

1989 BILL 26

First Session, 22nd Legislature, 38 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 26

MISCELLANEOUS STATUTES AMENDMENT ACT, 1989

THE ATTORNEY GENERAL

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 26

1989

MISCELLANEOUS STATUTES AMENDMENT ACT, 1989

(Assented to _____, 1989)

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

1 The Agricultural Pests Act is amended

(a) in section 2(1) by striking out "Lieutenant Governor in Council" and substituting "Minister";

(b) in section 21

(i) by striking out "Lieutenant Governor in Council" and substituting "Minister";

(ii) by repealing clause (c) and substituting the following:

(c) respecting the issuance of permits authorizing the keeping of any pest or nuisance and prescribing the conditions on which it may be kept;

2 The Alberta Municipal Financing Corporation Act is amended in section 1(a) by striking out "Hospital Act" and substituting "Hospitals Act".

3 The Animal Protection Act, chapter A-42.1 of the Statutes of Alberta, 1988, is amended

(a) in section 1(1)(g)(ii) by striking out "force" and substituting "service";

(b) by repealing section 15(c);

(c) by adding the following after section 15:

15.1 The Minister may make regulations prescribing a tariff of expenses that may be charged by a humane society or a caretaker for the provision of transportation, food, water, care, shelter and veterinary treatment of an animal that has been taken into custody under this Act.

Explanatory Notes

1 This section amends chapter A-8.1 of the Statutes of Alberta, 1984. Sections 2(1) and 21 presently read in part:

2(1) Subject to subsection (2), if the Lieutenant Governor in Council considers that an animal, bird, insect, plant or disease is destroying or harming or is likely to destroy or harm any land, livestock or property in all or part of Alberta, he may, by regulation, declare the animal, bird, insect, plant or disease to be

(a) a pest, or

(b) a nuisance,

throughout Alberta or in part of Alberta.

21 The Lieutenant Governor in Council may make regulations

(c) authorizing the Minister to permit the keeping of any pest or nuisance on conditions prescribed by the Minister;

2 This section amends chapter A-33 of the Revised Statutes of Alberta 1980. Section 1(a) presently reads:

1 In this Act,

(a) "approved hospital" means an approved hospital as defined in the Hospital Act;

3 This section amends chapter A-42.1 of the Statutes of Alberta, 1988. Sections 1(1)(g)(ii) and 15(c) presently read:

1(1) In this Act,

(g) "peace officer" means

(ii) a member of a municipal police force, or

15 The Lieutenant Governor in Council may make regulations

(c) prescribing a tariff of expenses that may be charged by a humane society or a caretaker for the provision of transportation, food, water, care, shelter and veterinary treatment of an animal that has been taken into custody under this Act.

- 4 *The Artificial Insemination of Domestic Animals Act is amended*
- (a) in section 3(a) by striking out “and the fees payable therefor”;
 - (b) by adding the following after section 3:
3.1 The Minister may make regulations prescribing the fees payable for any class or type of licence issued under this Act and the regulations.
- 5 *The Chiropractic Profession Act is amended*
- (a) in section 40(1) by adding the following after clause (b):
(b.1) contravenes the code of ethics established in the by-laws,
 - (b) by repealing section 75(1)(a);
 - (c) in section 76(1) by adding the following after clause (w):
(x) establishing and providing for the publishing of a code of ethics respecting the practice of chiropractic, the maintenance of the dignity and honour of the profession of chiropractic and the protection of the public interest.
- 6 *The Department of Advanced Education Act is amended in section 10(b) by striking out “prescribing” and substituting “respecting”.*
- 7 *The Department of Agriculture Act is amended by repealing section 15 and substituting the following:*
- 15(1)** The Minister may delegate in writing to any person any power or duty conferred or imposed on him by this Act or any other Act or regulation under his administration.
- (2) Subsection (1) does not apply to any power or duty of the Minister to make regulations.
- 8 *The Employment Standards Code is amended in section 1(1)*
- (a) in clause (e) by striking out “16” and substituting “18”;
 - (b) in clause (l) by striking out “25” and substituting “27”;
 - (c) in clause (p) by striking out “10” and substituting “12”;
 - (d) in clause (t) by striking out “20” and substituting “22”.

4 This section amends chapter A-45 of the Revised Statutes of Alberta 1980. Section 3(a) presently reads:

3 The Lieutenant Governor in Council may make regulations

(a) providing for the licensing of technicians, inseminating businesses, semen producing businesses and semen banks, or any of them, and prescribing the duration of the licences and the fees payable therefor;

5 This section amends chapter C-9.1 of the Statutes of Alberta, 1984. Sections 40(1), 75(1)(a) and 76(1) presently read in part:

40(1) Conduct of a registered member, registered practitioner or professional corporation that, in the opinion of the Discipline Committee,

(a) is detrimental to the best interests of the public,

(b) contravenes this Act or the regulations,

(c) harms or tends to harm the standing of the profession of chiropractic generally, or

(d) displays a lack of knowledge of or lack of skill or judgment in the practice of chiropractic,

whether or not that conduct is disgraceful or dishonourable, constitutes either unskilled practice of chiropractic or professional misconduct, whichever the Discipline Committee finds.

75(1) The Council may make regulations

(a) establishing and providing for the publishing of a code of ethics respecting the practice of chiropractic, the maintenance of the dignity and honour of the profession of chiropractic and the protection of the public interest;

76(1) The Council may make by-laws

(w) governing the names under which professional corporations may practise chiropractic.

6 This section amends chapter D-11.1 of the Statutes of Alberta, 1983. Section 10(b) presently reads:

10 The Minister may make regulations

(b) prescribing fees and other charges to be charged for any matter or service provided by the Department or a provincially administered institution;

7 This section amends chapter D-12 of the Revised Statutes of Alberta 1980. Section 15 presently reads:

15 The Minister may in writing

(a) delegate to any employee of the Department any power, duty or function required to carry out any agreement entered into by or on behalf of the Minister, other than the power to make regulations;

(b) authorize any employee of the Department to enter into an agreement on behalf of the Minister.

8 This section amends chapter E-10.2 of the Statutes of Alberta, 1988. Section 1(1) presently reads in part:

1(1) In this Act,

(e) "employment record" means the record required to be maintained under section 16 and any other document or record that is necessary in order to determine whether an employee is entitled to wages, overtime pay, entitlements or parental benefits;

9 The Highway Traffic Act is amended by renumbering section 124 as section 124(1) and by adding the following after subsection (1):

(2) Subsection (1) does not apply to a bicycle race that is authorized by the Minister.

10 The Historical Resources Act is amended in section 18(a) by striking out “(7)(a),”.

11 The Labour Relations Code is amended

(a) in section 35(1)(a) by striking out “22(1)” and substituting “22(1)(a)”;

(b) in section 185(5) by striking out “strike” and substituting “lockout”.

12 The Land Surface Conservation and Reclamation Act is amended in section 33(2)(a) by striking out “55” and substituting “54”.

13 The Legal Profession Act is amended

(a) in sections 39(2)(a), 40(a), 41(2)(a), 42(3)(a), 45(1)(a) and 46(1)(a) by adding “or is lawfully admitted into Canada for permanent residence” after “citizen”;

(b) in section 73

(i) in subsection (2) by adding “, nor lawfully admitted into Canada for permanent residence” after “citizen”;

(l) "overtime pay" means a payment made or to be made in respect of those hours of work referred to and on the basis specified in section 25 or the regulations;

(p) "served" means served in accordance with section 10;

(t) "week" means, subject to section 20, 7 consecutive days;

9 This section amends chapter H-7 of the Revised Statutes of Alberta 1980. Section 124 presently reads:

124 No person shall drive a vehicle on a highway in a race or on a bet or wager.

10 This section amends chapter H-8 of the Revised Statutes of Alberta 1980. Section 18(a) presently reads:

18 If the historic resource that is the subject of an order under section 16(1) is an historic resource that is owned by the Crown or wholly situated on Crown land,

(a) sections 16(2), (4), (5), (6)(a), (7)(a), (10) to (14) and (15)(a) do not apply with respect to that historic resource,

11 This section amends chapter L-1.2 of the Statutes of Alberta, 1988. Sections 35(1) and 185(5) presently read:

35(1) No application for certification shall be made without the Board's consent

(a) until at least 60 days after the applicant has complied with section 22(1), or

(b) while a lawful strike or lawful lockout is in effect.

185(5) The lockout vote with respect to each of the groups of registered employers' organizations consolidated in the vote shall be deemed to have been not in favour of a strike unless

(a) the vote in respect of at least 60% of the registered employers' organizations result in a vote of at least 50% of the employers entitled to vote and voting in each registered employers' organization in favour of lockout action, and

(b) at least 60% of the votes cast by employers entitled to vote and voting in the overall consolidated vote are in favour of lockout action.

12 This section amends chapter L-3 of the Revised Statutes of Alberta 1980. Section 33(2)(a) presently reads:

(2) If an application is made under subsection (1), the Minister

(a) shall return the deposit if a reclamation certificate has been issued under section 55 in respect of all of the land to which the approval applies and no additional time is needed in the opinion of the Council to determine the effectiveness of the reclamation;

13 This section amends chapter L-9 of the Revised Statutes of Alberta 1980. Sections 39(2)(a), 40(a), 41(2)(a), 42(3)(a), 45(1)(a), 46(1)(a), 73(2) and (5) and 93(2)(g) presently read:

29(2) The Secretary shall approve the enrolment of a person admitted as a student-at-law under subsection (1) if he proves to the Secretary's satisfaction and in accordance with the rules that he

(a) is a Canadian citizen,

- (ii) in subsection (5) by adding “or been lawfully admitted into Canada for permanent residence” after “citizen”;*
- (c) in section 93(2)(g) by striking out “section 91” and substituting “section 92”.*

14 The Limitation of Actions Act is amended

- (a) in section 9(1) by striking out “or” at the end of clause (a) and substituting “and”;*
- (b) in section 55(b) by striking out “Association” and substituting “Profession”.*

40 The Secretary shall approve the enrolment of a person as a member of the Society if he proves to the Secretary's satisfaction and in accordance with the rules that he

(a) is a Canadian citizen,

41(2) The Secretary shall approve the enrolment of a person admitted as a student-at-law under subsection (1) if he proves to the Secretary's satisfaction and in accordance with the rules that he

(a) is a Canadian citizen,

42(3) The Secretary shall approve the enrolment of a person admitted as a student-at-law under subsection (1) if he proves to the Secretary's satisfaction and in accordance with the rules that he

(a) is a Canadian citizen,

45(1) Subject to the rules, the Benchers may by resolution approve the enrolment of a person who proves to their satisfaction that he

(a) is a Canadian citizen,

46(1) Subject to the rules, the Benchers may by resolution approve the enrolment of a person who proves to their satisfaction that he

(a) is a Canadian citizen,

73(2) Subject to subsections (4) and (5), if it is proved to the satisfaction of the Benchers that a member is neither a Canadian citizen nor a British subject, the Benchers shall order that his name be struck off the roll.

(5) A member to whom subsection (4) applies shall be struck off the roll at the expiry of 5 years from the date he ceased to be a British subject if he has not in the interim become a Canadian citizen.

93(2) Subsection (1) does not apply to

(g) an articulated student-at-law in the course of acting as counsel in any of the cases enumerated in section 91 or in doing anything in the course of his service under articles, if it is done under the direction or supervision of an active member.

14 This section amends chapter L-15 of the Revised Statutes of Alberta 1980. Sections 9(1) and 55(b) presently read:

9(1) Whenever a person

(a) is, or would have been but for the passing of time, liable to an action on a judgment or order for the payment of money or for the recovery of money as a debt, or

(b) by himself or his agent in that behalf

(i) conditionally or unconditionally promises his creditor or the agent of his creditor in writing signed by the debtor or his agent, to pay the debt,

(ii) gives a written acknowledgment of the debt signed by the debtor or his agent, to his creditor or the agent of his creditor, or

(iii) makes a part payment on account of the principal debt or interest thereon to his creditor or the agent of his creditor,

then an action to recover the debt may be brought within 6 years after the date of the promise, acknowledgment or part payment, as the case may be, notwithstanding that the action would otherwise be barred under this Act.

55 *Except as provided in sections 57 to 61, an action against*

(b) a dentist registered under the Dental Association Act,

15 The Livestock Identification and Brand Inspection Act is amended

(a) in section 20 by adding “or his agent who has received written authorization to sell livestock on behalf of the owner” after “owner of livestock”;

(b) by repealing section 33(a);

(c) by adding the following after section 33:

33.1 The Minister may make regulations prescribing fees for the purposes of this Act and the regulations.

16 The Livestock and Livestock Products Act is amended

(a) in section 2

(i) by repealing subsection (1)(c);

(ii) in subsection (2)(c) by striking out “, terms, and fees” and substituting “and terms”;

(b) by adding the following after section 2:

2.1 The Minister may make regulations prescribing the fees payable for any class or type of licence and for any service provided pursuant to this Act or the regulations.

(c) in section 15 by adding the following after clause (c):

(c.1) prescribing arrangements pursuant to which a levy is assessed, collected and paid into the Fund;

17 The Local Authorities Election Act is amended

(a) by repealing section 1(w) and substituting the following:

(w) “voting register” means the prescribed form on which is recorded the name of a person who has registered to vote;

(b) by repealing section 54(2) and substituting the following:

(2) If a person is objected to by a candidate or his agent, the deputy shall record the objection in the voting register, write his initials opposite the objection and record the name of the candidate or agent making the objection.

(c) by repealing section 59 and substituting the following:

59 The officer shall record on the voting register that an elector has received a ballot for any one or more of the following that are applicable to the election:

(a) mayor;

(b) councillors;

(c) public school trustees or representatives;

(d) separate school trustees or representatives;

for negligence or malpractice by reason of professional services requested or rendered may be commenced within one year from the date when the professional services terminated in respect of the matter that is the subject of the complaint, and not afterwards.

15 This section amends chapter L-22.5 of the Statutes of Alberta, 1985. Sections 20 and 33(a) presently read:

20 An owner of livestock shall provide a bill of sale to any person acquiring livestock from him.

33 The Lieutenant Governor in Council may make regulations

(a) fixing fees for the purposes of this Act and the regulations;

16 This section amends chapter L-24 of the Revised Statutes of Alberta 1980. Sections 2(1)(c) and (2)(c) and 15(c) presently read:

2(1) The Lieutenant Governor in Council may make regulations providing for

(c) the fees payable for services supplied by the Department of Agriculture pursuant to this Act or the regulations;

(2) The Lieutenant Governor in Council may make regulations

(c) prescribing the conditions, terms, and fees on which licences may be issued for stock yards;

15 The Lieutenant Governor in Council may make regulations

(c) prescribing the portion of the licence fee that shall be paid into the Fund;

17 This section amends chapter L-27.5 of the Statutes of Alberta, 1983. Sections 1(w), 54(2), 59, 66, 68(2), 78(6) and 90 presently read:

1 In this Act,

(w) "voting register" means the prescribed form in which to record the names of persons who have received ballots at an election;

54(2) If a person is objected to by any candidate or his agent, the deputy entering the objection or causing it to be entered in the voting register shall write his initials opposite the name of the person objected to, in the column headed "objected to", noting at the same time on behalf of which candidate the objection has been made by adding after his initials the name or initials of the candidate.

59 The officer shall place under the headings of the voting register: "mayor", "councillor", "public or separate school trustee or representative", "hospital board member", "nursing home board member", "money by-law", "by-law" or "question" or those that are applicable to the election, a check mark opposite the name of every person receiving a ballot at the time he receives it to denote that the elector has received a ballot for mayor, councillors, school trustees or representatives, hospital board members, nursing home board members, by-law or question, as the case may be.

66 If an elector returns a ballot stating that he is declining to vote, the deputy returning officer

- (e) by-law or question;
- (f) hospital board member;
- (g) nursing home board member;
- (h) money by-law.

(d) in section 66(a) by striking out “in the remarks column opposite the elector’s name an entry to the effect that he” and substituting “that the elector”;

(e) in section 68(2) by striking out “in the remarks column opposite that person’s name”;

(f) by repealing section 78(6) and substituting the following:

(6) The deputy shall record in the voting register that the ballot of the incapacitated elector is marked by another person and the reason why it is so marked.

(g) by repealing section 90 and substituting the following:

90 Every deputy at the close of the voting station shall certify in words, in the prescribed form, the number of persons who registered to vote at the voting station at which he was appointed to preside.

18 The Meat Inspection Act is amended

(a) in section 11(a) by striking out “and prescribing the fees payable for the licences or any renewal thereof”;

(b) in section 11(j) by striking out “and the fees payable for inspections”;

(c) by adding the following after section 11:

12 The Minister may make regulations prescribing the fee payable for a licence to operate an abattoir and for any renewal of the licence and the fees payable for inspections of animals or carcasses under this Act.

19 The Motor Vehicle Administration Act is amended in section 96(3) by striking out “94” and substituting “93”.

20 The Notaries Public Act is amended by repealing section 1(2) and substituting the following:

(2) The Attorney General shall not appoint as a notary public a person

(a) who is not a Canadian citizen actually residing in Alberta, or

(b) who is not lawfully admitted into Canada for permanent residence and actually residing in Alberta.

(a) shall record in the voting register in the remarks column opposite the elector's name an entry to the effect that he has declined to vote, and

(b) shall write the word "declined" on the returned ballot and shall preserve it.

68(2) Any person who, having received a ballot from the deputy, leaves the voting station without first delivering it to the deputy in the manner provided by this Act, thereby forfeits his right to vote at that election and the deputy shall record in the voting register in the remarks column opposite that person's name an entry to the effect that the person left the voting station without first delivering the ballot.

78(6) The deputy shall enter or cause to be entered in the voting register, opposite the name of a person voting under this section in the "remarks" column of the voting register, that the vote of the person is marked pursuant to this section and the reason why it is so marked.

90 Every deputy at the close of the voting station shall certify on the voting register, in words, the number of persons who voted at the voting station at which he was appointed to preside.

18 This section amends chapter M-10 of the Revised Statutes of Alberta 1980. Section 11(a) and (j) presently read:

11 The Lieutenant Governor in Council may make regulations

(a) providing for the issue, renewal, suspension or revocation of or refusal to issue or renew licences to operate abattoirs and prescribing the fees payable for the licences or any renewal thereof;

(j) prescribing the terms and conditions under which animals and meat may be inspected at any abattoir and the fees payable for inspections;

19 This section amends chapter M-22 of the Revised Statutes of Alberta 1980. Section 96(3) presently reads:

(3) Except when subsection (4) applies, all costs for the removal and storage of the vehicle are a lien on the vehicle which may be enforced in the manner provided in section 94.

20 This section amends chapter N-11 of the Revised Statutes of Alberta 1980. Section 1(2) presently reads:

(2) The Attorney General shall not appoint as notary public a person who is not a Canadian citizen residing within Alberta.

21 *The Provincial Court Judges Act* is amended in section 17(1)(e) by striking out “*Public Service Management Pension Act*” and substituting “*Public Service Management Pension Plan Act*”.

22 *The Provincial Offences Procedure Act* is amended

(a) in section 36(1) by striking out “23(1)(a)” and substituting “21(3)(a)”;

(b) in section 52 by striking out “74(4)(a)” and substituting “75(4)(a)”.

23 *The School Act* is amended

(a) in section 99(1) and (3) by striking out “*Labour Relations Act*” and substituting “*Labour Relations Code*”;

(b) in section 100 by striking out “*Labour Relations Act*” and substituting “*Labour Relations Code*” and by striking out “*Employment Standards Act*” and substituting “*Employment Standards Code*”;

(c) in section 243 by striking out “*Labour Relations Act*” and substituting “*Labour Relations Code*”.

24 *The Securities Act* is amended in section 63(4) by striking out “*Director’s opinion*” and substituting “*opinion of the Chief of Securities Administration*”.

21 This section amends chapter P-20.1 of the Statutes of Alberta, 1981. Section 17(1)(e) presently reads:

17(1) The Lieutenant Governor in Council may make regulations

(e) providing for the transfer or other disposition of those benefits to which persons appointed as judges under this Act were entitled under the Public Service Act, the Public Service Pension Plan Act or the Public Service Management Pension Act and the regulations under those Acts at the time of their appointment under the Provincial Court Act or under this Act.

22 This section amends chapter P-21.5 of the Statutes of Alberta, 1988. Sections 36(1) and 52 presently read in part:

36(1) If an offence notice is served on a defendant and the defendant wishes to plead guilty to the charge, he may deliver the offence notice and payment in the amount of the specified penalty to a Court office at a location prescribed under section 23(1)(a) of the Provincial Court Act.

52 The following provisions are amended by striking out "Summary Convictions Act" wherever it occurs and substituting "Provincial Offences Procedure Act":

Wildlife Act 74(4)(a)

23 This section amends chapter S-3.1 of the Statutes of Alberta, 1988. Sections 99, 100 and 243 presently read:

99(1) Notwithstanding anything in this Act, the Labour Relations Act applies to a board and the employees of the board.

(2) A board may

(a) be a member of an employers' organization, and

(b) delegate its power to bargain with any of its employees to the employers' organization.

(3) When a delegation is made under subsection (2), the employers' organization may bargain collectively and make an agreement on the board's behalf in accordance with the Labour Relations Act.

100 For the purposes of the Labour Relations Act and the Employment Standards Act, neither

(a) a trustee of a board, nor

(b) an official trustee appointed under the Department of Education Act,

is an employee of the board.

243 Nothing in Part 1, 2 or 3 restricts or prohibits or shall be construed as restricting or prohibiting a board or any employee of a board from exercising any rights under the Labour Relations Act.

24 This section amends chapter S-6.1 of the Statutes of Alberta, 1981. Section 63(4) presently reads:

(4) The Chief of Securities Administration may, on an application by a registrant that is a reporting issuer, make an order exempting the registrant from the requirement of subsection (1)(d) or (2)(d) if in the Director's opinion it would not be prejudicial to the public interest to do so.

25 The Stray Animals Act is amended

- (a) *by repealing section 23(a);*
- (b) *by adding the following after section 23:*

23.1 The Minister may make regulations prescribing a tariff of expenses that may be charged by a person for the capture, maintenance, transportation and confinement of livestock under this Act.

26 The Universities Act is amended

- (a) *in section 37(1)(k) by striking out “makes” and substituting “make”;*
- (b) *in section 58 by striking out “in accordance with section 15 of that Act”.*

27 The Vegetable Sales (Alberta) Act is amended

- (a) *in section 2*
 - (i) *by repealing clause (a);*
 - (ii) *in clause (b) by striking out “, and prescribing the packages and containers that are to be used”;*
 - (iii) *by repealing clause (d);*
- (b) *by adding the following after section 2:*

2.1 The Minister may make regulations

- (a) classifying and establishing grades for any vegetable;
- (b) prescribing fees payable
 - (i) for any class or type of licence issued under the regulations, and
 - (ii) for the inspection of vegetables and vegetable products;
- (c) prescribing the packages and containers to be used in the packaging, shipping, advertising and selling of vegetables in Alberta.

28 The Water Resources Commission Act is amended in section 3(1) by repealing clauses (d) to (g) and substituting the following:

- (d) the Chairman, Futures Compendium, of the Department of Economic Development and Trade;

25 This section amends chapter S-23 of the Revised Statutes of Alberta 1980. Section 23(a) presently reads:

23 The Lieutenant Governor in Council may make regulations

(a) prescribing the fees that may be charged by a person for the capture, maintenance, transportation and confinement of livestock;

26 This section amends chapter U-5 of the Revised Statutes of Alberta 1980. Sections 37(1)(k) and 58 presently read:

37(1) Subject to the authority of the board, a general faculties council is responsible for the academic affairs of the university and in particular, but without restricting the generality of the foregoing, the general faculties council is empowered to

(k) makes rules and regulations for the management and conduct of the library;

58 If a body has been handed over to a university for anatomical purposes or for scientific study or research under section 55 or 56 or under the Human Tissue Gift Act, the university shall not allow the body to be dissected or otherwise subjected to study or research until a medical examiner appointed under the Fatality Inquiries Act has countersigned the burial permit in accordance with section 15 of that Act or has issued a certificate stating that he has caused the body to be examined and has examined the medical certificate of death.

27 This section amends chapter V-1 of the Revised Statutes of Alberta 1980. Section 2(a), (b) and (d) presently read:

2 The Lieutenant Governor in Council may make regulations

(a) classifying and establishing grades for any vegetable;

(b) providing for the inspection, grading, packaging, packing, marking, shipping, advertising and selling of vegetables within Alberta, and prescribing the packages and containers that are to be used;

(d) prescribing fees

(i) for registration and licensing, and

(ii) for the inspection of vegetables and vegetable products;

28 This section amends chapter W-5.1 of the Statutes of Alberta, 1983. Section 3(1) presently reads:

3(1) The Water Resources Commission shall consist of the following members:

- (e) the Assistant Deputy Minister, Improvement Districts and Native Services, of the Department of Municipal Affairs;
- (f) the Assistant Deputy Minister, Planning and Development, of the Department of Agriculture;
- (g) the Assistant Deputy Minister, Fish and Wildlife Division, of the Department of Forestry, Lands and Wildlife.

29 The Weed Control Act is amended

- (a) in section 2 by adding “, except the power to make regulations” after “regulations”;*
- (b) in section 40 by striking out “Lieutenant Governor in Council” and substituting “Minister”.*

- (a) such number of members of the Legislative Assembly as are appointed by the Lieutenant Governor in Council;*
- (b) 4 persons appointed by the Lieutenant Governor in Council who are representative of the public at large;*
- (c) the Assistant Deputy Minister of Water Resources Management Services of the Department of the Environment;*
- (d) the Assistant Deputy Minister of the Futures Compendium of the Department of Economic Development and Trade;*
- (e) the Assistant Deputy Minister of Improvement Districts Operations of the Department of Municipal Affairs;*
- (f) the Assistant Deputy Minister of Planning and Development of the Department of Agriculture;*
- (g) the Assistant Deputy Minister, Resource Evaluation and Planning Division, of the Department of Forestry, Lands and Wildlife.*

29 This section amends chapter W-6 of the Revised Statutes of Alberta 1980. Sections 2 and 40 presently read:

2 The Minister may in writing delegate to any employee of the Government any power, duty or function conferred or imposed on the Minister by this Act or the regulations.

40 The Lieutenant Governor in Council may make regulations

- (a) designating plants as restricted, noxious or nuisance weeds, generally or in respect of any part of Alberta;*
- (b) respecting qualifications of inspectors;*
- (c) respecting the content and use of forms;*
- (d) respecting the manner of and procedures for destroying restricted weeds and controlling noxious weeds;*
- (e) respecting the sale, purchase, storage, processing or transportation of any material or substance infested with restricted, noxious or nuisance weeds;*
- (f) respecting the issue, renewal, suspension or revocation of or refusal to issue or renew licences for seed cleaning plants, and prescribing fees payable for licences or the renewal of licences;*
- (g) respecting the transportation, use and handling of screenings containing weed seeds;*
- (h) respecting the use and manner of application of selective herbicides for the purposes of section 15.*