

1967 Bill 47

Fifth Session, 15th Legislature, 15 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 47

An Act to amend The Soil Conservation Act

THE MINISTER OF AGRICULTURE

First Reading

Second Reading

Third Reading

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An Act to amend The Soil Conservation Act

(Assented to _____, 1967)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Soil Conservation Act* is hereby amended.
2. Section 2 is amended by striking out clause (b) and by substituting the following:
 - (b) "Board" means
 - (i) in the case of a county, the agricultural committee of the county council appointed under *The Agricultural Service Board Act*, and
 - (ii) in the case of any other municipality, the Agricultural Service Board appointed in respect of the municipality under *The Agricultural Service Board Act*;
3. Section 4 is amended
 - (a) as to clause (a) by striking out the word "deterioration" and by substituting the word "losses",
 - (b) as to clause (b) by adding after the words "notice given" the words "by an officer".
4. Section 5 is amended
 - (a) as to subsection (1) by striking out the word "deterioration" wherever it occurs and by substituting the word "losses",
 - (b) as to subsection (2) by striking out the words "recommended soil conservation practice" and by substituting the words "action specified in the notice",
 - (c) by striking out subsection (4) and by substituting the following:
 - (4) The officer shall promptly provide a copy of any notice given under subsection (1) to the secretary of the municipality.
5. Section 8, subsection (1) is amended by striking out the words "Agricultural Service".

Explanatory Notes

1. This Bill amends chapter 84 of the Statutes of Alberta, 1962.

2. This amendment brings this definition in line with The Agricultural Service Board Act, section 4a, added in 1965, making an agricultural committee of the county council the agricultural service board of that county.

3. The amendment in clause (a) is designed to emphasize the fact that the physical loss of soil is the great concern of the Act. The words added by clause (b) are merely for clarification.

4. Section 5, subsections (2) and (4) presently read:

(2) A notice under subsection (1) shall state the maximum time within which the recommended soil conservation practice is to be carried out by the person to whom the notice is addressed.

(4) The officer shall serve a copy of any notice given under subsection (1) on the council of the municipality.

5. Superfluous words are removed.

6. Section 11 is struck out and the following sections are substituted:

11. A council, by by-law, or in the case of an improvement district or special area the Minister of Municipal Affairs, by order, may provide for all or any of the following:

- (a) a system of permits controlling
 - (i) the removal of top soil from land;
 - (ii) the burning of straw and stubble on land;
 - (iii) the opening up, operation and restoration of sand and gravel pits on land;
- (b) the terms and conditions under which a permit referred to in clause (a) may be issued, revoked, suspended or reinstated;
- (c) the prohibition of
 - (i) the removal of top soil from land;
 - (ii) the burning of straw and stubble on land;
 - (iii) the opening up, operation or restoration of sand and gravel pits on land.

11a. This Act, and any by-law or order made under this Act,

- (a) does not apply to a person acting under a lease or licence with respect to clay, marl, sand or gravel on Crown lands who is governed by the regulations under *The Public Lands Act*, and
- (b) does not bind the Crown.

7. This Act comes into force on the day upon which it is assented to.

6. Section 11 is amended to give municipal councils the additional power to control or prohibit the opening up, operation and restoration of sand and gravel pits.