

May 10, 2024

Initial RMA Reaction to Bill 21

New legislation would give provincial government power to take control of local emergency response

On May 9, the Minister of Public Safety and Emergency Services introduced [Bill 21: Emergency Statutes Amendment Act](#), which amends six pieces of legislation. Of note for RMA members are the proposed amendments to the *Emergency Management Act*, the *Forest and Prairie Protection Act*, and the *Water Act*. A more detailed analysis will be shared with members shortly, however, the RMA has conducted an initial review and identified the following concerns.

The proposed amendments to the *Emergency Management Act* would give the province the authority to take control of local emergency management once a municipality has declared a local state of emergency. The province claims this would only be done upon request of the municipality or when the municipality does not have capacity to manage the situation. However, how these decisions will be made is not clearly defined in the proposed legislation. The RMA stands by its members as the local authority on emergency management.

Bill 21 would amend the *Forest and Prairie Protection Act* to allow the provincial government to assume responsibility for fighting wildfires outside of the Forest Protection Area (FPA). The RMA is concerned about these changes for two reasons. Firstly, the legislation does not make it clear whether a provincial decision to take over management of fire outside the FPA means they will also assume all of the costs of fighting that fire. Secondly, the RMA has created a wildfire working group as directed by resolution [7-23F: Strategy for Management of Wildland Fires Outside the Forest Protection Area](#). The RMA invited the government to participate in the working group, but is now concerned that Bill 21 may conflict with the outcomes of the working group.

The bill will also amend the *Water Act* to give the provincial government significant powers during a water emergency. Notably, this includes allowing for temporary inter-basin water transfers. The proposed legislation does not specify the duration of these temporary transfers, and the RMA is concerned about the use of inter-basin transfers. Additionally, Bill 21 would allow cabinet to make decisions under a water emergency that bypass normal authorizations and would not be subject to appeal. The RMA is concerned that this may lead to incorrect decisions.

Bill 21 also shifts the date of the next provincial election from May 2027 to October 2027 based on the rationale that an emergency situation is less likely to be ongoing in October than May. Bill 21 amends the *Election Act*, the *Alberta Senate Election Act*, and the *Election Finances and Contributions Disclosure Act* to make this change.

Bill 21 is the third piece of legislation recently introduced that limits or interferes with the authority of municipalities. The RMA is advocating to the provincial government about the value of municipalities as local decision makers and will seek opportunities to provide input on legislation that impacts the ability of municipalities to operate effectively.

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