

For Immediate Release

March 21, 2009

(Rimbey, AB) The amendments to Bill 19 do not fix the main problems associated with the Bill. The amendments are more cosmetic and do not make any substantive changes to the Bill.

The right of notification and the right to be consulted have been transformed in Bill 19 from a legislative right, to a regulated privilege. A privilege is not a right! A privilege can be withdrawn or withheld at any time!

In the existing legislation the Minister has a right to apply to the Queen's Bench for an order against anyone, if the Minister was of the opinion a person had violated the Act. Under Bill 19 the Minister may submit an order to the Queen's Bench against an individual they think is guilty, which is "enforceable as if it were judgment." This is a major change in the powers delegated to a Minister.

Section 13, wherein it states the Expropriation Act does not apply, is being proposed to be removed but it doesn't change the context of the Bill. Section 3(a) of Bill 19 still says, "Notwithstanding any other Act or Regulation." This means no other Act or Regulation applies – including the Expropriations Act.

Why do we need Bill 19? The existing legislation has worked just fine, and only needs to be amended periodically to keep it up to date. The existing legislation specifically states the taking of land had to be "necessary in the public interest." Bill 19 removed those words, and states a public project is anything the Minister says is a public project.

The existing legislation gives a Minister the power to limit, prohibit or restrict the dumping of any substance on a Project Area. The new Bill 19 gives a Minister the power to approve the dumping of any substance on a Project Area. The words, "to approve", change the dynamics of the government's powers. Now the government will have the unprecedented authority to dump any substance in or

around a piece of property and according to section 3(1), and “Notwithstanding any other Act or Regulation;” no existing environmental laws will apply.

By leaving out the words “necessary in the public interest”, Bill 19 gives unprecedented powers to any Minister declaring an area of land as needed for a “public project.” Bill 19 does not limit the government’s powers from taking private property for the purpose of leasing the property to private business interests: domestic or foreign.

The government should withdraw Bill 19 and amend the existing legislation periodically as necessary. The existing legislation still works; Bill 19 is not needed -- it is too vague, and it gives too much power to a Minister.

Power corrupts, and absolute power corrupts absolutely.

-30-

Joe Anglin
Leader of the Alberta Green Party
(403) 843-3279