

Bill No. 42 of 1947.

A BILL TO AMEND THE PUBLIC HEALTH ACT.

NOTE.

The above Act in sections 25 and 26 provides for the setting up of "full-time health districts" which have become generally known as "full-time" health units" or "health units". It is considered advisable to change the language of the Act to comply with usage.

Section 1 of the Bill inserts a definition of "full-time health units" to take the place of the present definition of "full-time health district".

The changes made in section 23a by section 2 of the Bill are all attributable to the change of name above referred to.

The change made in section 24 by section 4 of the Bill is to eliminate reference to school divisions and school districts from the definitions of "municipality" and "council".

Section 5 of the Bill enacts a new section to take the place of the present section 25. Only the changes made in the section are referred to in this note. Subsection (2) limits the number of members of the Board to five and provides for the division of the unit into wards, each to be represented by a member on the Board appointed by the council of the municipality, or by the Minister, in the event of the council not acting promptly. The scheme to be prepared by the Minister shall give an estimate of the expense involved and state the portion to be borne by the municipalities and the Government respectively and shall be submitted to the councils of the municipalities concerned for their approval or disapproval which is to be given within three months. If the scheme is approved by councils representing sixty per cent of the residents of the proposed unit, it shall be referred to the Board of Public Utility Commissioners for apportionment of the expense among the municipalities. Under the section now in force only those municipalities which approve are included in the unit and others may be selected in their stead.

Subsection (9) is new and provides for the disestablishment of the unit under certain circumstances.

Subsection (10) is also new, and subsection (11) provides for a readjustment of municipal contributions by the Board of Public Utility Commissioners after a change of boundaries of the unit under subsection (10).

Subsection (13) is new and sets out in detail how the municipalities are to raise the amount of their contributions which are to be forwarded quarterly, while subsection (14) authorizes a municipality entirely within the unit to pay its contribution out of general revenue.

The amendments made to section 26 by section 6 of the Bill are occasioned solely by the change of description from "full-time health district" to "full-time health unit".

W. S. GRAY,
Legislative Counsel.

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

BILL

No. 42 of 1947.

An Act to amend The Public Health Act.

(Assented to , 1947.)

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

1. *The Public Health Act*, being chapter 183 of the Revised Statutes of Alberta, 1942, is hereby amended as to section 2 by striking out paragraph (*dd*) thereof and by substituting therefor the following:

"(*dd*) 'Full-time health unit' or 'health unit' means a health unit organized under the provisions of section 25 or section 26 of this Act;"

2. The said Act is further amended as to section 23*a* by striking out the same and by substituting therefor the following:

"23*a* — (1) Where a city, town, village or municipal district or other area is included within a health district and is in whole or in part also included in a full-time health unit, the area included in the full-time health unit shall, so long as it is so included cease to be a health district, and the provisions of sections 19, 22 and 23 shall no longer apply to it, and the board of the full-time health unit shall within the boundaries of the unit enforce the provisions of this Act and the regulations made hereunder, and the medical practitioner appointed by the board of the unit shall in any city, town, village, municipal district or other area with respect to the portion included in the unit, have the same powers and duties as are given to and imposed upon the local medical officer of health under the provisions of section 22, and may between meetings of the board of the full-time health unit, exercise the authority and perform the duties of the board.

"(2) If any full-time health unit includes within its boundaries a portion only of a city, town, village, municipal district or other area, the portion not so included shall continue to be governed by the provisions of sections 19, 22 and 23 to the same extent as if this section had not been passed."

3. The said Act is further amended by striking out the heading immediately before section 24 thereof, and by substituting therefor the following: "Full-Time Health Units".

4. The said Act is further amended as to section 24 by striking out the same and by substituting therefor the following:

"24. For the purposes of the next two sections,—

"(a) 'Municipality' means a city, town, village, municipal district and improvement district, and any special area constituted by *The Special Areas Act*;

"(b) 'Council' means, in relation to an improvement district, the Minister of Municipal Affairs, and in relation to a special area, the Minister of Lands and Mines."

5. The said Act is further amended as to section 25 by striking out the same and by substituting therefor the following:

"25.—(1) The Minister may prepare a scheme for the organization of a full-time health unit consisting of one or more municipalities or portions thereof and may submit the same for the approval of their respective councils.

"(2) The scheme shall provide for the division of the unit into wards and for a Board of Health for the health unit consisting of not more than five members each of whom shall be resident within the health unit and appointed by the council or councils concerned to represent a designated ward; in case any council concerned fails to appoint a member within a reasonable time after constitution of the health unit or after a vacancy occurs in the membership of the Board, the Minister may do so, and whether appointed by a council or by the Minister, each member shall serve for a period of not more than three years or for a lesser period at the pleasure of the council, or in the case of those members appointed by the Minister, at the pleasure of the Minister, and a retiring board member shall be eligible for re-appointment.

"(3) The duties of the Board of Health of the health unit shall be to enforce the provisions of *The Public Health Act* and the regulations made thereunder and to promote the health of the community through services that are of a preventive nature.

"(4) The scheme shall provide for the appointment of a medical and sanitary staff consisting of one or more duly qualified medical practitioners, one or more sanitary inspectors, one or more trained nurses, one or more secretary-technicians, or any of them who shall devote their whole time to the promotion of health and sanitation within the health unit.

"(5) The scheme shall give an estimate of the expense involved and shall state what proportion of the expense shall be borne by the municipalities and the Provincial Government respectively.

"(6) The Minister shall submit the scheme, when prepared, to the councils of the municipalities concerned for their approval and the respective councils shall consider it and by resolution approve or disapprove thereof not later

than three months after receipt of the scheme from the Minister and shall inform the Minister of the effect of the resolution.

"(7) When the scheme has been approved by councils representing sixty per cent or more of the residents of the proposed health unit, the Minister shall refer it to the Board of Public Utility Commissioners for apportionment of the expense among the co-operating municipalities and such apportionment shall be final.

"(8) Upon receipt by the Minister of the report of the Board of Public Utility Commissioners, the Lieutenant Governor in Council may declare the scheme approved and may establish the area as a full-time health unit designating it by name or number and stating in the order constituting the unit the amount to be contributed annually to the unit by each municipality, and thereupon the scheme shall be binding upon each municipality included in whole or in part in the unit for at least three years from the date of establishment as fixed in the order of the Lieutenant Governor in Council.

"(9) After the expiration of three years from the date of establishment of the unit, the Minister after considering the local conditions relating thereto, may disestablish the health unit, or if after the expiration of three years from the date of establishment of the health unit councils representing sixty per cent or more of the residents of the health unit make a request to the Minister that the service be discontinued, the Minister may at the expiration of one year from the receipt of such request, disestablish the health unit.

"(10) The boundaries of a health unit may be changed by order of the Minister at any time by adding to or detaching from the unit any area named in the order or by transfer of any area named in the order from one to another health unit in order to satisfy local conditions.

"(11) Where an order has been made pursuant to the provisions of subsection (10) changing the area of a unit, the report of the Board of Public Utility Commissioners made pursuant to subsection (7) shall be referred back to that Board for a re-apportionment of the expenses of the unit among the co-operating municipalities, and such re-apportionment shall be final.

"(12) The members of the medical, nursing and sanitary staff in each full-time health unit shall, subject to the approval of the Minister, be appointed by the Board of the health unit and paid such salaries and allowances as may be deemed proper.

"(13) While the scheme is in operation the council of each municipality in the health unit shall levy annually the contribution of that municipality to the funds of the health unit by means of a special rate against all property within the area of the municipality and in the health unit and liable to assessment under the appropriate municipal Act, and shall transmit such contribution in quarterly instalments, and the total of such contributions together with the

Provincial Government contribution as provided in the scheme, shall constitute a trust fund at the disposal of the board of the health unit for the provision of the services outlined in the scheme.

"(14) Notwithstanding the provisions of subsection (13), where any municipality is completely within the boundaries of the health unit, the council may provide the contribution of that municipality to the health unit funds directly from the general revenue of the municipality if it so desires.

"(15) The Lieutenant Governor in Council may make regulations regarding the functions of the Board, the duties of the health unit staff and the manner in which these functions and duties shall be carried out.

"(16) Notice of the establishment of the unit shall be published in *The Alberta Gazette*, and such publication shall be conclusive evidence of the establishment of the full-time health unit and that all the necessary formalities have been complied with."

6. The said Act is further amended as to section 26,—

- (a) by striking out the words "full-time public health district", where the same occur in the third and fourth lines of subsection (1) thereof, and by substituting therefor the words "full-time health unit";
- (b) by striking out the words "a district board of health", where the same occur in the fourth and fifth lines of subsection (1) thereof, and by substituting therefor the words "a board of health for the unit";
- (c) by striking out the word "district", where the same occurs in the ninth, fourteenth and fifteenth lines of subsection (1) thereof, and by substituting therefor the word "unit";
- (d) by striking out the word "district", wherever the same occurs in subsections (2), (3) and (4) thereof, and by substituting therefor the word "unit";
- (e) by striking out the word "district", where the same occurs in the third line of subsection (5) thereof, and by substituting therefor the word "unit";
- (f) by striking out the words "the district health board", where the same occur in subsection (5) thereof, and by substituting therefor the words "the board of the health unit";
- (g) by striking out the words "public health district", where the same occur in subsection (6) thereof, and by substituting therefor the words "full-time health unit".

7. This Act shall come into force on the day upon which it is assented to.

No. 42

FOURTH SESSION
TENTH LEGISLATURE

11 GEORGE VI

1947

BILL

A Bill to amend The Public Health
Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. DR. CROSS.

EDMONTON:
A. Shnitka, King's Printer
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