

BILL No. 47 OF 1925.

A BILL TO AMEND THE PUBLIC UTILITIES ACT, 1923.

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NOTE.

Section 2 of the Bill provides for the signature of debentures by lithograph or engraving.

Section 3 of the Bill relates to inquiry into municipal finances. The Act as it stands, provides that where school taxes are collected by a municipality, a request for such an inquiry by either the school district or the municipality should be treated as a request by both. There was some slight doubt as to whether this provision was sufficient in the case of a municipality collecting the taxes of more than one school district. The amendment is meant to make it clear that a request by the municipality or any of such school districts shall be taken as a request for an inquiry by the municipality and all such school districts.

Section 4 of the Bill restricts any school district whose taxes are collected by a municipality whose financial affairs are being inquired into, from making any demands upon such municipality unless such demands are approved of by the Public Utilities Commission.

Under the Act as it stands, upon receipt of a petition for the separation of land from an urban municipality, a general plan may be adopted including land not included in the petition. It is perhaps not quite clear in the Act whose duty it is to draw up this plan. Section 5 of the Bill is intended to make this clear.

The Act as it stands, provides for the registration of an order for the separation of land from a town or city, in the Land Titles Office. There is no utility in this direction as there is no record in the Land Titles Office of the boundaries of cities and towns, and publicity for the order is already provided for by the provision that such order shall be published in *The Alberta Gazette*.

Section 7 of the Bill relates to compromises as to arrears of taxes. The Act as it now stands directs that a compromise can only be made with respect to a parcel of land subject to an application for separation from an urban municipality. The amendment permits a compromise with respect to a parcel of land which might be made the subject of an application for separation, whether it is actually made so subject or not.

Section 8 of the Bill refers to the cancellation of a plan of subdivision and provides that where one parcel of land is fixed as compensation for another parcel of land, then the first named parcel of land may be made subject to the same equities and rights, etc., as those which bind the second mentioned parcel.

WALTER S. SCOTT,  
*Legislative Counsel.*

*(This note does not form any part of the Bill, and is offered merely as a partial explanation of some of its provisions.)*

# BILL

No. 47 of 1925.

An Act to amend The Public Utilities Act, 1923.

(Assented to \_\_\_\_\_, 1925.)

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

**1.** This Act may be cited as "*The Public Utilities Act, 1923, Amendment Act, 1925.*"

**2.** *The Public Utilities Act, 1923*, being chapter 53 of the Statutes of Alberta, 1923, is amended by adding to subsection (1) of section 101 thereof the following:

"Provided that in the case of debentures issued by cities, such signature may be lithographed or engraved."

**3.** Section 102 of the said Act is amended by striking out subsection (3) thereof, and substituting the following:

"(3) Where school taxes are collected by a municipality, then a request by or in regard to any school district the taxes of which are so collected, or by or in regard to a municipality, may be treated as a request by any or all such school districts and the municipality."

**4.** Section 107 of the said Act is amended by adding immediately after subsection (1) thereof the following paragraph, subsection (1a):

"(1a) The board of trustees of every school district the taxes of which are collected by a municipality affected by an order of the Board shall, not later than the thirty-first day of January, prepare and submit to the Board a detailed estimate of its probable expenditure for the current year, and no estimate shall be adopted and no demand shall be made by any such school district upon any such municipality unless first approved of by the Board, and the Board shall have power to modify or vary any such estimate or demand as to it seems necessary or expedient."

**5.** Section 128 of the said Act is struck out, and the following substituted therefor:

"**128.** Where, from the number of petitions for separation from an urban municipality, or from any facts which come to the notice of the Board during the hearing of any such petition, it seems expedient to the Board that a general plan including lands, whether subdivided or not, and of any

acreage, other than those comprised in the petition, should be adopted, then the Board, upon giving such notice to all parties interested as to it seems proper, may formulate and bring into effect such plan and may treat all lands comprised in the general plan as if they were a parcel of land duly included under a petition made under the previous section."

**6.** Section 131 of the said Act is struck out, and the following substituted therefor:

**"131.** The provisions of this part shall supersede all provisions inconsistent therewith in any Act or Ordinance contained, whether such Act or Ordinance is one of general application or relates to one municipality only."

**7.** Section 132 of the said Act is amended by striking out paragraph (a) of subsection (2) thereof, and substituting therefor the following:

**"(a)** with respect to a parcel of land in an urban municipality which may be made the subject of an application for separation from such urban municipality under part VI hereof; or"

**8.** Section 139 of the said Act is amended by adding as subsection (2) thereof the following:

**"(2)** The Board may order that any lot or parcel of land fixed as compensation for any other lot or parcel of land be subject to the same equities, rights, or interests as the land for which such compensation is given, and such order shall have the effect of transferring all such equities, rights or interests to the lot or parcel of land given as such compensation."

**9.** This Act shall come into force on the.....day of.....19...

No. 47.

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FIFTH SESSION  
FIFTH LEGISLATURE  
15 GEORGE V  
1925

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**BILL**

An Act to amend The Public Utilities  
Act, 1923.

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. BROWNLEE.

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EDMONTON:  
J. W. JEFFERY, KING'S PRINTER  
A.D. 1925