

1970 Bill 99

Third Session, 16th Legislature, 19 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 99

An Act respecting the Department of Agriculture

THE MINISTER OF AGRICULTURE

First Reading

Second Reading

Third Reading

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1970

An Act respecting the Department of Agriculture

(Assented to _____, 1970)

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

1. This Act may be cited as *The Department of Agriculture Act*.

2. There shall be a department of the public service of the Province called the Department of Agriculture over which shall preside the member of the Executive Council appointed by the Lieutenant Governor under the Great Seal of the Province as Minister of Agriculture.

3. Unless responsibility therefor is specifically assigned to some other Minister, that part of the administration of the Government relating to agriculture is under the administration of the Minister of Agriculture (in this Act called the "Minister")

4. In accordance with *The Public Service Act, 1968* there may be appointed a Deputy Minister of Agriculture and such other employees as are required to carry on the business of the Department.

5. (1) The Minister may from time to time appoint experts or persons having special technical or other knowledge to advise him or to inquire into and report to him on matters within the Minister's jurisdiction.

(2) A person appointed under this section may be paid such remuneration and expenses as the Minister may prescribe.

6. (1) The Minister may establish such boards, committees or councils as he considers necessary or desirable to act in an advisory or administrative capacity in connection with any of the policies, programs, services or other matters under his administration.

Explanatory Notes

1. This Bill will revise and replace The Agricultural Department Act being chapter 4 of the Revised Statutes. Sections 7 and 10 of the Bill are derived from equivalent provisions of The Utilization of Lands and Forests Act which will be repealed by the proposed Environment Conservation Act: See Bill 52.

2. Establishment of Department.

3. Jurisdiction of Minister.

4. Personnel.

5. Authority to engage consultants.

6. Advisory committees.

(2) The Minister may, with respect to any board, committee or council established under this section,

- (a) appoint or provide for the manner of appointment of its members,
- (b) prescribe the term of office of any member,
- (c) designate a chairman, vice-chairman and secretary, and
- (d) authorize, fix and provide for the payment of remuneration and expenses to its members.

(3) A board, committee or council established pursuant to this section may make rules of procedure, subject to the approval thereof by the Minister, governing the calling of meetings, the procedure to be used at and conduct of the meetings, reporting and such other matters as required.

(4) A board, committee or council established pursuant to this section may exercise such powers and shall perform such duties and functions as the Minister may approve, confer or impose upon it.

7. (1) The Lieutenant Governor in Council may make regulations providing for the guarantees by the Government of the principal amounts of loans made for the purpose of providing financial assistance for

- (a) the cost of clearing and breaking land for agricultural purposes, or
- (b) the cost of sloping, levelling or preparing land for any agricultural purpose, or
- (c) the cost of improving or developing land in any way for any agricultural purpose, or
- (d) any other purpose prescribed in the regulations that pertains to or is incidental to the development of land for agricultural purposes.

(2) Regulations under subsection (1) may

- (a) prescribe the procedure for the submission of applications for a Government guarantee of a loan, the form and content of the applications, and the conditions required to be met by applicants to render them eligible for the guarantee,
- (b) prescribe the terms and conditions upon which the guarantees are to be given,
- (c) prescribe the duties and obligations of a person to whom a guaranteed loan is made during the period that his indebtedness is outstanding,
- (d) prescribe the security to be given to the Government by applicants in consideration of the guarantee,

7. Land development loan guarantees. This is a continuation of section 15 of The Utilization of Lands and Forests Act.

- (e) authorize the payment by the Government of interest payable under the loans and prescribe the conditions upon which the persons whose loans are guaranteed will be liable to the Government for the repayment of interest so paid,
- (f) authorize the payment by the Government to persons whose loans are guaranteed of bonuses for repayment in full of their loans prior to the due date for repayment thereof, and prescribe the conditions on which such bonuses may be paid,
- (g) authorize the Minister or any other person to do any act for the purpose of carrying out the provisions of any agreement entered into by the Minister of Agriculture pursuant to *The Federal-Provincial Farm Assistance Act* and relating to the purposes for which the regulations are made,
- (h) prescribe, for the purposes of subsection (1), clause (d), any other purposes for which loans may be guaranteed, and
- (i) generally, provide for any other matter necessary for the purpose of administering the program established by the regulations.

8. (1) The Lieutenant Governor in Council may make regulations providing for the guarantees by the Government of the principal and interest or principal or interest in respect of loans made for the purpose of undertaking or developing projects directly beneficial to the agriculture industry.

(2) Regulations under subsection (1) may

- (a) prescribe the procedure for the submission of applications for a Government guarantee of a loan, the form and content of the applications, and the conditions required to be met by the applicants to render them eligible for the guarantee,
- (b) prescribe the terms and conditions upon which the guarantees are to be given,
- (c) prescribe the duties and obligations of a person to whom a guaranteed loan is made during the period that his indebtedness is outstanding,
- (d) prescribe the security to be given to the Government by applicants in consideration of the guarantee,
- (e) define, for the purposes of this section, undertakings and developments constituting projects directly beneficial to the agriculture industry,
- (f) classify projects defined under clause (e) and prescribe a maximum percentage or amount that may

8. Emergency loan guarantees.

be guaranteed in respect of any class of project or any one project in a class,

- (g) prescribe the types or classes of lending institutions in respect of whose loans guarantees may be given, and
- (h) generally, provide for any other matter necessary for the purpose of administering the giving of guarantees under the regulations.

9. A guarantee of a loan pursuant to the regulations under section 7 or 8

- (a) shall be in the form approved by the Provincial Treasurer, and
- (b) may be executed on behalf of the Government by the Provincial Treasurer, the Deputy Provincial Treasurer or by any other person designated by an order of the Lieutenant Governor in Council,

and the signature on the guarantee by any person referred to in clause (b) is conclusive proof that the relevant provisions of the regulations have been complied with.

10. (1) The Minister may, with the approval of the Lieutenant Governor in Council, purchase any estate or interest in land and any personal property in conjunction therewith

- (a) for the purpose of withdrawing the land from agricultural use where that land is of marginal quality, is too small to be an economically viable farm unit, is located in an area not suitable for agriculture or constitutes an isolated settlement, or
- (b) for the purpose of assisting the owner of farm lands to withdraw from farming through a retraining or education up-grading program or for reasons of health or age, or
- (c) for the purpose of implementing or carrying out the provisions of any agreement or arrangement entered into between the Government of Canada and the Minister on behalf of the Government of Alberta, or
- (d) for any purpose of any program or development project relating to the conservation, utilization or management of natural resources.

(2) Land acquired under this section shall be under the administration of the Minister of Lands and Forests unless the order of the Lieutenant Governor in Council specifies that it is to be under the administration of the Minister of Agriculture.

9. Form and execution of guarantees.

10. Power to acquire property for land assembly projects, etc.
This section is a more detailed version of the present provision on the land assembly program found in section 11 of The Utilization of Lands and Forests Act.

(3) The Minister may sell, lease or otherwise dispose of any land under his administration and any personal property acquired by him under this section.

11. (1) The Provincial Treasurer, upon the requisition of the Minister, may advance out of the General Revenue Fund such sums of money as may be required to purchase, process or market seed grain and livestock entrusted to the Department of Agriculture as an agent for sale or sold to the Department for resale or bought or sold in the course of administration of the business of the Department.

(2) Revenue received from activities authorized by subsection (1) shall be deposited with the Provincial Treasurer to meet the advances out of the General Revenue Fund.

12. The Minister may

- (a) institute inquiries into and collect information and statistics relating to matters under his jurisdiction, and
- (b) disseminate information in such manner and form as is found best adapted to promote the well being of the agricultural industry.

13. (1) The Minister shall make and submit to the Lieutenant Governor in Council an annual report on the operation of his Department.

(2) The report shall

- (a) be laid before the Legislative Assembly within 30 days after the commencement of the session next following the end of the year for which the report is made, and
- (b) contain such information as may be required to enable the Legislative Assembly to judge the working of the Department of Agriculture.

14. *The Agricultural Department Act*, being chapter 4 of the Revised Statutes, is repealed.

15. This Act comes into force on July 1, 1970.

11. Advances from General Revenue Fund.

12. Collection and dissemination of information.

13. Annual report.