

No. 77

4th Session, 13th Legislature, Alberta
6 Elizabeth II, 1958

BILL 77

A Bill to amend The Municipal Hospitals Act

HON. DR. ROSS

Printed by L. S. WALL, Printer to the Queen's Most Excellent Majesty,
Edmonton, Alberta, 1958

Explanatory Note

2. As a result of the Statutes of Alberta 1957, chapter 59, section 8, Form B contains only one declaration. The subsection refers to the existence of two declarations and is corrected. Subsection (5) presently reads:

"(5) The persons entitled to vote are those persons who on the day of the poll subscribe to either of the declarations set out in Form B in the Schedule."

3. The minimum tax requirement is being removed. The provision to be repealed reads:

"11. (1) The provisional board shall as soon as possible prepare a hospital scheme, which shall contain

"(1) provision for a minimum tax of not more than ten dollars which shall be levied upon ratepayers within the hospital district to entitle the ratepayers and the wives, dependent families and domestic female help of such ratepayers who are resident with the ratepayers to hospital supporters' benefits,".

4. These sections will no longer be required as provision for hospitalization of resident non-ratepayers will be otherwise provided for under The Hospitalization Benefits Act.

These sections presently read:

"13. A hospital scheme may prescribe a date before which the minimum tax and arrears, if any, shall be paid in order to entitle a ratepayer in any year to the benefits conferred upon a hospital supporter by this Act.

"14. (1) A hospital scheme

"(a) may provide that a minimum annual hospital tax be paid by each resident of the hospital district who has been so resident for a continuous period of six months or more, is twenty-one years of age or more, is gainfully employed and is not a ratepayer,

"(b) may fix the amount of the tax to be so paid, and

"(c) may fix a date by which the tax is to be paid.

"(2) A person mentioned in subsection (1) who pays the minimum annual hospital tax within the time limited for payment is entitled for that year to the benefits conferred upon a hospital supporter by this Act."

5. This amendment relates to Form A and makes an amendment similar to clause 2 of this Bill above. Section 33 (1) (b) presently reads:

"33. (1) The persons entitled to vote at a poll to ratify or reject a hospital scheme are

"(b) those persons who on the day of the poll subscribe to either of the declarations set out in Form A in the Schedule."

BILL

No. 77 of 1958

An Act to amend The Municipal Hospitals Act

(Assented to , 1958)

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 216 of the Revised Statutes of Alberta, 1955, is hereby amended.

2. Section 4, subsection (5) is amended by striking out the words "either of the declarations" and by substituting the words "the declaration".

3. Section 11, subsection (1) is amended by striking out clause (i).

4. Sections 13 and 14 are repealed.

5. Section 33, subsection (1) is amended by striking out the words "either of the declarations" where they occur in clause (b) and by substituting the words "the declaration".

6. By the Statutes Alberta, 1957, c. 59, s. 8, Form C was amended by striking out the alternative declaration so that only one declaration remains. The wording of clause (b) is here made to conform with the 1957 change.

Section 46 (b) presently reads:

"46. The persons entitled to vote on the alteration of the area of a district are

"(b) those persons who on the day of the poll subscribe to either of the declarations set out in Form C in the Schedule."

7. Subsection (2) of section 103 permits a debenture thereunder to be dated at any time within 1 year after the by-law. The amendment extends this time.

8. (a) (i) This amendment will permit of a capital expenditure up to ten thousand dollars without a plebiscite. See subsection (1) quoted *infra*.

"107. (1) Where subsequent to the ratification of the hospital scheme

"(a) an additional capital expenditure in excess of three thousand dollars in any one year is proposed for a purpose not included in the scheme as ratified, and"

(a) (ii) The purpose of this amendment is to provide that the authorizing by-law for the borrowing for additional capital expenditure be put to the electors as is the case under section 102. Section 107 (1) reads: (The words in italics are removed):

"107. (1) Where subsequent to the ratification of the hospital scheme

"(a) an additional capital expenditure in excess of *three thousand dollars* in any one year is proposed for a purpose not included in the scheme as ratified, and

"(b) the Minister approves of the expenditure, the board shall, upon such date as the board may select, take a vote in the form of a question with reference to the proposed capital expenditure."

(b) Subsection (2), which reads as set out hereunder, becomes unnecessary by the use of Form E required by (a) (ii) of this clause. There is, however, no provision directing the manner in which the by-law approval vote is to be held and the new subsection (2), which follows the present section 89 (3), is added. The subsection reads:

"(2) The question shall detail specifically the amount and object of the proposed expenditure."

(c) This amendment makes the language of subsection (3) conform with the amendment made in subsections (1) and (2) of this section.

(d) This amendment is complementary to the amendment made in clause 8 (a) (i) above and to the same purpose.

(e) By the amendments made in clause 8 (a) (ii) above the electors vote approval or disapproval of the by-law, which is the "question". This amendment makes the language of subsection (7) conform with the previous amendment.

9. The purpose of this amendment is to:

1. Eliminate personal property from the assessment;
2. Use the assessment as at December 31st of the preceding year rather than assessment data one year old used for taxation purposes in the preceding year;
3. Authorize the Assessment Equalization Board to determine and order an equitable amount where all municipalities within the hospital district do not assess on a uniform index of value.

6. Section 46, clause (b) is amended by striking out the words "either of the declarations" and by substituting the words "the declaration".

7. Section 103, subsection (2) is amended by striking out the word "twelve" and by substituting the word "thirty-six".

8. Section 107 is amended

(a) as to subsection (1)

(i) by striking out the word "three" where it occurs in clause (a) and by substituting the word "ten",

(ii) by striking out all the words immediately following clause (b) and by substituting the following:

"the board shall pass a by-law authorizing the borrowing of the amount of the additional capital expenditure, in Form E in the Schedule and fix a date upon which the by-law shall be voted upon.",

(b) by striking out subsection (2) and by substituting the following:

"(2) The vote shall be taken according to the provisions of this Act for the taking of a vote for the ratification or rejection of a hospital scheme and such provisions apply, *mutatis mutandis*, thereto.",

(c) as to subsection (3) by striking out the word "expenditure" and by substituting the word "by-law",

(d) as to subsection (4) by striking out the word "three" and by substituting the word "ten",

(e) as to subsection (7) by striking out the word "question" and by substituting the word "by-law".

9. Section 110, subsection (1) is amended by striking out clause (a) and by substituting the following:

Clause (a) presently reads:

- "(a) notwithstanding clause (b) of subsection (2) of section 7 of The Assessment Act,
- "(i) the total assessed value of all land liable to assessment,
- "(ii) a sum equal to sixty per cent of the fair actual value of all buildings and improvements liable to assessment, and
- "(iii) a sum equal to sixty per cent of the fair actual value of all personal property, other than stock-in-trade liable to assessment and used for the purposes of taxation in the preceding year in a municipality or the part of a municipality included in the hospital district, or the amount, if any, determined and ordered by the Director of Assessments under subsection (3) of section 7 of The Assessment Act, and".

10. This section provided a minimum property tax. The section reads:

"111. (1) Where a hospital scheme prescribes the minimum tax payable by ratepayers assessed in respect of property within a hospital district and a ratepayer is assessed in respect of more than one parcel of land in the district, that ratepayer is liable for the payment of the minimum tax to the extent only that the total of the hospital taxes payable by him in respect of all such parcels is less than the minimum tax.

"(2) Where a ratepayer is assessed in respect of property within a district situated in more than one included area, he is liable to the payment of the minimum hospital tax in the included area of which he is a resident.

"(3) When a ratepayer produces a tax notice from the authority of another included area in which he is assessed in respect of property therein to the secretary-treasurer of the included area of which he is resident, the secretary-treasurer shall abate the amount whereby the minimum tax exceeds the ordinary hospital taxes payable by the ratepayer therein by the amount of the taxes payable by him in an included area of which the ratepayer is not a resident.

"(4) Where a ratepayer is not a resident of any included area but is assessed in respect of property situated in more than one included area,

"(a) the ratepayer may produce a tax notice from the authority of an included area in which he is assessed to the authority of such other included area as he may select, and

"(b) thereupon the secretary-treasurer of the selected included area shall abate the amount of the minimum tax in the same manner as if the ratepayer were a resident of the selected area.

"(5) Where a ratepayer is assessed in respect of property in more than one municipal hospital district

"(a) he is liable to pay the hospital tax levied on the assessed value of his property in each hospital district, and

"(b) he is not liable to pay the minimum hospital tax in a district other than that district in which he resides.

"(6) A non-resident ratepayer who is assessed for the minimum tax is entitled to hospital services as if he were a resident ratepayer.

"(7) For the purposes of this section, "ratepayer" means the registered owner of a parcel of land, except where there is a subsisting agreement for the sale of that parcel of land, in which case the purchaser of the said parcel shall be deemed to be the "ratepayer" so long as that agreement subsists."

11. Subsection (5) of section 112 presently reads:

"(5) The sum so requisitioned shall be forwarded to the board by each contributing council in four equal quarterly payments, the first of which shall be made before the first day of April in each year."

“(a) the total assessed value of all land together with sixty per cent of the fair actual value of all buildings and improvements liable, under and pursuant to *The Assessment Act*, or any Act substituted therefor, to assessment at the thirty-first day of December in the preceding year in that part of the municipality that is within the municipal hospital district or where land, buildings and improvements in a municipality are assessed on a different index of value from that used in other municipalities in the same municipal hospital district, the amount determined and ordered by the Alberta Assessment Equalization Board pursuant to *The Municipalities Assessment and Equalization Act* for the purpose of equitably apportioning the requisitions upon municipalities within the municipal hospital district, and”.

10. Section 111 is repealed.

11. Section 112 is amended by adding immediately at the end of subsection (5) the words: “except that, for the year 1958, only the first quarterly payment on account of hospital operating costs shall be forwarded to the board for the first three months of that year and after the thirty-first day of March, 1958, municipalities’ contribution with respect to approved and unapproved hospital operating costs shall be as provided for under sections 11 and 12 of *The Hospitalization Benefits Act*”.

12. The minimum tax provisions are to be repealed and therefore the power given by this clause is unnecessary. Subsection (5) (a) presently reads:

"(5) When an order is made and published by the Minister under subsection (4) the board

"(a) may fix or vary the minimum tax of the included area in respect of which the order is made, and".

12. Section 116, subsection (5) is amended by striking out clause (a).

13. This Act comes into force on the day upon which it is assented to and upon so coming into force section 7 shall be deemed to have been in force at all times on and after the first day of January, 1956.

No. 77

FOURTH SESSION

THIRTEENTH LEGISLATURE

6 ELIZABETH II

1958

BILL

An Act to amend The Municipal
Hospitals Act

Received and read the

First time.....

Second time.....

Third time.....

HON. DR. ROSS
