

1981 BILL 68

Third Session, 19th Legislature, 30 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 68

LLOYDMINSTER HOSPITAL AMENDMENT ACT, 1981

MR. LYSONS

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Explanatory Notes

1 This Bill will amend chapter 19 of the Statutes of Alberta, 1948.

2 Section 3 presently reads:

3 The area included in the Town of Lloydminster, and in the rural municipality of Britannia, and in that portion of the rural municipality of Wilton No. 472, in the Province of Saskatchewan, described as follows:

All of townships 46, 47, 48 and 49 and that portion of township 45, north of the Battle River, all in range 28, west of the third meridian in the rural municipality of Wilton No. 472. Also all of townships 47, 48 and 49 and that portion of townships 45 and 46, north of the Battle River, all in range 27, west of the third meridian. Also the west half of township 49, range 26, west of the third meridian;

and in that portion of the Municipal District of Vermilion River No. 71, described as follows:

All of townships 46, 47, 48, 49, 50, 51 and 52 and that portion of township 45, north of the Battle River and that portion of townships 53 and 54 south of the North Saskatchewan River in range 1, west of the fourth meridian. Also all of townships 46, 47, 48, 49, 50, 51, 52 and 53 and that portion of township 45 north of the Battle River and that portion of township 54 south of the North Saskatchewan River in range 2, west of the fourth meridian. Also all of townships 47, 48, 49 and 50 and the east half of townships 51, 52 and 53 and that portion of the east half of township 54, south of the North Saskatchewan River, together with that portion of townships 45 and 46, north of the Battle River in range 3, west of the fourth meridian;

is hereby created a hospital district under the name of the Lloydminster Hospital District.

3 *Section 5(2) is repealed.*

4 *Section 9 is repealed and the following is substituted:*

9(1) The Hospital Board is entitled to all the rights and privileges, and has all the powers and duties, conferred on nursing homes, auxiliary hospitals, hospitals, district boards and hospital boards pursuant to the *Nursing Homes Act* and the *Alberta Hospitals Act* and regulations under those Acts, and is subject to the obligations imposed on nursing homes, auxiliary hospitals, hospitals, district boards and hospital boards pursuant to those Acts and regulations.

(2) Any nursing home, auxiliary hospital or hospital located in the Hospital District and in Alberta is under the jurisdiction of the Minister.

5 *Section 11 is amended*

(a) *in subsection (1) by adding “nursing home, auxiliary hospital or” before “hospital owned” and before “hospital as”;*

(b) *by repealing subsection (3) and substituting the following:*

(3) The Hospital Board may pay each of its members for each meeting an allowance per kilometre travelled from his home to the place of meeting and also an allowance per day for the time necessarily occupied by the meeting of the Board, but no allowance shall be paid to any member in respect of more than 12 meetings in any one year.

6 *Section 29 is amended by striking out “M.D. of Vermilion-River No. 71” and substituting “County of Vermilion River No. 24”.*

7 *The following is added after section 31:*

3 Section 5(2) presently reads:

(2) The surplus of the Lloydminster Municipal Hospital Board of the Province of Alberta No. 8 consisting of Dominion of Canada victory bonds of six thousand dollars and surplus cash remaining as of the date of the coming into force of this Act, shall be held in trust by the Hospital Board to be applied against requisitions made by the said Board to the Municipal District of Vermilion River No. 71.

4 Section 9 presently reads:

9 The Hospital Board shall be entitled to all the rights and privileges and shall have all the powers and duties conferred upon hospitals and hospital boards by The Alberta Hospitals Act and any regulation made thereunder and shall be subject to the obligations imposed upon hospitals and hospital boards by such Act and regulations.

5 Section 11 presently reads in part:

11(1) Subject to section 9, the Hospital Board shall have the control and management of any hospital owned or operated by it and may make such rules and regulations for the maintenance and management of the hospital as it may deem fit.

(3) The Hospital Board may pay each of its members for each meeting an allowance of twenty cents per mile from his home to the place of meeting, and also an allowance not exceeding six dollars each per day for the time necessarily occupied by the meeting of the Board, provided that no allowance shall be paid to any member in respect of more than twelve meetings in any one year.

6 Section 29 presently reads:

29 Until such time as the proportions are varied as hereinafter provided for, such excess of expenditure over revenue as shown in the statement shall be paid by the following municipalities in the following proportions:

<i>Town of Lloydminster</i>	<i>27%</i>
<i>M.D. of Vermilion-River No. 71</i>	<i>46%</i>
<i>Rural Municipality of Britannia No. 502</i>	<i>18%</i>
<i>Rural Municipality of Wilton No. 472</i>	<i>9%</i>

7 Requisition of funds procedure.

31.1 Notwithstanding anything contained in this Act, sections 8(2.1), 19(1), (3), (4) and (5) and 20 of the *Alberta Hospitals Act* and the regulations under that Act apply with all necessary modifications to that proportion of the Hospital Board budget requisitioned from that portion of the County of Vermilion River No. 24 described in section 3 of this Act.

⁸ *Section 35(1) is amended by striking out “Municipal District of Vermilion-River No. 71” and substituting “County of Vermilion River No. 24”.*

Sections 8(2.1), 19 and 20 of The Alberta Hospitals Act presently read in part:

8(2.1) A hospital district has no power to levy upon the included municipalities for any portion of its operating costs or any capital costs other than those kinds prescribed by the regulations notwithstanding anything in an order of the Lieutenant Governor in Council under this section.

19(1) Before the 30th day of April in each year, a district board shall, subject to and in accordance with the regulations, send to the council of each municipality which is wholly or partly included in the hospital district a requisition approved by the Minister for that part of the budget attributed to such included municipality.

(3) Within 21 days after receipt of a notice mentioned in subsection (1), the council of an included municipality may apply to the Minister to vary the division of the budget described in the notice.

(4) The Minister shall, after considering the application and the grounds for the application, either make a redivision or dismiss the application and his decision thereon is final and conclusive.

(5) A decision made by the Minister under this section is final for all purposes and shall not be questioned in any court of law.

20(1) Subject to the regulations, the sum requisitioned pursuant to section 19 shall be paid to the district board by each included municipality before the first day of July of the year in which the requisition was received.

(2) When a district board finds it impossible to comply with section 19 because the hospital district is formed too late in the year, or for any other sufficient reason, the board may, upon the direction of the Minister, send a requisition before a date named in the direction, and an included municipality

(a) shall make a special levy of a sum of money sufficient to meet the requisition, and

(b) shall forward such sum of money at such time as may be set out in the direction.

(3) An included municipality that pays an amount due to a district board after the date upon which it is due shall pay to the board interest upon that payment at the rate of 7 per cent per annum for the period between that due date and the date of payment.

8 Section 35(1) presently reads:

35(1) The Hospital Board shall consist of eleven members to be elected by the voters as hereinafter defined:

Six shall be elected from the Municipal District of Vermilion-River No. 71;

Two from the Town of Lloydminster;

9(1) In the following provisions “Town of Lloydminster” is struck out and “City of Lloydminster” is substituted:

section 2(f);
section 3;
section 5;
section 29;
section 32;
section 33(1);
section 35(1) and (2);
section 37(a);
section 43(3), (4) and (5);
section 45;
section 56.

(2) Section 2(i) is amended

(a) by striking out “ “The Town of Lloydminster” means” and substituting “ “The City of Lloydminster” means”;

(b) by striking out “in the Town” and substituting “in the City”.

(3) Section 43(6) is amended by striking out “Town” wherever it occurs and substituting “City”.

(4) Section 51(2) is amended by striking out “Town” wherever it occurs and substituting “City”.

(5) Form F is amended by striking out “Town of Lloydminster” wherever it occurs and substituting “City of Lloydminster”.

10 An Act to Validate and Ratify a Certain Agreement Between the Lloydminster Municipal Hospital Board and the Lloydminster and District Hospital Board (being chapter 103 of the Statutes of Alberta, 1941) is repealed.

In accordance with section 4(1) of The Interpretation Act, 1980, this Bill comes into force on the date it receives Royal Assent.

Two from the rural municipality of Britannia No. 502;

One from the Rural Municipality of Wilton No. 472.

9 Consequential amendments due to change in status of Lloydminster.

10 These matters have been superseded by subsequent legislation.