



Bill 6 is no fix to bad laws

Letter to the Editor

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Re: “Property rights yes! campaign starts in St. Paul,” published in the St. Paul Journal on March 13.

Dear Editor,

I was surprised to read Minister Diana McQueen’s claim that the Alberta Government’s new Bill 6 creates new rights to protect landowners. Minister McQueen was quoted as saying Bill 6 guarantees access to the Expropriation Act. I wish that were true but it is not.

As a lawyer dealing with land and agricultural issues for 17 years, I can confirm that there is no legal wording in Bill 6 to protect you if the Cabinet uses its new powers under Bill 36 to rescind your water licence, dairy barn approval, grazing lease, fertilizer plant approval, gravel permit, or any other form of statutory consent you need to run your farm or business. If the Cabinet puts you into bankruptcy or devalues your land because it decides to cancel one of your statutory consents, there is no compensation and no right to challenge the decision in court. That is what the legal wording of Bill 36 says.

You need only read sections 11, 13(1) and 15(3) and (4) of the Alberta Land Stewardship Act (Bill 36) to see how this government has taken away the core rights associated with our market-driven economy and our once free and democratic society.

Indeed, in 2010 and 2011, government officials making public presentations on Bill 36 included a slide in their presentation bragging about how the new law was written to take away opportunities for courts to challenge any decisions made by Cabinet—even decisions affecting your land or business. The Cabinet is now King and we are its mere obedient subjects.

More proof: section 15.1 of Bill 24—Carbon Capture and Storage Act—says that the Alberta Government has just declared itself to be the owner of the portion of landowner’s property

rights known as subsurface pore spaces. Section 15.1(4) states that Expropriation Act does not apply and landowners are not entitled to any compensation for those property rights the government just took from every landowner in Alberta.

Minister McQueen also seeks to assure landowners by pointing to the part of Bill 6 that allows the new government-appointed property rights advocate to file a report with the courts if he sees a problem. Well, there is nothing in Bill 6—or any other Act—that empowers the courts to do anything with that report. The new advocate may as well send his report to Santa Claus.

During the government's Property Rights Task Force meetings in January of this year, thousands of Albertans demanded that these bad laws be repealed. On Feb. 21, to the surprise of many, including the Alberta Landowners Council, Premier Redford announced that her government is moving forward with full implementation of the new laws because these laws reflect her vision for the future of our province.

Scary.

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