

No. 81

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2nd Session, 14th Legislature, Alberta  
9 Elizabeth II

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## **BILL 81**

A Bill to amend The Public Highways Act

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HON. MR. TAYLOR

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## Explanatory Note

### 2. The position of Highway Commissioner is abolished. Section 3 presently reads:

"3. (1) There shall be a Highway Commissioner, whose duties shall be such as are prescribed by the Minister.

(2) The Lieutenant Governor in Council shall appoint the Commissioner and determine his salary."

### 3. The District Highways Board is relieved of meeting at least twice a year. Section 4, subsection (5) presently reads:

"(5) The Board shall meet

- (a) at least twice each year, and
- (b) whenever summoned by the Minister."

### 4. Section 10 reads:

"10. (1) A local authority, other than a city, town or village, that desires the construction of a portion of a secondary highway that passes through the area controlled by the local authority may enter into an agreement with the Minister to fix the standard of construction of that portion of the secondary highway.

(2) The agreement with the Minister shall fix

- (a) the total cost of construction,
- (b) the period of construction, and
- (c) such other matters as seem to the Minister to be proper.

(3) The cost of construction of any portion of a secondary highway in accordance with the agreed standard shall be defrayed,

- (a) as to six-tenths by the Province, and
- (b) as to four-tenths by the local authority concerned.

(4) When a portion of a secondary highway is completely constructed in accordance with the agreement, the Minister shall notify the local authority concerned that the Province has taken over that portion of the secondary highway.

(5) When the Minister has so notified the local authority the Province shall thereafter defray the cost of the maintenance of the constructed part of the secondary highway as a highway of the type and standard agreed upon.

(6) The Minister may on entering into an agreement with a local authority advance the whole or a part of the cost of construction payable by the local authority.

(7) An advance shall be repaid by such number of equal consecutively yearly instalments, not in excess of five, as the Minister may determine.

(8) Interest is payable on an advance at such rate as may be fixed by the Lieutenant Governor in Council."

### 5. Section 11, subsection (3) presently reads:

"(3) The agreement shall also provide that the Province will not be liable for any portion of the said cost caused by the construction of the highway within the municipality to a greater width or at a higher cost than that of the highway outside the boundaries of the municipality at and near the point of connection with the municipality."

### 6. Commencement of Act.

# **BILL**

No. 81 of 1961

An Act to amend The Public Highways Act

(Assented to \_\_\_\_\_, 1961)

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

- 1.** *The Public Highways Act*, being chapter 257 of the Revised Statutes, is hereby amended.
- 2.** Section 3 is repealed.
- 3.** Section 4, subsection (5) is amended by striking out clause (a).
- 4.** Section 10 is repealed.
- 5.** Section 11 is amended by striking out subsection (3).
- 6.** This Act comes into force on the day upon which it is assented to.

No. 81

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SECOND SESSION

FOURTEENTH LEGISLATURE

9 ELIZABETH II

1961

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## **BILL**

An Act to amend The Public  
Highways Act

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. TAYLOR

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