

1987 BILL Pr 21

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Second Session, 21st Legislature, 36 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL Pr 21**

**THE WILLIAM ROPER HULL HOME AMENDMENT ACT, 1987**

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MR. PAYNE

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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*Bill Pr 21*  
*Mr. Payne*

## **BILL Pr 21**

1987

### **THE WILLIAM ROPER HULL HOME AMENDMENT ACT, 1987**

*(Assented to , 1987)*

WHEREAS the William Roper Hull Home was incorporated by The William Roper Hull Home Act, being chapter 117 of the Statutes of Alberta, 1954, and was amended by chapter 75 of the Statutes of Alberta, 1956, chapter 102 of the Statutes of Alberta, 1959, chapter 81 of the Statutes of Alberta, 1963, chapter 127 of the Statutes of Alberta, 1964 and chapter 83 of the Statutes of Alberta, 1974; and

WHEREAS a petition has been presented by the William Roper Hull Home praying that the Act be further amended as hereinafter set forth and it is expedient to grant the prayer of the petition;

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

- 1 The William Roper Hull Home Act is amended by this Act.*
- 2 The title of the Act is struck out and the following is substituted:*

### **WILLIAM ROPER HULL CHILD AND FAMILY SERVICES ACT**

- 3 Section 1 is repealed.*

- 4 Section 2 is amended by repealing clauses (b) and (c) and substituting:*

## Explanatory Notes

### Preamble

- 1** This Bill will amend chapter 117 of the Statutes of Alberta, 1954.
- 2** Changes title of Act.
  
- 3** Section 1 presently reads:  
*1 This Act may be cited as “The William Roper Hull Home Act”.*
- 4** Section 2(b) and (c) presently reads:

2 *In this Act unless the context otherwise requires:*

(b) *“Corporation” means the body corporate created by this Act under the name of The William Roper Hull Home;*

(c) *“Home” means the institution, home, appurtenances and facilities of the Corporation described in section 4 of this Act;*

5 Section 3 presently reads in part:

3 *Allan Ray Dingman, Manager of the Trustee of the City of Calgary aforesaid and Everett James Chambers, Queen’s Counsel, Counsel for the Trustee, both of the City of Calgary, and such other persons as are from time to time appointed or be members of the Board as hereinafter provided, are hereby constituted and established a body politic and corporate under the name of “The William Roper Hull Home” and under the said name of the corporation:*

(d) *may acquire by gift, purchase, devise, bequest, transfer or otherwise, real or personal property of every nature in the Province of Alberta and have, hold, possess, enjoy, take and receive the same for the general uses and purposes of the corporation,*

6 Section 4 presently reads:

4 *The objects of the Corporation are the organization construction, extension, equipment, operation, management and maintenance either within the corporate limits of the City of Calgary or without, but within a distance of not more than twenty miles from, such limits, of:*

(a) *a suitable institution or home and appurtenances, and educational, dormitory, recreational and other facilities in connection with or ancillary to the said institution or home, for children whether born within or without the Province who are:*

(i) *resident in the Province, and*

(ii) *orphans, destitute children, neglected children or children who, in the opinion of the Board, are in need of assistance, whether financial or otherwise,*

*and*

(b) “Corporation” means the body corporate created by this Act under the name of William Roper Hull Child and Family Services;

(c) “Home” means the assets of the Corporation;

5 *Section 3 is amended*

(a) *by striking out “The William Roper Hull Home” and substituting “William Roper Hull Child and Family Services”;*

(b) *in clause (d) by striking out “in the Province of Alberta”;*

(c) *by adding the following after clause (h):*

(i) may, without limiting the generality of the foregoing,

(i) carry on operations, within or outside of Alberta, to further meet the objects of the Corporation under the name of the Corporation or a subsidiary corporation or organization created by the Corporation to carry on that operation, and the Corporation is empowered to take all steps necessary to establish such operations,

(ii) establish and operate any activity which the Board deems necessary, in its sole discretion, to further enable the Corporation to meet its objects set forth in section 4.

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

**4** The objects of the Corporation are to promote the emotional and psychological well-being of children and families through the provision of educational, preventative and treatment services.

7 *Section 6(1)(b) is repealed and the following is substituted:*

(b) a minimum of 6 persons and a maximum of 14 persons resident in Alberta to be appointed by a majority vote of the members of the Board holding office at the time of the appointment, and if the number of Board members is reduced below the minimum number, the continuing Board members may act for the purpose of increasing the number of Board members,

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

**9(1)** Each member of the Board shall have one vote.

(2) In the case of an equality of votes, the chairman of the meeting shall have a casting vote.

(3) The quorum necessary for the transaction of the business of the Board shall be a majority of the members of the Board.

9 *Section 10(1) is amended:*

(a) *in clauses (c) and (d) by striking out “Home” wherever it occurs and substituting “Corporation”;*

(b) *by repealing clauses (f) and (g) and substituting the following:*

(f) control and regulate the admission of children and their families into the programs of the Corporation, and their maintenance while in the care of the Corporation, and their discharge from the programs or care of the Corporation,

(g) make rules, not inconsistent with any provisions of this Act, governing and prescribing the terms and conditions of admission of children and families to the programs of the Corporation, their maintenance and sojourn while in the care or custody of the Corporation, and their discharge or departure from the programs of the Corporation,

*(b) other facilities and services for the care, education, training, welfare or establishment of such children.*

7 Section 6(1)(b) presently reads:

*6(1) The Corporation shall, subject to the provisions of this Act, be managed and administered by a Board consisting of:*

*(b) six persons resident in Alberta to be appointed by a majority vote of the members of the Board holding office at the time of the appointment.*

8 Section 9 presently reads:

*9 Three members of the Board shall constitute a quorum thereof and each member shall have one vote.*

9 Section 10(1) presently reads:

*10(1) The powers of the Corporation are vested in and shall be exercised by the Board and, without restricting the generality of the foregoing, the Board may:*

*(a) elect its own Chairman and Vice-Chairman and appoint a Treasurer and Secretary and such other officers of the Corporation as it deems expedient and may prescribe their respective duties, powers and authority and determine the tenure of each such office,*

*(b) fix and determine the remuneration of the officers of the Corporation and of members of the Board other than those members referred to in clause (a) of section 6,*

*(c) plan, organize, supervise, control, direct and carry out or cause to be carried out the construction, extension, equipment, operation and maintenance of the Home,*

*(d) control, manage, govern and direct the Home and appoint such staff, employees, servants and agents as it may from time to time require or deem necessary and fix, pay and provide for the salaries, emoluments of, and benefits for, such persons,*

*(e) act by such committees of, or appointed by, the Board as it deems proper to constitute or appoint,*

(f) *control and regulate the admission of children, described in section 4, to the Home and their maintenance and sojourn at, and discharge or departure from, the Home,*

(g) *make rules, not inconsistent with any of the provisions of this Act, governing and prescribing the terms and conditions of admission of children to the Home and their maintenance and sojourn at, and discharge or departure from, the Home,*

(h) *make by-laws, resolutions, rules and regulations, not inconsistent with any of the provisions of this Act, touching or respecting any and all the foresaid powers and matters pertaining to the business, meetings and proceedings of the Board.*

**10** Section 11(1) presently reads:

*11(1) Notwithstanding the terms and provisions of this Will:*

(a) *the Trustee may:*

(i) *apply and expend from time to time, such portion or portions of the Residual Estate in or for the construction, extension, furnishing and equipping of the Home as the Trustee, with the approval or recommendation of the Board, may from time to time determine,*

(ii) *make payment and disbursement to the Corporation of and from the Residual Estate to the extent and as provided in subclause (i),*

(ii) *hold, retain and invest the balance of the Residual Estate from time to time remaining as constituting and being The William Roper Hull Home Trust (in like manner as the Corporation may invest money pursuant to clause (g) of section 3) and pay the net annual income therefrom to the Corporation to be used, applied and expended as may be determined by the Board from time to time,*

(b) *payment and disbursement by the Trustee to the Corporation of or from the Residual Estate and of the net annual income of The William Roper Hull Home Trust to the extent and as provided in this section constitutes, and shall be deemed to be, compliance with, and performance of, the terms of the Will,*

(c) *the commencement of construction of the Home may be deferred until the first day of May (1961).*

**11** Section 12a. presently reads:



10 *Section 11(1) is amended*

(a) *by repealing clause (a)(i) and substituting the following:*

(i) apply and expend from time to time, such portion or portions of the Residual Estate in or for the advancement of the objects of the Corporation as the Trustee, with the approval or recommendation of the Board, may from time to time determine,

(b) *by repealing clause (c).*

11 *Section 12a. is repealed and the following is substituted:*

**12.1(1)** All of the lands owned by the Corporation together with the buildings thereon shall be exempt from assessment and taxation so long as the same are used for the operation of facilities to promote the objects of the Corporation.

(2) Without limiting the generality of the foregoing, the exemption described in subsection (1) shall include the lands legally described as:

The West half of legal subdivision eleven (11) and all of legal subdivisions twelve (12) and thirteen (13) and the West half of legal subdivision fourteen (14) all in section eight (8), Township Twenty-three (23), Range One (1), West of the Fifth Meridian, containing 48.6 hectares (120 acres) more or less, EXCEPTING: Subdivision No. 8111891 13.0 Hectares (32.1 acres), Excepting thereout all mines and minerals and the right to work the same.

12a. *The land on which is located the William Roper Hull Home at Calgary, Alberta, namely:*

*The west half of legal subdivision 11 and all of legal subdivisions 12 and 13 and the west half of legal subdivision 14, all in Section 8 in Township 23, Range 1, West of the 5th Meridian, in the Province of Alberta, containing One Hundred and Twenty (120) acres more or less; reserving thereout all mines and minerals; as described in Certificate of Title No. 107 M 230, together with the buildings located thereon shall be exempt from assessment and taxation so long as the same are used for the operation of a home for either orphans, destitute children, or children in needy circumstances, except for local improvement taxes.*