

Bill No. 89 of 1952.

A BILL TO AMEND THE MUNICIPAL
HOSPITALS ACT.

NOTE.

This Bill amends *The Municipal Hospitals Act*, being chapter 185 of the Revised Statutes of Alberta, 1942.

Section 2 is amended. Clause (b) is amended to correct the reference to the Minister administering special areas. Clause (g) at the present time provides that in the Act an improvement district includes a special area. By reason of the new subsection (1a) in section 73 there is an instance where an improvement district does not include a special area. Therefore the words "except where otherwise provided" are added to clause (g). Clause (h) is amended to include a special area within the definition of an included area. A new clause (n) is added defining "ward".

Section 3, subsection (2) is amended to refer to the correct Act.

Section 31 is amended by the addition of a new subsection and by renumbering the existing subsections and correcting the cross references within the section. The new subsection authorizes the Minister to detach any defined area from a hospital district either before or after a vote has been taken to establish a district but before a debenture issue has been approved by the Board of Public Utility Commissioners, in a case where the Minister receives a resolution passed by the Board requesting the detaching.

A new section 60a has been added to the Act which concerns itself with the case where a county has been established under the provisions of *The County Act*. The new section provides that the following conditions prevail:

- (a) In the case where a hospital district lies either wholly or partly within a county, the county hospital committee may appoint members to the hospital board for that part of the hospital district within the county, pursuant to and subject to the provisions of *The County Act*.
- (b) Where the membership on the hospital board for the area of a hospital district lying wholly or partly within a county has been filled by persons who are elected as representatives of the area within the county under this Act, these elected members shall cease to be members upon the appointment by the

hospital committee of members to represent the hospital district lying wholly or partly within a county.

- (c) In the case where a hospital district lies partly within and partly without the boundaries of a county, the Minister shall allocate the number of members on the board to represent the area outside the county and shall define the number of wards outside the county and may re-allocate the area of any such ward. To allocate the number of members on a hospital board in these circumstances the Minister is given absolute discretion but the Minister, when so allocating membership, shall have regard to what proportion of the hospital district outside the county bears to the entire area of the hospital district with respect to assessment, population, area and such other matters as are pertinent.
- (d) Where, however, the area lying outside a county and that area is less than that which would constitute a ward it shall not be entitled to membership on the board and shall be deemed to be represented on the board by the members appointed pursuant to clause (a). or elected to the board pursuant to subsection (2).
- (e) In the case where a hospital district lies wholly or partly within a county and the hospital district contains two or more villages, the Minister may combine any two or more villages into one ward of the hospital district and the combined ward will be entitled to be represented on the board by one member who shall be elected.
- (f) In the case of a hospital district lying wholly or partly within the county, the hospital district containing a town, the boundaries of which are within the boundaries of the county, the town shall be represented on the board by one member who shall be elected. Subsection (2) of section 60a provides that where in subsection (1) provision is made for membership on the hospital board, other than by appointment by a county hospital committee, the method of procedure of electing the member shall be that provided by this Act.

Section 73 is amended. Subsection (1) advances the date for submission of the assessments to March 1st by reason of the fact that a new subsection (1a) in that section makes such advancement necessary. The new subsection (1a) is introduced into this section to provide that the proper officers of each of the included areas shall advise the hospital board of the amount of land, buildings and improvements which are assessable. Formerly the Act did not require this. The new subsection also requires that the proper officer of certain included areas advise the hospital board

of the estimated nominal value of lands which are held under crop share lease under *The Public Lands Act*, and also in the case of special areas, advice is required as to the lands which are held under both crop share lease and grazing lease from the special areas board. Formerly lands held under lease were not included in the calculation of distribution of hospital requisition.

Section 75 is amended by advancing the date upon which requisitions are required to be forwarded in order to comply with the advancement of the date set out in section 73, subsection (1). Section 75 is also amended by providing that the hospital board shall distribute the amount of the requisitions among the various contributing units in the proportion that the values of the various units bear to the total amount of all requisitions issued. The amendment also provides that the tax levy shall be made only upon assessed property and that the balance of a requisition shall be raised out of the general revenue of the contributing unit which in effect means that the rentals received from leased land will go into general revenue and therefore will be available for use in paying the part of the requisition which is not secured by the tax levy on assessed property.

Section 76 is struck out as it is obsolete.

Section 80 is amended to correct a cross reference.

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. 89 of 1952.

An Act to amend The Municipal Hospitals 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 Municipal Hospitals Act*, being chapter 185 of the Revised Statutes of Alberta, 1942, is hereby amended.

Section 2
amended

2. Section 2 is amended,—

- (a) by striking out the words “the Minister of Municipal Affairs and in respect of a special area, the Minister of Lands and Mines” where they occur in clause (b) and by substituting the words “or special area, the Minister of Municipal Affairs”;
- (b) by adding immediately after the word “Act,” where it occurs in clause (g) the words “except where otherwise provided,”;
- (c) by adding immediately after the words “improvement district” where they occur in clause (h), the words “or special area”;
- (d) by adding immediately after clause (m) the following new clause:

“ward”

“(n) ‘ward’ means an area in a hospital district other than an area within a county, which is designated by the Minister, or established by a by-law of a hospital board, as an area entitled to be represented on the board by one member.”.

Section 3
amended

3. Section 3, subsection (2) is amended by striking out the words “*The Public Service Efficiency Act*” and by substituting the words and figures “*The Public Service Act, 1947*”.

Section 31
amended

4. Section 31 is amended,—

- (a) by adding immediately before subsection (1) the following new subsection:

Detachment
of hospital
district

“**31.** (1) Upon receipt by the Minister of a resolution passed by the board requesting that any defined area be detached from a hospital district, either before or after a vote has been taken to establish a district, but before a debenture issue has been approved by the Board of Public Utility Commissioners, the Minister may proceed to carry

out the request of the board and may make any order necessary to do so.”;

- (b) by renumbering the present subsections (1) to (9) inclusive as subsections (2) to (10) inclusive;
- (c) by striking out the figures and word “(1) or (2)” where they occur in subsection (3), now renumbered as subsection (4), and by substituting the figures and word “(2) or (3)”.

5. The following new section is added immediately after section 60. New section
60a

“60a. (1) Notwithstanding any other provision of this Act, where a county has been established under the provisions of *The County Act*, the following conditions shall prevail,— Membership
on hospital
board

- “(a) where a hospital district lies wholly or in part within a county, membership on the hospital board for that part of the district within the county shall be established by appointment by the county hospital committee pursuant to section 18 of *The County Act*, but subject to the reservation contained in clause (a) of subsection (1) of the said section 18;
- “(b) where a hospital district lies wholly or partly within a county and membership on the hospital board has been made by appointment by the county hospital committee with respect to the area of the district within the county pursuant to *The County Act*, then upon such appointment the membership on the board of those persons who were elected as representatives of the said area within the county pursuant to this Act shall cease and determine with respect to the said area;
- “(c) where a hospital district lies partly within and partly without the boundaries of a county the Minister, at his sole discretion, by order shall allocate the number of members on the board as representatives of the area outside the county and for that purpose he shall define the number of wards in the area outside the county and may re-allocate the area of any such ward or wards;
- “(d) when allocating membership on the board pursuant to clause (c) the Minister shall have regard to what proportion the area of the hospital district outside the county bears to the entire area of the hospital district with respect to assessment, population, area, and such other matters as are pertinent;
- “(e) where a hospital district lies partly within and partly without the boundaries of a county and the area of that part of the hospital district which lies outside the county is less than that which would constitute a ward such area shall not be entitled to membership on the board and it shall be deemed to be

represented on the board by the members appointed and elected to the board pursuant to clause (a) and subsection 2.

“(f) where a hospital district lies wholly or in part within a county and the hospital district contains two or more villages, the Minister at his discretion may combine any two or more such villages as one ward of the hospital district and the combined ward shall be entitled to be represented on the board of the hospital district by one member who shall be elected in the manner prescribed by this Act;

“(g) where a hospital district lies wholly or in part within a county and the hospital district contains a town, the boundaries of which are within the boundaries of the county, the town shall be entitled to be represented on the board of the hospital district by one member who shall be elected in the manner prescribed by this Act.

“(2) Where in subsection (1) provision is made for membership on a hospital board other than by appointment by a county hospital committee, the method and procedure for electing the member for any ward shall be that as is provided by this Act.”.

Section 73
amended

6. Section 73 is amended,—

(a) by striking out the words “fifteenth day of February” where they occur in subsection (1) and by substituting the words “first day of March”;

(b) by adding immediately after subsection (1) the following new subsection:

“(1a) On or before the fifteenth day of February in each year the proper officer of each included area, within which a municipal hospital district is situate in whole or in part, shall provide a certificate to the secretary-treasurer of the hospital board showing,—

“(a) the total assessed value of all lands, buildings, and improvements liable to assessment and taxation at the thirty-first day of December of the preceding year in the part of the hospital district which is within the included area; and

“(b) if the included area be in,—

“(i) a municipal district or in an improvement district which is not a special area, the total estimated nominal value of all lands in the part of the hospital district which is in the municipal district or the improvement district, as the case may be, which are held under lease as provided by *The Public Lands Act* and under which lease a share of crop has become payable to the provincial government, which nominal value shall be determined by multiplying

the sum of four hundred dollars by the total number of quarter sections so held as at the thirty-first day of December of the preceding year; or

- “(ii) a special area, the total estimated nominal value of all lands in the part of the hospital district which is within the special area which are held under lease from the Special Areas Board, which nominal value shall be determined by multiplying an amount to be set by the Minister of Municipal Affairs by the total number of quarter sections so held as at the thirty-first day of December of the preceding year.”.

7. Section 75 is amended,—

Section 75
amended

- (a) by striking out the word “first” where it occurs in subsection (1) and by substituting the word “fifteenth”;
- (b) by striking out subsections (2) and (3) and by substituting the following new subsections:

“(2) The board shall calculate the portion of the estimate attributed to each contributing council on the basis of the proportionate amount of the total values set out in the certificates referred to in subsection (1*a*) of section 73.

“(3) Upon receipt of the requisition referred to in subsection (1) the contributing council of each included area, to which the provisions of clause (b) of subsection (1*a*) of section 73 do not apply, shall levy a hospital tax at a rate sufficient to pay the sum requisitioned.

“(3*a*) Upon receipt of the requisition referred to in subsection (1) the contributing council of each included area, to which the provisions of clause (b) of subsection (1*a*) of section 73 apply, shall levy a hospital tax at a rate sufficient to pay that proportionate part only of the requisition which is attributable to property liable to assessment and taxation, and provision shall be made for the payment of the balance of the requisition from the general revenue fund of the included area.”.

8. Section 76 is repealed.

Section 76
repealed

9. Section 80 is amended by striking out the figure “(3)” where it occurs in subsection (1) and by substituting the figure “(5)”.

Section 80
amended

10. This Act shall come into force on the day upon which it is assented to except for section 2, clause (b), sections 6, 7, and 8 which shall come into force on the first day of July, 1952.

Coming
into force

No. 89.

FIFTH SESSION
ELEVENTH LEGISLATURE

1 Elizabeth II

1952

BILL

An Act to amend The Municipal
Hospitals Act.

Received and read the

First time

Second time.....

Third time.....

HON. DR. CROSS.
