

BILL

No. 47 of 1917.

An Act to amend The Municipal Co-operative Hail Insurance Act.

(Assented to _____, 1917.)

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

The Municipal Co-operative Hail Insurance Act, being chapter 18 of the Statutes of 1915, is amended as follows:

1. Section 6, subsection 8: By repealing same and substituting therefor the following:

“(8) The board may authorize its chairman and treasurer to borrow from any person, bank or corporation, such sum or sums of money as the board deem necessary for the purpose of carrying on the business of the district, and for the payment of the unpaid awards of previous years but not for the payment of any awards of the then current year. In case the board shall borrow money upon the guarantee of the Province of Alberta, the amount so borrowed shall be repaid out of and shall be a first charge upon the moneys paid to the board under the provisions of sections 13 or 16 of this Act, and the amount so borrowed, together with all other loans, shall be debts owing by the hail insurance district, and may be secured by promissory note or notes of the chairman and treasurer on behalf of the board, or in such other manner as the Lieutenant Governor in Council may approve.”

2. Section 7: By striking out the words “subject to the approval of the Minister” where the same appear in the said section.

3. Section 8: By adding after the word “transportation” in the third line thereof the words “and subsistence”.

4. Section 12: By repealing the same.

5. Section 13, subsection 1: By striking out said subsection and substituting therefor the following:

“(1) The hail insurance board shall as soon as possible in each year strike a rate of five cents per acre, for the purpose of carrying out the provisions of this Act, to be levied equally upon all lands within the hail insurance district assessable for hail insurance purposes, and shall determine the total amount payable by each municipality, and on or before the first day of April in each year notify the treasurers of the municipalities composing the district of such rate and amount.”

6. Section 13, Subsection 4: By adding thereto the following proviso:

“Provided that the penalty of \$1.00 per quarter section hereinbefore referred to shall only be payable in respect of taxes levied under the flat rate of five cents per acre.”

7. Section 13, subsection 5: By striking out the same and substituting therefor the following:

“(5) The secretary-treasurer of each municipality in the hail insurance district shall mail to every person assessed for hail insurance purposes a tax notice or notices at such time or times and in such form or forms as may be approved by the board.”

8. Section 13, subsection 7: ‘By striking out the words “first day of February” and substituting the words “fifteenth day of March”.

9. Section 13: By adding thereto the following subsections as subsections 10, 11, 12, 13, 14 and 15:

“(10) If in any year it is found by the board that the amount asked for in accordance with subsection 1 hereof, together with any surplus that may be on hand from previous years will not be sufficient to pay the costs of administration, the losses of the current year, any unpaid balances of awards of previous years or any other moneys due and payable by the board, the board shall on or before the first day of October strike such additional rate on all lands within the district that were actually under crop during the current year, as together with the rate levied under subsection 1 hereof, shall raise an amount sufficient to pay all costs of administration, the losses of the current year, and the balances of the awards of previous years remaining unpaid, and shall forthwith notify the treasurer of each municipality within the district of such rate and the amount payable by the municipality.

“(11) The treasurer of each municipality shall cause the rate provided for in subsection 10 hereof to be levied equally against all lands that were actually under crop during the current year, and such taxes shall become payable in accordance with the provisions of subsection 4 hereof and may be collected by any means provided for the collection of other municipal taxes, and the municipality shall pay the amount asked for by the board under subsection 10 hereof on or before the fifteenth day of November of the year in which the said rate is levied.

“(12) The owner of all property assessed for hail insurance purposes shall on or before the fifteenth day of June in each year forward to the secretary-treasurer of the municipality, on forms to be supplied by the hail insurance board a return showing all the acreage of his land under crop during the then present year.

“(13) From the amount of any indemnity payable to any person for damage to his crop by hail there shall be deducted by the board the amount owing by the claimant by way of hail insurance tax to the municipality from which the claim arises, and the amount of such tax so deducted shall be paid to the secretary-treasurer of such municipality to be credited by him upon the hail insurance tax owing by such claimant.

“(14) If any such indemnity is not paid within thirty days from the fifteenth day of November in the year in which such indemnity is awarded the municipalities composing the hail insurance district shall be severally liable

for an amount not exceeding the hail insurance tax due and unpaid by such municipality to the hail insurance board, and the said amount may be recovered with costs by the person entitled to the payment of the award by action in any court of competent jurisdiction.

“(15) Moneys due as indemnity for losses by hail shall be exempt from garnishment or attachment and shall be incapable of being assigned, except in regard to money due for seed grain from which the crop hailed out was grown.”

10. Section 14: By repealing subsections 1 and 2 thereof and by striking out in subsection 5 the words “next three” in the second line thereof.

11. Section 16, subsection 1: By striking out the words “special rate” where they occur in the fifth line thereof and substituting therefor the word “rates”, and by adding thereto the following: “and the amount so borrowed shall be repaid out of and be a first charge upon the taxes which are collected for hail insurance purposes for the year in which such amount was borrowed.”

No. 47.

FIFTH SESSION
THIRD LEGISLATURE
7 GEORGE V
1917

BILL

An Act to amend The Municipal Co-operative Hail Insurance Act.

Received and read the

First time
Second time
Third time

HON. MR. GARIEPY.

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