



Province of Alberta

The 29th Legislature  
Second Session

# Alberta Hansard

Thursday morning, November 24, 2016

Day 52

The Honourable Robert E. Wanner, Speaker

# Legislative Assembly of Alberta

## The 29th Legislature

### Second Session

Wanner, Hon. Robert E., Medicine Hat (ND), Speaker

Jabbour, Deborah C., Peace River (ND), Deputy Speaker and Chair of Committees

Sweet, Heather, Edmonton-Manning (ND), Deputy Chair of Committees

Aheer, Leela Sharon, Chestermere-Rocky View (W)

Anderson, Shaye, Leduc-Beaumont (ND)

Anderson, Wayne, Highwood (W)

Babcock, Erin D., Stony Plain (ND)

Barnes, Drew, Cypress-Medicine Hat (W)

Bilous, Hon. Deron, Edmonton-Beverly-Clareview (ND),  
Deputy Government House Leader

Carlier, Hon. Oneil, Whitecourt-Ste. Anne (ND),  
Deputy Government House Leader

Carson, Jonathon, Edmonton-Meadowlark (ND)

Ceci, Hon. Joe, Calgary-Fort (ND)

Clark, Greg, Calgary-Elbow (AP)

Connolly, Michael R.D., Calgary-Hawkwood (ND)

Coolahan, Craig, Calgary-Klein (ND)

Cooper, Nathan, Olds-Didsbury-Three Hills (W),  
Official Opposition House Leader

Cortes-Vargas, Estefania, Strathcona-Sherwood Park (ND),  
Government Whip

Cyr, Scott J., Bonnyville-Cold Lake (W),  
Official Opposition Deputy Whip

Dach, Lorne, Edmonton-McClung (ND)

Dang, Thomas, Edmonton-South West (ND)

Drever, Deborah, Calgary-Bow (ND)

Drysdale, Wayne, Grande Prairie-Wapiti (PC),  
Progressive Conservative Opposition Whip

Eggen, Hon. David, Edmonton-Calder (ND)

Ellis, Mike, Calgary-West (PC)

Feehan, Hon. Richard, Edmonton-Rutherford (ND)

Fildebrandt, Derek Gerhard, Strathmore-Brooks (W)

Fitzpatrick, Maria M., Lethbridge-East (ND)

Fraser, Rick, Calgary-South East (PC)

Ganley, Hon. Kathleen T., Calgary-Buffalo (ND)

Gill, Prab, Calgary-Greenway (PC)

Goehring, Nicole, Edmonton-Castle Downs (ND)

Gotfried, Richard, Calgary-Fish Creek (PC)

Gray, Hon. Christina, Edmonton-Mill Woods (ND)

Hanson, David B., Lac La Biche-St. Paul-Two Hills (W),  
Official Opposition Deputy House Leader

Hinkley, Bruce, Wetaskiwin-Camrose (ND)

Hoffman, Hon. Sarah, Edmonton-Glenora (ND)

Horne, Trevor A.R., Spruce Grove-St. Albert (ND)

Hunter, Grant R., Cardston-Taber-Warner (W)

Jansen, Sandra, Calgary-North West (ND)

Jean, Brian Michael, QC, Fort McMurray-Conklin (W),  
Leader of the Official Opposition

Kazim, Anam, Calgary-Glenmore (ND)

Kleinsteuber, Jamie, Calgary-Northern Hills (ND)

Larivee, Hon. Danielle, Lesser Slave Lake (ND)

Littlewood, Jessica, Fort Saskatchewan-Vegreville (ND)

Loewen, Todd, Grande Prairie-Smoky (W)

Loyola, Rod, Edmonton-Ellerslie (ND)

Luff, Robyn, Calgary-East (ND)

MacIntyre, Donald, Innisfail-Sylvan Lake (W)

Malkinson, Brian, Calgary-Currie (ND)

Mason, Hon. Brian, Edmonton-Highlands-Norwood (ND),  
Government House Leader

McCuaig-Boyd, Hon. Margaret,  
Dunvegan-Central Peace-Notley (ND)

McIver, Ric, Calgary-Hays (PC),  
Leader of the Progressive Conservative Opposition

McKittrick, Annie, Sherwood Park (ND)

McLean, Hon. Stephanie V., Calgary-Varsity (ND)

McPherson, Karen M., Calgary-Mackay-Nose Hill (ND)

Miller, Barb, Red Deer-South (ND)

Miranda, Hon. Ricardo, Calgary-Cross (ND)

Nielsen, Christian E., Edmonton-Decore (ND)

Nixon, Jason, Rimbev-Rocky Mountain House-Sundre (W),  
Official Opposition Whip

Notley, Hon. Rachel, Edmonton-Strathcona (ND),  
Premier

Orr, Ronald, Lacombe-Ponoka (W)

Panda, Prasad, Calgary-Foothills (W)

Payne, Hon. Brandy, Calgary-Acadia (ND)

Phillips, Hon. Shannon, Lethbridge-West (ND)

Piquette, Colin, Athabasca-Sturgeon-Redwater (ND)

Pitt, Angela D., Airdrie (W)

Renaud, Marie F., St. Albert (ND)

Rodney, Dave, Calgary-Lougheed (PC),  
Progressive Conservative Opposition House Leader

Rosendahl, Eric, West Yellowhead (ND)

Sabir, Hon. Irfan, Calgary-McCall (ND)

Schmidt, Hon. Marlin, Edmonton-Gold Bar (ND)

Schneider, David A., Little Bow (W)

Schreiner, Kim, Red Deer-North (ND)

Shepherd, David, Edmonton-Centre (ND)

Sigurdson, Hon. Lori, Edmonton-Riverview (ND)

Smith, Mark W., Drayton Valley-Devon (W)

Starke, Dr. Richard, Vermilion-Lloydminster (PC)

Stier, Pat, Livingstone-Macleod (W)

Strankman, Rick, Drumheller-Stettler (W)

Sucha, Graham, Calgary-Shaw (ND)

Swann, Dr. David, Calgary-Mountain View (AL)

Taylor, Wes, Battle River-Wainwright (W)

Turner, Dr. A. Robert, Edmonton-Whitemud (ND)

van Dijken, Glenn, Barrhead-Morinville-Westlock (W)

Westhead, Cameron, Banff-Cochrane (ND),  
Deputy Government Whip

Woollard, Denise, Edmonton-Mill Creek (ND)

Yao, Tany, Fort McMurray-Wood Buffalo (W)

### Party standings:

New Democrat: 55

Wildrose: 22

Progressive Conservative: 8

Alberta Liberal: 1

Alberta Party: 1

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David Eggen	Minister of Education
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Christina Gray	Minister of Labour, Minister Responsible for Democratic Renewal
Danielle Larivee	Minister of Municipal Affairs
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Margaret McCuaig-Boyd	Minister of Energy
Stephanie V. McLean	Minister of Service Alberta, Minister of Status of Women
Ricardo Miranda	Minister of Culture and Tourism
Brandy Payne	Associate Minister of Health
Shannon Phillips	Minister of Environment and Parks, Minister Responsible for the Climate Change Office
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Dang	Taylor
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**Standing Committee on Alberta's Economic Future**

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**Standing Committee on Legislative Offices**

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Dang	Nixon
Fildebrandt	Piquette
Jabbour	Schreiner
Luff	

**Standing Committee on Private Bills**

Chair: Ms McPherson  
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Anderson, W.	Kleinsteuber
Babcock	McKitrick
Drever	Rosendahl
Drysdale	Stier
Fraser	Strankman
Hinkley	Sucha
Kazim	

**Standing Committee on Privileges and Elections, Standing Orders and Printing**

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Deputy Chair: Ms Babcock

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Cooper	Nielsen
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**Standing Committee on Public Accounts**

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Drysdale	Rosendahl
Hanson	Woolland
Kazim	

## Legislative Assembly of Alberta

9 a.m.

Thursday, November 24, 2016

[The Speaker in the chair]

### Prayers

**The Speaker:** Good morning.

Let us reflect or pray, each in our own way. Hon. members, as we conclude our work for this week in the Assembly, let us allow ourselves to take the time to refocus on the tasks ahead. Let us continue to work diligently on behalf of our constituents and to seek to understand before trying to be understood.

### Orders of the Day

#### Government Bills and Orders

##### Third Reading

###### Bill 31

###### Agencies, Boards and Commissions Review Statutes Amendment Act, 2016

**The Speaker:** The hon. Member for Banff-Cochrane.

**Mr. Westhead:** Yes. Thank you very much, Mr. Speaker. I am pleased to rise today on behalf of the President of Treasury Board and Minister of Finance to move third reading of Bill 31, the Agencies, Boards and Commissions Review Statutes Amendment Act, 2016.

I appreciate the excellent discussion we've had with our fellow hon. members on this bill, and I'm pleased to see the general support for our government's direction on agencies, boards, and commissions. This bill is an important step in our ongoing work to make sure Alberta's public agencies are relevant, effective, and serving the interests of Albertans. It reaffirms our commitment to transparency and providing Albertans access to the services and organizations they require.

To briefly recap the discussions that we've had, this legislation would dissolve three agencies identified in the first phase of our review and will contribute to an overall savings of over \$33 million over three years. I want to confirm that these savings are indeed net savings, given the questions from the opposition during second reading and Committee of the Whole yesterday. The work of the agencies dissolved through this bill continues within government or through other mechanisms. This bill also enhances governance and provides consistency for Human Services appeal panels. It is in keeping with our commitment to transparency and disclosure of compensation for top officials. Our government's work will continue in the coming months with reviews of agencies not subject to the Alberta Public Agencies Governance Act and postsecondary institutions.

I'd like to thank the hon. members for their ongoing support of this work and for this bill. Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Bow.

**Mr. Clark:** It's Calgary-Elbow, Mr. Speaker. Close.

**An Hon. Member:** Right around the corner.

**Mr. Clark:** That's right. We're right there.

Yes. Thank you. I did want to rise briefly and speak to Bill 31. I'm certainly happy to support this bill at third reading. It's always nice to see government looking carefully at some of the structures

that are in place that were in existence under a previous government and going about finding some efficiencies. That seems to be a unique and new thing from this particular government, so I'm pleased – pleased – to see that they have gone down this path. I'll be very interested to see the results of further reviews of agencies, boards, and commissions. It seems like an area that is ripe for further consolidation. Again, very, very interested in seeing what comes forward.

One area, as we speak of agencies, boards, and commissions, that I always think about is governance, their role in governing and providing leadership and appropriate controls over different aspects of the provincial government. That's obviously always a very important topic. Some would argue that the most important thing we do as legislators is to provide that governance function, and certainly each of these boards has a very important role.

One of the most challenging and troubling aspects of board governance at the moment in the province I think – and it doesn't get enough coverage or discussion amongst Albertans because often their work is done out of the public view although a lot of their work certainly is in the public interest – is board governance at postsecondary institutions. We have in this province seen under this government a remarkable and, I would say, shocking lack of attention to the important work of replacing board members of postsecondary institutions in particular.

They've gone about two or three, at least, different cycles and ideas on how they're going to replace retiring board members. First they refused to accept nominations, reappointments of dedicated board members who had been there for a number of years and were doing so in a volunteer capacity, bringing their tremendous skills. Then they asked those board members to reapply for the same position, and in good faith the vast majority of them did so. Then they moved the goalposts again and said: well, actually, that's not what we're going to do; we're going to put together a website, and we're going to open it up.

Now, I want to hasten to add and emphasize my belief that diversity on boards is critically important. It's very, very important that we ensure that our agencies, boards, and commissions reflect the diversity of this great province. That absolutely ought to be a goal. Equivalent to that goal, however, Mr. Speaker, is actually running these organizations, running them effectively in the immediate term and ensuring that they have people at the board table who are capable of doing the job. But, frankly, before we even get to capability, we need to make sure these boards have quorum. There are boards in this province who are at quorum or perhaps even below quorum, and they've had to beg board members to simply stay on.

So I really encourage this government, as you consider agencies, boards, and commissions, to please get on with the job of appointing board members to postsecondary institutions, to not bias the process by choosing a narrow world view as part of the criteria, and to, absolutely, I think, appropriately seek diversity on boards. Again, I want to emphasize how important I believe it is that the boards around this province reflect the diversity of our province, not to shortchange those institutions – in many cases they're multibillion-dollar institutions or billion dollar-plus institutions – by discounting the tremendous experience that a lot of the existing board members have or people with formal designations like the Institute of Corporate Directors designation, or ICD. That's a very high standard that is brought to these boards. I think it's very important that we maintain that expertise.

Having said all of that, I will support Bill 31 here at third reading. I think it's nice to see some consolidation work.

While I have the floor, very briefly, Mr. Speaker, I do find it always fascinating how numbers are thrown around this floor:

we're going to save \$33 million over three years. You could easily say that we're going to save \$66 million over six years or \$88 million over eight years. It's always interesting how the numbers get big. We just sort of decide: "\$11 million dollars a year doesn't sound like a lot, you know, but \$33 million seems like a pretty good number. Why don't we choose that?"

With that personal opinion and commentary on the state of political communications in our society today, I will return to my place, Mr. Speaker, and listen to the remaining speakers on this important bill.

Thank you.

**The Speaker:** Are there any other members who wish to speak to Bill 31, the Agencies, Boards and Commissions Review Statutes Amendment Act, 2016? The hon. Member for Strathmore-Brooks.

**Mr. Fildebrandt:** Thank you, Mr. Speaker. I'm pleased to rise today to speak to Bill 31. Now, I don't have a particularly long habit of saying nice things about government bills in this House, but it's never too late to say nice things in the spirit of the approaching holidays. I think we can all agree . . . [interjections] I am getting heckled for saying nice things already. It's American Thanksgiving today. I suppose old habits die hard. I'm trying to be nice, and even then I get heckled by this government. It reminds me of old times.

**9:10**

I think we can all agree that this bill will save taxpayers some money, and that is a rare thing coming from this government. But it will save taxpayers money. You all know that if there is anything that I like, it is saving taxpayers money. In my time at the Canadian Taxpayers Federation I made it my business to harass politicians who did not like to save taxpayers money and in fact squandered it. I made it my job to point out as often as possible where money was being misappropriated, where it was being overspent, and that merely throwing money at a problem is not the solution for everything.

Now, while there were very significant problems with spending in the previous government, I didn't think it could get any worse than that. Well, I've been wrong before, Mr. Speaker. But I'm happy to see that there is at least some silver lining to the gold-plated spending habits of this government.

When the ABC, agencies, boards, and commissions, review was announced, I was skeptical. I was not sold at the time that this government would go through with their plan to cut the size of government and spend less money, but here we are. The Minister of Finance is showing some solid conservative Wildrose qualities in this reduction in spending and in the size of government. [interjections] You see, I try to say nice things about them. This government doesn't know how to take a compliment, Mr. Speaker.

When those of us on this side of the House propose cutting spending or cutting the size of bureaucracy and eliminating duplication, it's apocalyptic. It's going to result in the mass laying off of all of our nurses, all of our teachers, all of our doctors when we propose cutting one orange cent out of this government. But when the NDP do it, it's merely good administration. [interjections] Mr. Speaker, these guys really just don't know how to take a compliment. I invite them to join the Wildrose. We can't offer them cabinet, but we can offer them a good conscience in the next election.

I truly hope that this review of agencies, boards, and commissions continues and that this government will continue to cut bloat in government and to save taxpayers money.

The primary issue and perhaps the only issue I have with this bill right now – and it is an issue for every member of the government

who sat on the opposition side, all four of them – is the part that will be defined by regulations. My colleagues have pointed out that this government used to be against regulations to define things that affect the lives of Albertans. The minister said yesterday that . . . [interjection] Well, I know the Minister of Education does love regulations now, Mr. Speaker, but I do remember a time in opposition when they were quite opposed to giving the government broad powers to merely regulate things without any accountability to this Legislature, but things do change. Now, at least for today, this government does believe in cutting the size of bureaucracy and cutting spending, and I hope that this spirit can continue all the way through to budget day.

The minister said yesterday about this issue, which I need some clarification on:

We're not going to put it in a statute because we don't think it would be the right thing to do, to put a definition for emergencies in statute. You can't actually put down in writing an understanding of every emergency a client would experience in their lives.

Now, perhaps the government could clear up how you cannot put in writing in statutes what an emergency would entail, yet they somehow are going to put in writing in regulations what an emergency would entail. They'll put it in regulations, which would require writing, but they're not going to put it in legislation. I would like some clarification as to what the difference is between writing in the bill and writing in regulation.

If the only difference is that they have not yet consulted and that's what they are waiting for, then this is not a reasonable excuse. This bill could have gone to committee, and we could have consulted there and put it in this bill instead of ink it in the regulations, Mr. Speaker. We could have gone to committee and consulted to determine this before we pass it into legislation. To quote the minister again from yesterday, "So we're taking the step to gain input from others about how they would define emergencies, and then we'll take that and put it in regulation." It sounds like that is the case. It sounds like this minister has not yet consulted on what an emergency would entail.

It makes me wonder: what else did the minister not consult on with this bill? The minister obviously knew that emergency appeals exist, but who did he consult with to find out what emergency appeals exist, and how come those people could not have told him how an emergency would be defined? Did they not give a definition of what an emergency was when they told him that there were emergencies?

So let's be straight with the minister. I will support this bill and the Official Opposition will support this bill because it saves taxpayers money, and we can change regulations if they don't consult properly, and then stakeholders will revolt.

I am getting frustrated with this government refusing to consult before a bill is drafted and not after. It's like their ability to regulate the beer market. Instead of consulting lawyers before they created rules around beer taxes, they consulted after. Now they are being sued.

**Mr. Cooper:** Did they get a B.C. lawyer for that, too?

**Mr. Fildebrandt:** I'm not sure if they hired B.C. lawyers, Mr. Speaker, or Alberta lawyers, but in either case they have drafted legislation and regulations, and they got sued.

I believe this is now the second time in a year that this government is being sued on the very same issue. I expect at least a strong possibility that this government will be on its third beer tax system, perhaps within a matter of months, depending on how things go in the courts. It is an example of this government's

inability to do their homework before they draft legislation. They draft legislation. They put it out there. They'll put out all the government propaganda to support it, perhaps even go on a pub crawl to support it. Then they end up in the courts, or they end up in hot water with stakeholders and people who have a serious stake in this legislation. The government needs to learn to consult before, not after, it legislates and regulates.

Bill 22 isn't even on the docket anymore because the government consulted after and found out that they don't even need the legislation to do what they wanted to achieve. Too often this government is sloppy and at times even amateurish, and that is why I'm a bit of a stickler on the topic of consultation. I have no agenda when it comes to how an emergency appeal is defined. I just want to ensure that stakeholders are being properly consulted on the topic, and I know that this government is not properly consulting stakeholders.

Just yesterday I met with Advocis, a group who wanted to talk to the Minister of Finance about regulations that could potentially jeopardize up to 5,000 jobs in this province, and the minister cancelled the meeting just hours before the scheduled time. Stories like this flood into our offices about the minister not properly consulting the people involved. That's why I'm very concerned every time this government says that they will consult after the legislation is passed. What is holding this government to account so that they will consult? What is holding this government to account if they would just define emergency appeals however they like? Will the regulations prevent those who need an emergency appeal from getting that appeal because this government did not consult properly? I've not seen evidence to the contrary.

Another example is Bill 6, Mr. Speaker. I don't think we even need to say much more about how that went when this government decided that it knew best, before farmers and ranchers in this province. I suspect that it will probably cost the jobs of quite a few members on the opposite side of this House in 2019.

We will support this bill, Mr. Speaker, but I do not support how this government constantly insists on defining everything in regulations and not legislation, and I am seriously concerned about their inability to consult before, and not after, they draft legislation. So I and, I believe, the Official Opposition will be supporting this bill, but let's take this as yet another warning of what is a proper way to govern this province.

Thank you very much.

9:20

**The Speaker:** The Member for Calgary-Klein under 29(2)(a).

**Mr. Coolahan:** I actually just want to clarify some . . .

**The Speaker:** With the Member for Strathmore-Brooks? Yes? Proceed.

**Mr. Coolahan:** Okay. I just wanted to thank the hon. member for his very kind words – that was wonderful; thank you – and his support of this bill.

I just wanted to clarify on the consultation around emergencies. Of course, consultation was done with members of the boards and the commissions. We were led to understand that it is actually better to define emergencies through the regulations because, you know, it's much more difficult to change it in the legislation. Defining emergencies through regulation allows us greater flexibility to expand on that definition because emergencies, by definition, are sort of ad hoc things that happen.

Anyway, I just wanted to clarify that we have consulted on that and that this was the best route to go for defining emergencies. Thank you.

**The Speaker:** Member for Strathmore-Brooks, any comment?

Any other questions to the Member for Strathmore-Brooks under 29(2)(a)?

Are there any other members that wish to speak to Bill 31?

Seeing and hearing none, is there an hon. member who would close debate on the matter? To close debate is Banff-Cochrane. Oh, I'm sorry. Lethbridge-East wants to speak.

**Ms Fitzpatrick:** I move to close debate.

**The Speaker:** Sorry. The Member for Banff-Cochrane can close debate on the matter because he initiated it to the hall.

Would the Member for Banff-Cochrane like an opportunity to close debate?

[Motion carried; Bill 31 read a third time]

### **Government Bills and Orders Committee of the Whole**

[Mr. Sucha in the chair]

**The Acting Chair:** I'd like to call the committee to order.

### **Bill 21 Modernized Municipal Government Act**

**The Acting Chair:** Currently we are on amendment A1. Are there any comments, questions, or amendments to be offered with respect to amendment A1? The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Cooper:** Well, thank you, Chair. Before we get started here in the debate this morning, I'd like to make a request for dealing with amendment A1. If it's okay with you – and I'm not sure if the third party has additional comments – I am comfortable if we debate the amendment as a whole, but I wondered if we could request that votes be separated so that we can vote on part C and part X separately and that then we vote on the rest of the package.

**The Acting Chair:** Yeah. Please proceed.

The hon. Member for Calgary-Hays.

**Mr. McIver:** Okay. Thank you, Chair. If I might, I have a subamendment to the amendment, and I have the requisite number of copies here. Then I'll wait until you give me direction to proceed.

**The Acting Chair:** I just need to see the original, and then we'll proceed.

**Mr. McIver:** Okay. Well, I'll have that for you just as soon as I can. As soon as you give me the word, Chair, I'll continue.

Chair, while we're waiting, on the government's motion, we'd like to vote on the subamendment separately so that we can make it clear which ones we're for and which ones we're against.

**The Acting Chair:** That's fine. Please proceed.

**Mr. McIver:** Okay. Thank you, Chair. I rise today to move a subamendment. The requisite number of copies have been delivered. I move that amendment A1 to Bill 21, the Modernized Municipal Government Act, be amended in part EE by adding the following after clause (c):

(c.1) in the proposed section 708.29(1) by striking out clause (h), which says that we "must meet any other requirements established by the regulations."

Chair, the intention of the amendment is to provide clarity to municipalities with respect to the purpose and objectives of the intermunicipal collaboration frameworks. Stated within the legislation, ICFs could have a scope much larger than anticipated by municipalities given the proposed regulation. This amendment would respectfully force the government's hand to provide clarity to municipalities in regard to the role of an ICF.

As the legislation reads currently, the latitude of what could be included in an ICF and what it could require is very large. It would be beneficial, I believe, if the government could communicate clearly with municipalities what their intention with respect to this matter is instead of making decisions without proper consultation. I believe this will improve the legislation. I think it'll actually help the government in the future to stay onside with municipalities.

Mr. Chair, I encourage all hon. members to support this subamendment, and I thank you for this opportunity to speak to it.

**The Acting Chair:** All right. We will refer to the subamendment as SA1.

Are there any hon. members who wish to speak to the subamendment? The hon. Official Opposition House Leader.

**Mr. Cooper:** Well, thank you, Mr. Chair. It's my pleasure to rise and speak to the subamendment. It didn't appear that anyone from the government was going to talk about whether or not it was a good idea or a bad idea, so I guess somebody in the House needs to be ready to do some work.

My hon. colleague the Member for Calgary-Hays has moved a subamendment that really seeks to provide some clarity to municipalities. I know that I have done a significant amount of chatting with municipalities all across the province with respect to this particular bill. I know that I had the opportunity to spend some time at AAMD and C last week, which was a good chance to hear from municipalities. Certainly, this issue is one that is important to them and wanting to make sure that the parameters are very clearly defined and wanting to ensure that the direction with respect to the surrounding municipalities and other issues that are associated with that are clearly laid out.

That's what my colleague intends to do, and I would encourage members of the House to support it.

**The Acting Chair:** The hon. Member for Sherwood Park.

**Ms McKittrick:** Okay. Thank you, Chair. Actually, I think I'm glad that I'm standing up and speaking on this bill. It's especially good since my colleague and I are often mistaken because we share the great, wonderful Strathcona county. As I think we've both spoken about in this Legislative Assembly, Strathcona county is one of only four specialized municipalities, so the issues around the Municipal Government Act have a lot of importance to our county because we're both an urban and a rural area. We represent a lot of the issues that are faced by most members in the Assembly, including those who live in rural and urban areas. I'm looking at the amendment, and I'm trying to figure out why the hon. member thinks that this would really be better for municipalities and what issues he really wants to address in proposing this subamendment. How would that, for example, better benefit a county like mine?

9:30

**Mr. McIver:** Okay. I appreciate the question, and to be clear, what's really interesting is that within the hon. member's question exists the answer. In other words, she says: I don't know what you would want to talk about that would be different in the ICFs. That is exactly the reason for the subamendment, because municipalities don't know either. The government has given itself unlimited

power to make all kinds of changes to what's required in the ICFs, and this kind of says – it encourages, by taking it out, that they have to follow any other regulations. It's kind of a reminder to the government that before you put other regulations in, you probably should talk to the municipalities. You know, don't give yourself a blank cheque.

You know what? Actually, the government will probably be even more popular with the municipalities. This won't really limit their legislation. It'll be a sign from the government that they're going to talk to municipalities before they change the requirements for municipalities to meet on ICFs in an unlimited way, thereby probably bringing the government closer to the municipalities. When the member says, "I don't know what the government could possibly change that you're concerned about," the question is the answer. The municipalities don't know either, and this, hopefully, will encourage the government to talk to the municipalities before they add a big burden on them in a great number of regulations on things where municipalities may not have any idea of what is in place today.

I'm grateful for the question. I think it's a good question, and I think the question itself points to how important it is that all members of the House support the subamendment.

**The Acting Chair:** The hon. Member for Calgary-Lougheed.

**Mr. Rodney:** Thank you so much, Mr. Chair. You know, with the greatest sincerity, folks, let's just boil this right down to what this is about. The subamendment's intention completely is to provide clarity to municipalities with respect to the purpose and objectives of intermunicipal collaboration frameworks. I dare say that it would also provide clarity for this Chamber and every Albertan. That's what I hear continually. Perhaps you have.

I know it's been 12 years for me where I've been hearing people thank previous governments when we do this. It's not as though we're trying to pat ourselves on the back. Think about this, folks. When you go to events like AUMA and AAMD and C, don't you hear them say: "Look, we've got our fingers on the pulse here. This is a local decision. Please. We know the situation. Work with us"? It's the same thing with you on the government side when there are decisions that you fear the federal government is making that really are your prerogative. It's not right for them because you are more local than they. We could use the example of: if something applies to a condominium association, those who are involved in that government would be saying: "Hey, back off, provincial and federal governments and even municipal governments. We have our own bylaws. Please allow or work with us to change it, and we'll do it together." That's all that this is about.

The last point that I wanted to make: folks, this really is a win-win-win. It's for the municipal governments, it's for you as the provincial government, and it's for every Albertan. I truly believe – and I'll conclude my remarks this way, Mr. Chair, by saying that it would be greatly beneficial if the government could communicate clearly with municipalities what their intentions are with respect to this matter instead of just making decisions without appropriate consultation. We certainly learned the hard way that if you legislate first and consult second, that's a big problem. This just allows you to do that. There's nothing more and nothing less.

I encourage – perhaps one of the ministers could let us know if there's any reason that they see as to why this would cause any problems whatsoever. This is sensible, nonpartisan. Let's help local decision-makers be part of the process so that we get it right the first time no matter who happens to be in government or opposition, who happens to be in the mayor's chair or the reeve or a councillor in any jurisdiction here in Alberta.

**The Acting Chair:** I will recognize the Member for Athabasca-Sturgeon-Redwater, followed by the Member for Rimbev-Rocky Mountain House-Sundre.

**Mr. Piquette:** Thank you, Mr. Chair. I'm rising in the House today, I guess, to speak against this subamendment. You know, I understand, maybe, the intention behind it, but, I mean, we're not talking about – if this was a process where you could even, with any sort of plausibility, talk about a blank cheque, I could see the reason behind it, but this is one of the most consulted-on pieces of legislation in Alberta history. Many stakeholders on multiple occasions have had opportunities to discuss the intermunicipal collaborative framework.

Indeed, it is, I think, going to be doing the most work as part of the MGA. This is, I think, critical for ensuring rural sustainability, for finding the kind of synergies, you know, that close collaboration can bring. This is something that we heard loud and clear from stakeholders at the various consultations around the province, including the four that I had the great privilege to be able to attend. Now, we have been talking, as members of the opposition and the third party are aware – I mean, we've been working very closely with the municipalities step-by-step through the consultation and through this process. My understanding is that they do support ICFs and that they do support the process that we're following right now.

As the Member for Calgary-Klein made reference to just earlier, sometimes the most appropriate tool for a legislator is actually to leave certain aspects of the bill to the regulations. That's for excellent reason. The reason is because that provides a type of flexibility that is necessary for certain types of situations, and I think this is that type of situation. I mean, they're meant to be deliberately broad so that municipalities have that option to be able to actually, you know, sort of have the ICF agreement fit their local context. So if through mutual agreement there are some items that make sense for them to be able to include in the ICF, there's a flexibility in the process that allows them to do so.

I guess, in addition to that, these regulations are not something that the government is intending to do in isolation. These are indeed being developed in collaboration with the AUMA and with the AAMD and C. [interjections] Well, I mean, actually, I'm not going to respond directly to crosstalk.

From my understanding – I was at AAMD and C for a huge part of it, and I had an opportunity to talk to a lot of county councillors, a lot of village mayors, a lot of towns, and I know that they were greatly appreciative, actually, of the tack that we've taken with the MGA. They were really impressed with the level of consultation, the level of accessibility that our Minister of Municipal Affairs and Municipal Affairs staff provided throughout the process. Of course, there are always questions. Of course, when there's change, there are concerns. But, I mean, these concerns weren't about a lack of trust in legislating the parameters. These were the types of concerns that could easily be handled through regulations that they have, through their close, collaborative agreement, you know, or relationship, that we're able to handle.

I think that not only are ICFs a wonderful element of the MGA and a great compromise for the types of, you know, cost-cutting concerns that the province, counties, municipalities, and, indeed, residents have, but also the way they're being developed and the way that we're leaving certain elements to the regulations, which, I want to reiterate, are going to be consulted on and are being developed in collaboration with stakeholders, is the most appropriate way to go.

So it is for these reasons that I think this subamendment would actually be a bit counterproductive in the sense that if it was legislation bound, it would, you know, take us coming back to the

Legislature to perhaps provide some flexibility to the ICFs. I think the municipalities, rather than being thankful that we made this change, might end up being a bit frustrated that we've put a box around, well, what types of discussions they can have and they can't have without any easy or simple remedy for that box.

So I would urge my colleagues to vote against the subamendment. Thank you.

9:40

**The Acting Chair:** The hon. Member for Rimbev-Rocky Mountain House-Sundre.

**Mr. Nixon:** Well, thank you, Mr. Chair. Let me just first address the issue of whether municipalities feel that they've been completely consulted with or hurt. I think that in this case, clearly, there's been an attempt by the government to consult with municipalities, which is a pleasant change from what this government has done for the last 18 months. I will agree with that. But I represent 22 towns and counties and school boards, and I can tell you that every one of those municipalities does not clearly understand – they've made it very, very clear in all my meetings with them – what the government intends to do with this. So the hon. Member for Calgary-Hays is attempting to make sure that we take away the blank cheque and that we make sure the government has to consult and work with the people that the rules and the regulations that they want to build are going to impact. I think that's a great subamendment.

Now, we have a government member standing up and saying: "Oh, don't worry. Take our word for it. Everything is going to be okay." Well, the constituents I represent have heard that too many times. "Take our word for it. We consulted you about regulating your farms": no, they didn't. So why would they accept it again this time? There's no reason, not one good reason that has been provided by this government, and not one cabinet minister has risen to answer the questions, good questions, from the Member for Calgary-Hays. Not one cabinet minister has taken the time to answer them, and they expect the opposition to believe that they truly were consulting and working with the communities that this legislation will impact. I think that's ridiculous. It's ridiculous. And to say that they have a complete blank cheque from the AAMD and C and the AUMA on this is not true. That I can guarantee you, Mr. Chair.

**The Acting Chair:** The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Well, thank you, Mr. Chairman, and congratulations. It's the first time I've seen you in that position. I look forward to working with you in a proper manner this morning.

I'd just like to talk on this subamendment that the hon. Member for Calgary-Hays has put forward for a couple of moments if I could. I think one of the things that has, you know, been brought to light here this morning is that a lot of us feel as if the government tends to continue to put forward legislation and not do enough proper consultation and so on and so forth. One of the things that has always come forward over the years that I've spent here is the regulations. The member has, I think, made a great point here.

We're going to be going to a new system, where we're going to have these things called intermunicipal collaboration frameworks. They're brand new. A lot of small municipalities all over the province have never had to have such things. These things aren't just any other statutory document like MDPs and IDPs. These things are things that they will have to pay a consultant to put together, and they will have to take the time and the money to travel here and there between the other municipalities to have these discussions over the next two and a half, three years to try to put

something together, yet that is being asked of them when they don't know what's going to come up in regulations that haven't been written yet. They have no idea. So how can any municipality – and I know that the hon. Member for Calgary-Hays and I used to sit in IDP committee meetings years ago. You know, you can have a reasonably good conversation about something if you know what the details are. Well, that's not going to be the case here.

With these bits of legislation in Bill 21 we have an awful lot of things that are going to be new, as I've said, and an awful lot of things that will probably raise the steam a little bit in most of these meetings because they've never had to do this. It's pretty difficult for me to understand, if the details are not known, how these things can be done. So if we leave (h) in there as has been written, that just says that the government can continue, as they do with a lot of bills, to make regulations as they please, and this House has no control of that. We have no discussion about it. We do not bring in a regulation document.

I've got a few here this morning with me. I think one of them is on municipal corporations, and another one has to do with subdivision and planning regulations. The MGA is a book that is that thick, 800 sections long. It's not a normal bill, like any other bill that we normally debate here. So we have to realize that the regulations are where the details are. Pardon my language, Mr. Chair, but most municipalities think that the damning is in the details and the damning is in the regulations, but we don't get to debate them.

I am in support of this amendment, Mr. Chair. I would urge all the members here to give this some reflection.

I'll only close with this: how can municipalities deal with a new intermunicipal collaboration framework document, how can the consultants deal with it if they don't know what's going to be in the regulations and they're not debated here?

Thank you.

**The Acting Chair:** Are there any other members wishing to speak to subamendment SA1? The hon. Member for Leduc-Beaumont.

**Mr. S. Anderson:** Thank you, Chair. Just a couple of short notes on this. I'm actually quite proud of my area, Leduc and Beaumont, for a lot of reasons.

**Dr. Starke:** Big win yesterday.

**Mr. S. Anderson:** Yeah, there was a big thing going on.

One of the big things that I really appreciate with my area and what they do down there and that I noticed right off the bat was the way that they work together. You know, they've got so many agreements that have come over the years. I think that's down to, to be honest, the two mayors for the county, a big part of it, and the city of Leduc work so well together and their councils work so well together, not only around the city of Leduc but with some of the smaller areas in the county – Warburg, Thorsby, Calmar, New Sarepta – all these little areas that are in there and the little towns and villages.

You know, my eyes got opened to it, I think, at the AUMA, the first AUMA I had gone to. My two mayors did a presentation on collaboration, intermunicipal collaboration. One councillor from the province that watched it: she was actually in tears because of how well they were working together. I know that a lot of other places around the province are doing similar types of things and are working well together. Our citizens cross boundaries, and we can have duplication. You know, we can have people paying twice for the same thing, using all these taxes for one thing here and the other. We've got to work together, which is a good thing.

To this subamendment – I've just got a few notes that I wrote down. I'll read them so that I can stick to my script a little better. I know that we are proud of these municipalities. A lot of the consultation – because this type of consultation is not just from yesterday or last week or two weeks ago. This has been going on for years. It started with the previous government. All this legislation has been ongoing for a long time. We have been working with these associations on details for the ICFs for a while now. We're not saying that it's perfect. We're not saying that there's a blank cheque, like the opposition tries to throw out there all the time. To be honest, Mr. Chair, I don't like making things up. I don't like speculation and things like that. It's not how I work. I don't appreciate that.

There's a lot of work going on. Are there issues? A hundred per cent there are, and that's why we're consulting. That's why we keep speaking to people out there, and we will continue to do that. If you actually read what's going on with this bill, you would know that, but sometimes some people like to put things out there that might not be quite exactly what's laid out in the bill and maybe a little misinformation. Some people like to do that, but I go on truth and facts, and we're reading this right here. Nobody's ever said that we're perfect, and I'll reiterate that again. I try to tell my wife that all the time, that I'm perfect, but it doesn't really go over very well.

9:50

**An Hon. Member:** What?

**Mr. S. Anderson:** I know. It's amazing. Shocking. I know, guys.

You know, we have been consulting a lot on this, and we will have regulations outlining more specifics from the ICFs coming forward once we complete the collaborative work . . . [interjections] Nobody wants to hear me? Jeez.

**The Acting Chair:** Hon. members.

**Mr. S. Anderson:** Then we'll draft it so it's something that works with all the municipalities for the residents for the benefit of that regional co-operation.

In regard to the subamendment from the hon. Member for Calgary-Hays the clause that is in question in this is a standard clause in legislation to allow for flexibility, and I think that's a key word, "flexibility." We have to be able to adapt, and we have to be able to listen and to understand what the concerns are. It's there to deal with these unanticipated circumstances, but we haven't to date, that I'm aware of, had anybody come up with concerns about this particular clause, and most importantly we are actually actively engaging with municipalities on the ICF framework as part of a robust, transparent, and extensive consultation.

I'd just like to say that I'm pretty proud of what we've been doing, and it's a continuation of some good work from before, and we need to continue to have these conversations. We always do. You know, I love being at AUMA and AAMD and C and meeting with regional officials from around the province. I think it's incredible to have these conversations and always understand the concerns and issues from particular areas because every area is different. You know, I think my amazing area of Leduc-Beaumont is outstanding and far and above the best place in the province, but other people might have words about their own. For me it's due in part to the collaboration that we have in our area. I think it's amazing what they do down there. I really appreciate it. It's the way I was brought up, to try to work together with people, and I think that we're doing that.

I'll sit down and let other people have a chance to speak now, Mr. Chair. Thank you very much.

**The Acting Chair:** Are any other members wishing to speak to the subamendment? The Member for Livingstone-Macleod.

**Mr. Stier:** Well, thank you again, Mr. Chairman. I want to express my appreciation to the Member for Leduc-Beaumont for bringing up the comments he just had. You know, once again, we are talking about this regulations issue and whether or not we're going to leave the section (h) in the bill. The hon. member brings up some great points, but we have to keep in mind that he lives in an area where there is a capital region board. They have a bunch of things set. They have a bunch of rules. It's already been done and in motion for the past eight years.

**Mrs. Littlewood:** And it's working.

**Mr. Stier:** It may be working. I don't argue that, hon. member across the floor.

What we are talking about, though, is that these new collaboration frameworks will have to be created, as I said a moment ago, and his point versus my point I think is a little bit moot. It's not necessarily fair to compare an area that's got an established, huge metropolitan area plan with a whole bunch of rules and guidelines whereas we're trying to legislate and put together a new collaboration framework with a lot of these kinds of clauses that are going to really change how things happen out there in those other municipalities that don't have such a big capital region board.

Again, fair enough. I understand his points of view, and I recognize and respect them, but what we're talking about are two different kinds of things here. So that we can be clear, I'm supporting this motion to strike item (h), and we should be able to be talking openly ahead of time about what the regulations will be before we just allow an open-ended clause that any regulations can be established at any time.

Thank you, Mr. Chair.

**The Acting Chair:** I'll recognize the Member for Athabasca-Sturgeon-Redwater, followed by the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Piquette:** Thank you, Mr. Chair. Yeah. I just wanted to actually respond to the last comment here. Now, once again, I'm having a difficult time seeing how this process could be considered a blank cheque or how this process could be construed as not actually allowing for a maximum of consultation. Now, the previous member was saying: well, I hope that we get an opportunity to look at these regulations. Well, as a matter of fact, every single MGA regulation that's going to be coming out of the review is going to be posted online for 60 days so that all Albertans can see what is proposed and give feedback on it.

**Mr. Nixon:** Six whole days.

**Mr. Piquette:** Sixty. Six, zero. Yeah.

I mean, we've shown right from the beginning of this process that we are committed to open and transparent consultation on all of these MGA regulations, and members of the opposition are speaking to a lack of trust that I certainly have not seen among our partners and stakeholders. These draft regulations, you know, are going to be developed, and I just want to be kind of clear here on who those stakeholders are. They are, you know, the stakeholders most affected, so we're talking about municipalities, municipal associations, school boards, community organizations, business and industry, developers, everyone. These regulations will then be presented to Albertans in early 2017.

I mean, I'm nonplussed that the members could construe this as anything but an open and transparent process involving all stakeholders. As, in fact, the two peak municipal organizations in the province are both part of this collaboration, I'm just kind of a bit confused where they're saying that this lack of trust and lack of communication is coming from because it's certainly not coming from the partners and stakeholders that I've had the great pleasure to meet, like I said previously, at AAMD and C just recently but also as part of the consultations during the summer and then also in discussions with the municipalities that I have the privilege to represent in my own riding.

Now, of course, they do have questions, and when I previously spoke to this bill, I think we talked about that and brought some of the answers. But, you know, those questions are certainly not revolving around a lack of trust that we're not going to be open and transparent about the regulations. The concerns that they might have about the scope and parameter: like I said, they will be getting ample opportunity to discuss them with Municipal Affairs and, of course, with the minister, who, as I've said before, has been very accessible throughout this process.

One thing I should say is that, you know, I don't want the members across to give an unfair characterization of the level of respect that I've seen municipalities actually have for our Minister of Municipal Affairs. I've heard wonderful things, saying that she's down to earth, she's accessible, straightforward, and understanding that, really, it is with the best of intentions that this legislation is going forward in a spirit of true collaboration. On those grounds I think that this is – and I've said this previously – the way that legislation, ideally, should be done.

One thing that's a bit unfortunate is that, you know, at the beginning of this – we were at the last reading. I was quite impressed by the constructive tone that members of the opposition took, where they were bringing forward some of the concerns that I'd also heard. I don't think that this amendment seems to fall into that same category, where they want us to – I don't know – kind of step back in this process, where we actually have some good consensus around the broad parameters and now we have to work out the fine details in a process that's actually acceptable and suited to the task and with a degree of flexibility that means that if there are some adjustments that need to be made further down the line, there's a capacity to make them easily.

You know, maybe that is unfair. Perhaps there are a few that have those concerns. For those I just want to reiterate that we are continuing to consult on the regulations. We've committed to doing that. We are going to be working with stakeholders. And just one more time so there's no possible misinterpretation: these stakeholders include the municipalities, the municipal associations, the school boards, community organizations, business and industry, developers, everyone who has an interest in it. These regulations will be posted online for 60 days – that's six, zero, just to be clear on that – so that all Albertans can see what is proposed and give feedback on it.

**10:00**

Finally, through this and continuing to the present we are absolutely committed to open and transparent consultations on all of the MGA regulations. If there are any municipalities that have those concerns, you can lay them to rest.

Thank you.

**The Acting Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Nixon:** Well, thank you, Mr. Chair, for the opportunity to rise again to speak to this subamendment, which I am happy to support.

Just a couple of responses to the last hon. member who spoke. He asked the question: which communities did not trust this government during this situation? In fact, he said that he has not found any communities that did not trust what's going on with the government right now. I can name many: town of Rocky Mountain House, town of Sundre, village of Caroline, county of Clearwater, county of Mountain View, Red Deer county, Lacombe county, Ponoka county, Rimley, the town of Bentley. The list goes on and on. That's just in my constituency. I can assure him that maybe where he represents there are no trust issues, but I would encourage this government to leave the House, as I have many times before, and travel Alberta, and they will find out very quickly that there are very few municipalities and people in this province that trust this government.

With that said, the hon. Member for Leduc-Beaumont in his well-prepared comments pointed out concerns that he felt that this amendment was an attempt or something along those lines that would maybe prevent co-operation between municipalities. I certainly echo his comments. I agree with him that co-operation between municipalities is important, and many of our municipalities work very, very hard together already. Rocky Mountain House and Clearwater county received an award from this minister just last year for the hard work that they do. Both that town and the village and Caroline, for that matter, in that county and that county work very, very hard together. That's very impressive. They've got concerns about this. That doesn't mean that they're going to stop co-operating. It doesn't mean that anybody says: we don't want to make it easier for counties and towns to co-operate together. To say that is ludicrous, Mr. Chair. They've got concerns about this.

The reason they have concerns about this and the reason the hon. member was right to bring forward this amendment is because they don't trust this government, because this government over and over and over through their legislation have passed things that have punished their communities and have made things harder for them. To continue to ask these communities to trust this government while they make regulations – if that's the answer all the time, then the answer back to them, Mr. Chair, is: Albertans don't trust you no more, so try something different.

**The Acting Chair:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Hanson:** Thank you very much, Mr. Chair. I wasn't going to bother getting up and responding to this good amendment till the Member for Athabasca-Sturgeon-Redwater stood up because every time that we stand up in opposition to each other, my popularity in his constituency improves, so I really can't miss this opportunity.

Just one other thing I'd like to point out. We talk about municipal collaboration, and the Member for Leduc-Beaumont got up and spoke about his concerns there. I just want to say that the announcement yesterday is going to do anything but improve the collaboration efforts between the city of Edmonton, the town of Beaumont, and the county of Leduc. I just wanted to point that out.

Now, the amendment seeks to strike out clause (h), which reads, "must meet any other requirements established by the regulations." It's kind of a redundant statement because if it's in a regulation, then it's going to have to meet it anyway. The concern here is that the regulations aren't yet written, so we're going to bind municipalities to something with clause (h) that isn't even written yet. Until we know those regulations, you know, saying that it has to be bound by the requirements established in the regulations when we don't know what they are yet just seems to be a bit of a blunder

on that part, so I will be supporting this amendment to remove clause (h).

Thank you very much.

**The Acting Chair:** The hon. Minister of Municipal Affairs.

**Ms Larivee:** Thank you, Mr. Chair, for the opportunity to speak to this amendment. I certainly would be challenged to hear that there has been any lack of consultation on this bill. I've been told even by members of the opposition that this should be the role model for consultation with municipalities and with the people of Alberta. I'm very proud of the work we did consulting broadly right across this province. Even at AAMDC I met with many, many municipalities and had the opportunity to talk with them one-on-one with any questions or concerns that they had.

Mr. Chair, this particular question did not actually come forward to me, but I think that the most important thing is – and I thank the Member for Athabasca-Sturgeon-Redwater for bringing up the process – that even in the regulation process we're fully committed to very transparent, open consultation on this. I look forward, and we're continuing. Right now we're engaged in an intensive process to develop more details for the ICFs with the Alberta Urban Municipalities Association, with the Alberta Association of Municipal Districts and Counties, with the Association of Summer Villages of Alberta, Alberta Rural Municipal Administrators Association, the Local Government Administration Association of Alberta, Metis Settlements General Council, Canadian Home Builders' Association, Canadian Association of Petroleum Producers.

Mr. Chair, beyond that, once we have a draft regulation in place, I cannot repeat enough that that regulation will be posted for 60 days to the public, including all of the members across the floor, to submit their feedback on that so that we can all work together to ensure that that regulation is in the best interest. Once again, there is nothing being done behind closed doors. I've been fully committed to that. I've received a lot of positive feedback from municipal leaders across this province, and I'm proud of the relationships I've built with them and the trust that I have personally built with many of those municipal leaders. I look forward to continuing to build those relationships.

Thank you, Mr. Chair.

**The Acting Chair:** The hon. Member for Calgary-Fish Creek.

**Mr. Gotfried:** Thank you, Mr. Chair. I just wanted to preface my comments and question on this subamendment to thank the minister for what I've heard has been some very robust consultation. I think that that's a positive thing and there's been some very positive feedback. But I think, you know, what we're trying to do here is in the spirit of best practices and continuous improvement and to make sure we have the best legislation. There are many of us out there talking to many different stakeholders and finding out that there's some fine-tuning that we can do at this stage, which I think will improve this legislation and then help you to guide the regulation as we go forward.

I'd like to think that there's an opportunity for us in this House – and I think maybe it's a lesson for all of us, whoever is sitting on that side – to consider that amendments are not meant as criticism; they're meant as an opportunity to improve. If we work together in this House as legislators, then our main goal is actually to provide the best legislation for Albertans, to provide input, constructive input, to improve that legislation, and that we not see amendments as an affront to good legislation and the good work that's been done across the floor.

I'd like to encourage everybody in the House to support this amendment, not because it's meant as criticism but that it's a constructive opportunity for us to work together in this House to provide positive legislation, to amend legislation to make sure it's the best it can be for all Albertans, to recognize that even with robust consultation there's other consultation and other input coming from across this province, different stakeholders, of which some of us may have stronger or less strong relationships with or a history or a background in certain areas that will allow us to do that. I would just like to encourage everybody in the House to support this amendment, not to criticize what's done but to improve what's done.

Thank you.

**The Acting Chair:** Are there any other members wishing to speak to the subamendment? The hon. Member for Bonnyville-Cold Lake.

**10:10**

**Mr. Cyr:** Thank you, Mr. Chair. I have been listening to this back and forth, and I will say that whenever you've got regulations being drafted, especially something of this magnitude, it's important that before it's enacted, we have a good understanding of what exactly it is that we're moving forward.

Now, I did go to one of the open houses, and I have to thank the minister for setting those up. Unfortunately, the minister couldn't be at the open house that I went to in Lac La Biche, but the Member for Athabasca-Sturgeon-Redwater was there. I will say that a lot of the concern that I had heard from inside that meeting was specifically about ICFs, and one of the concerns was: exactly how is it that you're going to bring this forward? It was my understanding that more information was going to come out afterwards on exactly what was going to be brought forward with regulations. Now we're hearing that we have to wait for the regulations after the bill has been passed through the House.

I guess my concern here is that when it comes to consultation, in this case I think that we did hear in one of the open houses that it was a concern that regulations were being drafted and there wasn't enough input into those regulations. I think that by getting rid of or striking (h), this subamendment will add clarity to exactly what it is that the government is trying to do. I think that we need to be working together with the municipalities. I do believe that we have heard that ICFs, especially in my riding, are going to be a contentious issue when we bring this forward.

I would like to know more about the 60 days. We put the regulations down, we wait 60 days, and then you just pass it through anyway? Or is it going to be 60 days, we have our Municipal Affairs do their changes to the regulations, and then we're going to get another opportunity to see what comes out? I think this is important. We're going to only get one crack at something as important as ICFs. I'm not saying that we need to put this off another three years. That's not at all what I'm going for, and I'm not saying that. In legislation you can't always make every party within Alberta happy, but you can at least find compromise in a lot of places. How exactly is it that we're going to know that the government seriously took the recommendations from our municipalities, specifically Bonnyville-Cold Lake, and implemented them into the changes, into the regulations? My question is: will there be a second draft, if you will, for our municipalities to be able to see that they've been heard?

Thank you.

**The Acting Chair:** The hon. Member for Calgary-Hays.

**Mr. McIver:** Yeah. I'll be brief because I've spoken once, Chair. All I would say on this is that I heard a lot of concerns, particularly at AAMD and C, about the ICFs, particularly from some of the smaller population municipalities. What they said to me was that this seems to be insensitive to them. What I mean by that is that there are municipalities with one, two, maybe three ICFs to do because those municipalities are on their borders. But there are a lot of rural municipalities. I know that even the Member for Leduc-Beaumont, I think, named half a dozen in his area where one rural municipality would have to deal with half a dozen other municipalities.

When this House sets regulations, that's one regulation, but for some municipalities that could be 10 or 20 separate negotiations that they're triggering. I see the minister nodding, and I'm sure that she knows this, so thank you. All I'm saying is that this amendment is essentially intended to not put the minister offside with the municipalities by having unintended consequences by burdening them with 10 or 20 negotiations or even four or six because that's a lot of work, too. One is a lot of work, for goodness' sake, but four or six for a small municipality with limited resources and limited staff is not a small burden. It's a large burden, so this is just a way to have the government check in to make sure that they don't accidentally put too big a burden on these municipalities. That way the minister will be more popular than ever with them if the government supports this.

**The Acting Chair:** Are there any other members wishing to speak to the subamendment?

Seeing none, I'll put the question.

[The voice vote indicated that the motion on subamendment SA1 lost]

[Several members rose calling for a division. The division bell was rung at 10:15 a.m.]

[Fifteen minutes having elapsed, the committee divided]

[Mr. Sucha in the chair]

For the motion:

Aheer	Gotfried	Schneider
Cooper	Hanson	Smith
Cyr	McIver	Starke
Ellis	Nixon	Stier
Fildebrandt	Rodney	

Against the motion:

Anderson, S.	Gray	McLean
Carlier	Hinkley	McPherson
Carson	Hoffman	Miller
Ceci	Horne	Piquette
Clark	Kazim	Renaud
Connolly	Kleinsteuber	Rosendahl
Coolahan	Larivee	Schmidt
Dach	Littlewood	Schreiner
Drever	Loyola	Sigurdson
Feehan	Luff	Swann
Fitzpatrick	Mason	Turner
Ganley	McCuaig-Boyd	Westhead
Goehring	McKittrick	Woppard

Totals: For – 14 Against – 39

[Motion on subamendment SA1 lost]

**The Acting Chair:** I would remind all hon. members that during the recorded vote count we must ensure that there is silence so that we can record it appropriately.

We are back on the amendment. The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Actually, I just wanted to make a suggestion that we move to one-minute bells.

**The Acting Chair:** Under the standing orders it's already provided for.

The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Yes. Well, thank you, Mr. Chair. It's a pleasure to speak again here to Bill 21, and I'm going to be talking about the amendments that we received just two days ago. I'd like to give a little, brief overview, if I could, to start.

Once again, having met at the briefing on this document and its introduction, I'd like to take a quick moment to acknowledge the dedicated work that the Municipal Affairs staff have done, you know, to get things right. It's a great opportunity to be in this process again today to talk a little bit about those.

I think it's also important to mention, as I said the other day, that the previous government started the review of the MGA with the co-operation of a lot of the municipal associations and stakeholders. So as we move on, I think it's important to thank them again for getting this going.

Mr. Chair, the amendment document that we're talking about from a couple of days ago has been organized into a few basic groups, as they had done in the first instance with the bill, and it talks about elected official training, appeal board composition, municipally controlled corporations, decision timelines, off-site levies, planning matters, assessment, and, of course, the intermunicipal collaboration frameworks. We have organized ourselves a little bit on this side of the House with the Official Opposition in having a few speakers on some of these topics, so I'll be referring to some of this as a brief overview and then move into allowing my colleagues to speak up on specific matters.

Bill 21 amendments, just like the mother ship, the actual MGA itself – as I said the other day, it's one of the largest bills that the Legislature has been asked to pass, in my experience, so far. It is, I think, bigger than the Responsible Energy Development Act. We worked on the Education Act, which has yet to be proclaimed. I remember that that was a big one. But this is the elephant in the room, I guess, if you want to put it that way. So it's possible to talk a little bit about a lot of things, but it's not possible to talk a lot about everything. It's just huge.

Let's just get down to some of the things that I had mentioned a moment ago with my colleagues. I personally believe, first of all – we're talking now about the training of councillors and so on, and I said this the other day, too – that in a provincial election there is a tendency sometimes, as there has been in the past actually, to notice a bit of a gap in the knowledge and the education of people once they are elected, particularly with reference to the roles and responsibilities of a councillor. You know, as an MLA now I've seen a lot of the municipalities across the province that had a lot of turnover after the last election go through a lot of difficulties and hurdles with their new roles.

So I'm happy to see that this issue has been raised, as I've said before. I think that the Member for Olds-Didsbury-Three Hills will be digging into this here in a bit more detail, but I'm certainly supportive of having the training that has been indicated in the bill, and I'm certainly supportive in most respects about the intention to try to make it virtually almost mandatory to offer this. That's sort

of what I feel on this. I think it should be mandatory for all ratepayers to have the benefit of the people who are judging on the merits of various issues that come to their desks having some knowledge to make proper decisions. It's so important.

I think a lot of the feedback that we've received from the municipal associations who represent the municipalities and their councils has indicated their support for the most part as well. How that will happen, how that will take place, who will administer that: those things are a bit of an unknown. I myself, when I was first a councillor many, many years ago, was fortunate because the AAMD and C provided those kinds of courses, and I suspect maybe that is how those kinds of things will go in the future. But our Member for Olds-Didsbury-Three Hills, or the House leader for the Official Opposition, as he's known, will probably be digging into that topic.

On to municipally controlled corporations just briefly, as an overview. We certainly understand – and I've experienced where municipally controlled corporations exist, and they seem to work very well. We are a little bit concerned, as I said before, about how these things might take place. We are aware of the regulations that are actually in place now. You can actually see those because they've been discussed and they've been in place. Our Member for Lac La Biche-St. Paul-Two Hills will be talking in more detail about that. We do like some of the things that are in the regulations now, and we think that the suggestions by the department to make it a little bit more open may give us a little bit of angst. So we'd like to talk a little bit more about that.

Moving on to the other topic of how municipalities plan, develop, and grow. I said earlier today and I will say it again, going into the intermunicipal collaboration frameworks topic area – this is a new area for the MGA in the 700 block of the 800 sections in the MGA – that for the bigger cities, mid-size cities, larger municipalities that have internal staffs and administrations that are quite familiar with statutory consents and the various documents, this may not be as much of a challenge.

**10:40**

But for the bulk of the smaller municipalities that have larger areas, although they may at some point in time, I suppose, one day after I'm long gone, have larger administrations, frankly, a lot of them will hire consultants or have extremely expensive types of ventures to consider because those consultants will have to work with several municipalities at once to try to put these things together. They will be billing for their services, and these are huge documents that will have to be considered, a lot of meetings, a lot of time, et cetera, et cetera.

My colleague from Little Bow will be digging into that matter shortly, and we're going to be talking about IDPs and all the interrelationships between the intermunicipal collaboration frameworks that are proposed, IDPs, and MDPs. We're certainly glad to see some attention paid to timing. But, relatively speaking, we need to talk, I think, and we will be talking to the main bill about that matter as well.

Moving on, Mr. Chair. I'd like to also get a little bit into the centralized assessment topic that's part of the amendment document, of course, and for the record just say that we understand the needs of the industry to try to get some sort of stability in how assessments are done from an industrial point of view. We understand that the major industries in the province have some pretty complex installations and that they have some marvellous, marvellous different types of processing facilities and all kinds of things and that there would perhaps be a benefit in some respects of having assessments sort of all being done out of one spot and then some sort of standards established throughout the province.

On the other hand, we also note that for a lot of the smaller municipalities some of the rules that exist can be worked with perhaps more easily and more locally, too. The removal of having someone do industrial assessments locally would also perhaps hamper some of those smaller departments if they were to lose some of that responsibility. Our associations have mentioned to us that those are concerns. We think they're valid. The assessors' associations have mentioned – and the assessors are highly trained, skilled people – that these kinds of changes are a little bit of a concern for them, too.

Our hon. Member for Bonnyville-Cold Lake will be speaking here to that as well. We're fortunate to have a gentleman in our presence who has a bit of an accounting background. I'm looking forward to hearing what he has to say in great, fine detail, as accountants can do, and he's got a bag of beans here with him, by the way.

Another one – and the one that I'm going to speak a little bit about because I have a bit of experience with it – is the amendments regarding the actual members that can sit on appeal boards. Of course, the appeal boards have over the years provided the public with an avenue to get their decisions reviewed and somewhat perhaps addressed and/or decisions of councils overturned, especially on the subdivision and development appeal board side. Of course, too, some of this applies, but not so much, to the actual local assessment review boards. Nonetheless, the intent, I understand from the department and from all the documents I've obtained so far, is that the idea is to limit the number of councillors that can sit on some of these boards.

We have several boards that are being dealt with here in the act and in the amendment. There's the subdivision and development appeal board, and most often a lot of municipalities separate those meetings up. They have different members on different boards because, of course, the subdivision appeal board meeting is generated as often as not by an appeal from the applicant who didn't like conditions that were given to him as a result of his meeting, or it may be launched by the municipality itself if something wasn't quite correct.

Nonetheless, it's odd to think that a councillor could sit on a matter that he was already acquainted with when he sat in judgment on the original application when it came for redistricting or rezoning and eventually for subdivision. If that councillor, you know, had taken the training as, as an example, I did and looked and perhaps was aware that the government does produce a subdivision and an appeal board training manual – and it talks about different kinds of issues that happen during appeal board hearings and all of the kinds of rules and different administrative laws and natural law kinds of things that they have to be aware of – it is possible that that subdivision appeal board member, if he was a councillor, could have some sort of influence on a decision that the board would make that would perhaps not be fair. Particularly, having more than one councillor, which sometimes, I guess, has happened on some of these boards, even makes it more difficult to render a fair decision for the board.

We're in support of, again, having a maximum of one councillor as part of the group on these boards, but, you know, I'd like to remind members in the House today that the selection of appeal board members is critical. Development appeal board members – developments are usually handled by the development officer in a municipality and their staff. Whether it's a garage that's being applied for or someone wants to put up an arena or something, usually development officers make that decision. That decision can be approved, or it can be denied, and, as is the case many times, it might go to an appeal board if they couldn't get what they wanted. But developments, therefore, and those kinds of processes have not

involved councillors at that point, so it's okay for councillors to sit on a development appeal board, and they usually do, but again we're talking about not having undue influence from the council in these decisions. We're supporting that we do not have too many councillors on these boards. We think it's a great idea, actually.

Nonetheless, the apprehension of bias is so important. I can recall many times when I have actually had to appeal decisions that I was involved in. Maybe people in the room don't know this, but when an appeal board meeting first starts, the chairman is usually required to ask if anyone has a problem with any of the members on the board because they feel there may be a bias issue and so on. Sometimes an applicant of an appeal sees a councillor there or maybe two councillors that may have been saying things prior to the meeting starting and prior to the meeting being held. The appellant can actually challenge that member, and often as not sometimes they can ask that that member be not able to sit on their matter because they feel that they have some bias.

This is a very important part of the system, and I, in fact, have had to ask some members of appeal boards to not sit on the matters that I was against. The system works fairly well, but certainly when a councillor is there, it does give one a little bit of an angst as to whether or not that person could be fair because they deal with a lot of these things throughout the week and may not necessarily be totally fair because of that extra knowledge. We're supportive of that.

I think that that's my portion of it. Now, Mr. Chair, my time is coming to an end, I think. I don't know how much more time there is.

**The Acting Chair:** You have four minutes.

**Mr. Stier:** Four minutes. Thank you for that.

I'll just end my end for now. We're generally supportive of a lot of the things that were in the amendment here, I think. My other colleagues are going to speak to some of these matters, and I look forward to hearing the discussion on that today.

Thank you.

**The Acting Chair:** The hon. Member for Vermilion-Lloydminster.

**Dr. Starke:** Well, thank you, Mr. Chair. I appreciate the opportunity to speak to Bill 21 in Committee of the Whole. The Municipal Government Act is an incredibly important piece of legislation. It's been referenced before that it is one of the most in-depth, longest pieces of legislation that governs municipal governance throughout our province. Because of that, of course, it is one of considerable concern, whether you are involved in the governance of a large urban centre, like Edmonton or Calgary, or whether you're involved in the governance of a smaller centre, even a village or a summer village, or indeed whether you're involved in the governance of a rural municipality. For that reason there has been considerable interest in this whole process of amending the Municipal Government Act, which, as has been correctly pointed out, has been under way for some time.

**10:50**

You know, the consultation process, really, has been ongoing. I'd like to actually stress that I don't think that it will stop once the MGA is passed. I would actually hope that the conversation continues. Although, perhaps just out of deference to the people who have been involved with this project for so long, especially people in the department, it might not be bad to give them a bit of a breather because they've been working on this for a long, long time.

Nonetheless, I do want to acknowledge the various people involved in the Municipal Affairs department who have been

working on this for a long time. I do think, you know, very sincerely, that they are trying to produce the best piece of legislation possible. As my colleague the Member for Calgary-Fish Creek pointed out in debate on the previous amendment that we were talking about, really, our goal here is to produce a piece of legislation that is as acceptable, as workable, and will stand the test of time. Again, just owing to the size and the complexity of the MGA, this is not an act that gets amended every other day. Hopefully, this act, whether it ends up getting passed in this fall session of 2016 or perhaps in 2017, is an act that will be around for perhaps some considerable length of time.

It is in that interest and because we are trying to improve this piece of legislation as best we can that I have a subamendment, Mr. Chair, that I'll distribute to the pages. Once they've had a chance to hand it around, once they've had a chance to get that subamendment to you, Mr. Chair, then I will go into some of the details of it. Just give me a second, and I'll also bring it up here on my screen as well.

In broad measure, Mr. Chair . . .

**The Acting Chair:** Hon. member, just one second. I just want to verify that.

**An Hon. Member:** Easy. Whoa.

**Dr. Starke:** Whoa. Where have I heard that before?

**The Acting Chair:** Please proceed, hon. member. I just wanted to verify that I had the original copy.

This subamendment will be SA2.

**Dr. Starke:** Thank you. For the record, Mr. Chair, I move that amendment A1 to Bill 21, the Modernized Municipal Government Act, be amended in part E by striking out clause (a) and substituting the following: "(a) in subclause (ii) in the proposed section 284(1)(f.01) by striking out subclauses (iii) and (iv)." What does all that mean when you boil it down? Well, if you're following along either in the House or at home, we're looking at page 14 of Bill 21. It has to do specifically with the definition of "designated industrial properties." This is an area of considerable concern to both rural and urban municipalities.

Now, many in this Chamber will recall and certainly I know that the Municipal Affairs minister will recall that a considerable concern was expressed about the status of linear property. I know that she heard a lot about linear assessment in the months leading up to the introduction of the MGA, and she probably heard a collective sigh of relief go out from municipal leaders across the province with the assurances that linear property would not be one of the things that is, you know, removed from their own tax base. That was there. This section indeed deals specifically with that and, in fact, deals with linear property as well as, as it says in subclause (i), "facilities regulated by the Alberta Energy Regulator, the Alberta Utilities Commission or the National Energy Board."

But it's subclauses (iii) and (iv) that are causing considerable concern to municipalities and to municipal councillors right across our province. In subclauses (iii) and (iv) it indicates that designated industrial properties will be defined by regulation. We once again get into this discussion of what is included in legislation and what is included in regulation. I know that we have received assurances not just from the minister but from other members that the regulations would be posted online and that there would be the opportunity for consultation and discussion. But, you know, once again, here we really need to provide a level of assurance to our municipalities.

When I was attending the AAMD and C last week, I heard from a number of different rural municipalities right across our province,

and I certainly heard from the three that are within the constituency of Vermilion-Lloydminster: Minburn county, Beaver county, and the county of Vermilion River. All three of these counties expressed a major concern in the definition of designated industrial property because indeed the tax base that they go from, the tax base that these counties depend on, and indeed it's not just rural municipalities but includes urban municipalities as well, is one that they depend on in order to provide the revenue that they need to be able to run their municipality. The notion that it could be defined in regulation and not within the legislation is of concern to them.

It is a subamendment that is intended to provide assurance and to provide some level of certainty to these municipalities that designated industrial properties will be very clearly defined and that it'll be defined, hopefully, within the legislation but at the very least that regulation cannot allow an arbitrary definition of something as a designated industrial property one day or in one county and then something else in another county.

You know, there is concern about the application of regulations in this situation. I think the minister did the right thing by making it very clear that linear assessment was not part of this overall, that this would stay within the bounds of the municipality, but the designated industrial property is yet another area that they depend on in order to be able to have a tax base so that they can provide the necessary services for their ratepayers. I think that it's very important that we clearly define what designated industrial properties are within the legislation and not simply leave it up to regulation. That's what this subamendment essentially does. It removes subclauses (iii) and (iv), which allow for that degree of uncertainty to creep into this.

Again, I know that the Minister of Municipal Affairs is interested in maintaining a good working relationship with municipalities all across our province. That has always been the goal of Municipal Affairs ministers, and I think they also find that municipal governments are exhilarating to work with. They can sometimes be very challenging because by their very nature they serve the same group of taxpayers that we as provincial representatives do or indeed at the federal level, and sometimes you can run into jurisdictional conflicts – let's just call it that – in which there seems to be, you know, working at crosspurposes. We don't want to see that, wherever that's possible, to mitigate or avoid that.

I'm going to encourage my colleagues to take a very close look at this subamendment. I do believe that it improves the overall bill because I think it removes one of the potential sources for a lack of clarity, and I think clarity is something that I know we always aim for when we're drafting legislation, and I would encourage colleagues to support the subamendment.

Thank you, Mr. Chair.

**The Acting Chair:** Hon. members, before we proceed with the discussion on subamendment SA2, I would like to advise the committee that on amendment A1 we will be having separate votes for sections C, E, K, and X.

Are there any other members wishing to speak to subamendment SA2? The Minister of Municipal Affairs.

**Ms Larivee:** Thank you, Mr. Chair, and I want to thank the member for acknowledging the work of my department. I don't know how I will ever make up to them the amount that I've asked from them in the last little while to make sure that this is the best piece of legislation, and they have delivered exceptionally, and I'm glad to put it on the record that I feel that I have the most amazing department staff in the government of Alberta.

In regard to centralized assessment the truth is, Mr. Chair, that we certainly heard from industry that there was a desire to have

consistent assessment across the province and that a way of doing that would be to have a single assessor, not only a single assessor but a single appeal process. You can imagine that with 344 municipalities that's an awful lot of rules to manage, particularly when you're talking about infrastructure that crosses borders. For example, you would have something such as a compressor station on a pipeline. Basically, it came from exactly the same factory. Identical. Literally identical. Same place. No difference in structure. The value of it, not just the taxation because rates vary, of course, between municipalities but the assessed value of identical property is different from one side of the municipal border to the other. Of course, with that, the challenge of appealing on so many different fronts simultaneously created a substantial barrier.

**11:00**

With that, we committed to ensuring that there was a consistent, fair process to ensure that there is consistent assessment of the value of industrial property across the province, very similar to what we do with linear property right now. With that, we brought forward the recommendations that we have now. Interestingly, because of the fact that this brings to industry that consistency, that stable prediction, they know exactly what's coming, and we certainly know the value of predictability to industry in terms of making investments. By doing that, they actually are willing to pay the cost of the assessment. Actually, right now municipalities have to pay the cost for linear property assessment and, of course, the other industrial property, and now industry will be picking that up. I'm glad that we could actually find some cost savings for municipalities in that as well.

You know, for many of us, when we make a change in things, there's some anxiety with that, Mr. Chair. Certainly, those municipalities that have a substantial amount of industrial property, I've been meeting with them, working with them, and assuring them that the transition process will be respectful and worked out with them. I look forward to those ongoing conversations. They are great partners, and I always value conversations with them.

Mr. Chair, in terms of this subamendment there is some guidance in terms of what designated industrial property is in Bill 21, and the regulations actually will include the specific plants around the province that are considered industrial property. Obviously, there's some recognition that when you have a list that is that specific, it really needs the opportunity to be amended in real time. Certainly, I respect my colleagues and would love to have them at the table to have these conversations about policy decisions. However, having to bring to the floor an amendment to the MGA every time there is a new plant that is built or a new plant that is decommissioned in the province would be burdensome to us all and I don't think the best use of our time.

I look forward to continuing to work with the municipalities to ensure that we do have the very best legislation that meets their needs going forward, and again I look forward to those continued conversation with our respected partners, our municipal governments.

**The Acting Chair:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Hanson:** Thank you very much, Mr. Chair. I just want to get some clarification while we have the minister here. The clauses that we want eliminated by this subamendment refer to (iii) and (iv). Clause (iii) is: a "property designated as a major plant by the regulations." Now, if we look at the heading of subclause (ii), it says:

by adding the following after clause (f):  
(f.01) "designated industrial property" means

- (i) facilities regulated by the Alberta Energy Regulator, the Alberta Utilities Commission or the National Energy Board.

Now, could the minister give me one example of a major plant of any kind that wouldn't already fall under the jurisdiction of the Alberta Energy Regulator, the Alberta Utilities Commission, or the National Energy Board?

**The Acting Chair:** The hon. Minister of Municipal Affairs.

**Ms Larivee:** Thank you, Mr. Chair. Of course, they all do fall under those jurisdictions. We're using those plants to be a guide as to what is considered industrial property or not so that everybody has clarity. If they fall under the jurisdiction, they are industrial property. Those provide some guidelines in terms of that, but the regulation will specify individual plants, and that's where the regulation comes in, in terms of specifying them. It is not just about providing guidance and criteria. You actually just listed some of the guidance and criteria there. This will go beyond that to make sure that we work with the municipalities to target those specific plants and ensure that those are listed in the regulation so that there is no lack of clarity with municipalities, right down to each individual place, if they are industrial property or not.

**The Acting Chair:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Cooper:** Well, thank you, Mr. Chair. I just have a couple of quick comments and then a question about regulations, I guess, and this government's desire to continually increase their ability and expand the opportunity to make significant changes inside regulations. I guess I'm a little bit confused. The minister spoke about, you know, hearing from industry and sounds very supportive of industry. There are lots of days when I appreciate that from the government, but there are also lots of days where they come and sue our industries and create all sorts of havoc amongst people in your fair city and the mayor of the city that you represent with respect to the power companies. I think it just sends a very confusing message. One day the government is suing industry. The next day they're saying: we're great partners, and this is exactly what industry wants. I hope that the minister might provide some additional comments.

As well, I have some concern about the comments that she raised with respect to basically saying that, you know, if we had to make an amendment to the MGA that would include information around the regulation, that would be a waste of time. You know, these pesky laws just get in the way all the time, really slow down the decision-making of the government. Mr. Chair, I acknowledge that there is some balance that needs to be met with respect to regulations or the legislation, but making these broad-based statements – and we heard from the minister and from my hon. colleague that, you know, generally speaking, the majority of the plants are already considered to be a facility regulated by the AER, the AUC, or the NEB.

Then there's this little problem at the bottom here in clause (iv), "any other property designated by the regulations." It winds up being this significant catch-all. It has no requirement to be based upon the above. I get that these are industrial guidelines, but "any other property designated by the regulations" provides a wide swath for the cabinet to be able to make decisions based upon perhaps the needs of the day. You know, we need to be very cautious. I know that this cabinet is honourable, and they would never do anything in regulations that would be untoward. Now, not all of the constituents of Olds-Didsbury-Three Hills are convinced of that, but I believe the best of this government. The challenge is that we

don't just legislate for today but we legislate for tomorrow and the government after that and the government after that. So when we leave these large catch-alls, "any other property designated by the regulations," we open ourselves to significant risk.

I am a firm believer that finding the right balance is important, and that's why I'll be supporting this subamendment.

**The Acting Chair:** The Minister of Municipal Affairs.

**Ms Larivee:** Thank you, Mr. Chair. I did want to take the opportunity in the interest of ensuring that we have clear information on this. I recognize that not every member, because it is a large document, has had the chance to make it through all the pieces, so I want to assure the member that if you look at the amendment, it actually says to strike out subclause (iv), "any other property designated by the regulations." We've already taken that action, removed that, and replaced it with more specifics, again, in recognition that flexibility is required and that regulation engagement with our stakeholders will continue.

It is important that this is a responsive, flexible piece of legislation, Mr. Chair, because what I promised to the municipal governments is that it would not be something that would be necessarily burdensome. With that we're making it as responsive as possible to meet and be responsive to their needs.

**11:10**

You know, Mr. Chair, certainly, I want to say that there is no contradictory stance when we talk about the fact that I'm happy to advance the interests of industry here in this House and that at other times we have challenges with them. I'm unapologetic about that because the reason that we are here is to ensure that we meet the needs of Albertans, and in many cases it is in Albertans' best interests to support industry as best as possible. They contribute to a healthy Alberta, and I'm proud to work with them and to support them. But when industry brings forward or makes some choices that are not in the best interests of Albertans, that is when the government is required to step forward and to challenge industry on that. So 99 per cent of the time we'll be working with industry and supporting them, thankful for the work that they do and their presence here in the province. We would not be Alberta without that. However, that does not mean that in every single instance we will do so if it is very clear that it is not in the best interests of Albertans.

Once again, I do not support this amendment. I think it's in the best interests of municipal governance that we have the flexibility to change the actual specific listing of those plants by regulation, a much more responsive action to take. There is the clear criterion in terms of an overarching guideline as to what would be included in the legislation, which provides a lot of information to municipalities, but moving forward to bring the specific listing of properties into this or failing to identify them at all I don't feel is in the best interests of municipalities.

Thank you, Mr. Chair.

**The Acting Chair:** The hon. Member for Calgary-Hays.

**Mr. McIver:** Thank you, Chair. Just rising briefly to support the subamendment by my hon. colleague from Vermilion-Lloydminster, and I would ask the minister politely, I hope, to reconsider her opposition to it. I think this really is an improvement. I heard the minister say something – and I don't think I can quote her exactly – about all municipalities understanding what's industrial or that they all agree or something of that nature. I appreciate, Minister, that I know I didn't get the quote right exactly, but it was something of that nature. That's part of the problem here.

I know the minister is working hard to get this right, so I want to give her credit for that. Despite that fact, she's not right about that.

I can tell you that after spending nine years on a municipal council, not only do all councils not agree on what's industrial and what isn't; lots of times there are divisions within council about what's industrial and what isn't. You know what? These are honest disagreements. There's nothing bad, nothing nefarious, nothing evil going on. There's just real, honest disagreements of opinion. Not only that, but each municipality in their land-use bylaws gets to designate classifications of property. One might go I-1, I-2, I-3 for heavy, medium, and light industrial, and one might go IH, IM, and IL and then maybe have subcategories on there, where you've got medium or light industrial that includes retail or medium and light industrial that doesn't include retail.

You know, for example, you might have a machine shop that sells some particular gadget or something that they make in the back that has become popular, so they have a retail store and sell it out the front. It could be an industrial butcher shop in the back that sells meat out the front. It could be a whole range of – Princess Auto, I think, in some ways in Calgary at least, is designated industrial, and in other municipalities it may be designated as pure retail. Neither municipality is really wrong. They've just chosen within the proper scope of authority that they're given within the Municipal Government Act to make these determinations, and they are right in so doing. That is why we need to look at this, because the assumption that I think the minister is making, that it will be easy to get everybody to agree on what's industrial and what isn't, isn't quite that straightforward. There are so many nuances, so many nuances, from a machine shop making parts for RVs or trailers or cars that are broken and not easily available, to a machine shop that's actually making skids that will have gas and oil plants that get shipped around the world and be put together as massive oil and gas production facilities, or it could be something that's making frames for affordable housing, you know, factory-produced housing, or any other range of things that get produced.

Again, no one is lying here. No one is lying here. The government is not lying here. The municipality is not lying here. Nobody is lying here. The fact is that there are honest and true disagreements on what's industrial and what isn't, and I think that the subamendment by my colleague from Vermilion-Lloydminster actually helps in getting past some of those misunderstandings, which is why I hope that the members of this House choose to support this subamendment.

**The Acting Chair:** Are there any other members wishing to speak to the subamendment? The Member for Livingstone-Macleod.

**Mr. Stier:** Thank you, Mr. Chair. I would like to take a brief moment or two to support this subamendment as well. You know, I'm not a litigator, and I am not as experienced as some of the hon. members that are here that preceded my election. Nonetheless, there are a lot of experienced people here that used to sit on councils and have got a lot of experience on the government side, and when they bring forward a subamendment such as this, I tend to listen.

When I look through the original Municipal Government Act and I look at section 284 – and I'm looking at my old copy that I used to use when I was a consultant; actually, I've got the older copy, but it hasn't changed a lot – one of the things that strikes me on this whole thing is that section 284 of the act included a complete and very detailed set of definitions in section (k), which described what linear property was. In that section (k) there are an awful lot of descriptions about electric power systems, street lighting systems, cables, amplifiers, antennas, pipelines. You name it and it was fully described in section 284. So when we were talking about linear, we

knew what we had, and it was in the act. Of course, therefore, if it was in the act, it's something that can be debated in the House as we are talking today.

It's interesting to see that in Bill 21 on page 14, as the hon. member has mentioned, they are taking that set of definitions, clause (k), and striking the whole works out. Then they are giving a new definition to linear property. There are four or five items under linear property, and instead of all the detail that was in the act, they talk about, first of all, electric power systems. Where they had a large definition for electric power systems and all the information pertaining to electric power systems so that we knew what they were going to be working with there, they've now said that "electric power systems" is going to have "the meaning given to that term in the regulations." This House doesn't deal with regulations, as we've known. They've done that to the street lighting systems, to the telecommunications systems, to the pipelines, to the railway property. So they've taken all the clarity out with the striking of that clause.

As the hon. member has pointed out, there are a couple more clauses that he is concerned about and that I am as well, and so are our members here on this side, too. Designated industrial property comes up with a new set of definitions, and it is pretty open. It basically says:

(iii) property designated as a major plant by the regulations ...

Well, we don't have the regulations. We're not dealing with any regulations.

(iv) any other property designated by the regulations.

So where we had some specifics before in the old act, they're going to move that all over to regulations, and we won't have a chance to work with it.

Based on that and a lot of the other comments by the members on this side of the House, Mr. Chair, I cannot do anything except be very happy to support this subamendment. Thank you.

**11:20**

**The Acting Chair:** Are there any other members wishing to speak to subamendment SA2? The Member for Bonnyville-Cold Lake.

**Mr. Cyr:** Thank you, Mr. Chair. There have been several questions that have been brought up specifically about this, and it looks like we're taking quite a bit of detail and shoving it into, well, almost – what? – half a sentence in both cases here. My concern always when we start to move away from detail in the legislation – and don't get me wrong. I do understand that going with clear, precise terms in legislation is our goal in everything we do. Actually, to be honest with you, it makes a big difference when we're trying to interpret.

When we see that linear property has a very extensive – very extensive – definition here and see that it goes down to (k), linear property, I have a concern that now suddenly we are going to see a specifically different definition for linear property coming up in the regulations. Now, this is a concern for my riding of Bonnyville-Cold Lake because there is a lot of linear assessment in my riding. My worry always is that when there were discussions about the MGA review, there were extensive discussions on how to deal with linear assessment. Now suddenly that whole issue has gotten thrown off to the side, saying: we're not going to deal with that. Okay. Apparently, this is something where the government feels that what's being done, in my opinion, is the appropriate direction that was done in the past. Through regulations is there a way of being able to change exactly what is deemed linear assessment?

Now, when we look at this, there's a lot to linear assessment, and I do want to touch on some of it because it's important. My honoured colleague has actually brought up some very good questions, but specifically let's look under section 284(1)(k)(i).

Electric power systems, including structures, installations, materials, fittings, apparatus, appliances and machinery and equipment, owned or operated by a person whose rates are controlled or set by the Alberta Utilities Commission or by a municipality or under the Small Power Research and Development Act, but not including land or buildings.

Going through this, this is very, very specific on exactly what power systems would include.

Now, going forward, I know that regulations really are, in the case where we do one of these acts, something where it's important to know what you're dealing with. It may not be brought up as a specific concern because we actually don't know what's going to be in the regulations. We've talked about regulations already, saying that by using regulations, stating that you're going to dictate or define something after the fact – what we did here is 60 days. Again, I'm thankful that it's not a week. It does seem that there is a little bit more time on that.

In this case, let's say, for instance, that the definition of linear assessment does change inside of the regulations and that somehow this is going to very much impact my riding. I am going to have constituents from Bonnyville-Cold Lake saying: Scott, why wasn't this brought up?

**Mr. Fildebrandt:** Names.

**Mr. Cyr:** I would like to thank my colleague. I will again say sorry about using a name in the House.

**An Hon. Member:** Third time, we've got to kick you out.

**Mr. Cyr:** I have been told that I might be thrown into the corner soon.

As the Member for Bonnyville-Cold Lake, representing them in the House, what exactly is it that I brought forward as a concern saying that these definitions should have been brought forward before the legislation went in? I guess the thing here is that when we start looking at definitions, because in the end definitions actually are very important when it comes to linear assessment or industrial assessment, how exactly is it that we can go so broad with something so important?

Now, I will say that when we were looking at this, this is a new definition. This is something where the government looks like they're reducing the Municipal Government Act, and then they're trying to, it looks like, make this a smaller act. That's always admirable. I have to say that when it comes to some of these acts that we've put through, it needs to be something that we can actually be able to interpret. But when we've got regulations doing the work of the act, that's never a good thing. So that's one point that I've already brought up.

Now, I am, again, concerned with part (iv) under (f.01). What we've got is: "any other property designated by the regulations." I did a quick check, and I didn't see ...

**Ms Larivee:** It's page 3 of the amendment.

**Mr. Cyr:** The definition is on page 3?

**Ms Larivee:** Part E, clause (a): "by striking out subclause (iv)."

**Mr. Cyr:** What I am looking for specifically is the definition of what "any other property designated by the regulations" actually means. Now, I don't see the definition here – and the government will correct me if I'm wrong – and in this case that does bring concern to me as well because this really opens up exactly what other property designated by regulations could be. In this case one of the thoughts that comes to mind would be, let's say, that we get

a small solar farm, for instance. Could that suddenly be deemed an industrial property? This is an important one because we don't know the extent of how large or small this operation could be. I always have to be concerned because we had it very well laid out before about linear property.

Now, again, I'm not here to hamper the government from being able to do its job – that's not the entire goal of this – but what I am trying to do is say that I do have concerns brought forward by my constituents and my colleagues, and I would hope that the Minister of Municipal Affairs can answer a few of my questions.

**The Acting Chair:** The Minister of Municipal Affairs.

**Ms Larivee:** Thank you, Mr. Chair. Once again, I have to state that I understand, given the size of not only the legislation but even the amendment package that I presented, there may have been some oversight on that piece. But I want to be clear that I did hear some concern around the broad, undefined nature of subclause (iv), that includes "any other property designated by the regulations." You will note that in section E of the amendment that I brought forward, if you look on page 3, clause (a) actually says: "striking out subclause (iv)." So I already recognized that. I heard that from stakeholders.

**11:30**

The amendment that I brought forward certainly allows for greater transparency with respect to the designation of property as designated industrial assessment, and it provides clear guidance that it includes solely assessing the land and other property that supports the operation of regulated facilities and major plants. That particular subclause I already had suggested that we remove. I'm really thankful for agreement that that is a good way to go. Hopefully, that lays to rest some of the concerns with that particular issue there.

**The Acting Chair:** Are there any other members wishing to speak to subamendment SA2?

Seeing none, I'll put the question on the subamendment SA2 as proposed by the hon. Member for Vermilion-Lloydminster.

[The voice vote indicated that the motion on subamendment SA2 lost]

[Several members rose calling for a division. The division bell was rung at 11:31 a.m.]

[One minute having elapsed, the committee divided]

[Mr. Sucha in the chair]

For the motion:

Cooper	Gotfried	Rodney
Cyr	Hanson	Schneider
Drysdale	McIver	Starke
Ellis	Nixon	Stier
Fildebrandt		

Against the motion:

Anderson, S.	Goehring	McPherson
Carlier	Hinkley	Miller
Carson	Horne	Piquette
Clark	Kazim	Renaud
Connolly	Kleinsteuber	Rosendahl
Coolahan	Larivee	Schmidt
Cortes-Vargas	Littlewood	Schreiner
Dach	Loyola	Sigurdson
Dang	Luff	Swann

Drever	Mason	Sweet
Eggen	McCuaig-Boyd	Turner
Feehan	McKittrick	Westhead
Fitzpatrick	McLean	Woppard
Totals:	For – 13	Against – 39

[Motion on subamendment SA2 lost]

**The Acting Chair:** We are back on amendment A1. The hon. Member for Calgary-Fish Creek.

**Mr. Gotfried:** Thank you, Mr. Chair. I rise today to move subamendment SA3 to Bill 21. I have the requisite number of copies, and I will begin reading once the table indicates for me to proceed.

**The Acting Chair:** Please proceed.

**Mr. Gotfried:** Thank you, Mr. Chair. I move that amendment A1 to Bill 21, Modernized Municipal Government Act, be amended by striking out part Z and substituting the following:

Z Section 112 is struck out and the following is substituted:  
112 Section 664(1) is struck out and the following is substituted:

Environmental Reserve

664(1) Subject to section 663 in subsection (2), a subdivision authority may require the owner of a parcel of land that is the subject of a proposed subdivision to provide as environmental reserve that part of the parcel of land which is unsuitable for development if it consists of

- (a) a swamp, gully, ravine, or coulee, or
- (b) a strip of land abutting the bed and shore of a water body.

(1.1) A subdivision authority may require land referred to in subsection (1) to be provided as environmental reserve only where, in the opinion of the subdivision authority, the land is unsuitable for development for one or more of the following reasons:

- (a) the natural features of the land present a significant risk of personal injury or property damage occurring during development or use of the land;
- (b) the land is required to prevent pollution lying within the bed and shore of a water body or on adjacent to the land;
- (c) to ensure public access along the bed and shore of a body of water lying on or adjacent to the land with an area of not less than 6 metres in width.

(1.2) For the purposes of subsection (1.1)(b) and (c), "bed and shore" means the natural bed and shore determined under the Surveys Act.

Mr. Chair, this amendment seeks to bring mutually beneficial clarity to the term "environmental reserve." In speaking with industry, this has been a glaring concern for them. The scope with respect to what can be classified as environmental reserve is ill-defined. By defining environmental reserve as land not suitable for development, it is my hope that we can support and bring some clarity to municipal and industry partners. This is a fair and balanced clarification of the parameters, and the needs of both municipalities and industry I believe will be met by this subamendment. It respects the priorities of both parties. It recognizes the need for environmental reserves to be balanced with the economics of sustainable development and growth in light of a tight land supply and development density targets.

Further, Mr. Chair, I think that this is an opportunity for us to consider those broader partnerships that we need within our

communities to ensure that we have both the economics of development but also the protection of the needs of Albertans and also the protection of the sustainability of municipalities.

**11:40**

Part of that partnership I think recognizes that we have an industry that's not very good at blowing its own horn. It does a lot of good. I'll speak a little bit more about what we see in Calgary. We have the Resolve campaign, with millions of dollars donated by the building development industry towards affordable housing; supportive organizations and institutions like SAIT, Bow Valley College, University of Calgary, Mount Royal University, and the list goes on; supportive nonprofits and charities like the Kids Cancer Care Foundation, Children's hospital, Habitat for Humanity; the development of industry-driven solutions to affordable housing, PEAK home ownership, Attainable Homes Calgary, and many others, Mr. Chair.

I believe that there are future partnerships here that can be developed if we're able to balance, again, those needs of economic sustainability and the needs of municipalities, the ability to partner on things like recreation centres, schools, parks, playgrounds, constructed wetlands, those things that make communities great, Mr. Chair.

Mr. Chair, this is an opportunity for us to, again, improve the legislation, not to discredit any of the great work that I think has been done by the minister. Some consultation: again, we've heard from industry and we've heard from municipalities with robust consultation and, actually, significant alignment on many, many issues. So it's my hope that all members can rise in support of this subamendment because it improves the legislation. It does not take away from the great work done. It does not take away from the opportunity to do what's best for Albertans and, again, as has been mentioned by many of our colleagues here today, is an opportunity for us to take enduring legislation to make sure it's as appropriate and robust as we possibly can.

Thank you, Mr. Chair.

**The Acting Chair:** Are there any members wishing to speak to subamendment SA3? Are we ready for the question?

The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Cooper:** Yeah. I just thought I would rise and give the government a couple of additional minutes perhaps to collect some thoughts and see if they might be able to add some comment to my hon. colleague's subamendment and have some sense about whether or not they will be supporting this subamendment.

I certainly know that my colleague has taken some significant time and thought as well as reached out to a number of stakeholders. I feel like I'm saying a few more kind things about him than maybe I ought, but I know that he's done a lot of very good work on this subamendment, and I think that it is certainly worth chatting about. It's my hope that prior to the call of the question we may be able to hear some thoughts from folks on the other side of the House as to whether or not they believe that he has good thoughts.

**The Acting Chair:** The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Thank you, Mr. Chair. An interesting challenge here near the end of the morning session with respect to a section of the MGA that goes to my heart and soul, and having sat on councils and rendered decisions about the taking of environmental reserves when subdivisions are being worked upon, I'm quite acquainted with this section of the old act. It seems to me that perhaps this

generates a few questions that some of us that have experience with this may have for the hon. member.

In Bill 21 the department has gone to a great length to change the definitions of "water body" and "body of water." In former days this gave the department a fair amount of difficulty because the Water Act had a definition for a body of water; various acts had a definition of a water body, drainage courses, natural drainage courses, rivers, shores, streams. Hon. member, on page 2 of Bill 21 it talks about a new definition of a water body, and it says:

- (i) a permeant and naturally occurring body of water, or
- (ii) a naturally occurring river, stream, watercourse or lake.

What they've done is change the way that the environmental reserve is to be dealt with by using those new terms.

I'm just wondering if you want to expand on your thoughts with respect to the changes you're suggesting under environmental reserve based on that new definition or if you're just wishing to change, more importantly, the other suggestion you have where you're talking about a bunch of other things that haven't normally been here before, specifically about (1.1)(b) in your subamendment: "the land is required to prevent pollution lying within the bed and shore of a water body." Do you have definitions of what "pollution" would be? Do you have other things to back this up so that if this were to be challenged one day at some hearing that I happen to be at, there would be some clarity for the applicants or the appellants? Do you have anything on that, please?

**Mr. Gotfried:** Thank you, Member, for your questions. I think what we're trying to do here is ensure that there's an opportunity for us to take a look at this land in a different perspective, in terms of the use of the land and the potential use of the land, for the most part here.

With respect to the pollution clause you're correct. I think that there may be some additional regulations required to define that more clearly, but I think the intent here, really, is to ensure that the land that is unsuitable for development also recognizes the adjacent use of the land and the potential for contamination of that land. It could be from drainage issues and things like that that may be subject to concerns with respect to water quality and drainage. We, obviously, have storm ponds that are most often parts of developments to ensure that there is appropriate storage and collection of stormwater, which may be contaminated from other sources, road sources and things like that, that we're also able to recognize some of the concerns around that.

You're absolutely correct. I think that we're trying to define the use of the land and the disposition of the land that can be put into environmental reserve, but there's no doubt that the regulations will need to clearly define what some of the other terms are there. I think that's part and parcel of what we're going to have in many different aspects of this legislation.

Thank you.

**The Acting Chair:** The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Well, thank you once again. I appreciate the time and the patience of everyone in the House while we try to get legislation right.

Along the same vein, the previous clause that would relate to some of the stuff that you're actually asking no longer be there, I believe, was the former clause (b): "land that is subject to flooding or is, in the opinion of the subdivision authority, unstable." That was the old clause that we had for some time, and I guess you're suggesting, therefore, that your section (1.1)(a), (b), and (c) replace that broader definition. Is that what we're going with?

**Mr. Gotfried:** Thank you again to the member for the question. That's entirely correct. These are some definitions that we've looked at and spoken with industry about in terms of clarification. Again, a lot of it, I think, is recognition of the disposition of land for environmental reserve, how it is classified before it is pushed into environmental reserve, and the fact that it is not developable land. That really is the key, that that land can be utilized and considered for the environmental reserve without sort of prejudice to the opportunities for further development on that land but also recognizing that some of the land can be rehabilitated and used for development in many cases as well.

**The Acting Chair:** The Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Hanson:** Thank you very much, Mr. Chair. Having had some experience in protecting wetlands and water bodies from development, I think it's important, when you talk about swamps, gullies, ravines, or coulees being natural habitat for wildlife, if we can somehow incite developers to – because the equipment exists to change the landscape completely. A gully: whereas you say that it's undevelopable property, with a few dirt trucks and some track hoes and Cats you could eliminate a coulee or a gully pretty quickly. This serves to give some incentive to developers to, rather than developing those areas, leave them natural and promote some natural habitat.

**11:50**

You also mentioned that they may be dangerous to construction. That would be my only concern, that if they're dangerous to construction, they might be dangerous to little kids that are going to live in that neighbourhood as well. But a few bumps and scrapes and bruises probably aren't a bad thing when you're growing up either.

If the intent of this is to promote the protection of some of these natural habitats, I would support this subamendment. Thanks.

**The Acting Chair:** Any other member? The Member for Calgary-Hays.

**Mr. McIver:** Well, thank you. I'm going to stand to support this. I think my colleague the hon. Member for Calgary-Fish Creek has done some work on this. I don't see that he criticized what the government had there but rather that this is an attempt to improve it.

This is a sensitive area and an important one, Mr. Chair. During my time on a municipal council a lot of these issues came up constantly. You know, when somebody wants to develop a piece of land, I think they accept right away that they have to give up a bunch of it. I mean, they give up 10 per cent of it typically for green space. They give up allowances for roads and sidewalks. Sometimes they give up allowances for public amenities, maybe a police station, maybe a fire hall, maybe parks, whatever it happens to be. Sometimes they even will build a park for the municipality and even put in the deep and shallow services for the municipality. All that is part of the business.

Where it gets sticky or dicey or where you get misunderstanding is on some of the definitions of further dedications and further expropriations on things like environmental reserve. I think the hon. member has done a good job of trying to make it clear what is and what is not a potentially good idea for environmental reserve.

As the hon. member from the official opposition talked, I didn't hear him recommending it, but he was just recognizing the reality that you can change the shape of any landscape if you've got big enough equipment. You can move water courses. You can eliminate hills; you can create hills. You can remove gullies; you can create gullies. I didn't hear him suggest that you should always do that, and I'm surely not suggesting that you should always do that. It's just a recognition that that can happen.

The dedication of an environment reserve is very often completely appropriate, and very often those that develop land are a hundred per cent in favour of it because they recognize that when they're doing ethical business, they want to leave things behind that are good. Where it runs into problems is when you get into a discussion about what is and what is not environmental reserve, and those discussions could be around where a piece of land, for example, is completely dry and has been dry for as long as anybody can remember. The municipality, on the other hand, may have aerial photos from every year back 150 years, and from 25 to 75 years ago that piece of land might have been wet. Once that happens, when a piece of land is dry . . .

**The Acting Chair:** Hon. member, I hesitate to interrupt . . .

**Mr. McIver:** I was just – I respect that, Chair. I'll stop.

**The Acting Chair:** Pursuant to Standing Order 4(3) the committee will rise and report.

[Mr. Sucha in the chair]

**The Acting Speaker:** The hon. Member for Calgary-Northern Hills.

**Mr. Kleinstuber:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports progress on the following bill: Bill 21. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Does the Assembly concur in this report?

**Hon. Members:** Agreed.

**The Acting Speaker:** Opposed? So ordered.  
The Member for Banff-Cochrane.

**Mr. Westhead:** Mr. Speaker, I think we've made some good progress this morning and had some good discussions, and just seeing the time, I would move that we adjourn the House until 1:30 this afternoon.

[Motion carried; the Assembly adjourned at 11:55 a.m.]

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