

May 24, 2024

FOR IMMEDIATE RELEASE

Hilary Darrah

Media Contact

587.686.6383

hilary@RMAAlberta.com

RMA Frustrated as Bill 20 Amendments Preserve Unchecked Provincial Power to Interfere in Local Democracy

Nisku, AB, May 24, 2024 – Yesterday, the Minister of Municipal Affairs introduced amendments to Bill 20: *Municipal Affairs Statutes Amendment Act, 2024*. The amendments are intended to address concerns expressed by the RMA and others related to the free reign that Bill 20 allowed Cabinet to undemocratically remove municipal councillors from office and amend or repeal bylaws. Even as amended, Bill 20 still allows Cabinet to interfere in local council composition and decision-making with few limitations or accountability requirements. The RMA was hopeful that the Minister would deliver amendments that would address the RMA’s concerns and protect local democracy. Clearly, this was not the case.

“In response to the RMA’s concerns, the Minister committed to making amendments to Bill 20 that would remove Cabinet overreach into municipal council composition and decision-making,” explained RMA President, Paul McLaughlin. “After waiting nearly a month for amendments to be introduced, I am frustrated and disappointed that Bill 20 continues to allow for the same Cabinet intrusion into local government. Our expectation was that Bill 20 would be amended to remove any new provincial powers to remove councillors or amend bylaws. Instead, the powers remain virtually unchanged. If these powers were going to remain in the bill regardless, what was the point of going through the motions of making meaningless amendments?”

While the amendments outline more detailed processes for councillor removal and bylaw repeals than the original version of Bill 20, each process allows Cabinet to continue to interfere at the local level for virtually any reason. In the case of councillor removal, the amended version of the bill no longer allows Cabinet to unilaterally remove a councillor, but they are still permitted to require a vote of municipal electors to remove a councillor if “it is in the public interest to do so”. Similarly, while there are now several circumstances listed in which Cabinet can amend or repeal a bylaw, the final circumstance is “if it is contrary to a policy of the Government”. Both “public interest” and “policy of the Government” are undefined, and it appears that they could be used to justify Cabinet interference for nearly any reason.

“The amendments introduced today add more words to Bill 20, but they don’t change a whole lot else. What these amendments show is that this government doesn’t think much of local

leaders in this province. They seem to think that by adding more complexity to Cabinet's new councillor removal and bylaw repeal powers, municipal councillors will assume the problem is solved and overlook 'weasel words' that allow Cabinet to do as they please," commented McLauchlin. "We don't know what 'public interest' or 'policy of the Government' means in Bill 20. I'm guessing that the province doesn't know either, and that they are fine with that."

These half-hearted amendments continue a trend evident throughout this legislative session of the province, showing no regard for the importance of rural municipalities or the competence of rural councillors. A government that preaches autonomy when engaging with their federal counterparts has no problem painting all municipalities with the same brush to justify Bill 18, which restricts municipal access to federal funding, Bill 20, which allows provincial intrusion into municipal democracy and politicizes local elections, and Bill 21, which undermines local emergency response authority. On top of this, Bill 11 has introduced major questions around the future of rural policing and Bill 22 has moved forward healthcare system changes that will have unpredictable impacts on rural communities.

"While this government likes to talk about their rural roots and conservative principles, their priority seems to be to undermine the ability of local rural leaders to make decisions that are in the best interest of their communities," stated McLauchlin. "We've had many disagreements with provincial governments over the years, regardless of leader or party. However, this is the first time that we've felt like rural municipalities are under attack. Whether we are the intended target or collateral damage, this wave of legislation allowing provincial intrusion into local operations is not only undemocratic, but it risks the future of rural Alberta by limiting the ability of municipalities to do what is best for their residents and industry. It just doesn't make sense."

The focus that the province has placed on undermining municipal autonomy is even more confounding in contrast to their continual inaction to address issues that impact rural communities. For example, rural municipalities are owed \$251 million in property taxes from the oil and gas industry, and over 400 oil and gas companies holding a combined total of over 100,000 licenses are permitted to operate despite having an asset to liability ratio that places them at high risk of failure. Despite repeated pleas from the RMA, Cabinet has protected these zombie oil and gas companies even as they ignore property tax payments and carry major local environmental and reclamation risks. For this government, attacking municipalities seems to be an "easy win", but working with municipalities to correct obvious issues impacting their ability to operate is always too complicated, contentious, or political.

"It's ironic that the province is treating municipalities as a threat when we have repeatedly pleaded with them to hold accountable zombie oil and gas companies, which pose an actual well-documented threat to not only rural municipalities but to all Albertans due to the massive unfunded liabilities they carry," emphasized McLauchlin. "Comparing Bill 20 and unpaid taxes tells an interesting story of this government. On one hand, Cabinet moves aggressively on changes that impact all municipalities with little justification as to why they are necessary. On the other hand, despite data showing that hundreds of zombie oil and gas companies take

advantage of municipalities and place all Albertans at risk, Cabinet is scared to act because they don't want to offend the industry. It is a sad but true reality of this government: local leaders are an annoyance; the oil and gas industry is untouchable."