

1979 BILL 10

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First Session, 19th Legislature, 28 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 10**

**THE PUBLIC LANDS AND WILDLIFE  
STATUTES AMENDMENT ACT, 1979**

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**THE ASSOCIATE MINISTER OF  
PUBLIC LANDS AND WILDLIFE**

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

*Bill 10*

## **BILL 10**

1979

### **THE PUBLIC LANDS AND WILDLIFE STATUTES AMENDMENT ACT, 1979**

*(Assented to                      , 1979)*

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

#### **The Fish Marketing Act**

*1(1) The Fish Marketing Act is amended by this section.*

*(2) Section 2(d) is repealed and the following is substituted:*

(d) “Minister” means the Associate Minister of Public  
Lands and Wildlife;

#### **The Homestead Lease Loan Act**

*2(1) The Homestead Lease Loan Act is amended by this section.*

*(2) Section 2(f) is repealed and the following is substituted:*

(f) “Minister” means the Associate Minister of Public  
Lands and Wildlife;

#### **The Metis Betterment Act**

*3(1) The Metis Betterment Act is amended by this section.*

## **Explanatory Notes**

### **The Fish Marketing Act**

**1**(1) This section will amend chapter 145 of the Revised Statutes of Alberta 1970.

(2) Section 2 presently reads in part:

*2 In this Act,*

*(d) "Minister" means the Minister of Recreation, Parks and Wildlife;*

### **The Homestead Lease Loan Act**

**2**(1) This section will amend chapter 172 of the Revised Statutes of Alberta 1970.

(2) Section 2 presently reads in part:

*2 In this Act,*

*(f) "Minister" means the Minister of Energy and Natural Resources;*

### **The Metis Betterment Act**

**3**(1) This section will amend chapter 233 of the Revised Statutes of Alberta 1970.

*(2) Section 6(2) is amended by striking out “Minister of Energy and Natural Resources” and substituting “Associate Minister of Public Lands and Wildlife”.*

*(3) Section 22 is amended*

*(a) in subsection (1) by striking out “Minister of Recreation, Parks and Wildlife” and substituting “Associate Minister of Public Lands and Wildlife”,*

*(b) in subsection (1)(b) by striking out “Minister of Energy and Natural Resources” and substituting “Associate Minister of Public Lands and Wildlife”, and*

*(c) in subsection (2) by striking out “Minister of Recreation, Parks and Wildlife” and substituting “Associate Minister of Public Lands and Wildlife”.*

#### **The Municipal Government Act**

*4(1) The Municipal Government Act is amended by this section.*

*(2) Section 152(2) is amended by striking out “Minister of Recreation, Parks and Wildlife” and substituting “Associate Minister of Public Lands and Wildlife”.*

#### **The Special Areas Act**

*5(1) The Special Areas Act is amended by this section.*

(2) Section 6(2) presently reads:

*(2) When any public lands are no longer suitable or required for the purposes of this Act, the Lieutenant Governor in Council shall transfer the administration of the lands to the Minister of Energy and Natural Resources.*

(3) Section 22 presently reads in part:

*22(1) Notwithstanding anything to the contrary in any other Act, the Lieutenant Governor in Council on the recommendation of the Minister of Recreation, Parks and Wildlife and of the Minister may at any time set aside as reserved areas for the rehabilitation of game, fish and fur-bearing animals*

*(b) any public lands under the administration of the Minister of Energy and Natural Resources and not subject to a disposition made under any Act administered by him,*

*including therein all road allowances bounded on both sides by such lands.*

*(2) Notwithstanding anything to the contrary in any other Act, the Lieutenant Governor in Council on the recommendation of the Minister of Recreation, Parks and Wildlife and of the Minister may in respect of lands mentioned in subsection (1) make regulations*

*(a) prohibiting the hunting or trapping of any big game, game bird or fur-bearing animal within the meaning of The Wildlife Act or a designated kind or description thereof,*

### **The Municipal Government Act**

**4(1)** This section will amend chapter 246 of the Revised Statutes of Alberta 1970.

(2) Section 152 presently reads in part:

*152(1) The council may pass by-laws*

*(d) prohibiting the discharge of guns or other firearms in any specified part or parts of the municipality.*

*(2) Upon the commencement of this section no council of a county or municipal district may pass a by-law under subsection (1), clause (d) without the consent of the Minister of Municipal Affairs and the Minister of Recreation, Parks and Wildlife and any by-law passed thereunder by such council prior to the commencement of this subsection and which has not been rescinded prior to August 1, 1974 shall cease to be valid on and after that date.*

### **The Special Areas Act**

**5(1)** This section will amend chapter 391 of the Revised Statutes of Alberta 1970.

*(2) Section 6(c) is amended by striking out “Minister of Energy and Natural Resources” and substituting “Associate Minister of Public Lands and Wildlife”.*

*(3) Section 7(4) is amended by striking out “Minister of Energy and Natural Resources, a Deputy Minister for the Department of Energy and Natural Resources” and substituting “Associate Minister of Public Lands and Wildlife, the Deputy Minister of Renewable Resources”*

#### **The Wildlife Act**

*6(1) The Wildlife Act is amended by this section.*

*(2) Section 2 is amended*

*(a) by repealing clause 7 and substituting the following:*

7. “Department” means the Department of Energy and Natural Resources;

*(b) by repealing clause 20 and substituting the following:*

20. “Minister” means the Associate Minister of Public Lands and Wildlife;

#### **Commencement**

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

(2) Section 6 presently reads in part:

*6 The Lieutenant Governor in Council has power*

*(c) to make any regulation or order with respect to public lands in a special area that he is empowered to make under The Public Lands Act with respect to public lands administered by the Minister of Energy and Natural Resources,*

(3) Section 7(4) presently reads:

*(4) Where any provisions of The Public Lands Act or any regulations thereunder are made applicable to special areas, a reference therein to the Minister of Energy and Natural Resources, a Deputy Minister for the Department of Energy and Natural Resources, the Department of Energy and Natural Resources, or to the Assistant Deputy Minister of Lands shall be deemed to be a reference to the Minister or Deputy Minister of Municipal Affairs, the Department of Municipal Affairs and the Board, respectively.*

### **The Wildlife Act**

**6(1)** This section will amend chapter 391 of the Revised Statutes of Alberta 1970.

(2) Section 2 presently reads in part:

*2 In this Act,*

*7. "Department" means the Department of Recreation, Parks and Wildlife;*

*20. "Minister" means the Minister of Recreation, Parks and Wildlife;*