

No. 115

3rd Session, 13th Legislature, Alberta
5 Elizabeth II, 1957

BILL 115

A Bill to enable Municipalities to Borrow from the Alberta
Municipal Financing Corporation for and on Behalf of
Municipal Hospital Districts

HON. MR. HOOKE

EDMONTON, ALBERTA
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1957

Explanatory Note

General. Municipal hospital districts cannot themselves borrow money from the Alberta Municipal Financing Corporation. Municipalities are at present limited in the amount they can borrow and are thereby placed in the position that they may not be able to borrow sufficient amounts to meet their own needs and the needs of hospital districts. This Act is intended to permit municipalities to borrow amounts on behalf of hospitals in addition to the amounts they may borrow for their own needs.

- 2.** Section 2 defines terms used in the Act.

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Municipal Hospital Districts

(Assented to _____; 1957)

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

1. This Act may be cited as "*The Municipalities Ad-
ditional Borrowings Powers Act*".

2. In this Act,

- (a) "corporation" means the Alberta Municipal Financing Corporation as constituted pursuant to the provisions of *The Alberta Municipal Financing Corporation Act*;
- (b) "council" means
 - (i) the council of any city, town, village, municipal district or county,
 - (ii) the board of any municipal hospital district situate within a National Park, and
 - (iii) in the case of a special area or an improvement district the Minister of Municipal Affairs;
- (c) "municipality" means any city, town, village, municipal district, county, improvement district, special area or municipal hospital district within a National Park.

3. Municipalities authorized to borrow from the Alberta Municipal Financing Corporation for hospital purposes.

4. Self-explanatory.

5. Hospital district applies to each municipality that is wholly or partly within its area.

6. Approval of two-thirds of the councils representing at least half of the total assessed value of the district is required.

7. The amount to be borrowed is apportioned between the municipalities in relation to the assessed value of the land, etc., of each municipality contained within the hospital district, but municipalities not to pay more or less than they would be required to pay had the borrowing been raised by the municipal hospital district itself.

8. A municipality's share may in certain instances be paid from current revenue instead of by borrowing.

9. Assessed value in sections 6, 7, and 8, to be that of December 31st of the preceding year.

3. Notwithstanding the provisions of any other Act, the council of a municipality is hereby authorized to borrow from the corporation for or on behalf of municipal hospital districts.

4. The limitation of total borrowing to the total assessed value of lands, buildings and improvements of a municipality does not apply to any borrowing under the provisions of this Act.

5. A municipal hospital district may make application for its debenture requirements to each municipality that is included in whole or in part within the municipal hospital district.

6. Where sixty-six and two-thirds per cent in number of the councils, representing at least fifty per cent of the total assessed value of land, buildings and improvements of the municipalities included in whole or in part within the municipal hospital district, approve of the borrowing, each municipality shall make arrangements for a loan as provided in this Act.

7. (1) The total proposed borrowing for, or on behalf of a municipal hospital district shall be apportioned among the municipalities to whom application is made on the basis of the assessed value of the land, buildings and improvements of the municipality that are included in whole or in part within the municipal hospital district as compared to the total assessed value of the land, buildings and improvements of the municipal hospital district.

(2) In each year, the municipal hospital district shall compute the amount that each municipality would be liable to pay in respect of the debentures had the debentures been issued by the municipal hospital district pursuant to *The Municipal Hospitals Act*.

(3) Without in any way affecting the liability of a municipality in respect of any debentures issued by it under this Act, the municipal hospital district shall requisition from any municipality and reimburse any other municipality such amounts as will ensure that no municipality will be required to pay from its own resources more than the amount it would be liable to pay pursuant to subsection (2).

8. Notwithstanding the provisions of this or any other Act, where the assessed value of the land, buildings and improvements of a municipality within the area of the municipal hospital district is five per cent or less of the total assessed value of the land, buildings or improvements of the municipality, the municipality may pay its share from the current year's revenue instead of borrowing it from the corporation.

9. The assessed value used in sections 6, 7, and 8 shall be the assessed value at the thirty-first of December of the year previous to the year in which the application is made.

10. (1) Each type of municipality to borrow the money in accordance with the procedure in its governing Act pertaining to debenture borrowing.

(2) Approval of two-thirds of the proprietary electors required for a loan for the benefit of a municipal hospital district.

(3) Self-explanatory.

11. Relates to debenture borrowing authorized before the coming into force of this Act.

12. Regulations.

13. This Act provides an alternative mode of borrowing not an exclusive one.

14. Coming into force.

10. (1) A municipality borrowing any money under the provisions of this Act, shall be governed by the appropriate sections of their municipal Act pertaining to debenture borrowing, except as otherwise provided for by this Act, that is to say,

- (a) in the case of cities the provisions of Part X of *The City Act*,
- (b) in the case of towns and villages the provisions of Part XI of *The Town and Village Act, 1952*,
- (c) in the case of municipal districts and counties the provisions of Part VIII of *The Municipal District Act, 1954*,
- (d) in the case of improvement districts and special areas the provisions of Part VIII of *The Municipal District Act, 1954*, and
- (e) in the case of a municipal hospital district situated within a National Park the provisions of sections 67 to 72 inclusive of *The Municipal Hospitals Act*.

(2) The approval of the proprietary electors shall be deemed to have been secured if two-thirds of those who voted in all municipalities concerned have indicated by their vote that they are in favour.

(3) In the case of a municipal district, county, improvement district or special area, the approval of the proprietary electors shall only be required in that portion of the municipality which is included within the municipal hospital district.

11. If a municipal hospital district has received the approval of the ratepayers to a debenture borrowing under the provisions of *The Municipal Hospitals Act* prior to the coming into force of this Act, the municipalities that are included in whole or in part within the municipal hospital district, shall be authorized to borrow their proportionate share or to pay it out of current revenue, as the case may be, notwithstanding the provisions of this or any other Act.

12. The Lieutenant Governor in Council may make regulations for the purpose of carrying out the intent of this Act or to supply any deficiency therein.

13. This Act shall be construed as providing an additional and alternative method of borrowing by and on behalf of municipal hospital districts, and shall not be construed to restrict any borrowing powers presently held by such districts under their governing Acts.

14. This Act comes into force on the day upon which it is assented to.

No. 115

THIRD SESSION
THIRTEENTH LEGISLATURE
5 ELIZABETH II
1957

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Financing Corporation for and on
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Received and read the

First time.....

Second time.....

Third time.....

HON. MR. HOOKE
