

2015 Bill

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Third Session, 28th Legislature, 64 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 209**

## **COMMISSION TO SAFEGUARD ALBERTANS' INTERESTS IN NATURAL RESOURCES ACT**

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MS NOTLEY

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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## **BILL 209**

2015

### **COMMISSION TO SAFEGUARD ALBERTANS' INTERESTS IN NATURAL RESOURCES ACT**

*(Assented to \_\_\_\_\_, 2015)*

WHEREAS non-renewable natural resources are owned for the benefit of all Albertans;

WHEREAS the petroleum industry, including natural gas and the oil sands, has been a source of great prosperity for Alberta, developed with the hard work of Albertans;

WHEREAS the natural resources in this Province can and should be managed not only for the benefit of current Albertans and Canadians but for future generations to ensure that the maximum value of the natural resources is achieved; and

WHEREAS accountability is vital in ensuring that Albertans are receiving full value for the resources;

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

#### **Definitions**

**1** In this Act

- (a) “Commission” means the Commission to Safeguard Albertans’ Interests in Natural Resources;
- (b) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act.

### **Commission established**

**2** The Commission to Safeguard Albertans' Interests in Natural Resources is established.

### **Members of the Commission**

**3(1)** The Commission shall consist of not more than 10 persons who are residents of Alberta.

**(2)** The Commission must contain representation from the following:

- (a) Albertans of aboriginal ancestry;
- (b) Alberta's energy industry;
- (c) employees in Alberta's energy industry;
- (d) recognized experts in the field of energy economics;
- (e) recognized experts in the field of sustainable development.

**(3)** All Commission appointments will be for a 2-year term with the option for renewal to a maximum of 3 terms or 6 years.

**(4)** The Commission must be appointed within 6 months of the coming into force of this Act.

### **Appointment**

**4(1)** Members of the Commission shall be appointed by the Lieutenant Governor in Council upon the recommendation of the Legislative Assembly.

**(2)** The Lieutenant Governor in Council may designate one of the members to be chair.

### **Functions**

**5(1)** The purposes of the Commission are to

- (a) recommend targets for fair value returns for non-renewable resources extracted in Alberta,
- (b) propose indicators to measure progress towards achieving the targets in clause (a),

- (c) measure and report publicly on progress towards fair value, and
  - (d) provide strategic advice to the Government on how to achieve progress on reaching the targets and indicators established under this subsection.
- (2)** Targets and indicators recommended under subsection (1) must but are not limited to taking into account
- (a) royalty rates on all non-renewable resources, including alternate methods of royalty calculation,
  - (b) value-added processing of raw resources, including the use of public sector resources to facilitate such process and the impact on economic development associated with secondary processing, and
  - (c) proposals for long-term sustainable management of non-renewable natural resources.

## **Report**

- 6(1)** Within one year of the date that all members of the Commission are appointed, and every year after that, the Commission must report and recommend proposed targets and indicators.
- (2)** A report under subsection (1) must be provided to the Speaker of the Assembly, who will make the report public and table it in the Assembly if it is then sitting or, if it is not then sitting, within 15 days after the commencement of the next sitting.
- (3)** Once a report is tabled by the Speaker it stands referred to the Standing Committee on Public Accounts unless the Assembly by resolution directs that the report be considered by another committee of the Assembly.
- (4)** When the Standing Committee on Public Accounts or another committee as directed by the Assembly takes into consideration a report by the Commission, it must report back to the Assembly within 3 months with its recommendations including why the proposals by the Commission should or should not be implemented.
- (5)** Within 3 months of a report by a committee under subsection (4), the Minister must either implement the proposals of the Commission or make public a report indicating why the government is not implementing those proposals.

### **Public consultation**

**7(1)** In preparing a report under section 6(1), the Commission must hold hearings open to the public at which submissions may be received.

**(2)** In soliciting and receiving submissions from the public, the Commission may use any technology that allows for public participation.

**(3)** The Commission may hold public hearings at any location in Alberta.

**(4)** The Commission may request witnesses from any department, board, agency or commission who must attend the hearing and give evidence subject only to any privilege recognized in law in Alberta.

### **Resources**

**8(1)** The Minister shall provide the Commission with the services of employees of the Government under the Minister's supervision and any supplies that the Commission may reasonably require to fulfill its responsibilities and conduct its affairs.

**(2)** Provided that funds are allocated by the Legislative Assembly for the purpose, members of the Commission may receive

- (a) remuneration as prescribed by the Lieutenant Governor in Council, and
- (b) reasonable living and travel expenses incurred in the course of their duties as members.

### **Report**

**9(1)** Apart from its report under section 6, the Commission must report on its activities and provide a financial report one year after its establishment and every subsequent year.

**(2)** A report under subsection (1) must be provided to the Speaker of the Assembly, who will make the report public and table it in the Assembly if it is then sitting or, if it is not then sitting, within 15 days after the commencement of the next sitting.

### **By-laws**

**10(1)** The Commission may make by-laws for the conduct of its business and affairs.

(2) The *Regulations Act* does not apply to the by-laws of the Commission.

**Review of the Act**

**11** Within 5 years after this Act comes into force and every 5 years after that, a special committee established by the Legislative Assembly must begin a comprehensive review of this Act and must submit to the Legislative Assembly, within one year after beginning the review, a report that includes any amendments recommended by the committee.



