

No. 23

3rd Session, 15th Legislature, Alberta
14 Elizabeth II

BILL 23

A Bill to amend The St. Mary and Milk Rivers Development
Act, 1950

HON. MR. STROM

Explanatory Note

1. This Bill amends chapter 68 of the Statutes of Alberta, 1950.

2. Section 25 presently reads:

25. The manager in any year may borrow,

- (a) any sum or sums of money not exceeding the amount levied in such year for the water service charge and for the time being uncollected for the purpose of meeting expenses for the said year which are payable out of the water service charge;
- (b) any sum or sums of money not exceeding the amount to be collected in such year under section 17, clause (a) for the purpose of meeting any expenses chargeable to such amount for the said year.

Clause (c) will give to the manager of the St. Mary and Milk Rivers Development borrowing powers equivalent to those given to irrigation districts in 1964. Section 14a of the Act deals with agreements with water users for land development projects.

3. Section 35 deals with the sending of statements and the collection of water rates and charges under sections 30 and 31 of the Act. Subsection (4) presently reads:

(4) All water rates and charges under sections 30 and 31 shall be deemed to be due on the first day of January of the year in which they are imposed, and shall bear interest at the rate of six per cent per annum after the first day of May in the year in which the said water rate or charges under the said sections 30 and 31 are imposed but the irrigation council may from time to time vary the rate of interest to be charged or the date from which it is to be computed or both.

Subsection (5) is re-enacted as subsection (7).

BILL

No. 23 of 1966

An Act to amend The St. Mary and Milk Rivers
Development Act, 1950

(Assented to _____, 1966)

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

1. *The St. Mary and Milk Rivers Development Act, 1950* is hereby amended.

2. Section 25 is struck out and the following is substituted:

25. (1) The manager may borrow

- (a) any sum or sums of money for the purpose of meeting expenses for any year that are payable out of the water service charge,
- (b) any sum or sums of money not exceeding the amount of money to be collected in any year under clause (a) of section 17 for the purpose of meeting any expenses chargeable to that amount for that year, and
- (c) any sum or sums of money for the financing and carrying out of work under agreements pursuant to section 14a, in such amounts and on such terms as may be approved by the Lieutenant Governor in Council.

(2) The Lieutenant Governor in Council may on behalf of the Crown in right of Alberta guarantee the repayment of all or of a portion of any money borrowed by the manager under this section.

3. Section 35 is amended by striking out subsections (4) and (5) and by substituting the following:

(4) All water rates and charges imposed under sections 30 and 31 shall be deemed to be due on the first day of January of the year in which they are imposed.

(5) With respect to water rates and charges imposed in any year under sections 30 and 31, the manager may, subject to the approval of the irrigation council,

- (a) grant a discount of not more than five per cent on any amounts paid on water rates or charges on or

4. The new penalty provisions under section 35 of the Act come into force on June 1, 1966. Clause 4 of the Bill creates a moratorium on 6% interest charges under the present subsection (4) of section 35 which is quoted in the note to clause 3.

5. The title of the St. Mary and Milk Rivers Development colonization manager is changed to "St. Mary and Milk Rivers Development land manager".

6. Idem.

7. Idem.

before the twentieth day of October in that year,
and

(b) grant a discount of not more than two and one-half per cent on any amounts paid on water rates or charges during the period from the twenty-first day of October to the twentieth day of November in that year.

(6) The following penalties shall be added to the whole or any part of any water rates and charges under sections 30 and 31 that are in arrears, namely,

(a) a penalty equal to two per cent of the amount of rates and charges in arrears after the thirtieth day of November in the year in which they were imposed,

(b) a penalty equal to two per cent of the rates, charges and previously added penalties in arrears after the last day of February in the next succeeding year, and

(c) a penalty equal to four per cent of the amount of rates, charges and previously added penalties in arrears after the thirty-first day of May next succeeding,

and thereafter the addition of penalties referred to in clauses (a), (b) and (c) shall be repeated in succession until all arrears of rates, charges and penalties are fully paid, with the penalty in each case being calculated on the arrears of rates, charges and previously added penalties.

(7) Nothing in this section shall be construed to extend the time for payment of water rates or charges under sections 30 and 31.

4. No interest shall be charged under subsection (4) of section 35 of *The St. Mary and Milk Rivers Development Act, 1950* for the period from the first day of December, 1965 to the thirty-first day of May, 1966, and any interest so paid in respect of that period shall be refunded.

5. Section 54 is amended by striking out clause (a) and by substituting the following:

(a) "land manager" means the St. Mary and Milk Rivers Development land manager as constituted by this Act;

6. The words "colonization manager" are struck out wherever they occur in the Act, and the words "land manager" are substituted.

7. The following section is added after section 55:

55a. The name "St Mary and Milk Rivers Development land manager" is for all purposes substituted for the name "St. Mary and Milk Rivers Development colonization manager".

8. Section 67, subsection (1) presently reads:

67. (1) No money shall be expended for or lent to any one water user for the or any of the purposes set out in section 64, clauses (d), (e) and (g), in excess of the aggregate sum of fifteen hundred dollars.

9. Commencement of Act. The new penalty provisions will apply to all arrears of water rates and charges imposed in 1965 or earlier. The result is that if any 1965 rates and charges are unpaid they will bear interest at 6% (under the present legislation) from May 1, 1965 to November 30, 1965. No interest is payable from December 1, 1965 to May 31, 1966 because of clause 4 of this Bill but if any amounts are still not paid by May 31, 1966, the new provisions will apply and a 4% penalty will then be payable.

8. Section 67, subsection (1) is amended by striking out the words "the aggregate sum of fifteen hundred dollars" and by substituting the words "amounts fixed by the Lieutenant Governor in Council".

9. (1) This Act, except section 3, comes into force on the day upon which it is assented to.

(2) Section 3 comes into force on the first day of June, 1966.

(3) The penalties provided for in subsection (6) of section 35 of *The St. Mary and Milk Rivers Development Act, 1950*, as enacted by section 3 of this Act, apply in respect of water rates and charges, and interest thereon, in arrears after the thirty-first day of May, 1966.

No. 23

THIRD SESSION
FIFTEENTH LEGISLATURE
14 ELIZABETH II
1966

BILL

An Act to amend The St. Mary and
Milk Rivers Development Act, 1950

Received and read the

First time

Second time

Third time

HON. MR. STROM
