

1972 Bill 42

First Session, 17th Legislature, 21 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 42

The Environment Conservation Amendment Act, 1972

THE MINISTER OF THE ENVIRONMENT

First Reading

Second Reading

Third Reading

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1972

THE ENVIRONMENT CONSERVATION AMENDMENT ACT, 1972

(Assented to _____, 1972)

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

1. *The Environment Conservation Act is hereby amended.*
2. *Section 2 is amended*
 - (a) *by adding the following clause after clause (c):*
 - (c1) "Minister" means the Minister of the Environment;
 - (b) *by striking out clause (e) and by substituting the following:*
 - (e) "public advisory committee" means a public committee on environment conservation appointed under section 11.
3. *Section 4, subsection (1) is amended by striking out the words "three members" and by substituting the words "four members".*
4. *Section 5 is amended by striking out subsection (2) and by substituting the following:*
 - (2) A quorum of the Authority shall consist of two members, one of whom shall be the chairman or the vice-chairman.
5. *Section 7, subsection (1) is amended*
 - (a) *as to clause (a) by striking out the words "Lieutenant Governor in Council" and by substituting the word "Minister",*
 - (b) *by striking out clause (b) and by substituting the following:*
 - (b) may, after consultation with the Minister, inquire into any matter pertaining to environment conservation and make its recommendations and report thereon to the Minister;

Explanatory Notes

1. This Bill amends chapter 125 of the Revised Statutes of Alberta 1970.

2. In 1971 section 11 of the Act was amended so that the public advisory committees would be appointed by the Environment Conservation Authority rather than by the Lieutenant Governor in Council. Section 2 (e) should have been also amended accordingly and this amendment now cures this drafting oversight.

3. The membership of the Environment Conservation Authority is increased from three to four.

4. Section 5, subsection (2) presently reads:

(2) Two members of the Authority constitute a quorum.

5. Section 7, subsection (1), clauses (a), (b), (e), (h), (i), and (j) presently read:

7. (1) The Authority

(a) shall conduct a continuing review of policies and programs of the Government and government agencies on matters pertaining to environment conservation and shall report thereon to the Lieutenant Governor in Council;

(b) may inquire into any matter pertaining to environment conservation and make its recommendations and report thereon to the Lieutenant Governor in Council;

.....
(e) may, and when required to do so by an order of the Lieutenant Governor in Council shall, hold public hearings for the purpose of receiving briefs and submissions on any matter pertaining to environment conservation, and shall report thereon to the Lieutenant Governor in Council;

.....
(h) may engage the services of persons having special technical or other knowledge in connection with an inquiry of any matter pertaining to environment conservation that the Authority has undertaken or proposes to undertake;

(i) in co-operation with and primarily through the medium of the Department of the Environment shall use its best efforts to achieve co-ordination of policies, programs and administrative procedures of the Government and government agencies relating to matters pertaining to environment conservation;

(j) shall make a report in each year to the Lieutenant Governor in Council

(i) summarizing generally its activities and affairs in the preceding year,

(ii) summarizing the recommendations made by it to the Lieutenant Governor in Council and to the Department of the Environment in the preceding year, and

(iii) showing any reports or studies prepared in the preceding year at the request of the Lieutenant Governor in Council.

(c) *by striking out clause (e) and by substituting the following:*

(e) *may, and when required to do so by an order of the Lieutenant Governor in Council or of the Minister shall, hold public hearings for the purpose of receiving briefs and submissions on any matter pertaining to environment conservation, and shall report thereon to the Lieutenant Governor in Council and the Minister;*

(d) *as to clause (h) by adding after the words "the Authority" the words ", with the approval of the Minister,"*,

(e) *as to clause (i) by striking out the words "in cooperation with and primarily",*

(f) *as to clause (j) by striking out the words "Lieutenant Governor in Council" where they occur in the portion of the clause preceding subclause (i) and by substituting the word "Minister",*

(g) *as to clause (j), subclause (iii) by adding at the end thereof the words "or of the Minister".*

6. Section 7 is amended by striking out subsection (2) and by substituting the following:

(2) *When a report by the Authority under subsection (1), clause (j) is received by the Minister, the Minister shall lay a copy of it before the Legislative Assembly if it is then in session and if not, within 30 days after the commencement of the first session in the next ensuing year.*

7. Section 8, subsection (1) is amended by striking out the words "The Authority" and by substituting the words "Subject to the approval of the Minister, the Authority".

8. Section 11 is amended by adding after the words "The Authority" the words ", after consultation with the Minister,".

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

6. Section 7, subsection (2) presently reads:

(2) When a report by the Authority under subsection (1), clause (j) is received by the Lieutenant Governor in Council, the President of the Executive Council shall lay a copy of it before the Legislative Assembly if it is then in session and if not, within 15 days after the commencement of the first session in the next ensuing year.

7. Section 8, subsection (1) presently reads:

8. (1) The Authority may make such banking arrangements as are necessary for the carrying out of its duties and functions.

8. Section 11 presently reads:

11. The Authority may

- (a) appoint one or more public advisory committees on environment conservation,
- (b) prescribe the duties and functions of a public advisory committee,