

Bill No. 54 of 1949.

A BILL TO AMEND THE IMPROVEMENT DISTRICTS  
ACT, 1947.

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NOTE.

This Bill amends *The Improvement Districts Act, 1947*, being chapter 9 of the Statutes of Alberta, 1947.

Section 2 (a) which defines the term "Assessor" is amended. The definition presently refers to the duties of an assessor prescribed by this Act. As the duties of an assessor are prescribed by *The Assessment Act* the reference in the definition is changed accordingly.

Section 2 (p) (i) is amended to broaden the definition of the term "Parcel". The amendment brings within the definition a block which has not been subdivided into lots.

A new paragraph (s) has been added to section 2 defining the term "School District". The definition includes school districts which are not included in divisions and school divisions. Certain sections of the Act which refer only to school districts were intended to apply to school divisions also and the addition of this definition overcomes the difficulty.

Section 8 is amended by striking out the reference to a business tax. This implements the recommendation contained in the Judge Report that the business tax be confined to towns and villages.

Section 10 is similarly amended by striking out subsections (2) and (3) which refer to the business tax.

Section 11 is amended by striking out references to business assessment and taxation.

A new section 11a is added immediately after section 11. This section enables the Minister to enter into an agreement with any approved hospital for the care and treatment of residents of an improvement district. The section provides for the levy of a special tax on property to defray the costs of any such agreement.

Section 12 (3) has been struck out and a new subsection has been substituted. The wording of the new subsection has been clarified without in any way changing the present meaning. It makes it clear that the reference to a tax paid means a tax paid to another improvement district.

A new section 13a is added immediately after section 13. This section provides for a minimum tax for hospital agree-

ment purposes similar to the minimum tax for school purposes. This new section is very similar to section 14 of *The Improvement Districts Act*, being chapter 152 of the Revised Statutes of Alberta, 1942, which was repealed in 1947 and replaced by the present *Improvement Districts Act*.

Section 14 is amended by the addition of a reference to the new section 13a.

Section 16 is amended by striking out references to the business tax.

Section 18 is repealed. This section provides for the off-set of the tax on improvements against the business tax. As the business tax is no longer to be levied and collected in improvement districts in accordance with the recommendation of the Judge Report this section is no longer of any value.

Section 30 is amended by striking out subsection (2) and substituting a new subsection. The amended subsection requires an insurer to notify the Deputy Minister of Municipal Affairs of the loss by fire of any insured property situated within an improvement district as promptly as possible after notice of loss but in any event within forty-eight hours of receiving formal proof of loss under the policy. It is frequently impossible for the insurer, within forty-eight hours of notice of loss, to send in the information which the subsection presently requires. However, it is possible for the insurer to do so when formal proof of loss has been filed. The effect of the amendment is that the insurer has to give the information within forty-eight hours of receiving formal proof of loss rather than within forty-eight hours of receiving notice of the loss.

Section 30(3) is also amended. This subsection refers to receipt of a notice from the insured. This is an error and should refer to the receipt of the notice from the insurer and the subsection is amended accordingly.

Section 32 which refers to a distress warrant issued pursuant to section 30 is amended. The distress warrant is issued pursuant to section 31 and this reference is amended accordingly.

Section 44 is amended by striking out the reference to *The Social Services Tax Act* which has now been repealed.

Section 45 is amended by making changes in subsection (3) (c), subsection (4) Rule 3 and subsection (8). Rule 3 of the rules for determining residence found in subsection (4) has been changed so that any person who has not resided for twelve consecutive months out of the previous twenty-four consecutive months within the area controlled by a local authority shall be deemed to be a transient person. The Department of Public Welfare is assuming responsibility for transient persons as defined in the new Rule 3 and subsection (3) (c) and subsection (8) are amended accord-

ingly. The effect of these amendments is that the Department of Public Welfare assumes responsibility for the maintenance of indigents who are transients and for their care and treatment when sick.

KENNETH A. MCKENZIE,  
*Acting Legislative Counsel.*

*(This note does not form any part of the Bill but is offered in explanation of its provisions.)*

# BILL

No. 54 of 1949.

An Act to amend The Improvement Districts Act, 1947.

(Assented to \_\_\_\_\_, 1949.)

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

**1.** *The Improvement Districts Act, 1947*, being chapter 9 of the Statutes of Alberta, 1947, is hereby amended as to section 2,—

- (a) by striking out the words “prescribed by this Act” where the same occur in paragraph (a), and by substituting the words “prescribed by *The Assessment Act*”;
- (b) by striking out clause (i) of paragraph (p) and by substituting the following:  
“(i) any unsubdivided block or any lot or any part of such block or lot in any area of land a plan of subdivision of which is registered in a Land Titles Office;”;
- (c) by adding immediately after paragraph (r) the following new paragraph:  
“(s) ‘School district’ means every school district which is not included in a school division, and every school division.”

**2.** The said Act is further amended as to section 8 by striking out the words “personal property and businesses” where the same occur in subsection (2), and by substituting the words “and personal property”.

**3.** The said Act is further amended as to section 10 by striking out subsections (2) and (3).

**4.** The said Act is further amended as to section 11,—

- (a) by striking out the words “or any assessed business” where the same occur therein;
- (b) by striking out the words “or business” where the same occur therein.

**5.** The said Act is further amended by adding immediately after section 11 the following new section:

“**11a.**—(1) The Minister may enter into an agreement with any approved hospital for the care and treatment of residents of any improvement district or of any part thereof.

“(2) In such case the Minister shall provide by order that the expenses incurred by the improvement district or by the part of the improvement district under the agreement shall be raised by a special tax imposed and levied upon all property situate in the improvement district or in the part of the improvement district to which the agreement applies, as the case may be.”.

**6.** The said Act is further amended as to section 12 by striking out subsection (3) and by substituting the following:

“(3) Where any person has in any year paid a tax of the nature of that provided in subsection (2) for school purposes of at least four dollars to any city, town, village, municipal district, school district, special area or other improvement district, and such person was not assessed upon the assessment roll of such city, town, village, municipal district, school district, special area or other improvement district for that year, he shall not be liable in that year to the tax imposed by subsection (2).”.

**7.** The said Act is further amended by adding immediately after section 13 the following new section:

“**13a.**—(1) Where the Minister has entered into an agreement with an approved hospital and by order has required the levying of a special tax for the hospital agreement purposes upon the property situate in all or any part of an improvement district, the Minister may by the same or a subsequent order fix a minimum hospital tax to be paid by any resident of the improvement district or part thereof assessed upon the assessment and tax roll for such hospital agreement purposes.

“(2) The Minister may also by order impose a tax for hospital purposes in the amount fixed by order under subsection (1) upon every resident of the improvement district or part thereof of the full age of twenty-one years who has not been assessed upon the assessment and tax roll and who has resided therein for a period of six months or more during any calendar year and is gainfully employed, whether he has resided in the improvement district or the said part thereof before the completion of the roll or not, but in the case of the collection of the tax the name of the resident so paying shall be added to the roll for that calendar year.

“(3) Where any person has in any year paid a tax of the nature of that provided in subsection (2) for hospital purposes, equivalent to the amount imposed by order under subsection (2), to any city, municipal district, town, village, special area or other improvement district, and such person was not assessed upon the assessment roll of such city, municipal district, town, village, special area or other improvement district for that year, he shall not be liable in that year to the tax imposed by subsection (2).

“(4) Where the Minister has issued an order under subsection (1) and has not issued an order under subsection (2),

the Minister of Public Welfare may by order provide that any resident of the improvement district or part thereof who is not assessed upon the assessment and tax roll may enter into a contract with the Minister of Public Welfare for hospital purposes upon voluntary payment of the amount fixed by the order under subsection (1), and any person so entering any such contract with the Minister of Public Welfare shall for the purpose of subsection (3) be considered to have paid a tax for hospital purposes in the amount so paid in respect of the contract.”.

**8.** The said Act is further amended as to section 14 by striking out the words and figures “section 12 or section 13” wherever the same occur in subsections (1) and (2), and by substituting the words and figures “sections 12, 13 or 13a”.

**9.** The said Act is further amended as to section 16,—  
 (a) by striking out the words “and business” where the same occur in subsection (1);  
 (b) by striking out the words “or business” where the same occur in subsection (2).

**10.** The said Act is further amended by striking out section 18.

**11.** The said Act is further amended as to section 30,—  
 (a) by striking out subsection (2), and by substituting the following:  
 “(2) The insurer shall as promptly as possible after receiving notice of loss, but in any event within forty-eight hours after receiving formal proof of loss under any policy of fire insurance, notify by registered mail the Deputy Minister of Municipal Affairs of the loss of the insured property situated within an improvement district.”;  
 (b) by striking out the word “insured” where the same occurs in subsection (3), and by substituting the word “insurer”.

**12.** The said Act is further amended as to section 32 by striking out the figures “30” where the same occur therein, and by substituting the figures “31”.

**13.** The said Act is further amended as to section 44 by striking out the words “*The Municipal Hospitals Act* and *The Social Services Tax Act*” where the same occur in subsection (1), and by substituting the words “and *The Municipal Hospitals Act*”.

**14.** The said Act is further amended as to section 45,—  
 (a) by striking out paragraph (c) of subsection (3), and by substituting the following:

- “(c) ‘Local authority’ means the council of any city town, village or municipal district and with respect to any improvement district or any transient person, means the Minister of Public Welfare, and with respect to any special area, means the Minister of Municipal Affairs.”;
- (b) by striking out Rule 3 of subsection (4), and by substituting the following:
- “Rule 3. Any person who, on the date of the application of such person for food, fuel, clothing, shelter, medical advice or attention, hospitalization or any of them, has not resided for twelve consecutive months out of the twenty-four consecutive months immediately preceding the date of the application, within the area controlled by a local authority and who has not a permanent home elsewhere than in the Province, shall be deemed to be a transient person.”;
- (c) by adding immediately after the words “who is not a resident of an improvement district” where the same occur in subsection (8), the words “and is not a transient person within the meaning of Rule 3 of subsection (4),”.

**15.** This Act shall come into force on the day upon which it is assented to.

No. 54

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FIRST SESSION  
ELEVENTH LEGISLATURE  
13 GEORGE VI  
1949

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**BILL**

An Act to amend The Improvement  
Districts Act, 1947.

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Received and read the

First time .....

Second time.....

Third time.....

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HON. MR. GERHART.

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