

Bill No. 77 of 1952.

A BILL TO AMEND THE COUNTY ACT.

NOTE.

This Bill amends *The County Act*, being chapter 15 of the Statutes of Alberta, 1950.

When *The County Act* was enacted in 1950 it provided for the incorporation into a county of the whole or any part of any existing municipal hospital district that was within the boundaries of the county. A municipal hospital district lying entirely within or partly within a county was thereby absorbed into the county. *The County Act* is now amended in order to permit the municipal hospital district, whether lying entirely within or partly within a county, to retain its identity.

In order to enable the county to carry out its proper functions it is now provided that the county council may appoint members of the hospital committee of the county council as representatives on each hospital board of a hospital district which is within or partly within the boundaries of the county. To accomplish this the following sections, subsections and clauses of the Act have been amended, viz., clauses (b) and (c) of subsection (1) of section 4; subsection (1) of section (6); clauses (a), (b), (c) and (d) of section 9; clause (b) of section 11; clause (c) of subsection (1) of section 14; subsections (1) and (2) of section 16; subsections (2) and (3) of section 17; subsections (2) and (3) of section 19, subsections (1) and (3) of section 20; subsection (1) of section 21; subsections (1), (2) and (3) of section 22 and section 23.

For the same purpose certain clauses, subsections and sections have been repealed, viz., clause (c) of subsection (1) of section 6; clause (c) of section 11; clause (c) of section 12, subclause (iii) of clause (a) of section 13; section 15; clause (c) of subsection (2) of section 16.

In addition, certain sections have been amended for purposes other than those mentioned above. Section 5 is amended to remove the necessity of the Minister arranging for elections prior to the date of the establishment of the county.

Section 13 is amended to provide for representation of a town or village on the school committee by election rather than through nomination by a school board.

Section 18 is struck out and a new section is substituted. The section now provides that where all or part of a municipal hospital district lies within the boundaries of a county the county shall be entitled to membership on the board of such hospital district to the following extent,—

- (a) if the part of the hospital district lying within the county is of such an area in proportion to the whole area of the hospital district as would entitle it to

one or more members on the hospital board, then the hospital committee of the county council is to appoint from among its members such number of persons as are required to fill the membership to which the county is entitled on the hospital board;

- (b) if an entire hospital district, exclusive of any town or village area, lies within a county, the hospital committee of the county is to appoint from among its members representatives on the hospital board having regard to the membership on the board of any town or village which is included within a hospital district.

In both these cases the hospital committee may appoint the same person or persons to membership on more than one such hospital board. If, however, the part of the hospital which lies within the county is of such small area in proportion to the whole area of the hospital district as would not entitle it to one or more members on the board of that hospital district, then the small area is to be considered as being part of the ward of the hospital district in which it is situated and membership on the board is to be decided by election for the ward as provided by *The Municipal Hospitals Act*. The Minister of Health, by order, shall determine the number of members on a hospital board to which a county is entitled having regard to what proportion the area of the hospital district within the county bears to the entire area of the hospital district. Upon the appointment of members to a municipal hospital board by the county hospital committee, the membership on the board of those persons who are elected thereto under *The Municipal Hospitals Act* shall cease and determine.

A new section 24a has been added which provides for a uniform mill rate to be levied throughout the county on all lands within municipal hospital districts in order to provide the funds for payment of the total sum of all requisitions received from individual hospital districts. Formerly, the mill rate was levied in each municipal hospital district according to the amount of the requisition that was received from that hospital district.

Section 5, subsection (2); section 12; section 17, subsection (2); section 20, subsection (1), section 22, subsection (2) are each amended to correct a reference to *The School Act* so that it will refer instead to *The School Act, 1952*. The amendments to these sections come into force on July 1st, 1952, the date of the coming into force of *The School Act, 1952*.

Except as otherwise provided, this Bill comes into force upon assent.

J. W. RYAN.
Acting Legislative Counsel.

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

BILL

No. 77 of 1952.

An Act to amend The County Act

(Assented to _____, 1952.)

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

1. *The County Act*, being chapter 15 of the Statutes of Alberta, 1950, is hereby amended.

2. Section 4, subsection (1) is amended: Section 4
amended

- (a) by adding immediately after the word "municipality," where it occurs in clause (b), the word "or";
- (b) by striking out the words "or municipal hospital district" where they occur in clause (b);
- (c) by striking out the words ", school division or municipal hospital district" wherever they occur in clause (c), and by substituting the words "or school division."

3. Section 5, subsection (2) is amended by adding immediately after the word "Act" the figures "1952". Section 5
amended

4. Section 6, subsection (1) is amended: Section 6
amended

- (a) by striking out clause (c);
- (b) by adding immediately after the word "division," the word "or";
- (c) by striking out the words "or municipal hospital district."

5. Section 7, subsection (2) is amended by striking out the words "and prior to the effective date.". Section 7
amended

6. Section 9 is amended: Section 9
amended

- (a) by adding immediately after the word "municipality," where it occurs in clause (a), the word "and";
- (b) by striking out the words "and municipal hospital district" where they occur in clause (a);
- (c) by adding immediately after the word "municipality," where it occurs in clause (b), the word "or";
- (d) by striking out the words "or municipal hospital district", where they occur in clause (b);

- (e) by adding immediately after the word “municipality,” where it occurs in clause (c), the word “or”;
- (f) by striking out the words “or municipal hospital district” where they occur in clause (c);
- (g) by adding immediately after the word “municipality,” where it occurs in clause (d), the word “and”;
- (h) by striking out the words “and municipal hospital district” where they occur in clause (d).

Section 11
amended

7. Section 11 is amended:

- (a) by striking out the word “and” where it occurs at the end of clause (b);
- (b) by striking out clause (c).

Section 12
amended

8. Section 12 is amended,—

- (a) by adding immediately after the word “Act”, where it occurs in clause (b), the figures “, 1952”.
- (b) by striking out clause (c).

Section 13
amended

9. Section 13, clause (a) is amended by striking out subclause (iii).

Section 14
amended

10. Section 14, subsection (1), clause (c) is amended by striking out the words “has been included,” and by substituting the words “lies wholly or partly within the county,”.

Section 15
repealed

11. Section 15 is repealed.

Section 16
amended

12. Section 16 is amended:

- (a) by striking out the words “and to the hospital committee,” where they occur in subsection (1);
- (b) by striking out the words “or hospital purposes” where they occur in subsection (1);
- (c) by striking out the words and figures “sections 17 and 18”, where they occur in subsection (1), and by substituting the word and figures “section 17”;
- (d) by striking out the words “or on the hospital committee”, where they occur in subsection (2);
- (e) by striking out clause (c) of subsection (2).

Section 17
amended

13. Section 17 is amended:

- (a) by striking out the word “On” where it occurs at the beginning of subsection (2) and by substituting the word “In”;
- (b) by adding immediately after the word “Act” where it occurs in subsection (2), the figures “, 1952”;
- (c) by striking out the words “board of trustees of the school district may nominate annually an elector” where they occur in subsection (2), and by substituting the words “electors of the town or village may elect annually a representative”;

(d) by striking out the words "board of trustees of the school district may nominate an elector of the town or village annually," where they occur in subsection (3), and by substituting the words "electors of the town or village may elect annually a representative of the town or village,";

(e) by adding immediately after subsection (4) the following new subsections:

"(5) No person shall be elected under subsections (2) and (3) as a representative of a town or a village unless he has the like qualifications as are required for the nomination and election of a member of a council of a town or village under *The Town and Village Act, 1952*."

"(6) A representative of a town or a village shall annually be nominated and elected at the same time and in the same manner as is provided by *The Town and Village Act, 1952*, for the election of councillors."

14. Section 18 is struck out and the following is substituted: Section 18
amended

"**18.** (1) In the event that all or part of a municipal hospital district lies within the boundaries of a county, the county shall be entitled to membership on the board of such hospital district subject to the following conditions,— County
member-
ship on
hospital
boards

"(a) if the part of the hospital district which lies within the county is of such small area in proportion to the whole area of the hospital district as would not entitle it to one or more members on the board of that hospital district then,—

"(i) such small area shall be considered as being part of the ward of the hospital district in which it is situate;

"(ii) membership on the board shall be decided by election for the ward as provided by *The Municipal Hospitals Act*;

"(b) if the part of the hospital district which lies within the county is of such area in proportion to the whole area of the hospital district as would entitle it to one or more members on the hospital board then,—

"(i) the hospital committee of the county council shall from time to time appoint from among its members such number of persons as are required to fill the membership on the hospital board to which the county is entitled;

"(ii) the hospital committee may appoint the same person or persons to membership on more than one such hospital board;

"(c) if an entire hospital district, exclusive of any area in a town or village, lies within the county then,—

“(i) the hospital committee of the county council shall from time to time appoint from among its members representatives on the hospital board having regard to the membership on the board of any town or village which is included in the hospital district;

“(ii) the hospital committee may appoint the same person or persons to membership on more than one such hospital board.

“(2) The number of members to which the county is entitled on a municipal hospital board shall be such number as the Minister of Health by order shall determine having regard to what proportion the area of the hospital district within the county bears to the entire area of the hospital district with respect to assessment, population, area and such other matters as are pertinent.

“(3) Upon the appointment of members on a municipal hospital board by the county hospital committee, as provided by clause (b) or (c) of subsection (1), the membership on the board of those persons who were elected for the areas described in the said clauses (b) or (c) pursuant to *The Municipal Hospitals Act* shall cease and determine.”.

Section 19
amended

15. Section 19 is amended:

- (a) by adding immediately after the words “one committee”, where they occur in subsection (2), the words “other than the hospital committee”;
- (b) by striking out the words “on any committee each member co-opted and”, where they occur in subsection (3), and by substituting the words “on the school committee”.

Section 20
amended

16. Section 20 is amended:

- (a) by striking out the words “school and hospital committees” where they occur in subsection (1), and by substituting the words “and school committees”;
- (b) by striking out the words “, *The School Act* or *The Municipal Hospitals Act*,” where they occur in subsection (1), and by substituting the words “or *The School Act, 1952*,”;
- (c) by striking out the word “or” where it occurs at the end of clause (b) of subsection (3);
- (d) by striking out clause (c) of subsection (3).

Section 21
amended

17. Section 21, subsection (1) is amended:

- (a) by adding immediately after the word “municipal,” the word “and”;
- (b) by striking out the words “and hospital”.

Section 22
amended

18. Section 22 is amended:

- (a) by striking out the words “and the hospital committee” where they occur in subsection (1);

- (b) by striking out the word "their" where it occurs in subsection (1), and by substituting the word "its";
- (c) by striking out the words "or hospital purposes, as the case may be", where they occur in subsection (1);
- (d) by adding immediately after the words "*The School Act*" where they occur in subsection (2), the figures ", 1952";
- (e) by striking out the words "or *The Municipal Hospitals Act*, as the case may be," where they occur in subsection (2);
- (f) by striking out the words "or hospital purposes" where they occur in subsection (3).

19. Section 23 is amended by striking out the words "municipal hospital district,". Section 23
amended

20. The following new section is added immediately after section 24: New section
24a

"24a. Notwithstanding the provisions of section 289 of *The Municipal District Act*, the county council shall by by-law authorize the secretary-treasurer to levy a tax, at such uniform rate on the dollar as the council deems sufficient, to produce the total amount of all such sums as may be requisitioned annually by the boards of all municipal hospital districts upon the assessed value of all lands, improvements and personal property set out in the assessment roll of the county and situate within any municipal hospital district." Tax levy
to cover
requisition

21. This Act shall come into force on the day upon which it is assented to except for section 3, section 8, clause (a), section 13, section 16, clause (b) and section 18, clause (d) which section and clauses shall come into force on the first day of July, 1952. Coming
into
force

FIFTH SESSION
ELEVENTH LEGISLATURE

1 Elizabeth II

1952

BILL

An Act to amend The County Act

Received and read the

First time

Second time

Third time

HON. MR. GERHART.
