

Bill No. 84 of 1951.

A BILL TO AMEND THE IRRIGATION DISTRICTS
ACT.

NOTE.

This Bill amends *The Irrigation Districts Act*, being chapter 98 of the Revised Statutes of Alberta, 1942.

Section 5 is amended. A petition for the formation of an irrigation district must now be signed by persons who are collectively the owners of at least three-quarters of the proposed district instead of one-half of the proposed district.

Section 8 is amended by striking out the clauses dealing with the qualifications required of trustees in irrigation districts. Section 22 now prescribes the qualifications for trustees. The change is made for the purpose of placing everything dealing with qualifications of trustees in the same section.

Section 22 is amended by inserting a new subsection (1) which deals with qualifications of trustees in irrigation districts.

Section 60 is amended. In subsection (1) the collector is charged with the collection of charges for domestic purposes as well as for irrigation rates.

The amendment to subsection (2) is for the purpose of stating more clearly the by-law to which reference is made in subsection (2).

Section 61 is amended to extend its provisions with respect to collection of rates to the collection of charges for domestic purposes.

Section 67 is amended by substituting the words "water users" for the word "ratepayers" because the term "water users" is defined in section 2 of the Act whereas there is no definition of a "ratepayer".

Section 157 is amended by adding a new subsection (4). The new subsection empowers the board of the district to provide for interest at the rate of six per cent on all charges and rates owing to the district in place of the penalties which are imposed by section 157.

Sections 197 and 198 are added to the Act. Section 197 provides that the Minister, with the approval of the

Lieutenant Governor in Council, may enter into agreements with irrigation districts for the development of irrigation projects within the Province.

Section 198 provides that any irrigation district may enter into an agreement with the Minister for the development of irrigation projects within the Province.

This Bill is to come into force on the 1st day of July, 1951, with the exception of sections 197 and 198 which shall be retroactive to the 1st day of July, 1950.

KENNETH A. MCKENZIE,
Legislative Counsel.

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

BILL

No. 84 of 1951.

An Act to amend The Irrigation Districts Act.

(Assented to _____, 1951.)

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

1. *The Irrigation Districts Act*, being chapter 98 of the Revised Statutes of Alberta, 1942, is hereby amended.

2. Section 5, subsection (3) is amended by striking out the words "one-half" and by substituting the words "three-quarters". Section 5
amended

3. Section 8, subsection (3) is amended by striking out the words "—(a) water users of the district; (b) of the full age of twenty-one years; (c) British subjects" and by substituting the words "persons eligible to be elected under section 22". Section 8
amended

4. Section 22 is amended,— Section 22
amended

(a) by renumbering the section as subsection (2);

(b) by adding immediately before subsection (2) the following new subsection:

22. "(1) No person shall be eligible to be elected as a trustee unless he is,— Qualifica-
tion of
trustees

"(a) a water user of the district;

"(b) of the full age of twenty-one years;

"(c) a Canadian citizen;

"(d) able to read and write in the English language;

"(e) a resident of the irrigation district;

"(f) not indebted to the irrigation district for charges for domestic purposes or irrigation rates for more than one calendar year immediately preceding the year in which the election is held;

"(g) after an assessment roll has been prepared for the district, a person whose name appears on the last revised assessment roll as the owner or purchaser of land which is liable for charges for domestic purposes or for irrigation rates;

"(h) not otherwise disqualified under this or any other Act."

Section 60
amended

5. Section 60 is amended,—

- (a) by adding immediately after the word “rates”, where it occurs in subsection (1), the words “and charges for domestic purposes”;
- (b) by striking out the words “last mentioned by-law”, where they occur in subsection (2), and by substituting the words “by-law referred to in section 57”.

Section 61
amended

6. Section 61 is amended by adding immediately after the word “rates”, wherever it occurs, the words “and charges for domestic purposes”.

Section 67
amended

7. Section 67, subsection (1) is amended by striking out the word “ratepayers”, wherever it occurs, and by substituting the words “water users”.

Section 157
amended

8. Section 157 is amended by adding immediately after subsection (3) the following new subsection:

Board
may,—

“(4) The board of a district, by by-law passed prior to the first day of February in the year in which the by-law becomes operative, may,—

provide for
interest on
charges and
rates

“(a) provide instead of penalties for non-payment imposed by this section, that all charges for domestic purposes and all irrigation rates shall bear interest until they are paid at the rate of six percent per annum from the first day of May in the year in which the rates and charges are imposed; and

provide for
interest on
arrears and
penalties

“(b) provide that where penalties have accrued or been added under the provisions of this section on charges or rates imposed in a previous year, the arrears and penalties shall bear interest at the rate of six percent per annum from the thirtieth day of June in the year that the by-law becomes operative, until they are paid;

“(c) no further penalties shall be imposed under this section after moneys owing commence to bear interest pursuant to this subsection.”.

New sections
197 and 198

9. The following new sections 197 and 198 are added immediately after section 196:

Minister
may,—

“**197.** The Minister, with the approval of the Lieutenant Governor in Council, from time to time may,—

make agree-
ments with
irrigation
districts

“(a) enter into agreements with irrigation districts providing for the development of irrigation projects and the construction and maintenance of irrigation works within the Province and provide for the payment by the Province of a portion of the costs incurred under any such agreement;

do other
necessary
things

“(b) do all things necessary or expedient to carry out any agreement entered into pursuant to this section;

“(c) expend such moneys as may be necessary to carry out the terms of any agreement for the development of irrigation projects and the construction and maintenance of irrigation works within the Province.”

expend
moneys to
carry out
agreement

“198. Any irrigation district formed pursuant to this Act may enter into any agreements referred to in section 197.”

Agreements
under
section 197

10. This Act shall come into force upon the first day of July, 1951, except section 9 which shall be deemed to have been in force at all times on and after the first day of July, 1950.

Coming
into force

No. 84.

FOURTH SESSION
ELEVENTH LEGISLATURE
15 GEORGE VI
1951

BILL

An Act to amend The Irrigation
Districts Act.

Received and read the

First time

Second time

Third time

HON. MR. URE.
