land-use framework, and the previous Member for Foothills-Rockyview was a big proponent of that. He was going to divide the area into seven regions and go to regional plans, basing them on watersheds, and he talked about how – and they eventually implemented the changes to the Municipal Government Act so that the compliance would be there under section 570. These compliance rules more or less said that municipalities, once the regional plan was in effect, would have to comply. So those rules are already there, and we have them in the MGA today.

Most recently we have the draft for the South Saskatchewan plan now upon us in the area. Again, in none of these documents, whether it be the land-use framework or the South Saskatchewan regional plan or the regional advisory council's recommendations to the government for the South Saskatchewan regional plan, was there any mention of a new growth management board. It was never there. It wasn't put in there. So no one was ever aware of it.

It seems that the introduction of this bill is totally inconsistent, therefore, with the whole system that has been put in place over the past five or six years. Why is this going on?

Think, too, though, that at the same time we have the Calgary Regional Partnership and an awful lot of arguing between the three remaining rural municipalities that don't want to agree with the regional planning concept that the Calgary Regional Partnership has been presented in the Calgary metropolitan plan. Think, too, how it's been said by some that the city of Calgary has wished and hoped that the current government would impose their participation in this plan and require them to join this plan. Perhaps, therefore, one can understand why this bill comes up, Bill 28, to give someone the authority should the Calgary Regional Partnership become one of these boards to then impose their wishes on these folks that don't want to be in this plan. It seems to me that this is a logical way, if this is put together, that the minister could do that because it has been passed as legislation.

I think that because these various municipalities involved in this ongoing dispute over the past few years want to settle this once and for all, he's found himself, perhaps, a tool that he can use, and he wants us to join in and impose this on those people through this legislation. I don't think it's right. They have not been consulted. The AAMD and C has not been consulted. In fact, they wrote a report two years ago. I believe it was in 2011. Regional collaboration. Forced regional collaboration, in fact. They're dead against it, and here we are looking at it now.

Madam Speaker, I'm wanting to support this motion. I think that this has to be done in this fashion. We have to suspend reading this for a second time, and then we have to take the time to go out there and get the consultations done with these other

people like the municipal parties that I've mentioned, whether they be the local councils, rural, the towns, the cities, the villages, the councils from there. We need to get the input from the AUMA, the Alberta Urban Municipalities Association as well.

So I support this. I'm very much in favour of this motion. Thank you very much.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Speaker. I just want to ask the member. I think some people think that if somebody is not in favour of this bill that they're somehow against voluntary regional co-operation as opposed to forced regional government. I was wondering if he could explain the difference between voluntary regional co-operation and forced regional government. Is there any difference between the two, and which one do you support?

**Mr. Stier:** Thank you, hon. member, for the question. It's a good one. Over the years I've participated throughout southern Alberta in various co-operative meetings and associations, including the Foothills-Little Bow association, which I've seen many members here attend as well. There has been a history in southern Alberta for many, many years of regional co-operation, regional collaboration, even with the city of Calgary, and it has worked, I think, in a very good way. Certainly, I have said that it could be tweaked, but I think we've all thought of regional planning over the years. We've all thought about how we could do things better, but certainly it has always been from a voluntary situation that's been well addressed in our intermunicipal meetings and our regional meetings that we've already had. If there's one thing to say, it's that I'm always proud to see some of the developments we see as we drive along our major highways and how nice they look.

These transition areas out of large urban centres are just that. They are transition areas. It's normal for every city. Whether you go through the States or out to eastern Canada, you see this kind of thing happening all of the time. Density does start to happen. The population does grow. It's a normal set of circumstances, and I think we've done it fairly well for now. I think we can continue on that same basis. We can tweak the system that we've got without trying to impose this kind of legislation.

Thank you.

9:10

**Mr. Anderson:** I seem to recall back in – you know, it's funny. That side accuses this side of sometimes going back to decades ago or something like that. I know you would never do that.

**Ms Calahasen:** Nineteen fifty.

**Mr. Anderson:** The 1950s. That's right. I wasn't born in the 1950s. Many of you were, but I wasn't there, so I can't speak to that.

But what I would like to ask is that back in the 1970s there were municipal regional planning commissions. Why do you think we're going back to that model when, clearly, it didn't work out too well? That forced regional co-operation as opposed to voluntary regional co-operation: any thoughts on that?

**Mr. Stier:** Thank you for the question, member. I think that what we've seen in this government over the years is a cyclic type of symptom that they seem to have of going back in time and looking again at things that they used to do and thinking: "Well, this isn't working. Maybe we'll go back and try it again. It didn't work

back in the '80s and '90s, but we're going to try that again because we need to try to find an answer to these wars we're currently having. Perhaps we'll fire that thing up again and let everybody try it again and see if that's going to work."

Maybe they're going to look at other parts of our legislative process that haven't worked before. Maybe they're going to start changing, perhaps like they are in the example of education, where they got rid of the school boards, and now they're looking that maybe they're going to have to get some better types of control there. We're always talking about returning to local control and local autonomy. Maybe they're going to go back to that, hopefully.

Maybe they're going to be looking at the health system, for goodness sake. Maybe they're going to figure out some answers to the rural ambulance situation that, by the way, a few years ago, '04-05, used to work pretty good. We had good rural ambulance systems then. We didn't have a lot of problems with whole areas being without coverage because some ambulance was going somewhere else on a minor transfer problem.

Now they're going back to all of these mistakes of the past. I think this could be a symptom of the government, and I think we need to get that fixed.

**The Acting Speaker:** Thank you, hon. member.

Is there anyone else who would like to speak? I would like to call the hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Madam Speaker. I'm pleased to get up and speak to this motion. I'd like to begin by talking a little bit about the claim of the minister that this is simply "a mirror image" of the capital regional plan and that it is, in fact, based on the Radke report, that was used to form the Capital Region Board. He said, "I can once again say that the Doug Radke-led report that formed the Capital Region Board to begin with created this regulation. What we're talking about now is an exact mirror image." But it's not an exact mirror image, and there are a number of different things.

Now, in the Radke report I would submit that he rejects the approach that has been established by this piece of legislation. Specifically it says – and I'll quote at some length here – in a section called Top Down Planning:

A second governance model is one proposed by the City of Edmonton which would have the Province do the detailed planning for all the major facets of land use control and other matters affecting the region. The Province would simply hand the completed plan over to a board to "implement", leaving member municipalities with little or no influence over what is contained in the plan. This proposal suggests a straight "double majority" form of voting to make decisions, although it is again unclear why a voting structure would be required [at all] when all meaningful decision making would be the responsibility of the Province.

It goes on to say:

This approach goes too far in removing the ability of member municipalities to influence and affect their own destiny. While the preservation of complete local authority and autonomy at all costs is inappropriate for the good of the entire region, local circumstances deserve recognition in the decision-making process. The transfer of most planning and decision-making responsibility to the Province, including decisions that will affect the City of Edmonton, implies that the City does not believe that working with its regional partners, in the absence of provincial direction, will lead to effective decisions. It also assumes the Province is better equipped to make local decisions than locally elected officials, which seems unsupportable in the light of the philosophy of the Municipal Government Act.

Now, Madam Speaker, I will make a suggestion that this approach of top-down planning that I've just read from the Radke report itself is in fact encompassed in Bill 28, and at the very least there's a very strong potential for this approach to be incorporated into the existing Bill 28.

Going a little further, I think there are some significant differences between the regional plan regulation and what's contained in this proposed piece of legislation. For example, currently under the Capital Region Board the municipalities will choose their own representatives from amongst elected councillors. In the legislation with a growth management board the cabinet may deal with the appointment of persons to represent the participating municipalities. Not only that, but cabinet may also appoint nonvoting members to represent the public or other interests in the growth region.

With the Capital Region Board, the board elects its own chair. In this legislation the cabinet may appoint the chair.

In the Capital Region Board regulation they can advise and make recommendations to the minister regarding the capital region growth plan. In the legislation the cabinet may determine the objectives, contents, timelines, forms, and effect of a growth plan, and cabinet may also address or do "any other matter or thing."

Under the Capital Region Board regulation the annual report is submitted to the minister and must be tabled in the Assembly. Under this act there is an annual report to the minister but no requirement to table it in the Assembly.

The Capital Region Board regulation outlines four components that must be included in any capital region growth plan: one, a regional land-use plan, including environmental policies and density of development; two, a regional intermunicipal transit network plan, including provision of services for persons with disabilities; three, co-ordination of mapping information; and four, a plan for social and affordable housing. In the act the cabinet may determine the objectives, contents, timelines, form, and effect of any growth plan, with no specifics as to what that has to include.

Finally, the Capital Region Board regulation contains a complaints resolution process. The act gives the minister the power. He may make a complaints resolution process by regulation.

Madam Speaker, there are significant differences. It is not a mirror image unless it's one of those kinds of funny mirrors that you get at the fair – right? – where you stand and you're short or you're wide. That's the kind of mirror image that this piece of legislation actually is.

Now, what's the problem? Obviously, there are growth pressures and conflicts between municipalities that have abutted each other in, particularly, the Edmonton region but also in a growing way in the Calgary region, and there may be some other ones. Those need to be addressed. But you would think that they need to be addressed more directly than by a piece of legislation that doesn't identify the specific issues or areas that need some resolution but, rather, gives broad powers to the minister to establish growth boards and to constrain the exercise of municipal autonomy.

Now, one of the hon. members that was speaking – and I'm sorry. I forget his constituency.

**The Acting Speaker:** Banff-Cochrane.

**Mr. Mason:** Banff-Cochrane was speaking, and he said that people get offended that provinces have authority over municipalities. I want to digress a little bit about that, Madam Speaker, because I've just met with the directors of the AAMD and C and

will be attending the AUMA conference. I certainly as a municipal councillor in Edmonton participated in the AUMA and served for a number of years on the board of directors of the Federation of Canadian Municipalities, including chairing a committee, a task force, on the role of municipal governments.

Now, it's true under the Constitution that municipalities fall under provincial jurisdiction, but there is a strong move on the part of municipalities across the country for greater autonomy and recognition of municipalities as an order of government and that they not be treated as children of the province, that they actually be treated with respect and as much as possible as equals.

It's this sort of spirit that is driving, I think, the demand for the big cities to have charters that will give them that autonomy and will insulate them from arbitrary actions of the provincial government. That's something that I've supported since I've been a municipal politician, a municipal councillor for four terms, and something that I continue to support today. We need to give more autonomy and independence to our municipal governments, not less.

9:20

Now, this particular piece of legislation provides ample opportunity for any government to take that away, to interfere in it to a lesser degree or to an enormous degree, and the assurances that we get from the minister and from the government of, "Oh, that's not our intention" are cold comfort, quite frankly. They trust themselves a lot more than we trust them, and I think they trust themselves a lot more than many municipal governments do. It's not power that I am comfortable handing over to the government. Why? Well, Madam Speaker, I've seen in my time here that the government, when it runs up against obstacles, including the exercise of democratic governance, against its plans for the province and its plans for growth can be quite heavy handed in overriding those sorts of decisions.

I'm speaking now about the power line debacle with the Energy Resources Conservation Board. Well, they were spying on people, and it resulted in their whole decision-making process being overturned by the courts. The response of the province was to bring in Bill 19, Bill 36, and Bill 50, that gave the cabinet the power to override the regulatory decisions and override the rights of individual landowners and other affected individuals as well as environmental groups from having serious input into whether or not the power lines in this case were necessary, whether they were the right size and the right cost, whether they were in the right place, and what purposes they might be used for. The government tabled that legislation in order to push through, over the objections of a regulatory process that was already existing in law, their plans.

I think that people that are concerned about what use this government may make of Bill 28 are very, very correctly concerned. They should be very concerned that the government will actually use some of this power despite the assurances this evening by the Minister of Municipal Affairs. It's very possible that this government may override municipalities in order to push forward its growth agenda. In other words, if a municipality doesn't want to participate in the government's plan to build Alberta the way the government wants to build Alberta, then they may find that their authority has been neutralized by the government through the use of regulation that is enabled under this act. I think that we should be very cautious in handing more power to this government to overrule elected officials.

I know that there are difficulties, and I know that the major cities of Edmonton and Calgary need to have some issues resolved with some of the surrounding municipalities, but this is in many

ways using a piledriver to kill a flea. It is not restricted to resolving those particular sets of issues in those particular municipal regions of our province. Instead, it's very extensive, open ended, and gives broad power that can be exercised without restraint in almost any way within the municipal sphere, and that, I think, is why this legislation goes too far.

It brings me to my last point. We've been in contact with municipal organizations just today in the province, and there is a clear indication that, with the possible exception of Edmonton and Calgary, other municipalities and municipal organizations have not been consulted about this. This is an old story. It's getting kind of tired, I think, Madam Speaker, that the government brings in significant and often draconian legislation without any consultation with its partners. Then it turns around and uses the same old rhetoric about consultation, openness, transparency, and all of that, but in practice it's quite the opposite. This is another example of the government bringing in a significant piece of legislation without consulting municipalities.

I really do think that we should support this amendment because this particular piece of legislation is, at best, premature and most likely goes way too far, and there is not enough constraint on the power of the minister and the government contained in this legislation.

Finally, Madam Speaker, there is no preamble, there's no statement in the legislation which would define the intention of the use of this power. If it is in order to co-ordinate between municipalities and to make sure that they are all represented in the decision-making and that their autonomy and their internal democracy are respected, then the act should say so. It should say for what purpose this power exists so that we can then evaluate whether or not it's being used for the intent that it is allegedly being created for.

Those are the reasons why I don't like this piece of legislation as it now stands and why I think we should support the amendment. Frankly, Madam Speaker, this is more of the same from this government, more top-down, opaque, and closed approaches to decision-making based on just raw power.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Under 29(2)(a), the hon. Member for Airdrie.

**Mr. Anderson:** I'd like to ask the hon. member about the effect of this legislation on the relationship between our big municipalities, Edmonton and Calgary, which, of course, we support, and the surrounding communities, and I mean that from this perspective. It is a tricky relationship because there are sometimes different competing interests, of course. Do you think a piece of legislation like this could be interpreted by some surrounding communities, especially in the Calgary framework, as essentially a bit of, shall we say, a gun to the head in that if they don't play ball, if they don't comply with the wishes of one partner, they could be penalized, that the government is going to swoop in and impose this board on them?

Even if that's not the case at all and the city, the city of Calgary in that example, has any interest in doing that, don't you think that having this out there is only going to create divisiveness as opposed to if you left it voluntary and they came together and good things are happening on a voluntary basis? Wouldn't that be a better way to encourage them to work together rather than holding this thing over their head and kind of causing those surrounding municipalities, whether it's rational or irrational or founded or unfounded, to fear their larger neighbours?

**Mr. Mason:** Well, I don't take exactly that perspective, hon. member. I think that with respect to growth where a major city is surrounded by other urban municipalities, there needs to be some resolution, and it may in fact require the government to play a role in pushing the municipalities towards some sort of agreement. My problem is that it's not limited to that. There's no defined reason for this legislation that's actually in the legislation, just what the minister says, and it can be used anywhere.

My fear is that it will be hijacked. It's being brought in and being sold as being a way to try and resolve some of the metropolitan, urban development issues that are taking place in the two largest cities, but it can be used to support the government's growth agenda, to stop municipalities from interfering with industrial development, with power lines, with nuclear plants, with, you know, whatever it is. I see it as very much a companion piece to bills 19, 36, and 50. It's the same sort of approach, and it's that open-ended power that I think is of concern.

9:30

I don't take the same view, perhaps, that you do, hon. member, about just giving complete autonomy to smaller surrounding municipalities so that they can resist any kind of change that they don't like. I think the government does have a role in supporting all municipalities to come to an agreement that supports the orderly growth of the large cities, so that might be a difference. But it's the other uses to which this could be put that – you know the old saying: power tends to corrupt; absolute power corrupts absolutely.

**The Acting Speaker:** Thank you, hon. member.

There's one minute left in 29(2)(a).

Seeing no others, I would recognize the hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you very much, Madam Speaker. I have listened intently to much of the debate that has gone on here tonight and really have felt it quite useful, hearing from many members who have served on city councils and municipal councils and hearing their perspective on planning and how relationships work with regional planning boards as well as with the province to come to, I guess, an understanding of what is going on in this bill, and I've been appreciative of everyone's comments to this point.

I've come to accept the members of the fourth party's characterization, when they went through the legislation and compared what the old regulation was trying to do and the powers it limited the government to as well as the new powers that are being subscribed in this bill. To me, the arguments presented made sense. That this is a far-reaching, for lack of a better term, power grab that the province can use to influence a whole bunch of situations going on throughout the province, whether that be in Calgary, whether that be in Edmonton, whether that be otherwise, to influence the planning process and the relationships as they currently exist is to me quite clear.

It is being brought in under the guise of dealing with a certain incident coming out of the Capital Region Board and the like, but it has far-reaching effects on many of our land-use framework agreements, on our regional partnership agreements, on actual civic planning departments throughout this province. That rings true to me, and I believe we should be highly concerned about what this bill is trying to do.

There is no doubt – it's common knowledge – that there is a great deal of frustration by members of the Capital Region Board and, in fact, members of the Calgary Regional Partnership and that negotiations have stalled in many cases in this respect. I don't

think it's a secret either that many people would like to see these issues resolved and would like to see a consensus emerge one way or another as to what those regions are going to go forward with, what plans they're going to make, and there may be disparate groups on these boards who may be holding back plans. I am not a member of those boards, but at least I hear enough rumours and innuendo and talk from people to understand that that is happening. I believe that the minister probably, if you asked him point-blank, without reporters around and the like, would admit that it's become quite frustrating to him and that it's probably holding back the process of what needs to be done.

I, too, like the hon. Member for Edmonton-Highlands-Norwood, believe that the province may have a role to play in assisting the parties to come to a consensus of what their regional planning boards must do, and given that, this current bill is attempting to achieve just that without saying what it's doing, okay? In my view this bill, if passed in its current form, will allow the minister to take part in building a consensus, something that I do not necessarily disagree with. I believe it has to happen. I believe that negotiations have stalled in many places. It is imperative for the government, probably, to play a role in this process.

With that being said, it should be laid out clearly in the legislation that that is the purpose of this bill, that that is what we are trying to do here. That, to me, is not evident by the powers the minister is asking for, the way we're going about asking for it, and the like. In my view, if there was a suggestion of having a preamble for it, a suggestion around moving our regional planning boards to be somewhat different than they are now, somewhat more reflective of the population needs of the entire jurisdiction, or some set formula, I believe that would be more open and transparent.

I believe we're going down this path that's going to allow us to do top-down planning in virtually any circumstance where the government, the cabinet feels free to do so instead of outlining clearly what you're going to do in your legislation or putting fences around it, i.e. putting fences around how you're going to bring about consensus on these regional planning boards. I think that would be more fair, more honest, and probably accomplish the task, at least with a clearer understanding of what the goals of the legislation are.

That to me has rung down as what this legislation is trying to do. The minister would like to see the in-fighting at the boards stop, some regional consensus or ability to form regional consensus be at his disposal, and he should be doing it in a more transparent fashion than what is dressed up in this bill if that is his goal. I started by saying: I think that is his goal.

That's the conclusion I'm at, so I will support this amendment given that it is time to sort of have an open, honest debate of what we're trying to achieve in this legislation. The minister is not going to get consensus on this. People are going to scream bloody murder in certain jurisdictions, that this is the worst thing in the world, okay? But at the same point in time if he believes that this is truly a better direction for planning in this province and that he's going to get buy-in from enough jurisdictions that it makes sense in the long run, we should try to go down that path first. I'll be voting for the amendment.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Well, thank you, Madam Speaker. My question is simply this. I mean, you know, we both have ridings in large

cities. I can be quite easily convinced of the value that some of the planning disasters that have been occurring over the course of the last couple of decades at least, but certainly the last 10 years, arise in part from the inability of municipalities to come together, that that issue does need to be addressed. There are a lot of unfortunate decisions that are emanating from the inability of those conflicts to be properly addressed. So I agree with that.

9:40

But I guess my concern is, you know, that we have a government that has been observed on occasion to assert its power in ways that are less functional. We actually have that history as it relates to this government's relationship with municipal politicians and municipalities across the province, particularly leading up to the last election. We had quite a bit of new information pop out around this government's relationship with municipalities. Say, for instance, a particular municipality or particular municipal leaders chose to speak out publicly against a public policy or policy direction of the provincial government that related to, say, industry or maybe nuclear development or, you know, a whole bunch of different possibilities.

**Mr. Mason:** Social policy.

**Ms Notley:** Social policy even, you know. Maybe they spoke out against the closure of their postsecondary institution or the significant limitation or attack on their postsecondary institution, for instance. Is there anything in this legislation that would restrict the minister from using the broad power that exists in it right now, as far as you can tell, from saying: "You know what? I think we might need to impose a growth board in your area if we don't get some more co-operation from you guys on a regular basis." Do you see any limit on that capacity in the legislation as it's currently written?

**Mr. Hehr:** The member poses a question that leads me down a garden path. The thing is that I don't see any limits prescribed to what the minister can use this power for or the various scenarios or things that could be utilized by this power that we're placing in his hands and in the hands of cabinet. When that happens, we all know that although that may not be – and I doubt it is – the current intention of the government to use this particular piece of legislation in that fashion; nevertheless, it's on the books for a few years. A certain situation comes up: "Hey, don't we have the ability to do this? Of course, there it is."

That's why I think some of the suggestions about taking this in a more open and transparent fashion to what the true aims are, trying to have the province play a role in the consensus building to move regions along when they're at an impasse would be better. We could set out a framework in the preamble and certain various consultation processes, when they need to appoint ministers or people to the board in all these certain instances that were outlined in the hon. member's speech, a whole layer of transparency to it and process to it that will ensure the regions had every opportunity to contribute prior to the province laying the hammer down.

That, to me, would be the wise move and best in the long run for how this system is going to evolve. I think it would probably be the fair way to do it because as it's written right now, it can lead to a whole host of circumstances and events that this legislation can be used for that may not even be contemplated at this time.

Thank you, Madam Speaker.

**The Acting Speaker:** The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** How much time?

**The Acting Speaker:** Eighteen seconds.

**Mr. Mason:** Okay. Well, I'll be quick. We've seen this government use its power to bully people that have disagreed with it publicly. We've seen, for example, the former Education minister Lyle Oberg send in the auditors when the public school board in Edmonton objected to the cuts. We've seen the minister . . .

**The Acting Speaker:** Thank you, hon. member.

Are there any others who wish to speak to RA1? The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Madam Speaker. I'm pleased to rise to speak in favour of this amendment. Before I make some comments on that, though – I wish the Member for Banff-Cochrane was still here because I didn't get a chance to ask him a couple of questions that I think would have been pertinent under 29(2)(a). He was, rightly so, proud of his waste commission, that was formed. I wanted to ask the member: how many municipalities were initially interested in that, and how many eventually signed on to it? If there was a difference, I wonder why that difference was. But I think it's important to note that that was strictly voluntary participation amongst municipalities. That, I would strongly suspect, is the reason for its success. I just wanted to make that point.

To go back to the amendment itself, I think what comes to mind is an old saying: when you're riding a dead horse, it's best just to get off it and walk for a bit. I think we need to take a step back and walk into this and not ride what could be a dead horse into it.

I go back to when the Member for Calgary-Mackay-Nose Hill questioned me on my earlier statements. We talked about getting people to the table for negotiations in a collaborative manner. You can drag someone to a negotiation table or a bargaining table. You can drag them there kicking and screaming, you can make them sit there, but your chances of walking out of that room with any consensus at all are about zero to zero. I doubt that you could even agree on what soup to order for dinner. Voluntary participation in these regional governance models, to me that's key. I applaud the government for trying to put a bill together to make these kinds of things happen, but you can't force it. You have to let it happen naturally.

Giving proper consultation to both of the municipal organizations I think is key here to getting buy-in, however the bill ends up being shaped, especially with our two municipal associations, who are very well respected across the province. Not giving them any say in this or any chance to consult in a proper way is just wrong.

This government has done this before with, as was mentioned before, all our property rights bills, all our land-use bills, and it came back to bite them. When I speak of consultation, I mean true consultation, sitting down at the table with them and discussing it and listening to what they're hearing. That's key. With other bills that I just mentioned, there was no proper consultation. It was information sessions. I went to them. All that happened was that your suggestions were written on a board. There was no feedback from anybody. The one that I was at, there were no fewer than three ministers and two MLAs. They never said a word the whole evening. That's not consultation. We need to sit at a table and talk this out and find a solution to this problem with this hammer type of legislation.

With that, thank you for the opportunity to speak again, and I strongly urge that we accept this amendment.

**The Acting Speaker:** Thank you, hon. member.  
Standing Order 29(2)(a)?

**Mr. Mason:** Thanks very much. I just wanted to finish my thought, Madam Speaker. That is: is there any risk that the government will use the broad powers in this legislation for purposes that they say that they don't intend?

I think we can look at some of the history. I was talking about the Education minister Lyle Oberg, who, when the public school board in Edmonton refused to go along with his direction and his budget, sent in the auditors in an attempt to intimidate them. Of course, they didn't find anything. More recently the Minister of Enterprise and Advanced Education tried the same sort of trick with the University of Alberta. Of course, let's not forget the existing Minister of Municipal Affairs, who, when the AUMA president contradicted and criticized the government, organized a boycott of their MLA breakfast by the Tory government and was only forced at the last minute to reverse that. It was a clear attempt by this current minister to intimidate a legitimate municipal official discharging her duty as her organization's policy directed.

This government has shown repeatedly that it is perfectly capable of misusing its power in order to try to force people and organizations and municipalities and school boards and universities and so on into line with what the government wants. It's not something, in my view, that we should trust this government with.

Thank you, Madam Speaker.

**9:50**

**The Acting Speaker:** Thank you, hon. member.

Are there any others on 29(2)(a)? The hon. Minister of Municipal Affairs. There are three minutes left.

**Mr. Griffiths:** Thank you very much. I know the hon. member has some extensive municipal experience, so I just wanted to run a scenario by and get the opinion of that member. There's a group of municipalities that come together, and they want to work on a project together. It's a commission. They're working on water, waste management. They want to work on something around regional development because the population of this province is growing so fast, and they want to make sure that they're not doing industrial development by an environmentally sensitive area or beside a school or putting recreation in the wrong place. They want to work on a co-ordinated regional plan.

What venue, what tool, would they have in place to do it to make sure that once they all come together – say there's 20 of them – and want to come up with a co-ordinated plan, every single week somebody doesn't say, "Well, now I'm mad. I'm leaving. Oh, I want back in. Now I'm mad. I'm leaving," so that there's some authority there? You know, their bylaws can't impact and make other municipalities do anything. If they come together and want some sort of authority that holds them together in a partnership so that they don't get pulled back and forth by the whims of whoever is in charge that week, whoever had a bad day and decides they want to pull out, what tool would there be to help make sure that they can work on focusing on building a strong region together in partnership and not just focusing on where some municipal boundaries have been drawn? They actually deliberately want a partnership and they want some authority behind it. Where else would they go?

**Mr. Rowe:** I understand what the minister is saying, and it all sounds wonderful except that democratic agreement is the best policy in a democratic society. In order for it to be a true democratic process, there must be voluntary participation, not

mandated decisions. That's the key. That's the key to getting reasonable people to the table. That's my answer.

**The Acting Speaker:** Thank you, hon. member.  
Are there any others? [interjection]

**Mr. Rowe:** Excuse me. It does happen. This waste commission of the Member for Banff-Cochrane is a perfect example of it working.

**The Acting Speaker:** Thank you, hon. member.  
Are there any others who wish to speak on 29(2)(a)? There are 40 seconds left.

**Mr. Anglin:** Forty seconds. I was going to ask the member if he would give an example of the compromise.

**Mr. Rowe:** Well, I just did, Madam Speaker.

**The Acting Speaker:** Thank you.  
Hon. member, we see that you're flashing the Boston Red Sox sweater. That must mean they won the championship.

**Mr. Anglin:** Six to one.

**The Acting Speaker:** Six to one. Thank you. Everybody can rest in peace.  
Are there any other members who wish to speak on RA1?  
Seeing none, we'll call the question.

[The voice vote indicated that the motion on the amendment to second reading lost]

[Several members rose calling for a division. The division bell was rung at 9:54 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Donovan	Notley
Anglin	Hehr	Rowe
Barnes	Mason	Stier

Against the motion:

Bhullar	Horner	Oberle
Brown	Jansen	Olesen
Calahasen	Jeneroux	Pastoor
Cao	Johnson, L.	Quest
Casey	Kennedy-Glans	Rodney
Dallas	Khan	Sarich
Dorward	Klimchuk	Scott
Fawcett	Kubinec	Starke
Fenske	Lemke	Webber
Fritz	McDonald	Woo-Paw
Griffiths	McIver	Xiao
Hancock	McQueen	

Totals: For – 9                      Against – 35

[Motion on amendment to second reading of Bill 28 lost]

**The Acting Speaker:** We're back to debate on the bill in second reading, Bill 28. Are there any other members who wish to speak in second reading? The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Madam Speaker. We'll get things sorted out here. Three-plus hours of the debate on an excellent amend-

ment that unfortunately didn't pass by a score of 9 to 35. The Cardinals didn't win the World Series either; they lost 6 to 1. But some interesting words I heard to describe it: top-down, heavy-handed, draconian, not a mirror image, dead horse – I think that was my favourite – no limits, mandated, no trust. I heard the word "trust" used a lot.

It makes me wonder why again the government wants to look at a centralization policy. We saw the reaction to Bill 36. Jeez. We've seen the reaction to the centralization of health care, whether it's 89 VPs or 75 or 10. I read somewhere that Ford Motor Company only has 37 in the whole world, so it surprises me that AHS had 89. Centralization obviously has failed there. We look at huge, huge severance payouts. Was it \$2.1 million for the five that were just let go? So it's surprising again that this government wants to go down such a path.

I spoke earlier about the amendment, and I spoke earlier about why I thought it was a good amendment and why it was a good idea to talk with some of these new council people, talk to some of the new mayors, talk to some of the established people. As some of the people have shown around the room on both sides, there's a lot of good experience right in this room that pertains to their civic experience and their municipal experience, and a lot of that could be put to use.

Then I was looking at some of the cons on this Bill 28, and perhaps it explains why we don't want to consult. I understand the AAMDC published a paper against forced regionalization. They are already unhappy with the current partnerships, and this puts power completely in the partnerships and the Minister of Municipal Affairs, so consultation may have only reinforced that. Obviously, it may have found a solution to some of these problems and found a solution to getting more and more people involved in the democratic process and building Alberta, making Alberta.

#### 10:10

There's independence also taken away from the municipalities and put into the hands of provincial government. This bill seems to create another level of government, like we need more red tape and bureaucracy, like we need more of those situations, especially the top-down, heavy-handed, and mandated ones as opposed to the ideas we heard from people involved, grassroots, a leader leading from the bottom up instead of from the top down.

I understand there's also already an alternative dispute mechanism that exists under the MGA, so a law that has more seems to make no sense to me. A growth management board is just seen by many as another level of bureaucracy. I understand the AAMDC president, Bob Barss, said: "Municipalities have a justifiable concern when elected councils no longer have the power to govern as granted by the Municipal Government Act." Everything I've read and heard from many of my colleagues is that Bill 28 seems to do that.

The AAMDC went so far as to outline 10 principles for co-operative regionalization. Voluntary participation is number one. Number two, partners define the region. The participating municipalities determine which municipalities will be part of the regional partnership. Political autonomy: municipalities remain independent in their ability to make decisions in the best interest of their municipality. That should remain intact according to many, many of our local representatives. Nonhierarchical governance: the regional structure does not create another level of government. Voting equity is number five. Each municipality has one equal vote, I guess, regardless of the size or the population.

Consensus decision-making: major decisions that require a vote are approached on the basis of reaching a consensus. Consensus-

building, again, the opposite of the words that I heard so often, no limits, draconian, heavy-handed, top-down, dead horse. User-pay cost sharing. Regional transparency: the operation and governance of the regional entity is easily observable and understood. Accountability of individual municipalities: when a municipality chooses to become a member of a regional service partnership, the individual municipality is accountable to its community for the value of that service. Opting out of the programs: we heard a lot about opting out, not opting out. It should be grassroots. One of the AAMDC board principles, their last principle, is that when a municipality is a member of a regional service partnership and the partnership addresses more than one service, each partner has the ability to opt out of one or more of the service delivery programs.

I spoke earlier about the last amendment and how I was concerned about the unintended consequences. I've heard that Bill 28 is just supposed to apply to the Capital Region, but people on both sides of the floor talked about a lot, lot broader implications than that. I felt it was important that we did consult with stakeholders, municipalities and those people, but obviously we lost that motion, so I, too, Madam Speaker, would like to propose an amendment.

**The Acting Speaker:** We'll pause for a moment while we distribute the paper on the amendment.

Hon. members, this will be known as a referral amendment. I think that we can go ahead and proceed.

We need you to read the amendment for us, hon. member.

**Mr. Barnes:** Okay. Thank you, Madam Speaker. I move that the motion for second reading of Bill 28, Modernizing Regional Governance Act, be amended by striking out all of the words after "that" and substituting the following:

Bill 28, Modernizing Regional Governance Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2.

**The Acting Speaker:** You have another six minutes and 36 seconds if you'd like to discuss the amendment.

**Mr. Barnes:** Okay. Thank you again, Madam Speaker. I'm back to what I said the very, very first time, about 8 o'clock or so, and that was that when the Premier wanted to be Premier, she said that she was going to listen to the opposition, that she was going to take more time with legislation, that she was going to engage stakeholders, that it was going to be a consultative government. Well, unfortunately, based on that, we shouldn't have lost the first amendment, but we did.

Maybe this is a step that the government and the PC MLAs can accept. Of course, PC MLAs hold the majority on the Standing Committee on Resource Stewardship, so ultimately they will have the final say. But sort of like in the federal arena, where there are continual standing committees and bills always going to them, we all have the opportunity to make the laws better for all 4 million Albertans for future generations. This would be a great chance for us to take a long, hard look at this. This would be a great opportunity for us to, you know, look at some of these bills that, again, a lot of my colleagues described with tremendously strong words: draconian and heavy handed. I presume we could even have some experts in, and we could have some of these councillors in that were unfortunately missed or bypassed and have an opportunity to hear from some of them and what some of their stakeholders have to say.

The Standing Committee on Resource Stewardship is . . .

**An Hon. Member:** A great standing committee.

**Mr. Barnes:** A great standing committee. We're in the middle of looking at the natural gas industry and what the implications are for it in the province long term. Of course, look at the unforeseen things there, and look at the amazing way that that has changed. Possibly the committee could have a chance to reflect on this bill and to make it better.

Again, you know, we took a look at so many of these things that just don't seem to be consistent in a way that engages everyday Albertans – people that raise their families here, people that live their lives here, people that pay their taxes here – in a way that makes them feel that they're part of the day-to-day operations of the province and have real input into making this better.

You know, I'm back to how this compares to and how this collides or intersects with ALSA, the Alberta Land Stewardship Act. It seems to be part and parcel of how those regional plans are done and how that is all going to come. I'm back to a meeting of 160 people in the Cypress Centre in Cypress-Medicine Hat, where at the end of the day the person from Stantec, that was a moderator that day, walked to the mike and, as she had promised, said, "I'm going to listen, and I'm going to at the end of the day relate exactly what I heard." She walked to the mike, and she said: "I heard you loud and clear. Repeal Bill 36."

10:20

I mention that, again, because we spent a lot of time going around the province. We spent a lot of time talking about that. We spent a lot of time hearing how we were wrong on it. More than just the 17 of us or all the other opposition members, many, many thousands of Albertans didn't like that law. As they discovered more and more about it, they didn't like the process, the regional planning, the top-down planning. You know, there are still meetings going on today as the South Saskatchewan regional plan comes out. Between that and health care, they are easily the two top things that people call me with and say that they are very, very concerned with the government about.

I don't know. I just think I'll speak on behalf of the amendment again. Let's try to make this law as good as we can. This is a committee where the PCs have the majority. At the end of the day, you'll have final say, but it will give us the chance to sit across from each other, engage each other in a way that will make this the best for Alberta that we can.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

We have 29(2)(a). Are there any members who would like to comment or question, not have a speech of their own but to comment or question?

Seeing none, we'll ask if there are any members who would like to address this amendment that we have at this time. The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thanks very much, Madam Speaker. We think that given the concerns that we've already outlined with respect to this bill, this motion would be a good idea and that we should refer it to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2 to allow more conversations and to allow more input.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Under 29(2)(a), the hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Yes, please. If I could ask the hon. member, please, who he thinks we maybe should invite to come and have an opportunity to talk to the Resource Stewardship Committee. I'd like to hear what kind of input we may expect to hear, especially from some of the smaller municipalities that are close to some of the bigger ones and maybe from some of our new councillors, who have just been elected.

Thank you.

**Mr. Mason:** I believe the hon. member answered his own question, Madam Speaker. Thank you.

**The Acting Speaker:** Thank you.

Any other members under 29(2)(a)?

Seeing none, are there any other members who would speak to the referral amendment? The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Yes. Thank you, Madam Speaker. I think this is a very worthwhile amendment to have presented here this evening. As we've talked about this tonight, I think most of us have heard from almost everyone about this, and it seems that there's an awful lot of consensus in the room, especially from the opposition side here, of course, with respect to the amount of consultation that may or may not have taken place in this process. I must say that it's surprising to me that we are dealing with something of such a vast nature, that is so important, that was just given to us yesterday. It has provided us very little time for serious study. I mean, it has vast implications.

The Municipal Government Act, as I've looked over it over the years, has got an awful lot of sections to it, and while we're not looking at all the sections in the act, the planning process in Alberta is immense, and it is detailed. It is very important to have a thorough, thorough review of these things before decisions are made, especially on some kind of legislation like this.

Earlier on this evening I mentioned a lot of history to do with the different ways we've gone about planning over the years, and it seems surprising to me that we're reverting back to some of the things that we found were just not working before. I need to drag you back through there just for a few moments if I could because this is not the first time we've tried to experience the pitfalls of regional planning.

Regional planning was something we had to drag ourselves through in the '70s, '80s, and '90s, as I've said before, and they threw it out with the new Municipal Government Act in '97. Why did we do that? Obviously, there must have been a reason, and I'm sure it had a lot to do with the failure of the Calgary regional planning board in being successful as an independent board to try to make decisions on these matters.

By sending this to the committee which was mentioned, the Resource Stewardship Committee – by the way, that's one that I serve on, and I've had the pleasure to experience how thorough we can reflect on many matters by inviting various groups and stakeholders in to provide us with the details that we certainly do need, I think, in this consideration. As we move forward with this type of a process, it also occurs to me that we have to keep in mind what's going on here. We have the Calgary Regional Partnership under question. They've been fighting for the past few years with respect to their memberships. We've had two or three municipalities, including Bighorn, who backed out earlier, as I had mentioned, and never want to be considered again, from what I can understand. I don't hear anything about them in this regard. Certainly, these things are contentious issues, and a review of this sort of thing seems well in order.

The types of boards that might come up in the future are another issue, but I'm certainly worried mostly about the Calgary partnership because they're already established. With this type of document here, this could give the minister power to impose this plan upon some of the members that may not wish to be there. That's one thing I'm really worried about.

Madam Speaker, with that, I'll conclude my remarks. I would like to say that I'm very much in favour of having this be given a very good review, and I think this idea to put it to the Resource Stewardship Committee is a good one.

Thank you very much.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a)?

Seeing no members who wish to speak, are there any other members who wish to speak to the referral amendment? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Madam Speaker. I'll be brief. I, too, will be in favour of referring this to the Standing Committee on Resource Stewardship for many of the reasons given thus far in debate on both the last amendment and this one.

Thank you very much.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a)?

Seeing no members wishing to speak under 29(2)(a), the hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Madam Speaker. I, too, will try and be brief on this. I'm disappointed, obviously, that the previous motion wasn't carried. I think this is a good meeting place for the two sides. It's a very good option. It gives all parties representation on the Standing Committee on Resource Stewardship, and it gives that committee the chance to, as the introducing member mentioned, bring people to the committee and do presentations from various groups: AUMA, AAMD and C, and so on. Let's hear their side of the story. Let's hear what their concerns are. Maybe we can use that information to address what I still think is a bill that needs a lot of work. We've heard all of the arguments in the lead-in to this, so, as I said, I won't belabour it. I won't delay this. I really strongly believe that this is a halfway point. That's what democracy is all about: getting together, coming to a consensus, and moving forward. This is a chance to do that, so I urge you to support this.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Are there any members who wish to speak under 29(2)(a)?

Speaking to the motion, the referral amendment, the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. I rise to speak in support of this amendment. I do so because with the debate that's taken place here tonight, it is clear that there is what I suppose this House would refer to as a different interpretation of facts. The reality is that there are a lot of contentious points that we disagree on.

**10:30**

Regardless of what is used to describe it from either side of the House, there needs to be more debate on this bill. We need to look at the various provisions and look for what we call the greatest strength of a democracy, the compromise, to find the language that these municipalities can live with.

As was stated earlier, the idea of planning commissions, regional boards is not something I've heard anyone say they wouldn't support, but to force this on municipalities in a very heavy-handed way creates a scenario that is just not acceptable to many of these communities that are directly affected and those that see where they could be affected by this. That's where it's offensive. That's where these various communities are looking at this, and they don't like the heavy-handed application of what they see can happen from the passing of this bill.

The hon. Member for Olds-Didsbury-Three Hills talked about it. It is the strength of our democratic system, where we may not always get what we want, but we move forward, and if you move in a collaborative fashion, if you move democratically to get things done, it may be slow, but it works. The proof of how it works is where we are today in Canada, in a free society, a democratic society. We cannot turn the clock back to where we get two parties together or four parties together but one party or three parties actually have no leverage of negotiation. In order to have that ability to negotiate, there has to be equality. There has to be the ability to say no in order to make the process work.

The flip side of that is that when you force somebody into this, when you actually force this regional board together, this committee together and you don't have co-operation, somebody is going to work to undercut this. Somebody is going to work to make sure it doesn't work. I don't see the value in that.

It's not a perfect world, but it is certainly a system that has shown some tremendous value. Some of the committees and the boards that the members across the aisle have spoken about all worked under a system where it was voluntary, where it was democratic. There were disagreements that had to be resolved. There were some boards that worked extremely well. Others did not because either personalities or differences, whatever, interfered with that board working. But there are processes to go through to resolve that, and those processes work. I would say that they work better than the heavy hand of legislation that says: "You will do it this way, and, oh, by the way, if there is a mistake, if somebody can point to the legislation and say that they want to take this to court, it doesn't matter what the court ruling is. This will stand. If there was a regulation previously or if it's made after this comes into force, it doesn't matter what the court says. This stands." That's not right.

One of the greatest strengths of our democracy is the processes that we design so we can figure out how to come to these compromises to make these systems work. The question is: what's the rush? As the member said, it all falls apart if we don't pass this today, but that contradicts the other members who say that there's nothing new in this. You can't have it both ways. So if it's all the same regulations that existed before except that you're putting them into legislation, it doesn't make sense, then, why we have to rush to pass this. There's not logic there.

If we take this and we bring this to committee and we have the ability to debate this and bring people in to give testimony, to provide input, and maybe point out some parts of this bill that we're not looking at yet, maybe they will support the government. If they came in and had an opportunity to be informed, a reasonable opportunity to be informed, that's the key.

One of the members of cabinet across the way mentioned something about speaking to Calgary, but what he didn't say was: did he really talk to the mayor about this bill? We know that that didn't happen because we gave the mayor's office a call to find out if they knew about it, and they actually told us: we haven't had time.

There was a section in legislation in the ERCB act quite a while ago that's been repealed, but it said that people were allowed a

reasonable opportunity to learn the facts. I submit that that's a logical and a very pragmatic way of looking at legislation. What we have here is a way to do that, which is a reasonable opportunity to learn the facts, to bring in municipalities, to bring in representatives of the AUMA, of the AAMD and C, and allow them to have some input after they had a reasonable opportunity to learn the facts. Now we'll have something to discuss. But that's missing. That hasn't happened.

All too often these bills come forward without that reasonable opportunity. What that actually becomes is an opportunity for a mistake. It becomes an opportunity sometimes for misinterpretation, as some would allege, but it becomes an opportunity to get something wrong. I would submit that this is too important to get wrong. Yes, we can come back in the legislation and amend it, but that's another whole process. Why would we do it when we can get it right now? Put the effort in now, spend the time now. Get it right so that it is a valuable tool, so we could have regional boards, so we can have an opportunity to make these things function well. That, I say, is the value that we can bring to this piece of legislation if we put this into committee and make the committee do its job, to get that input, to have that debate before we bring it back to this Assembly.

No one here has really presented what I would say is a legitimate argument of the need to rush this through. It's just not there, not on the arguments that we're giving today. If the minister wants to point to the section of the original regulations where the whole system is going to fail if we don't pass this legislation, I'd like to hear that. I'd like to see that. Where is that? What is it that is so important that we just couldn't amend regulation to make sure that didn't happen, and we can take the time to pass this bill. We can amend regulation quite easily, so I'm not sure what it is in regulation that's interfering. By bringing this in front of a committee, we can look at how those regulations have been working and how that is going to be different when this legislation gets passed.

As the members have stated earlier, there's nothing new in this bill. I find that difficult to believe, not with what I'm reading. But if it's true, then there's no rush here. There's no critical need, no urgent need to run this thing through tonight and get this passed within a matter of time before any of these new councils – and we've got all sorts of new councils. Lots of them. Lots of new councillors. They have no idea this is coming, have not been informed. They have not been consulted. It would be a great opportunity to bring them to the committee room to let them have input, let them hear the evidence, let them evaluate it because they are the ones that are most directly affected.

It would give the large-city mayors an opportunity to present. If it is true that they are in support of this, let them say so. But they haven't read it yet. They haven't even had the time. It's so critical that all parties involved on these regional boards feel that they have equal weight to participate, that they have an equal part in not just the makeup of the board but in the jurisdiction of the board. That component, that import into this legislation, right now is missing. There's a presumption in many ways that certain mayors are going to support this, but I wonder if they have any idea what they're supporting. I wonder if they've even had the opportunity to read it, or do they just get a phone call from someone who says, "Hey, this is good; you should support it"? Well, that would be just as misleading as some of the allegations that have been flying around this room.

**10:40**

It takes time, particularly for any new mayor, to educate himself or herself to not only their duties but to the implications of

legislation that in some cases is significantly going to affect their jurisdictional responsibilities. I wonder if they know that. I wonder if they have any idea of what's coming their way once this passes.

Some may find that initially it looks like a good idea, but that wouldn't be the first time with any piece of legislation or with any scenario where something looked pretty good, but as you got into it, you realized that it wasn't as good as it was proposed. There are a lot of things in there that nobody thought about before they enacted the law. That is not something that is foreign to any Parliament or any Legislature. It has happened consistently, and it happens more often when legislation is rushed through the process versus when legislation that is well vetted and the various stakeholders have an opportunity to look at it.

So I would like at least one of the members in government to explain why these communities and why the stakeholders can't have some sort of process or some sort of input before we pass this, before we railroad this bill through at such speed that people have no knowledge of what's going on or how it's going to directly affect them or how it's going to impose upon their jurisdictional authorities as what they see now. And that's important because the appointees are not elected. The bill specifically states that elected officials will have to concede to whatever decisions are made. Our parliamentary system of governance is not conditioned to have elected people subjected to the dictates of the appointed. That's not the way our democracy works.

So there is lots of room for changes, lots of room for reviews, and we have the ability and the opportunity before us right now to do that, provided we refer this to committee and set an opportunity to actually do some serious debate and some serious review and see what comes of it. That's what our whole democratic system is based on. So I don't know why we're not doing it that way. I don't know why we're not taking the opportunity.

It's interesting. I haven't heard anyone say, "Here's who we consulted," and come out with a list of who had input into this bill. We're just told that it's good, but when we read it, we don't see good in it. We see problems, and we see problems that could be significant in various scenarios. So it's really important that we resolve those problems or at least vet those problems so we have an understanding of what the mindset was of the ministry when it developed this writing, what they were thinking, and hear input from various parties that see some negative impacts as a direct result, something that we have not talked about here tonight.

**The Acting Speaker:** Thank you, hon. member.

We now have five minutes under Standing Order 29(2)(a). The hon. Member for Airdrie.

**Mr. Anderson:** Thank you. I just want to understand what the member feels is the point of our all-party committees. I just find that we never really send substantive legislation to the policy committees. It's very rare, anyway, that we ever send legislation to these policy committees. They're set up for this type of thing. They're set up to examine these bills that could be quite controversial if they're not handled properly and give an opportunity for outside folks to come in and give feedback, affected stakeholders and so forth, so that a bill can be presented that is a piece of legislative art rather than a piece of junk. I would really like to hear the member's views on what he thinks the point of these all-party committees is if we're not going to use them to examine and improve bills exactly like this one, Madam Speaker.

**The Acting Speaker:** The hon. member.

**Mr. Anglin:** Thank you, Madam Speaker. It's interesting because one of the policy committees I'm on has probably one of the best chairwomen in this House. As you can probably see, I'm looking for some support to get this in front of committee. I don't know if that's going to work, but I'll give it a try anyways. We're getting desperate.

I will tell you this. It is important, though. The committees are effective in many ways. They suffer the criticism of being told they're not effective, but the fact is that we do have situations in the committee where we don't necessarily follow party lines. I would say to the hon. member that I am supporting her on a particular bill. It will probably fail. It's just the two of us, and that's it. No one else is joining us, but maybe someone will jump in.

But it shows you that the committees can work in a bipartisan fashion, and when that happens, that's democracy at work. That's how it's supposed to work, and that's the argument for why this should go in front of committee. That makes sense. It gives time for input. It gives time for expertise. It gives time to look at it through a different lens and make sure that we get it right, and I think that's important. I would hope that's important to this government, that you always want to get it right. Why waste time coming back to correct a flaw that presents itself that is critical?

There is something else that was said, and maybe it needs to be explored. If there was a court case coming forward that was going to kill everything – I think that's how it was described – do we change the law in anticipation of what a court ruling will be? That's an odd scenario for me. That's hard for me to fathom in many ways. I know there are enough lawyers in here that know that you can't predict the court's outcome. You just can't. However a judge or a jury rules, that's how they rule. Strong cases have lost, and weak cases have won. Nobody knows. So do we always jump in front of a court to change legislation? That doesn't make sense. We would have to respond to a court's decision and maybe act upon it, but I don't think we should be anticipating it.

What we should be doing is being pragmatic and logical and allowing the time that is required, which is a reasonable opportunity to learn the facts. If the hon. minister wants the public to support this bill, I think the only way that that can actually be achieved is by allowing the public a reasonable opportunity to learn the facts. That's how it's done. By putting this to committee, we can make that happen. That just seems to make sense. This seems to be a very good motion and a very logical way to advance this bill. If the bill is so good, then it will withstand the committee without any changes. It will withstand the committee without any recommendations.

**The Acting Speaker:** Thank you, hon. member.

Are there any other members who wish to speak on the referral amendment? The hon. Member for Airdrie.

**Mr. Anderson:** Thank you very much, Madam Speaker. All right. Well, I'd like to speak in favour of this motion, which reads that "Bill 28, Modernizing Regional Governance Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2." I think this is a very good motion, and I'm going to support it. I think it's very good. It's a good piece of work.

**10:50**

Again, this goes back to what we talked about earlier. We just heard a very eloquent, passionate speech from the Minister of Municipal Affairs earlier in the evening saying how this is a mirror image. Now, of course, we've had several speeches since

then. Our friends in the NDP did a very effective job, in particular, of laying out how this is not a mirror image of the regulation whatsoever. It's very different in many different areas and certainly is broader in scope with who it covers. But if there's nothing to fear, as the minister says, then why are we blasting through this tonight and staying here till now, 11 o'clock? We've been here since 3 this afternoon, essentially, most of it on this bill.

**An Hon. Member:** One o'clock.

**Mr. Anderson:** Well, since 3 debating bills, right?

We've been here for – I don't know – a little less than seven hours, six and a half hours, and they feel the need to continue to blast this thing through tonight and not consult and not refer it to a committee. When governments act this way, when they're trying to blast something through like this, that means they know that they've got a problem. That's why they do this. If they didn't think it was a problem, they wouldn't be acting like this. Clearly, they know. The letters are starting to come, and I'm getting CCs from the mayors of places not just like Airdrie but places like St. Albert, places like Chestermere, like, obviously, Rocky View. These places are starting to get the legislation, they're starting to analyze it, and they're not liking what they're seeing.

If we're not going to just kibosh this, as we obviously voted down a reasoned amendment recently that I put in there, why would we not refer this to the committee now so that they could do their work, call in these individuals, and the minister could use this opportunity to educate us wanderers? You know, he could take this opportunity to help us understand why we're wrong and help the municipalities out there and the AUMA and the AAMD and C and whoever else to understand why they need not fear. Then there can be this thing that's called feedback, where the AAMD and C and AUMA and municipal councillors give input verbally in advance of something being passed. It's a remarkable concept, one that works very well in most cases.

Why are we sitting here at 11 o'clock at night still debating this bill when we know full well, Madam Speaker, that we have not heard from the AUMA on it, we have not heard from the AAMD and C? We've heard from one mayor, none of the councillors. None of the councils have even had a chance to meet to talk about this yet. Got lots of feedback from multiple mayors, multiple councillors that they don't like what they're seeing. We've got one mayor in favour so far and, like, 30 really worried.

So why are we insisting on blasting this through right now? Won't that harm the other side? I don't understand why they don't see the political problem with this.

**Mr. Mason:** They're just trying to do you a favour politically.

**Mr. Anderson:** That's what it must be. It is a favour. We do this every time. They wonder why we won 17 seats. How can this group of – I mean, look over here.

**Mr. Mason:** I do wonder that.

**Mr. Anderson:** Exactly.

How can this group over here sit with 17 seats? You know, they're accused of being the most extreme, crazy people, and somehow they've got 17 seats in here. Did you ever think that it had to do with your handling of bills like Bill 50 and Bill 36 and Bill 19, to name a few? It's because you keep doing these legislative things that are offensive to people, that people just want to have feedback on. You push them through, and people get mad because they weren't asked and it affects their lives. Then they

wonder: "Why on earth are they mad at us? How did this party go from zero four years ago to 17 here? How does that happen?"

It's because you're not doing this. You're not referring these bills, these ideas to these committees, to the people that matter, to the stakeholders. It's one thing to get in a room with nine people, 10 people and talk about a budget that's coming up. Okay. Fine. Great. Do that. That's not a real consultation process when we're talking about something like this. A consultation would say: "Look. This is what we're thinking of doing. Okay. We haven't put it in legislation yet, but these are the points we're thinking of doing in this act that we're bringing up. Now, give us input on it: good, bad, or indifferent. What do you think?"

Then they come back, and the stakeholders give you the input. Some of it's going to be malarkey, and you don't need to listen to it because some of it's just probably not relevant, but a lot of it will be relevant. A lot of it will be well thought out and studied, the feedback. Then you get to incorporate that, and then those people feel: "Man. The government listened to me. They actually incorporated or listened to my view. If they didn't incorporate it, they listened, and they gave me a reasonable reason why it couldn't be in there."

That's why we do this. It is so much in the government's best interest to do it that way, yet they do it the other way, and I don't get it. Really, I should just be, like, cheerleading this and saying: this is awesome because this is going to be electorally wonderful for the party that I'm with. But, of course, we've all taken an oath in here, and it's our responsibility to do what's right for the people of Alberta. In our case, we feel that what's right is to fight for local autonomy, to fight for the people who sent us here, who said: "You know what? These guys are getting too powerful, too arrogant. They're passing stuff without asking, that we don't want. They're consolidating power in smaller and smaller groups." They want us to fight on this issue, so we're going to do so.

Let's play this out. What if we refer this, and the AUMA and the AAMD and C come back and they say: "This is great. This is what we always wanted, this bill. We were waiting for this bill. Thank goodness it's come." Then the government can say: "Look. It's validation. Let's go forward with it." Then they don't have to worry. They can say: "Oh, the Wildrose. They're saying that they're sticking up for municipalities, but all the municipalities are saying that they love this bill." Why not do that? Why not wait until the councils out there have had a chance to meet, the AAMD and C in two weeks' time here has a chance to meet and discuss and comment on this, the AUMA gets a chance to meet in two and a half, three weeks and discuss and comment on this?

Why are we pushing this through right now, in the middle of the night, 11 o'clock? Probably, we'll be here till late tonight, the morning possibly. What's the point of this? We have debated this a lot, and there's no doubt that we're trying to find a way to give some time to these councils and the AUMA and the AAMD and C to get together and digest this because they haven't had time. This amendment would allow them that time. It would give them an opportunity to come before the committee, to study the bill in advance, to have all their thoughts fleshed out on it, come to the committee, comment on the committee. All of you former municipal councillors out there: how can you not like that? Minister of environment: how can you not like that, right? You were mayor before, weren't you? Mayor of Drayton Valley, right? Yeah. Wouldn't you like them to come and talk to you about it or just give you a little bit of a heads-up?

**The Acting Speaker:** Hon. member, through the chair.

**Mr. Anderson:** Absolutely. Wouldn't she like that, Madam Speaker. I think she'd love it. I think she would find that really polite and thoughtful. Come to her as mayor of Drayton Valley, and say: "This is what we're thinking of doing. What do you think there, Mayor?" "Well, this is what I think." You know, that is what the democratic process is supposed to include, and that's the step that keeps getting missed. As long as you keep missing that step, you're just helping us electorally and damaging yourselves, and there's no reason for it. It's bad strategy, and it's also bad legislation. If you just switch it up a little bit, you could be the heroes, walk away happy. Then everyone is happy because it's good legislation, and it does what people want it to do.

11:00

The other reason it needs to be referred to committee is because of the actual flaws in the bill, not just because of the lack of consultation but the actual flaws that are in the bill, and there are a lot of them. As has been pointed out, this makes it very clear that the government has the power, and the minister made it very clear in his comments just a few moments ago that a group that's already in one of these boards and so forth like the Edmonton one shouldn't be able to leave by themselves voluntarily, that they shouldn't be able to go, that if they've agreed to go in, they shouldn't be able to get out.

Well, see, that's the problem. What if it doesn't work for that community anymore? What if they got in under some pretenses, but all of a sudden it got changed? If we use that same language, you know, if you switch it up a little bit, it's kind of like democracy, right? "Once they vote in a PC government, why should they ever be able to vote them out? You know, what's the point? We voted for them once. We voted for them 10 times. Why should we ever have to vote them out?" You still hold the elections. You still ask the people if it's okay. It's called self-determination and democracy and all those wonderful things.

So why is it not okay to let the duly elected representatives of Redwater and Parkland county and Airdrie and High River, if they change their minds and say, "You know what? This isn't working for us anymore. We'd love to be a part of this, but our people are telling us that they don't want to be a part of this anymore" then back out? Why is that so horrible? Why is that so wrong? If we treated democracy like that, well, I guess that would be a dictatorship.

The problem is that the attitude should be that we should make sure in the legislation that this is entirely voluntary, that it's made very clear that a municipality has the right, may join this. The minister said: does that make sense? Say: yeah, you may join. That's okay. I like that. But they cannot prohibit, and they cannot say that you must join and that once you're in, you can't come out. That's not democratic. It's offensive, it's wrong, and it doesn't make sense with democratic principles.

You can't force people to get along. They need to get along because they want to get along. Most communities will choose to get along. They don't want to fight. The CRP regional planning and so forth: that's great, fantastic; make it voluntary. Why are we forcing people to co-operate? That's not co-operation. That's forced compliance. There's a big difference between voluntary co-operation and forced compliance, and that's what this bill enables the minister to do. He may say: oh, I'd never do that. Well, great. What about the next one? What about another group that comes in? You're still giving yourself the power to do something, and that's what's not right here.

I would urge very strongly our friends across the way to think about that and to refer this to committee. It is a good committee. I used to sit on it. I don't anymore, unfortunately, but it's a very

good committee. The chair is very capable. The chair is solid, and I think she'd do a real good job making sure that we got this right, getting the right people in front of her. I hope that you can consider that, and I hope that we can slow this process down, at the very least, going forward and give the stakeholders at least a week or two to give their input. That would be the best way to go forward.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

Standing Order 29(2)(a). The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Madam Speaker. I'd like to ask the hon. member how long he thinks the committee would need, if we're so granted, to have a chance to review this and if, in addition to the amendment, there are any legislative changes that he especially would like to see us concentrate on.

**Mr. Anderson:** Oh, man, these puffball questions are awesome. We're not used to them over on this side. It's pretty fun. [interjections] I never asked a puffball. You can go back and check the record. Never a puffball.

How much time? I don't know. I don't think it would take that long. I mean, you're not talking about necessarily having every municipality come forward. You obviously give every municipality a chance to give a written submission, and then that should go to the members of the board, and they should be able to read those submissions as they come forward. I'm sure most municipalities will probably want to submit something. That's probably 300, 350 letters. Who knows?

You go through those, and then you have, obviously, the big cities come in, the mid-size cities, the areas, the cities and towns around the large cities who are probably going to be the most impacted by this – you're talking about 20 or 30 municipalities there – then, obviously, the AAMD and C and the AUMA. You get them to come up. You probably want to talk to a few other folks, talk to probably some folks in other jurisdictions that have gone through this process of regional governance models and what the best models are and so forth.

It would take some time, for sure, but you could definitely roll it out by next year. I don't see any reason why you couldn't introduce this legislation again next spring, put it directly into committee, have recommendations ready to go for the fall, and out you go.

One of the things that I think would be interesting is if we did this on a more regular basis. I know that our party would love to, if we're lucky enough in 2016 to form the government, practise that type of thing on major bills that might be controversial and say: "You know what? Instead of just forcing this through, let's put this in the committee through spring and summer, arrive at a good solution, and reform the bill to make sure that it's coming out perfect or close to perfect." It's never going to be perfect but closer to perfect. Then pass the rest of it in the fall.

That's what we would suggest that we do. I remember having that discussion with the House leader right after the last election, and the Premier was talking about how all these policy committees were going to be doing great work on bills and blah, blah, blah. Of course, it never happened. It's been the total opposite in a lot of ways. One of the things that he mentioned was: "Yeah, that's the process that we should start looking more towards. I know the Premier wants to do that." Well, here's another opportunity. There have been a lot of opportunities on a lot of pieces of legislation, and here is yet another one.

There are maybe one or two other bills that might be substantive enough to qualify for this, but really I think that for this session this is probably the biggest one. It would probably be just one or two a session that would have to be referred to committees. You're not talking about referring every bill, just bills like this one, that are controversial and that are complicated and that affect large groups of people. Then it gives them a chance, of course, to see the legislation because it will have gone through first and second reading. In the committee they'll have a chance to see the actual legislation and go forward from there.

Again it's a great tool in the toolbox if we would just use it. It's very democratic, and it's going to lead to much, much, much better legislation. I hope that we would think about using it.

**The Acting Speaker:** Hon. members, we have 47 seconds left under 29(2)(a).

Seeing none, are there any other speakers on the referral amendment? The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. One of the points on this. Talking about how committees work and whatnot and what we do with committees – and it's nice with all party because we can actually get quite a bit out of it – I was fortunate enough back in June to go to Ottawa for the 10th Canadian parliamentarians' seminar. It was quite interesting because I think there were about 18 or 19 different countries at it, with different processes of what they do all over. Some committees actually have the minister sit on the committee, which seems a little unique in places.

**An Hon. Member:** It's called a junket.

**Mr. Donovan:** No. Actually, I paid for it myself, but thank you for that. If you want to go through, by all means check out my records. I paid for mine and my wife's flight there and back because I'm a little bit of a fiscal conservative. We can get into that another day, any time. I'm more than happy to play.

**11:10**

It was kind of interesting to hear the different processes in different countries in the Commonwealth, how they go about coming up with laws, changing laws, and bringing up things through the process. It was quite interesting because they talked about being a parliamentarian and how to get things done and how to work collaboratively with everybody in a room and stuff like that and how things were done through committee, which I found quite interesting. I think that we have a great system here, especially in our Legislature, of being able to put things to committee. I think this is probably one of the key ones where it could go forward in that and be discussed at a committee level, where everybody could at least have some input on it. Now, I understand, you know, why we would be putting it to committee. On Bill 28 some of the challenges are on jurisdiction and stuff.

When I was on county council in Vulcan, we had a skydiving group going through that were diehard skydivers, dialed into it – great – until they started doing it out at a location where they hadn't gone through any process to get a development permit from the county to do their business. Again, thinking that we knew more than everyone else, we went through the process of trying to fight them because of their development permit. Now, the catch was that they were using a registered runway for their planes to load up and take off and throw people out of it – hopefully, the parachutes open – and let them go. That was fine.

Of course, the neighbours were getting pleasantly unhappy with the process because planes were taking off at early hours in the morning, and there were quite a few people out there. So our

planning process thought: "Well, this isn't good. They don't have a development permit." But as we went through the process and went to the point of getting legal counsel and everything else to shut them down, we found out that it doesn't fall under our jurisdiction. It was federal jurisdiction because it was aviation. They trump the provincial process on it. So we were sitting there, and there wasn't a whole lot we could do about it.

Now, you spin it forward a couple more years. I think we're sitting in a situation in Parkland county, the same situation. They put up an airport, and Parkland county gets excited, and rightfully so, because a development permit wasn't taken through the process of the Municipal Government Act. That's how a process is done. Again, they're sitting there and lost a court case to it also.

You sit here and wonder, you know, about the process. It's fine when it works, but then all of a sudden when there's somebody higher up the food chain that tells you that your process doesn't really matter, everybody gets their nose out of joint pretty good. You think that locally you'd have the best jurisdiction and the best planning process to go through it to come up with what's right for everybody.

Now, this motion to forward it to the Standing Committee on Resource Stewardship I think has some merit to it. It gives some time where people can actually go out and do their homework on what we're trying to accomplish with this bill. Now, I appreciate that the Minister of Municipal Affairs has a mandate, trying to get some things to go through. It's back to the rushed process. I'm not sure why we feel that it needs to be rushed through or why there's a certain deadline on it. As we've said, it's been working for six years with the capital region plan.

You know, with the process of that, you sit there and wonder: what's the rush on it? I'd rather make good legislation and have good bills go through than sit and try to rush it through. I'm not saying that any of the bills are bad that go through this government. I think that quite a few of them have good merit to them. The point is: do you want to rush legislation through just to get so many pieces through without having the consultation with the people it affects?

Now, as I say, there are lots of former elected municipal councillors, whether it be in villages or towns or MDs or counties, in this House, which I think brings some background. Lots of people have sat around lots of municipal planning commission meetings and decided the fate of what should be done and what goes on in different planning levels if you have a regional plan or if you have a municipal plan with another jurisdiction around you. The point is that it's collaboration. When you do those things, you always have an open house. You always sit there, and you lay it out. There's actually the process through the MGA of how many days you have to advertise it ahead of time so that people can actually go out, advertise it in their local papers, talk to the people it affects, and actually sit there and have the time to work with people so they can actually get their input.

Now, again, this is one of the things I think on this bill – we have two municipal conventions coming up, the AAMD and C and the AUMA. I think these are great places to be a trade fair for this, so instead of telling them what they're going to get, ask them. Sit there and show it to them and say: these are the reasons, which the minister was very passionate about, why it needs to be done ASAP. I think you take out the emotional side of it and just say: what are we actually gaining out of this, and why is there the drop-dead deadline to it?

You know, I understand we need to pass legislation in this House, and there are bills that need to be passed. But the timelines on them now: if they're deemed an emergency such as a flood, which we've dealt with, those ones are understandable. But this

one, honestly, is a paper trail. We're catching up on a couple of things that, obviously, the province got caught on that they found when they did their regional plan and capital regional plan and stuff like that.

I know there are those in here that were part of the capital regional planning process. It's like everything. There are some highs and lows to them. I mean, you're not always going to sit around the table and sing *Kumbaya* with each other on how things are, but at the end of the day I think you can sit down and figure out what needs to be accomplished and why it needs to be accomplished. It's generally for the best for everyone. You're always going to have some ego and power that gets dialed into it, but that's part of the game, I guess.

I think that at the end of the day, though, we've come a long way from 1950 or '51, whenever the Member for Banff-Cochrane was born, from what was going on in that era of things being done. I think we've become a lot more collaborative, in all honesty, between all the municipalities. I know that in my years on it it went a huge step from when I first got elected, when I was 19, in 1995, to now. I mean, it's huge circles of – I think people look a lot more globally and can identify the things that need to be done in order to make a better Alberta.

Again, to push people into a room in a short time and tell them that this is what's going to happen instead of asking them I think goes back to why, you know, sending it to the Standing Committee on Resource Stewardship would be a positive move. I mean, I think the chair and the deputy chair on that committee are both very capable people. The people on the committee are obviously good. They've been appointed by their different parties. The Member for Cypress-Medicine Hat is another keen soul there. [interjection] I said you as the deputy, didn't I? I covered that.

You know, I think it's a process, and it goes back to, again, when I went on my trip to Ottawa – which I paid for myself, so it's not to be considered as a junket. The point is that we learned quite a bit on that about different ways that go on in different parts of the world that still fall under the Commonwealth process of how government is done, which was quite interesting. I mean, I came out of that and was quite appreciative of how we do things here. I think it was in Bangladesh where they said that the ministers get to sit in on the committee meetings, and they're actually committee members on it, which is quite convoluted, I guess. That would be the understatement. If you're asking a minister questions and they get to be on the committee that decides what the questions are, it's kind of a foregone conclusion how the answers could turn out on that.

I think that in democracy we have a good system here. In doing that, we don't want to rush the system and lose the point of the process. I know it's not always the most fun thing to do, and it's definitely not the most splashy or liveliest, you know: the best part of this job is sitting around going through the process and having the debate. But I think it's what we need to do. To jam something in and ram it through just because we think we need to get the process rolling isn't being good parliamentarians.

11:20

At the end of the day what I think most of our elected people, our constituents, expect from us is making good decisions with the information that we have in front of us. I'm a fan of doing it myself as long as the information is given to us so that we can actually go out and have consultation with our constituents and with the affected people. To me, that ties into our municipalities, whether they be our urban friends or our rural friends. We need to be able to have the conversation with them and show them the

information that's coming out in some of these bills, because at the end of the day that's who it is affecting.

We talked earlier about some of the subsections, 708.17(1), (2), (3). I asked the Minister of Municipal Affairs about that, you know: do we really need that in there? He said: well, it's been in there for 17 years. We've never used it. It's in the capital regional plan also for six years. Again, it's never been used. So just to calm the fears of people, maybe remove it. It drops the guard down for people. I understand that you're going to have people that push the process otherwise, so you have to have, I guess, a reason or a rationale to have some kind of a penalty at the end. It just seems to me that a year in jail might not be the most fun trip, and \$10,000 most of us would probably stop to pick up. If you're fined that, you'd probably take it as quite a hit overall in life. Or both. I mean, there's the two-for-one deal there, which I don't think most people would be overly happy with.

It's those kinds of things where I think we sit down and talk with our municipal friends and say: "Here's our end goal. We need to get to point B, and we're here. Are there any means or ways where we could actually probably work together and come up with a common solution, come up with some good ideas?" You know, put good people in rooms together, and then you're going to have some good ideas come together. Again, it's a process, and the one thing I struggle with is to put something through without proper and due process.

The minister talked earlier of people jumping in and out of some of these plans and some other collaborative works, and the Member for Banff-Cochrane brought up the Calgary Regional Partnership and how well it worked. There are different people that obviously didn't feel the same way about it. During that time in 2008, when I was a reeve in the county of Vulcan, one of the things we did bring up was to join the Calgary Regional Partnership. Looking back, thank goodness they didn't take us. But at the time it looked like it was a good idea to collaboratively work together. You know, when the MD of Bighorn pulled out of the CRP, their rationale was that they thought it was more of an urban planning process. So for the rural people it was kind of hard to sit there and say: we want to be part of a plan that really doesn't affect us.

The central planning ideas. I guess the process on some of these, I think, really needs to be looked at. One of the things that makes me wonder about it is when we bring our First Nations friends into it because they fall under a different jurisdiction, which was one of the things in the Calgary Regional Partnership that didn't bode well for the MD of Bighorn, for instance. If you want to put a regional water line or rail line or sewer line or power line through the First Nations, it falls under a different jurisdiction. So in order to put some of these plans together, we have to make sure that we all work together. And that ties back to my aviation story and the county of Vulcan. You have federal jurisdiction and provincial.

**The Acting Speaker:** Thank you, hon. member.

**Mr. Donovan:** I was just getting to the good stuff.

**The Acting Speaker:** Standing Order 29(2)(a)?

**Mr. Anderson:** The hon. member referred to the good stuff. I'd like to know what that good stuff is.

**Mr. Donovan:** Well, where to start? The question is that it's fine when you're on top of who gets to decide what the rules are, but there's always that level of government a little higher. You know, on a municipal council you have your MDs, counties, your coun-

cillors there. Then you go provincially. Then you have your federal ones. The federal government tells the province what rules they shall be running by and what jurisdiction shall go from there. Then you have the UN, who comes up with some different ideas, but it affects all of us, I guess, because, for instance, as a farmer there's a new European Union agreement for agriculture, which Canada signed, which I think is good overall for Alberta agriculture and as an Alberta agricultural producer.

Now, if I was dairy producer in this province, I might not think exactly the same because they didn't maybe – it's a challenge trying to balance it all out with everybody. That's a perfect one we could sit down to as the good stuff, as my friend from Airdrie had asked about as there is a collaborative program. Say that you were the agricultural producers in this province and you were some of the ones that, you know, had the feedlots or you were a cow-calf operator or if you're in the dairy industry: supply and demand. They've put a lot of money and invested a lot of time into that, but then you go out and make an agreement with Europe and you say: "Okay. For the general masses this does work, but there are going to be a select few that it doesn't work for. How are they going to be compensated or dealt with?"

So you take that back down into a provincial process, where you have towns, MDs, and counties trying to collaborate together and come up with some good ideas for how to make the province better, how to plan better. But if you push them into a room and you tell them something is going to happen, most people don't do well with it. If you ask people, you usually get a way better process and get better feedback from people, but to tell people how to do stuff just generally doesn't work well. I could ask for help on that side on how to tell people to do stuff – cue the crickets, and there we go – but it just doesn't go over well. It's the collaboration. It's trying to work together to ask people how to do stuff instead of telling them.

I think it's going out to the people that this affects the most, and that's our municipalities, whether they be urban or rural, and letting them have a chance to look at this. Most of them haven't even been sworn in. Some of them are being sworn in this week. You know, it's awfully unfair to ask some municipalities that have over 50 per cent turnover what their thoughts are on this and they don't get sworn in until tomorrow, for instance, or next week for some of them. The question is: how do you fairly tell somebody that? It would be like us having over 50 per cent new people elected in this last election and then coming in on the first day and saying, "Here are some bills that are going to affect you for the next four years or whatever your mandate is," and you didn't really have a whole lot of time to figure it out or learn it.

To me, it's not democracy, and it goes back to: are we politicians or parliamentarians? I think we should be parliamentarians. I think we should be here to make good laws and good bills and pass it forward so that we can make the province a better place to be rather than politicizing whether it's going to work or not work or if we have a one-off in Parkland county that's caused a flag to go up or a different situation in different parts of the province.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

There are 40 seconds left under 29(2)(a). Would anyone else like to comment or question?

Seeing none, are there any other members who wish to speak on the referral amendment from the Member for Cypress-Medicine Hat?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on the amendment to second reading lost]

[Several members rose calling for a division. The division bell was rung at 11:29 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Donovan	Rowe
Anglin	Mason	Stier
Barnes	Notley	

**11:40**

Against the motion:

Bhullar	Horner	McQueen
Brown	Jansen	Oberle
Calahasen	Jeneroux	Olesen
Cao	Johnson, L.	Pastoor
Casey	Kennedy-Glans	Quest
Dallas	Khan	Rodney
Dorward	Klimchuk	Sarich
Fawcett	Kubinec	Scott
Fenske	Lemke	Webber
Fritz	McDonald	Woo-Paw
Griffiths	McIver	Xiao
Hancock		

Totals:	For – 8	Against – 34
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[Motion on amendment to second reading of Bill 28 lost]

**The Acting Speaker:** We are back to debating Bill 28 in second reading.

The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Thank you, Madam Speaker. We're back to debating the bill once again. I'm going to take a few minutes to go over some important points that I was hoping to get more clear in my earlier presentations. Now I've got another moment to take a second shot at it.

Madam Speaker, this set of motions that we . . . [interjections]

**The Acting Speaker:** Hon. members, Livingstone-Macleod has the floor.

**Mr. Stier:** Madam Speaker, at this moment in time it's a little bit noisy, but I'm going to try to speak over it. We've spent some time talking about some great motions that the House chose not to support, and I thought those were worthwhile things to suggest. Going to the Resource Stewardship Committee, I thought, was really a great idea. We could have really studied it in detail. I guess we have to look at where we've been before on this sort of stuff and where we can see some faults with what we've got presented before us.

Back before we were faced with this situation, we were working with a different type of planning system, as I'd mentioned earlier, and many times tonight we've heard about how things were done back in the '50s. Well, I'm going to take us to the '70s and '80s and '90s, when we had regional planning before. I had the occasion in my background to work with the Calgary regional planning board in those days, as I've said earlier. This was a system that caused a lot of dispute between municipalities and, quite frankly, was problematic.

Eventually, as we worked with that system and they put a greenbelt around the outside of the city to try to look at how they could develop land in the transition areas, they ran into more and more types of conflict. As these things would arise, it was proven that the type of system that they had designed was faulty. Eventually they created a new Municipal Government Act because of that set of conflicts, and they went ahead and started putting together some new land-use policies called the Alberta land-use policies back in those days. They ensured that during that process those land-use policies were reflected in the creation of local municipal development plans. The local municipal development plans were therefore a reflection of government policy.

As the system became something that was worked with on a more detailed basis, they found that it was important to have more negotiations between municipalities, and they created inter-municipal committee systems. These, I think, work quite well, and we've been working with those for the past number of years. As I said earlier, there have been times when that system probably could have been tweaked, but it certainly was something that I thought was a great way for municipalities to collaborate with each other and resolve their differences and proceed along with good development in regions. It was easy to do regional planning with these intermunicipal systems, and it still is relatively easy as long as the people will get together and have these meetings on a regular basis and have good agendas that plan forward for the future.

As most of the members here will know, there's also the appeal process when some of these negotiations don't always go as smoothly as they could and an arbitration process that can be utilized as well as, of course, if a last resort has to be looked at, the Queen's Bench.

As I said earlier, too, again, the times were changing and during the later portions of that year we saw annexation difficulties. Whether it was in Grande Prairie or Red Deer and Red Deer county or some of the other areas south around Calgary with the MDs of Foothills and Rocky View, there were an awful lot of days and weeks and months spent in tough negotiations to try to get annexation proposals resolved.

As I might have mentioned earlier, too, as well, environmental issues were being pressed upon us in those days, back in the late '90s. Around I think it was '98 or '99 – I'm not sure which; someone might be able to correct me – the Calgary Regional Partnership was an idea that was floated amongst municipalities, and members were invited to attend. I myself actually attended several of the Calgary Regional Partnership meetings, and I saw a few people that are in here tonight at some of those. It was a good idea, I think, to be able to try to organize a bunch of volunteer municipalities to decide how, perhaps, we could more easily collaborate with each other on how we could go forward. I think it was an extension of the intermunicipal committee process.

Yet as they went along, it was evident that there was also an agenda there that was being presented by the major component, which would have been the city of Calgary, to try to influence how development would go forward in the future in the transition areas around the city boundaries. In fact, they tried to impose some new ideas that were not well received by rural landowners nor by their rural council.

I can remember many, many times when we went to public open houses and we went to a lot of various stakeholder meetings, and there was a lot of fury in the room, with 150 to 200 people at it complaining about the intentions of the city at the time to try to control land outside and propose agreements that they wanted to push, where various tracts of land to the south, particularly, and to the north of the city would be agreed to be

frozen in time. We liked to say, actually, sterilized. They would do that by demanding that if there were to be developments out in those areas, they would have to be developed at least 10 to 12 units per hectare.

**11:50**

It was a stark reality that was put upon the landowners that they were not prepared to accept, so those areas became noted by most, because they were blue on the map, as blue blobs of concern.

With that being the case, there was so much concern, there was so much notoriety that two or three of the municipalities decided to back out of the regional partnership because they could not fairly see that these types of ideas were something that were in the greater interest of their residents.

Later on, as this became an issue, the previous minister for SRD, I believe, and also the member for Foothills-Rocky View decided that it was time to put together a new type of endeavour, and it was called eventually the land-use framework. In that endeavour it was suggested at the time that we return to regional planning, that was faulty before. I'd like to point out, as I did earlier, that the regional planning was sufficiently faulty that the government of the day, in the '90s, which was of the same political affiliation as today, decided to throw out central planning as a bad idea.

**An Hon. Member:** It was a big mistake.

**Mr. Stier:** Not a big mistake. It was the right decision.

At that time back then, when they threw it out, they gave back autonomy to the local municipalities, and they gave them tools upon which they could develop and be creative and explore their own ways for growth and economic development. These are important things that are the very foundation of every municipality today, and I think that was a great decision.

So why are we now looking at returning to even a tougher – tougher – regional planning concept? It makes no sense to me when your government decided to throw that system out many years ago. Of course, we know all the other things that were related to the land-use framework that were proposed by the members of the day: the Bill 36 controversies and worries about property rights and compensation for changes in land use that were caused by government takings and the loss of local autonomy. We know how all that worked out. A lot of us are here today because of that very sequence of events.

We wound up, therefore, at the end of the day, as all things do pass along, with seven regions based on watersheds and regional planning here again, and regional advisory councils have been put into place to put these plans together. The MGA was amended in many ways to accommodate this whole new system. The draft South Saskatchewan plan is now upon us in the south. What we're working with is going to be supposedly used to guide our way in the future.

Throughout all of these documents, whether it was the land-use framework or whether it was the regional advisory council report or whether it was the MGA itself where it was amended or the draft plan that we're now working with, this new regional planning board was not mentioned. This new idea that we're dealing with today was not in the cards. It makes me wonder how we can be embarking upon the draft South Saskatchewan plan right now and all the consultations that we're going about. The thing was only released a couple of weeks ago, and this new idea wasn't even mentioned. It wasn't even referred to in any regard. How can we be doing this, therefore, in a proper way? It doesn't make sense to me.

If we've looked at all of that, it doesn't seem to be that it's consistent with the balance of the documents that I've just mentioned, so you have to wonder why someone would do this. It seems to me evident from the past news reports we've had and the past indications throughout the last local election that there was a lot of controversy having to do with the Calgary Regional Partnership and the Calgary metropolitan plan and the withdrawal of many municipalities, including Bighorn, the MD of Foothills, Rocky View, and Wheatland, to the degree that there was a lot of worry that it would not go forward. On the Calgary Regional Partnership people even came up to Edmonton to speak to the opposition to get their view on things, and that was a lively meeting, I can assure you.

Nonetheless, we're at a point now where we're trying to introduce a whole new level of decision-making into the system here. It almost looks to me as if this has been created to take the Calgary Regional Partnership, which is a volunteer board, which has had some members drop out of it, and make it into a stronger authority that could with this set of rules cause this very organization to be compelled to make all of these members comply no matter whether they want to be there or not. That's what this seems to look like to me.

With this being the case and with the facts coming up where the larger associations for municipalities have obviously not been consulted, I cannot support this whole system. This does not make good sense. It does not follow through step by step and make a good long-range system to go with.

Madam Speaker, I would like to therefore conclude that this type of forced regionalization is not what we need in Alberta. It is not something that our municipal councils want. It is not what our residents expect of us. They expect to be consulted. They expect to have participation. So then I would like just to say that I cannot support this, and I hope that others will see the light and act likewise.

Thank you very much.

**The Acting Speaker:** Thank you.

We have Standing Order 29(2)(a), five minutes for comments or questions on the preceding presentation.

Seeing no members, are there any other members that wish to speak on Bill 28 in second reading? The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. I know my last stand-up part was riveting for most because I've heard back on some of the comment containers back so far.

I'm getting up to speak, I guess, not necessarily against the bill. It's the way the process has happened on it. Again, something I've stumbled over since I've been here, whether we're parliamentarians or politicians and what mandate we're pushing, one of the things with this bill is that it goes back to being able to let the people have the proper input on it. That's one of my questions. Are the affected people going to be able to have the proper input to it? As soon as you start making any changes to the regulations with the Municipal Government Act – and I understand there's got to be some closure to it and whatnot. So I get the process of the means and why things are done, but it's the process of how it's being done.

You know, the Minister of Municipal Affairs brought up a very good point when he was talking earlier about people jumping in and out, whether something works, whether it be a regional water line or the CRP or whatever, and how they jump back and forth, understanding that it can be harder to plan that way. But I think people should always have the right to change their mind on what

they're doing. If there's a process that's been involved and it wasn't working right, you should always have the right to step back and say: jeez, that's not working for us. We usually see that municipally in a change of council. We've seen quite a few different times where I think constituents feel that their elected representatives, whether it be a councillor or a mayor or an MLA, aren't doing their job to represent what their constituents' needs are. They voluntarily take them out in the election process, which involves whether or not they're going to have their job again.

Now, in saying that, I think it's pretty fair to say that people should have the right to do it. The Member for Banff-Cochrane had brought up the CRP before, you know. I guess I'd like to know his views on why it was okay for the MD of Bighorn to step out of that partnership. The question is: I think everybody should have the right to do what you want. I mean, we have members like the Member for Edmonton-Gold Bar, who has quite a background in everything. I think he believes in democracy, and he believes that people would be able to talk mindlessly while somebody else is trying to give a presentation and disrupt the House a little bit. But that's okay. That's all fair. I think that's how the process works. It's, you know, the process of how to let people have their input on something.

**12:00**

Now, the Minister of Finance brought up a very interesting conversation while we were on break there, waiting for the bells, about schools and schooling – and this goes back to school boards and stuff like that – and I know that he's just riveted on the end of his chair by some more of my thoughts on how the process works. This goes back to Bill 28, how the process works.

I guess this was back when counties and MDs – well, actually, counties had the school boards in them because that's what made them a county. A municipal district only dealt with municipal issues, and the school boards were separate. That's why we had counties and then the MD of Foothills, for instance, versus the county of Vulcan. The county of Vulcan took care of the education as well as the municipal issues, and the MD of Foothills, for instance, only took care of municipal issues. They had a separate school board.

Now, in saying that, if you didn't agree with, for instance, Vulcan county, where you're going to school, how they were closing some of the smaller schools and centralizing, so to speak, at the time, you didn't have a lot of choices. Now, from my farm in Mossleigh, where I'm still at – and I've had the same land location and phone number for 37 great years, wouldn't change it; a great place to live – you had to go to Vulcan, which was 45 K away, which wasn't in our trading circle, so to speak. My parents went to High River way more often. So in order to go to Blackie school, you got the school boards fighting.

Now, we talk about how people work together and how to come to different arrangements to make something work and have a solution. We came to a dead end on that, where the school boards – Foothills wanted to be paid for the busing, and Vulcan county said: no, we're not doing that. In the process of doing that – being Catholic, we got to have the option of having a separate school board – they started up four-by-fours. Anybody that happened to be in the old school board days knew that that was a way that you could come up, and if you had enough people sign a petition, through democracy you could do that. My dad ended up being the chairman of the separate school board there, the Catholic school board, so we could fund the kids to be able to take the bus and let our tax money follow where the children went.

Now, to me, that goes back to democracy. If there's a process and a means and a way, you should be able to implement it. It

doesn't mean you have to agree totally with how the system was being worked, but you have your option if you take the time, and the way to do it is to go through it and to make the situation work for you and find the solution. Our solution when I was going to school – I know the Minister of Finance will be excited to know that that's how we ended up being able to take the kids from our area and go to Blackie and then go to High River, for instance, for high school. That's how we funded it because we set up the separate school district.

Now, most people probably wouldn't have gone through the process of doing it, but my dad was probably even more stubborn than me, which is hard to fathom.

**An Hon. Member:** No.

**Mr. Donovan:** I know. I know it would be very hard for somebody who's climbed the heights that you have from Calgary-Lougheed, but it is possible. There are people more stubborn out there, you know, and I appreciate that.

But the process is there, and if you take away the process for people to have the right to do something, that's where we've lost. You should always have the right to be part of a board or not. I leave that with the Minister of Municipal Affairs.

I can understand some of the challenges he would have on some of these pipelines and different associations and committees, how things are done, where people go in and out, but it's still the process, that you should be allowed to do because if you don't – I would have tortured my teachers in Vulcan for numerous years, where they didn't need that, through high school. Instead, I got to go through the process of Blackie and High River, where I was a much more fun-filled student, that was willing to learn through the process there, because we had the choice. It wasn't an easy choice. It was a process that took quite a bit of time to get through, but it still gives you the option. When you take that option away from people, it's a challenge.

Again, back to Bill 28. When you don't give it to the people that it affects so that they can understand what the situation is, I think you're truly cutting democracy short on it. This goes back to: are we parliamentarians, or are we politicians? If we're politicians, we're kissing the babies, and we're trying to make whatever work so we can all get elected the next time, but if we're parliamentarians, we're actually here to make good law and good legislation. I'm not saying that this total bill would have challenges.

**Mr. Hancock:** And really good parliamentarians don't repeat themselves over and over again.

**Mr. Donovan:** Well, I'm learning from some of the best across the floor. I do truly appreciate how things can be done. It's been good. I do appreciate the history that's obviously on that side of the floor.

The process is on Bill 28. If we don't let the people that it affects, which I feel are the municipal councils, have some input into it, I think we're shorting them. You know, I think that when the associate minister that used to be – I don't know if he still has finance under the title of recovery. No? You got that yanked on you? That's a tough one. So you're just recovery of southern Alberta and something else. I mean, the Minister of Finance is doing a great job. I don't know why he needed a winger. You know, that's some great work, you guys, to trim down your ministries. Oh, wait a second. You didn't trim down your ministries; you added some more. But that's okay.

**An Hon. Member:** Relevance.

**Mr. Donovan:** Well, we could get into relevance in the back there, but we won't do that.

The process here is that we're not letting the people that this affects have the opportunity to talk to it. So we need to sit here, give them the opportunity to do it, and let them go with it. When we cut them short, it's the process. It goes down to process. I guess I'll probably be one of the bitter people on the front line one day complaining at 5 or 10 after 12 on a lovely morning, hanging out with colleagues, about how process should work.

I mean, there's a great person right there from Edmonton-Gold Bar talking about process. You know, when people want you elected, they elect you. Now, when you ran as mayor, they didn't elect you. That's process. They didn't think it was the right guy. So you moved through it, but you appreciate it because you put your name forward to be an MLA, and you've won that because the people of your area of Edmonton-Gold Bar think you're the right person for it. That's process. There's nothing wrong with that. That's how the process works. If you don't succeed the first time, try again. Perseverance worked for that gentleman. It's an honour to have him as a colleague in here, because he does add quite a few things. I mean, the Minister of Transportation is another guy, too, a person that has tried and hasn't maybe won the first time, but they try again. There's nothing wrong with that. That's what we are in this province, people that sometimes get knocked down. You pick yourself back up, and you try again. But if you didn't have the process there, you wouldn't be able to do it again.

**Mr. Hancock:** Some people are just trying.

**Mr. Donovan:** Yeah. You know, there's always that angle, too. We could go into a whole process of what trying could or couldn't be. I don't think that, you know, the thousands of people that are watching this online right now would be up for that right now. They'd way rather read it in *Hansard*.

**An Hon. Member:** The thousands.

**Mr. Donovan:** Yeah. The thousands upon thousands.

One of the things that I see in here is process. Again, I think we've cut ourselves short on process. Honestly, if there's a timeline here to have this passed, if the minister says that it has been done by November 30, 2013 – and I know there are some relative reasons why it needs to be expedited so fast. We went six years with the process with Edmonton capital area planning. We've been 16 years in the MGA or 19 years since it was done last. If there's a drop-dead date on it, then that's understandable, but otherwise to push something in and not get the actual proper input from people I think is a challenge. We're cutting our ratepayers short, our constituents short, and, I think, the process short.

I mean, to me, I think that would be something that would be an amenable process for everybody, something that would be a situation that we could all look at and think is a good, solid solution to take back to our MDs and counties and our urban friends also and let them look at it and see if there's anything they could add to it and have a consultation process, which the ministers do on all kinds of different levels when we're providing other bills. We go out. The South Saskatchewan regional plan: I mean, there's no drop-dead date on it. A great job was done by our Minister of Environment and Sustainable Resource Development of going out and having the process with people.

**Mrs. McQueen:** I'll remind you of that.

12:10

**Mr. Donovan:** The process you did a great job on, Minister, the process. But you've gone out and done it. You went out there, you've given people the opportunity to add their input, have focus groups, do those kinds of things, and that's what we need to do.

That's my biggest gripe against this government right now, the pushing of some stuff without letting people have the proper due process. If you don't have the process, you have nothing, and then we just become pork-barrel politicians that wander around aimlessly to things instead of being parliamentarians, where you're supposed to make good legislation, prove what needs to be done for the province, and do it in a form and a way that people appreciate because they feel they're part of it, that they actually have some input into it.

Those are my thoughts on the bill, and I think I'd be willing to look at it down the road if we could have an actual consultation process with the people it affects rather than trying to tick it done by next week before everybody heads out.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

We have five minutes for 29(2)(a) if there's anybody who would have a comment or question on the preceding speech.

Seeing no members, are there any other members who wish to speak in second reading on Bill 28? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. It was interesting to actually hear the Member for Little Bow talk about the perseverance of some of the members across the aisle. I'm wearing my Red Sox shirt underneath my suit jacket; 95 years in waiting is perseverance. So I commend the members across the way.

The minister commented on the bill in a number of different ways. He talked on different levels. What was interesting – and I've seen this before with legislation in this Assembly – was that they will take wording from previous legislation, bring it in, and then say: "There have been no changes here. This is the same wording from previous legislation, or it is the wording right out of regulation." So I was trying to figure out why the bill was coming forward and why now.

In listening to the hon. minister talk about the world crashing down because of a pending court case, what I realized is that it all comes around process. I had to dig out some data here to really kind of figure out what was happening, but basically what we had was one participant, the Capital Region Board, that didn't think it was being treated fairly. They thought what was happening was a violation of democratic principles, and they were upset. What they wanted was quite interesting. They had hoped that the Minister of Municipal Affairs would actually step in and make some changes. Little did they know that the changes that were going to be made were: whatever a court says is obsolete. That's what will happen when this is passed.

It's interesting. That's not what the complainants want. What they wanted was a process to appeal. That's what was missing. They didn't like what was happening on the Capital Region Board, they didn't like the way they were being bullied, and what they wanted was a process to appeal. Rather than having the section of the law that says, "Despite any decision of a court to the contrary made before or after the coming into force of this [legislation]," had the ministry only provided some sort of appeal process that satisfied the plaintiff, we could have avoided a court case.

Now, I don't know what that would have been, but we're here today because of that very situation. I would venture to say – I

haven't researched all of the regulations. Again, we don't get to see this until they – we might be lucky to get briefed, but then the bill is tabled. Once the bill is tabled, we get to read it. Here we are tonight, having had just barely 24, 36 hours, whatever it is, from when this bill was tabled. Then we listen to the hon. member tell us why this is coming forward, and hearing that, what we realize is that the bill wasn't actually necessary. There are other mechanisms available to the hon. minister to resolve this issue.

Now, clearly, the problem was, coming to this point, the lack of democratic process. Where is that corrected in the bill? It's not. So the problem still exists. We haven't corrected the problem. We're still faced with a situation where I think everybody agrees that we want these regional boards, we want regional planning, but if we haven't corrected the democratic process, we still have the same problem, that we're carrying forward. I don't know how that will ever play out even with this legislation. I'm sure there were lawyers that said that what we're about to pass is constitutional, but in the end that will be decided by the Supreme Court and not, certainly, this legal advice. It can still be tested, I suppose, at the Supreme Court level, whether or not the legislation is constitutional. I would hope it was checked for that, but I don't know what the rights of municipalities are. I've always concerned myself with the rights of individuals, but corporations are people, and municipalities have the status of a person under many legal jargons, so I assume that it's somewhat equal. It'll be interesting to see how it all plays out.

It's interesting. The problem that was first exposed was the lack of democracy, the lack of democratic process, and the remedy that was sought was to go to the ministry and ask for some sort of appeal process when one of the participants on the board felt that they were either being bullied or being treated unfairly, whatever the complaint was, that there would be some sort of appeal process where they could seek a remedy. Nowhere in this bill do we address that problem or that issue. I have to tell you that I think that complicates matters more, when you then draft a bill that says that the way we're going to do this is that your complaint has no validity whatsoever. I don't think the problem goes away with that, so we didn't fix a thing. We should. That's the key. We should fix it.

We recognize where the problem is, and when I look at what was said from the elected officials who brought this problem out into the public, they even offered some guidelines as to what would satisfy them. Yet we didn't respond as a Legislature that way. The government didn't respond, at least nothing out in the public that I can research and find, to constructively resolve this issue.

Understanding the comments that these various participants made, there was a mechanism here. We could have solved some problems under the existing legislation, under the existing act. All they were looking for was the democratic process. All they were looking for was to be treated fairly and to have some sort of appeal process where they could have been heard, where their concerns could have been heard. I don't think anybody wants anything less than that.

We don't have it in the legislation, and that's a shame. Where does it go from here? What happens from this point? Does this go to the Supreme Court, and then we're back here talking about this again? It is a possibility. It's very much a possibility. I won't venture what the legal argument will be other than the fact that they would somehow look at this legislation and say: "The problem still exists. This is unconstitutional. We deserve the right to a democratic process." It'd be interesting to see what goes on and whether they want to go down that track. I don't understand why we can't just address the problem even in this legislation,

why we can't fix this bill to make it so the communities had some sort of democratic process.

With that, what I'd like to do, Madam Speaker, is give notice of an amendment and move that the motion for second reading of Bill 28, Modernizing Regional Governance Act, be amended by deleting all the words after "that" and substituting the following: "Bill 28, Modernizing Regional Governance Act, be not now read a second time but that it be read a second time this day six months hence." I have the requisite copies here. That's the original.

12:20

**The Acting Speaker:** Thank you, hon. member. We'll pause for a moment while we distribute the amendment.

Hon. member, would you please carry on?

**Mr. Anglin:** I'm ready to go. I'm always ready to go.

**The Acting Speaker:** You have five minutes left.

**Mr. Anglin:** Doesn't the clock start over again on the motion?

**Mr. Anderson:** Good try.

**Mr. Anglin:** I always give it a good try. I give it my best.

Saying that, it's interesting that – well, actually, it's not interesting. It's a shame. It's a shame that the litigants had what I think is a valid argument, and they offered up the possibility of solutions without having to go to court. I think they laid it out pretty good for the ministry to step in and say: "Okay. How are we going to resolve this? How are we going to create a system where the stakeholders feel that the process is fair? How can we fix this?"

Now, I don't know if the minister is willing to respond to this. But did they do this? Did they actually consult out there, looking at this particular problem, to avoid bringing legislation forward and say: how can we fix the existing process without having to go to court so that these stakeholders, these participants on these boards feel that they were part of a democratic process and could have their concerns heard in a fair and just manner? I think the comments that the litigants gave publicly clearly show that both sides were acting in good faith. They weren't looking to go to court.

I would argue that it appears that the government dropped the ball. It appears that where there was an opportunity for leadership, the government didn't show up. What it did is come here with a piece of legislation without even consulting with those affected. The problem is that the legislation now affects the entire province, not just where this problem first surfaced. That is tragic, in a way, because this problem isn't going away. It's just a matter of where it's going to pop up again.

These participants on these boards have to have a venue where they have an opportunity to bring an appeal forward, whether it's through the ministry, whether it's through a separate process, where they can bring their concerns and feel that they've gone through a just process, whether they agree with the decision or not. What normally happens with people or organizations that go in front of either a court or a board that is independent and objective is that if they feel that their arguments have been heard and the decision was made in a fair process, it is a little bit easier to live with the outcome. Where people get frustrated and organizations get frustrated is when the rules are rigged, that you don't even get a fair process. That's what's happening here.

With the regional boards, that we would like, and for regional planning that I think most people would agree with – planning is good, but dictating is bad. Dictating is not planning. Not having

input in the outcome of something that's going to directly affect you is extremely frustrating to these members that find themselves in this situation.

So what are we going to do? Well, I think the best thing to do is to approve this motion and get out into the public and consult. What we can actually do, if we put a lot of work into it, is maybe not even have the need for passing this legislation. There are other ways to fix this under the existing act, under the existing regulations. We do not have to mandate it or dictate it to the various regional boards.

I'm not sure where it's going to end up because as the Speaker knows, in the city of Red Deer, particularly out by Gasoline Alley, the tension sometimes can rise pretty high, but they need to be able resolve that democratically. When the government steps in or any board steps in and forces the issue, I think that makes it more difficult. I think the animosity grows, and I don't think it goes away. I don't think that's good for our democracy.

Again, we don't always get what we want. We don't always get the outcome that we first set out to get, but if we have a democratic process and we allow what I say is and what is commonly referred to as the greatest strength of a democracy, the ability to compromise, those compromise solutions generally are far more acceptable than one side winning all and the other side being the loser.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). The hon. Member for Airdrie.

**Mr. Anderson:** Yeah. I'd just like to ask the hon. member: when it comes to this hoist amendment, is this the best way to go about this? Would he have been happier if, instead of a hoist amendment, we were able to possibly refer this to a committee? Perhaps, instead of referring it to a committee, we could just drop the bill for now and go back and have some public consultation on it. Would that have been a wiser decision? Particularly the referral motion: I think that might have been a really good idea. I just wanted to hear what his thoughts are on it.

**The Acting Speaker:** Thank you, hon. member.

**Mr. Anglin:** Actually, that's a great question. The committee would have been a very good process, and it might have led to a good outcome. But what I discovered when doing my research, as I was scrambling when the minister explained the reasons why, was that there was opportunity for solutions right from the beginning. Now, I don't know what steps or what measures the ministry took to explore any of those solutions.

Clearly, after reading some of the comments made by the litigants, the court was the last thing they were hoping for, and I can tell you right now that this legislation was not something that certainly one of the litigants was even thinking about. There was absolutely no compromise there whatsoever.

I would say that, probably, referring it to a committee was a better way to go, but of all the processes here, the one that jumps out at me is what the litigants were looking for. They were looking for a solution that was nonlegislative, and it appears that there was a solution available that was nonlegislative. We might have needed to amend the Municipal Government Act; maybe we didn't need to. What they were looking for was a process, that they could bring their concerns through an appeal process once the regional board had made a decision. Under most circumstances when dealing with most boards and commissions, there are appeal processes and checks and balances in many ways. We don't generally allow that final arbiter to be, you know, a nonelected official. I know we do this in our zoning and our development

boards with the municipalities and even with our local taxes. If you don't like the way they assessed you, there is an appeal process to go through where we double-check and make sure that we're equitable and we're fair. Now, people may not like the outcome, but we have the process there that makes it work.

**12:30**

That question just brings to mind all the possibilities that I do not think have been explored. Certainly, the possibility of going to the committee was rejected, and I don't understand that. I think that if we brought in the Capital Region Board and brought in Parkland county and heard their concerns and found out that what they were really looking to do was to make a process that was more democratic and more fair, we probably could have found that using the regulatory method with an order in council and just made a few changes that were acceptable to both sides. Maybe that would have worked for every place around the province as they created regional boards.

What's happened is that rather than doing something logical or pragmatic to actually address the problem, we've come out with a bill that has brought over much of the regulation, but it's very heavy handed in the sense that it just nullifies any type of court involvement. Again, I still wonder about the constitutionality of that. Even a murderer has a right to appeal. Why shouldn't a community who's law abiding, who just doesn't like what the regional board is doing, have a right to appeal so that we have a second look at whatever decision is being made.

It's a matter of all citizens being treated equally, and due process of law should not discriminate with a law-abiding community or a law-abiding citizen. We have due process of law in the Criminal Code.

**The Acting Speaker:** Thank you, hon. member.

Are there any others who wish to speak on the notice of amendment by the Member for Rimbey-Rocky Mountain House-Sundre? The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Thank you again, Madam Speaker. I'd like to speak just for a few moments if I could on this motion to allow for this to not be read a second time but that it be read a second time six months from now. I think that that fits very nicely with the ideas that I had earlier, when I talked about some of things that have happened in the past with this process of planning.

I can recall many, many times having gone through the planning process and sat in hearings and public meetings over various matters where there have been all kinds of people who normally would not get involved in some of these situations but would come out when the gravity of the matter was to such an extent that it finally piqued their interest, and they realized what might be a very important issue that might affect them greatly.

As an example, when we used to see some of these hearings regarding the Calgary Regional Partnership – I mentioned that earlier on – there were a lot of people who finally realized that this was a very dramatic situation, and it had to be reviewed. It had to be brought to the public's eye in a very, very public way so that they could have a chance to talk to their representatives and the various facilitators and ensure that those people knew exactly what they felt about some of these dramatic changes that they were facing.

In a similar vein, if we were to look at this situation here, as has been suggested by the hon. Member for Rimbey-Rocky Mountain House-Sundre, this would give us sufficient time. Just like with the South Saskatchewan regional plan and the regional advisory councils' plans, this sort of thing could be taken out to the public.

Open houses could be arranged, and various speakers could be brought in to proceed with a proper diagnosis and analysis of this and go from area to area throughout Alberta and ensure that people were entirely enlightened as to what they were being faced with. It's obvious from our circulations in the past few days – and I shouldn't say the past few days – in the past few hours that key municipalities have had changes in their councils. Some of the people there have no idea what these changes to their municipal development plans could be. People don't have the background sometimes in planning to know what kinds of situations would befall them.

I really would like to encourage all the members to give this idea a shot, just like with the South Saskatchewan regional plan. I mean, when it comes down to it, right now we're looking at in southern Alberta a major set of open houses and public meetings for that document anyway, but that document, as I said earlier, doesn't contain any of these ideas that are presented here. It's totally missing this. So what are we going to do? Are we going to have all these meetings on the South Saskatchewan plan and then drop the bombshell later on: "Oh, by the way, we're going to have this new thing called this regional planning board put into the equation. We forgot to tell you about that, but I guess we'll just go ahead and have that come out anyway, and we'll deal with it then." Well, that doesn't really make sense, and it doesn't follow the process that I've seen in the past.

Madam Speaker, I think that the time is now. We have the opportunity here to take another whack at this and do a proper consultation. There are going to be two major meetings coming up here in the next three to four weeks with the major associations that involve our municipalities, the AUMA and the AAMD and C. This would fit in with the timelines that we're talking about, and I think this is a great idea.

With that, I'll conclude my remarks and let someone else have a go at this motion we have. Thank you.

**The Acting Speaker:** Thank you, hon. member.

We still have Standing Order 29(2)(a).

Seeing no members wishing to speak under that, are there any other speakers to the hoist amendment? The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Madam Speaker. We're obviously disappointed in the last two amendments that didn't go through, but we'll give this one a try. Earlier the minister asked me for examples of boards and commissions and so on that work without this umbrella around it, without the necessity of this bill. I gave one example that the Member for Banff-Cochrane was so proud of and rightly so.

I also had the privilege of sitting on the Kneehill water commission, which, apart from the funding of that commission, is working very well. There are seven different municipalities on it, both urban and rural, that got together in 1999 or 2000 and formed a commission to supply water to seven different municipalities. There were none of these – and I'll use the word – draconian measures to force agreement and force that regional system. It was just that seven municipalities came together and realized a need, and we got it done. It's still operating today. We've probably got the highest water rates in Alberta, but we have water.

**12:40**

Another example of a board that I think works extremely well – and I had the privilege of sitting on that board for 11 years – is the AUMA board. I remember in 2001, when I first went on that board as a brand new municipal politician. Obviously, a very steep

learning curve. In fact, the learning curve was much like this. It was a vertical ladder. After two or three meetings I was really amazed at the different demographics, the different people that were on that board. They came from all walks of life. They came from all sizes of municipalities, from summer villages to the cities of Calgary and Edmonton. It was just amazing how well that worked, and I think that's because we all wanted to be there. We all had a deep interest in making that board function properly, and we went from just an urban municipality association to a corporation where we offered services like insurance and so on to municipalities. That same board grew that business into an over \$200 million corporation in about five or six years, and it's still operating.

Those are some co-operative regional examples that we can learn from and that are, again, voluntary. I can't stress that word enough. I really think that this amendment can give us that second chance to take a look at this. We can step back, allow the AUMA board and the AAMD and C board to evaluate this and get back with some true consultation.

I've been over all the other points many, many times this evening, it seems. Many times. I won't belabour the point much longer. It's just that this is key. This is key to the future of Alberta. It's key to the way that Alberta is governed over the next however long, so I would urge you to support this. Let's take a step back, let's take another look at this, and let's get it done right.

Thank you, Madam Speaker.

**The Acting Speaker:** Standing Order 29(2)(a). The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Well, Madam Speaker, I had a couple of questions for the member. He addressed the issue about water commissions and being part of the Kneehill water commission, but I think he was inaccurate. It was formed voluntarily – it was – at the request of the minister. It was the minister before me who passed an order so that that Kneehill commission could exist.

But I think he may have given the wrong impression. I'm sure he knows the fact that all the members of that Kneehill commission can't just vote as an individual one to say: I'm leaving. He knows the consequences of that would be that the water rates for every single member of the commission would go up, and that's why, when they asked the minister to create the commission, which is under rules that look exactly like the regional growth boards, there is a clause in there that says that they can't just walk out. It would be tantamount, actually, to all the provinces signing on to Confederation and then deciding after four years, when you have an election: I don't want to be in anymore. Then after the next four years another party comes in: I want to be in. You don't get an organization like that.

I'm wondering if the member would like to address that and talk about the Kneehill water commission and how the fact that they're all in it together, that there has to be a partnership, that they've signed up and now are obliged to be together unless they all agree to disband is part of what makes it a strong structure. That's exactly what would make the regional growth boards a strong structure, by making sure that once they decide – they decide – they want in, they collectively are the only ones that can decide they're going to disband. If any individual could leave alone, without consultation with the rest of the group, it wouldn't be a group, and it would fall apart. I wonder if he'd like to address that.

**Mr. Rowe:** Thank you for the question. The minister is partially right. We are a group now. We are under contract with the provincial government. We are under contract with ACFA, the Alberta

Capital Finance Authority. There's a contract to pay a bill, and we're aware of that. But I will again remind the minister that we all went into that system voluntarily. We all sat around a table, and we signed that agreement initially to get it started and run it. But there is an out, and I was very, very tempted to take that out two years ago. That out is that we are committed to making those payments on the debenture. That's a contract.

We were not obligated to buy the water. Two years ago, when the village ran a \$400,000 water deficit in one year – and we operate on about a \$2.2 million budget for the year; a \$400,000 deficit is not easy to swallow – we couldn't see an end to it. We were going to restart our wells and make our debenture payment, and we would have been a lot better off as a village. That was an option open to us. That wouldn't be an option open in this system. The difference was that we went into it voluntarily again. We weren't forced into that system. Those are the differences.

**Mr. Griffiths:** I wonder, since we ran through this already, that the guidelines for setting up a commission are the same as the guidelines for setting up a regional growth board, where he thinks the involuntary nature of this comes from since it's the same process for setting up and the same obligation to each other.

**Mr. Rowe:** Correct me if I'm wrong, Minister, but in the bill – and I'm sorry; I put it away now – the minister or the authority delegates who will be on that board. There's no opt-out clause even at the beginning. You're told that you're going to be a part of this regional board. Period. That's the difference.

**Mr. Griffiths:** I'll ask him again, and I'll read the section. The regulation states that he'll "identify the municipal authorities that are members of the commission." Sorry. That's the stuff under commissions, that says the exact same thing as the regional boards. The wording is the same. The language is the same. The intent, Madam Speaker, is the same. Show me where it says something different, that it's mandatory.

**Mr. Rowe:** Under 708.02:

- (2) The regulation establishing a growth management board must . . .
  - (b) designate the municipalities that are members of the growth management board.

That tells me that they must designate. Must.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Little Bow on the hoist amendment for Bill 28.

**Mr. Donovan:** Thank you, Madam Speaker. I'm actually not going to speak in favour of the hoist just for a couple of reasons. I think six months is too long. I honestly think this is something that literally a month would give quite a bit of time for people to actually go out, have an open consultation on the process, which I talked about a little bit earlier, to have that process to be able to talk with the municipalities that it affects, the AAMD and C, and the AUMA. We have two conventions coming up where we can pretty well hit all of those parties, do some consultations, you know, some round-table discussions with them. So that's why I'm not going to speak in favour of the hoist. I think six months is too long. I think that's past the point of getting something done.

In all honesty, I think that within a month – again, I don't know the timeline in your ministry for why it needs to have a drop-dead date to it because I haven't gotten all the true information out of it or what the background is to it. I'm assuming you didn't just wake up here a couple of weeks ago and decide that this would be

something fun to bring up and that we could hang out until 1 in the morning one night together just for good times. But that's the process now.

Madam Speaker, are we in committee, or are we supposed to be in our chairs? I don't know.

**The Acting Speaker:** We are not in committee.

**Mr. Donovan:** I was just wondering. The deputy whip is wandering aimlessly.

**The Acting Speaker:** I think he's just going to his chair right now.

**Mr. Donovan:** Thank you.

**The Acting Speaker:** Deputy whip, you are returning to your chair?

**Mr. Donovan:** Sorry. I just wanted to know how the process worked.

This goes back to the process, how things should be done or shouldn't be done, and this goes back to why I honestly think a month is more than adequate. I guess I'd ask the minister if that's something that's plausible or doable from his side. I think six months drags out the process and, honestly, defeats the use of trying to get something done. I think this goes back to what I started before supertime in conversation about what goes on.

Bueller? Anyone? [interjections]

12:50

**The Acting Speaker:** We're listening. Go ahead.

**Mr. Donovan:** Well, it's hard to hear over conversations.

**An Hon. Member:** It's that process thing.

**Mr. Donovan:** It is. Well, I just wondered how it works. People are wandering aimlessly.

The point is that if we could have a month where we could have people be able to take it out to their constituents, to their municipal people, and get some feedback on it, I'd be fine with that. That's why I cannot vote in favour of the hoist, because I think that's dragging the process out too long. I think just a month would be adequate, say, by the end of – I think the AUMA convention wraps up on November 21 or something. That gives us the next week afterwards. We could talk about it after we've heard from some of the delegates, again, that are new. Then it's back to process to be able to go out and have some round-table discussions.

I know the minister isn't trying to hide anything or jam anything through here. It's just the process of showing people what's out there, and it's back to the people it affects, which goes back to the people that we represent. That's my thought on that. That's why I guess I'll be voting against the hoist amendment. It's too long. I think a month would be adequate, but again that would be a process that the minister would have to be in agreement with and go along with or explain why it needs to be pushed through at a fast rate. Then we can try to figure out how to explain that to our constituents and to our municipal people, that we're working with all the time.

Those are just my thoughts. I'll leave it at that.

**The Acting Speaker:** Thank you, hon. member.

We have Standing Order 29(2)(a). Would anyone would like to comment?

Seeing none, are there any other members that would like to speak to the amendment? The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you once again, Madam Speaker. I appreciate the chance to rise and talk for a few more minutes about Bill 28, Modernizing Regional Governance Act. Unlike the Member for Little Bow, I'm going to speak in favour of the hoist motion.

Mr. Anglin to move that the motion for second reading of Bill 28, Modernizing Regional Governance Act, be amended by deleting all the words after "that" and substituting the following:

Bill 28, Modernizing Regional Governance Act, be not now read a second time but that it be read a second time this day six months hence.

Well, obviously, there are a few reasons for supporting the hoist motion. Six months might be too long; it might be too short. But the other idea was putting it to a standing committee that would have given us a chance for a second thought, a chance for some meaningful interaction, a chance for inviting several stakeholders and several people that could have improved this bill. We all know that half an hour ago that didn't work.

Our first motion was:

Bill 28, Modernizing Regional Government Act, be not now read a second time because the Assembly is of the view that the bill will severely undermine local autonomy and that further input is necessary from the public, municipal officials, the Alberta Urban Municipalities Association, and the Alberta Association of Municipal Districts and Counties.

That was the first one that didn't pass and, obviously, the basis or the reason behind the next two, to try to get some time or a mechanism to be able to get some of these key stakeholders, some of these key people involved. The hon. Member for Rimbey-Rocky Mountain House-Sundre thought six months was good. That will certainly give us ample time.

Another side benefit of having it back in here in six months is I think that it's only something like 39 or 40 days a year that we're actually sitting here. This would give us an opportunity to get together and do some things, Madam Speaker, like to potentially have some other bills go to some of these committees, to potentially go a bit slower on some of the legislation, to potentially have a chance to talk about some economic development ideas, some further participatory democracy ideas. It's an interesting thought. Maybe these things, with some time period for people to review them and to give them a second thought, may work.

My constituency has been running through my mind as this goes through. I represent the south about 22 or 24 per cent of Medicine Hat, far, far from the majority. The biggest municipality peoplewise in my constituency is Redcliff. Redcliff is a great community of almost 6,000 people, lots of long-term residents, a great greenhouse industry, a great small-business industry. It also has a lot of development going on in the last little while, that they've been able to attract and make grow.

I remember, though, about 20 years ago a vote in Redcliff as to whether or not they wanted to join Medicine Hat. Part of the reason it lost was because the Redcliff people liked their identity, liked their small-town feeling, and felt that as the smaller community in that partnership they would lose a lot of their identity, a lot of their autonomy, a lot of their opportunity to set the direction that they wanted to set.

Then about 20 or 25 miles west we have Bow Island. I'm going to bet you right now that this year Bow Island is the only community of the three where the population is actually increasing. Bow Island is a nice little town of about 2,300 people and is maybe just far enough away, you know, at 30, 35 miles, to

be outside the focus of how this growth management board would work.

But I wonder about the interaction between Medicine Hat and Redcliff as some of my colleagues have mentioned the ability for the Minister of Municipal Affairs to make things happen, the lack of what appears to be a clear voluntary procedure and how that would impact 6,000 people who a short time ago voted, clearly, for their independence. What has to be and is important for all of Alberta – for example, when the flood hit, Medicine Hat was severely hit again. The people of Redcliff were a short time after. Both communities greatly helped each other, so certainly a strong, strong willingness to work together.

One of the things that's running through my mind about both of these last two motions, the hoist and the one about putting it to the Standing Committee on Resource Stewardship, is that obviously, you know, in the hour and a half that I've been reading this, there's been a lot of uncertainty. Wouldn't a hoist period, a committee period enable us to get it out clearer, to get it out better, to get it to where everyone understands it better, where all 87 of us have a better chance to make it right? It's not like we don't make mistakes.

I talked about the royalty review in my member's statement today. Yeah, I know the price of natural gas has changed. But in 2008 the oil and gas companies in Medicine Hat, especially service companies, clearly told the PC government: change the royalty review or we will move; we will do business elsewhere. It was the start of the exodus of oil and gas companies, service companies from our area to Estevan, to northern B.C. in Fort St. John, and to the Bakken field in North Dakota. A royalty review. Then if I remember the information right, I believe the PC government backed up on it 11 or 13 times. It was certainly a mistake that perhaps with a recommendation to a committee or a hoist or consulting with more stakeholders might have avoided.

Bill 50 and then this Bill 8 that we did a year ago showed again that the first way that was done wasn't the best way, although it accomplished what somebody wanted to accomplish. The final Bill 8 showed: we're not going to do it that way again, so we must've made a mistake. Perhaps if we'd had a hoist, perhaps if we'd had a recommendation to a committee, it may not have happened. History will prove the fate of that to all Alberta ratepayers and Alberta taxpayers. We'll see where our electricity industry ends up, if it ends up truly serving us as it should or if it ends up costing us all quality of life.

1:00

I think Bill 36 was the same. Wasn't it Bill 10 that changed it a bit, changed some of the ideas? It didn't come out perfect that time either, guys. Perhaps a hoist or perhaps a committee referral would have solved that problem although, of course, my opposition to that one is the top-down central planning, which brings us back to Bill 28.

You know, I had numerous town halls in the year before the election and talked to many, many property owners and many, many, many farmers, and the quote I said earlier tonight was that many of them would come to me and say: how are we going to get the people in the cities to understand how important property rights are, how big an effect this could have on us? As I said earlier, it looks like that will be Bill 28.

The last two concerns I have. Again, it clearly states in here the overreaching of ALSA. On page 7, section 708.06, compliance with ALSA regional plans:

In carrying out its functions and in exercising its jurisdiction under this Part and other enactments, a growth management

board must act in accordance with any applicable ALSA regional plans.

Again, it ties in real tight with what your government has done with central planning, with planning that has been opposed by so many, and, as so many people on this side have alluded to tonight, may have been the large part of 440,000 votes for Alberta's opposition party.

The other part, that \$10,000 fine and the year in prison. As the hon. Member for Little Bow said, at least it's not two Christmases somebody would miss. But I wonder how a CEO of a municipality with that hanging over his head – it seems extraordinary to me. It seems amazing. I think I heard earlier that it was in the old act, but it's never been implemented. Why the heck don't we take it out? Maybe that's an amendment that over the 30 days of the hoist we could certainly analyze, amongst some other good ones.

Again, the top-down, the words that I mentioned before from, you know, the mandate, the no limits, draconian, heavy-handed: they seem to be very, very similar words to what I heard in many, many town halls about Bill 36, Bill 19, and Bill 24, and it looks like we are going down that road again. Without a hoist period, it will be interesting to see what the voters in this province decide to do.

Madam Speaker, thank you very much.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a), anyone?

Are there any more members who wish to speak on the hoist amendment? The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Speaker. I would like to stand and support this motion that Bill 28 be not read a second time but, instead, be read a second time this day six months hence. I think that's a great idea. It will give us a lot of time. I think it might take more than a month. I mean, maybe if you came every day for a month, then we might be able to get through it, but I do think that it might take a little longer than that anyway.

I'm a little surprised at what I heard from the minister just a few minutes ago. I'll go back and look at the *Hansard*, but he seemed to compare the idea of regional planning boards, once they're formed and the membership in regional planning boards and the importance of unity within these regional planning boards, to that of Confederation, saying that it is just as important. Just like you can't leave Confederation on a whim, you shouldn't be able as a community to leave a regional planning board on a whim. I guess some people might say: gee, I don't think we quite would compare our country and the unity of our country to a regional planning board. Some people might say that that's kind of weird. So I just wanted to ask the minister if he could please clarify that weirdness for us.

The other piece is this whole idea of this act using the same language, the mirror language that he talks about. That's not true. There are many differences between the two, and we've gone through some of them. We haven't gone through all of them. One of the main ones, of course, is that this act applies right across Alberta. It's an enabling piece of legislation. It enables the minister and the Premier of council to set up these regional boards anywhere they want across the province and mandate who's going to be a part of them.

The regulations that the minister refers to actually only deal with the Capital Region Board. That's all they deal with. So if he wanted to fix that because he's run out of time – there's a two-year clause where he's got to turn the regulations into law or else they expire or whatever – then just pass a bill that has to do with the Capital Region Board. If that board wants to stay together – it

sounds like there are a couple of municipalities that don't – pass legislation that just deals with that. There's no reason to spread this out into something else, to say that we're not going to enable this to happen all over the place.

He's been saying that if people want to come to him and ask, "Oh, please; we'd like to form a board; can you please put this together for us?" he can use the MGA right now to do that like we did with the capital board. Okay. Fine. So why are we passing a piece of legislation, enabling legislation, that allows him to form permanent regional planning boards without having to come here anymore, without any kind of say from the people in that area? He can form them. It's very clear. He can put whoever he wants on the board with regard to membership of the municipalities. He can choose the municipality. He can choose what area it's going to encompass. He doesn't need to ask. So it is not voluntary at all.

I just do not understand why. If he wanted to fix this problem he's having with Parkland county, which, by the way, is a good example of why having this mandatory, confining, forced regional governance doesn't work – Parkland county wants to do something else. They say: "Look, we like this, but we really do need this park. We need it. This is important to us. That's what we're going to do." So the capital board says: "No. We can't do that." For whatever reason it doesn't comply with their plan. Parkland county says, "Well, that doesn't work for us," and they lose. Too bad. The board wins, and they have to comply with whatever the board has said. That's exactly what we're trying to guard against here.

We're saying that municipalities should be autonomous, that they can co-operate and should co-operate. We can dangle carrots in front of them to co-operate, but by forcing them to co-operate, I think that's fundamentally undemocratic, unjust, dictatorial, heavy-handed, and many other adjectives in the English language that are not synonymous with democracy.

**1:10**

So I would suggest to the minister: again, don't get too in love with this idea. I find it amazing, being from a rural area, as he is, with rural constituents and small towns, medium-sized towns, larger towns that are in his area – you know, it probably doesn't affect towns in his area just yet, but it may one day. Who knows? I mean, Edmonton is a bustling, growing city. It might start spreading. Who knows how far it'll go out there? Take a look at some of those huge cities in the United States. Who knows? Maybe we'll be that size one day. The point is that this stuff might not come home to roost now. It's easy for that member to say: "Oh, well, this doesn't really affect my constituents, so what the heck." But this is very personal to a lot of people in this Legislature that are trying to represent their constituents.

I wasn't consulted on this. None of my colleagues were consulted on this. Shouldn't we as elected representatives be consulted on something like this, that would affect our constituents in this manner? I just think it's disappointing that we're here at this hour debating the same bill when we still haven't heard from the AUMA, still haven't heard from the AAMD and C, still haven't heard any official word from any of the councils. They haven't even had a chance to meet yet. They're scrambling around. I'm getting texts, sending them copies of the bill all over the place. And here we are making an informed decision about whether we should let this bill pass second reading; in other words, approve the intention of the bill although we don't even know what the intention of the bill is because there's no preamble as to its intention. So we don't even really know what that is.

So that's where we're at. This is legislative sausage-making at its absolute worst. This is why people are cynical about governments and politicians in general. They come in and act like they know everything. They make decisions from their little ivory tower that affect people, real people down there among the towns and cities. They don't think about: "You know what? Maybe I should take some time and actually listen first before I pass something like this because it might affect people." It might affect people, and it might affect people not in a good way.

We want regional planning. We really do. It's a good idea. But let's use carrots. Let's not use sticks. Let's not use force and intimidation and hold this over their head and say, "Co-operate or else," because what happens in that scenario is that the little guy or the medium-sized guy gets quashed in that situation, and their rights are taken, and their autonomy is taken. That's what this will do if it is passed because eventually this will be used. There's no doubt it will be used again, and it'll be used to probably force people to, quote, unquote, co-operate instead of letting them voluntarily come together to create a better region for themselves. I think that's tragic, and it's wrong and very frustrating to see. If it does pass – I think I speak for all of us on this side – we look forward to one day making sure that that is repealed.

I would also challenge the minister to confirm right now – I mean, he's right there. He's going to have the chance in 29(2)(a) to say it if he would like. He can speak to it, too, I think. Confirm for this House and possibly put in writing, I would hope, but certainly confirm – it'll be in *Hansard* – that you do not plan in any way, shape, or form to use this act, once it's passed, to force the members of the CRP or members around the Calgary region to enter into this forced arrangement under one of these planning boards. Say it right there. Then, you know, at least for the next two years we can take some solace in that in the area of the world that I come from. Hopefully, he can say that, and then we can have that promise on paper, and hopefully that'll stick, at least for a little while. I think he would alleviate a lot of people's fears or at least some people's fears if he said that.

Now, of course, one day he won't be the minister of that portfolio, so even if he says it, that could change down the road. But I would like to know that any membership in this type of arrangement is going to be entirely voluntary both on the way in and, if the municipality wants it, on the way out. I think that's a fair request to make, especially given the very short timeframe, the lack of consultation, and the fact that we are having to pass this within probably a week. People would like to know. I certainly know that my council, definitely my mayor, have been on Twitter and Facebook all night on this stuff. They would like to know, and they would like to know from this minister.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a)?

Seeing no members wishing to speak under 29(2)(a), the hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Well, I appreciate that, Madam Speaker. I just have a few remarks I'd like to add. I think that up front I've been very, very clear. In fact, I've been very clear in every speech I've ever made discussing the subject matter that I never have any intention of forcing municipalities together. I'm not going to stand around and let them not work together, but I'm not going to force them together. I'm going to find some way to make them realize that working together makes us all stronger and better in the long run. That's what this is about.

There are three things I wanted to clarify. First, the comment from the member, my critic, about forcing municipalities in. This is what every single member who is opposed to this has been citing every single time in justification for claiming that I'm going to force municipalities together. It's in the act, section 708.02(1). "The Lieutenant Governor in Council, on the recommendation of the Minister, may establish a growth management board by regulation." I just want to point out once again that in the MGA, which is 17 years old, under Establishing Commissions, 602.02(1) says the exact same words: "The Lieutenant Governor in Council, on the recommendation of the Minister, may establish regional services commissions by regulation."

Then they cite in the act section 708.02(2): "The regulation establishing a growth management board must." In the MGA, 17 years old, under section 602.02(2) it says, "The regulation establishing a commission must." It has the same criteria, specifying the name, specifying the members. There's absolutely nothing in this that says that I will compel them, any more than it does in the commission, which is completely voluntary. The idea is that it has to be done in regulation, and that's all the regulation says.

The second point I wanted to clarify because it was a new piece of information that I thought was very unfortunately presented by the Member for Rimbey-Rocky Mountain House-Sundre saying that the issue with one of the municipalities in the Capital Region Board was that they had no avenue for appeal. Actually, Madam Speaker, there is no avenue for appeal because it's not a court of law. But they do have an avenue when there are disputes. It's right there in section 25(1) of the old regulation, which is now put in the legislation, and it clarifies very specifically the process for complaints, disagreements.

(2) On receipt of a complaint . . . [the Board] shall attempt to resolve the complaint informally with the . . . municipality.

Second step:

(3) If a complaint cannot be resolved . . . [it shall] refer the matter to mediation.

Mediation. Now, just imagine, Madam Speaker, that you've got, say, an MLA and a municipality, a town, that can't get along. Do you appeal it to the courts, or do you bring in a mediator? They know you bring in a mediator. They have experience with that with one of their own members. It's meant to be a relationship between equals. You don't appeal it to the courts because there's been no law broken. It's a disagreement. After the mediation they can refer it under the Arbitration Act to be arbitrated. So it's disingenuous to claim that there is no avenue for appeal for anyone on the Capital Region Board.

The third one, Madam Speaker, is the consultation. Now, I'm not quite sure how I gave the wrong impression, and if it was me, I apologize. We don't have two years to consult. We don't even have six months. The court process started late this summer. It was already going through the process. A hearing was made, and a decision was coming in a matter of days. This had to be resolved very quickly, or we had 18 different organizations – water commissions, waste commissions, and the Capital Region Board – that could cease to exist on the spot in a matter of days. We don't have time for consultation. The Member for Airdrie said that our actions affect people. I know. But inaction was going to affect a lot of municipalities, too, in this case and render some very good work completely gone.

1:20

Sometimes, Madam Speaker, leadership isn't just about consulting. It's knowing that when something has to be done, it gets done. That's what leadership is about, making decisions. I

have full intention, as I've always said – I've always said – that if we manage to make some mistake, then we'll fix it.

Frankly, I will not have 18 great organizations put at risk because of accusations that are completely inaccurate and misinterpretations of the bill. I've clarified every single one, and I'll do it through Committee of the Whole, and I'll do it through third reading. I will answer every phone call from every municipality, and I will explain to every single one of them how this is no different than the regulation we had before, how this is an empowering document to allow them to work together, just like 17 years ago, when commissions were created so that they could have water commissions and waste commissions. It allows them the opportunity to form formal relationships so that they make sure they can get the job done to serve their constituency.

Madam Speaker, I am fully confident in this bill. I look forward to carrying on the discussion with municipalities and finding other ways that they can formalize relationships and continue to work together so that we can all, whether at the municipal level or the provincial level, ensure that we serve Albertans today and for the tremendous growth that we're going to have going into the future.

**The Acting Speaker:** Standing Order 29(2)(a). The hon. Member for Airdrie.

**Mr. Anderson:** Okay. Minister, you say that nothing in the document compels these municipalities to join this board, and you cite the MGA and the fact that it talks about service commissions and that it's the exact same language and so forth.

Minister, a service commission is not the same as a growth board. They're different. If they were the same, then you wouldn't need to pass legislation. This is different. It's a growth board that has extreme powers to do virtually – well, we can go through it again – a lot of different things that a service commission can't do. If a service commission could do it, you wouldn't call them regional growth management boards. It's not the same entity that you're talking about here. These are not service commissions. That's got to be clarified, or else you just leave it at service commissions and use that part of the act to do what you want to do with it.

The other piece. Why on earth would you wait if you were going to lose 18 public commissions of some kind if we don't pass this in the next week? Fair enough. How on earth did your ministry drop the ball that badly that you were at the point where we have one week to pass a bill or you're going to lose 18 different public commissions? How is that not rife with incompetence? That's what it's come to? We've got to pass this, or else we lose 18 commissions? Good grief. That's the way to do it. Talk about putting a gun to our head to pass a piece of legislation. Unreal. It's either that or the whole thing on the capital board falls apart because all of these commissions expire.

That should never happen. If there was that problem coming up, that should have been detected a lot longer than one week before it occurs. So we have to do that. [interjection] If that's good process, Member, then you and I obviously have a very different idea of what competence is because that's not competence, and that's not process. That's stupidity by the department. That should have been found out, and I'm sure we'll want to look at that further tomorrow in question period and in other places. That's an unacceptable answer, that we have to pass legislation in the short time frame that we have or all hell breaks loose and we lose all these commissions and everything else. That's ridiculous.

It does explain, thankfully, finally at 1:30, why we are here at 1:30 and why the government felt the need that this had to be passed and has to be passed in the next seven days or something. That's not an acceptable excuse. I look forward to hearing from

this member today, tonight, and tomorrow on why he would allow it to go this late without it being taken care of.

**Mr. Griffiths:** Thank you very much. Madam Speaker, very easy to explain. As I suggested already, this summer the court filing was made. We wanted to see what happened through the court process. The arguments were made, the case was being made so we could make sure that we could address it appropriately. The case only got resolved two weeks ago, so we explored what sort of options were available. The decision is supposed to come down within the next couple of weeks, and that's where the timeline was. We didn't want to rush out and come up with a solution until we'd heard all of the arguments and the reasons why that municipality had some challenges and what they thought were the solutions. This is what we came up with. So that's how we wound up in this process. It's not, as he suggested, stupidity, which, I think, quite frankly, is an unparliamentary word. It's simply trying to work within the process and the letter of the law to make sure that we got it done right and still heard as many people as possible.

The issue about the commissions and the growth management board. He's absolutely right. Actually, he's absolutely right. They are not the same thing. Commissions have worked incredibly well for water, for waste water, for transportation. They're set up all over the province. There are ways for municipalities to come together for a partnership, but some of them are looking for stronger partnerships to cover more areas, realizing that their municipal boundaries are just an artificial boundary that was created.

They want to find ways because they know that the growth challenges that we're going to have – the populations that are going to move here, the industry, the commercial activity, the competition for recreation, making sure that we protect the environment – are competing at a greater and greater rate, all of it combined, and they wanted to make sure. They've asked if, instead of simply a commission, they could come together with a stronger tool that would allow them to capture more while still holding the principles of what a commission operates on, that they come together willingly, they form a partnership, and they have a bond together.

That's what we've done, Madam Speaker, and I'm proud to stand behind it.

**The Acting Speaker:** Are there any more members who wish to speak on the hoist amendment?

Seeing none, we will go to the vote.

[Motion on amendment to second reading of Bill 28 lost]

**The Acting Speaker:** All right. Hon. members, we're going to move on. For those who may not have faced a hoist amendment before, once a hoist amendment is brought to the floor of the House and is defeated, you move directly to the vote for second reading. So there is no more debate in second reading. We move directly to the vote for second reading.

[The voice vote indicated that the motion for second reading carried]

[Several members rose calling for a division. The division bell was rung at 1:28 a.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mrs. Jablonski in the chair]

For the motion:

Bhullar	Hancock	McIver
Brown	Horner	McQueen
Calahasen	Jansen	Oberle
Cao	Jeneroux	Pastoor
Casey	Johnson, L.	Rodney
Dallas	Kennedy-Glans	Sarich
Dorward	Khan	Scott
Fawcett	Klimchuk	Webber
Fritz	Kubinec	Woo-Paw
Griffiths	McDonald	Xiao

**1:40**

Against the motion:

Anderson	Barnes	Rowe
Anglin	Donovan	Stier

Totals:	For – 30	Against – 6
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[Motion carried; Bill 28 read a second time]

**The Acting Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. I would move that we adjourn until 1:30 p.m.

[Motion carried; the Assembly adjourned at 1:41 a.m. on Thursday to 1:30 p.m.]







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