

1981 BILL 66

Third Session, 19th Legislature, 30 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 66

**SENIOR CITIZENS HOUSING
AMENDMENT ACT, 1981**

THE MINISTER OF HOUSING
AND PUBLIC WORKS

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 66

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1981

SENIOR CITIZENS HOUSING AMENDMENT ACT, 1981

(Assented to _____, 1981)

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

1 The Senior Citizens Housing Act is amended by this Act.

2 The following is added after section 4.1:

4.2(1) The Minister may, by order, amend a master agreement to provide for the management, operation and sharing of the annual operating costs with respect to any existing homes or units designated by the Minister.

(2) An amending agreement under subsection (1) is binding on all parties to the master agreement and on the foundation established under the master agreement notwithstanding that the Corporation and contracting municipalities neglect or refuse to execute the amending agreement.

3 Section 10(1) and (3) are amended by striking out "Lieutenant Governor in Council" and substituting "Minister".

Explanatory Notes

1 This Act will amend chapter 171 of the Revised Statutes of Alberta 1970.

2 Amendment to master agreement with respect to existing homes or units.

3 Section 10(1) and (3) presently read:

10(1) The Lieutenant Governor in Council, by order, may constitute bodies corporate, herein called foundations, with such powers and duties as are deemed expedient to carry out the terms of any master agreement, including, without limiting the generality of the foregoing,

(a) the power to acquire and hold land required for units and homes, and to alienate land in accordance with the terms of any master agreement,

(b) the power to operate and manage units or homes or both under the terms of the master agreement,

(c) the power to enter into contracts with the parties to a master agreement for the purpose of operating and managing any units or homes turned over to the body corporate under a master agreement, and

(d) the power to borrow moneys by such means as may be specified in the order and to lend and invest surplus funds in such manner as may be authorized in the order.

(3) A foundation shall be composed of persons designated from time to time by the parties to the master agreement in accordance with the terms of the order of the Lieutenant Governor in Council constituting the foundation a body corporate but a representative of a contracting municipality shall be a member of the council of the municipality in the case of a city, town, village, municipal district or county.

4 Sections 12 and 13 presently read:

12(1) Where one or more elderly persons of a municipality reside in any year in a unit or home operated by a foundation, if that municipality is not a contracting municipality under this Act, the municipality shall, if a deficit occurs in the operation of that foundation in that year, pay to the foundation operating the unit or home the charge made by the foundation upon the municipality therefor.

(2) A foundation shall obtain the share of the deficit to be charged to a municipality that is not a contracting municipality by dividing the total of the deficit by the average monthly total number of the senior citizens resident in any unit or home operated by the foundation during the year in which the deficit occurred, and by multiplying the figure so obtained by the number of senior citizens of that municipality residing in any such unit or home during that year.

13 A charge upon a municipality under section 12 constitutes a debt by the municipality due and owing to the foundation.

4 *Sections 12 and 13 are repealed and the following is substituted:*

12(1) A foundation may requisition

(a) the municipalities that have entered into the master agreement that provides for the establishment of the foundation other than those municipalities exempted by order of the Minister, and

(b) any other municipalities specified by the Minister under section 13

for the annual operating deficit of the foundation.

(2) A municipality that is requisitioned under subsection (1) shall pay the amount requisitioned in the same proportion as the equalized assessment of the municipality for the year in which the operating deficit occurs bears to the total of the equalized assessments for that year of all of the municipalities that may be requisitioned under that subsection.

(3) Notwithstanding subsection (2), if a municipality requisitioned under subsection (1) is requisitioned by 2 or more foundations, the Minister may prescribe the basis for determining the proportion of the amount requisitioned that shall be paid to each foundation by that municipality and by the other municipalities that are requisitioned.

(4) In this section and in section 13, “operating deficit” means the amount, if any, by which the operating costs of the foundation exceed its revenue.

13(1) If the Minister considers that any municipality that is not a party to a master agreement that provides for the establishment of a foundation should contribute to the operating deficit of the foundation, he may, by order, specify that the municipality be requisitioned by the foundation under section 12(1).

(2) If a municipality that is specified under subsection (1) wishes to become a party to the master agreement that provides for the establishment of the foundation, the Minister may, by order,

amend the master agreement to add the municipality as a party.

(3) An amending agreement under subsection (2) is binding on all parties to the master agreement and on the foundation established under the master agreement notwithstanding that the Corporation and contracting municipalities neglect or refuse to execute the amending agreement.

13.1(1) Each municipality shall pay to the foundation the amount of the requisition determined in accordance with section 12 within 90 days after notice of the amount of the requisition is given to the municipality by the foundation.

(2) If a municipality fails to pay the foundation the amount referred to in subsection (1) within the time specified in that subsection, that amount constitutes a debt owing and payable by the municipality to the foundation.

13.2 A foundation shall submit to the Corporation no later than March 31 of each year an audited financial statement in a form acceptable to the Corporation, showing the revenues and expenses in respect of the operations of the homes and units operated by it during the preceding year.

5 *This Act comes into force on January 1, 1982.*

