

2001 BILL 7

First Session, 25th Legislature, 50 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 7

**REGIONAL HEALTH AUTHORITIES
AMENDMENT ACT, 2001**

THE MINISTER OF
HEALTH AND WELLNESS

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 7

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2001

REGIONAL HEALTH AUTHORITIES AMENDMENT ACT, 2001

(Assented to _____, 2001)

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

Amends SA
1994 cR-9.07

1 The *Regional Health Authorities Act* is amended by this section.

2 Section 19(1) is amended by striking out “and” at the end of clause (a), by adding “and” at the end of clause (b) and by adding the following after clause (b):

- (c) require the production for examination of any documents or records that are in the possession of a person who is or was a candidate in an election for membership on a regional health authority and that relate to that person's election finances, and make copies of them or temporarily remove them for the purpose of making copies.

Explanatory Notes

1 Amends chapter R-9.07 of the Statutes of Alberta, 1994.

2 Section 19(1) presently reads:

19(1) For the purposes of ensuring that this Act and the regulations are complied with, the Minister or a person authorized by the Minister for the purpose may

(a) enter and inspect any place under the jurisdiction of an existing health authority, regional health authority, community health council or subsidiary health corporation, and

(b) require the production for examination of any documents or records in the possession of the existing health authority, regional health authority, community health council or subsidiary health corporation, and make copies of them or temporarily remove them for the purpose of making copies.

3 Section 21(1) is amended by adding the following after clause (e):

- (e.1) governing all matters related to the election finances of candidates for election for membership on a regional health authority including, without limitation, regulations
 - (i) governing who may make and accept contributions to candidates, the maximum amounts of contributions and the time and manner in which they may be made;
 - (ii) governing the disposition of contributions that are made in contravention of the regulations;
 - (iii) requiring a person who makes a contribution in excess of the maximum amount permitted in the regulations to pay a penalty, and governing the amount of the penalty, the person to whom it is payable and the manner in which it may be recovered;
 - (iv) governing the manner in which contributions are to be held and accounted for, and the disposition of a surplus where the candidate decides not to contest the next election;
 - (v) governing the keeping of election finances records;
 - (vi) providing that a member of a regional health authority who fails to submit audited financial statements in respect of election finances as required by the regulations ceases to be a member, subject to any appeal provisions in the regulations;

4(1) The *Local Authorities Election Act* is amended by this section.

(2) Section 1 is amended

- (a) by repealing clause (g)(iv);**
- (b) in clause (n) by striking out “, a health region under the *Regional Health Authorities Act*”;**
- (c) by repealing clause (p.1);**

3 Section 21(1)(e) presently reads:

21(1) The Lieutenant Governor in Council may make regulations

(e) respecting the manner in which members of regional health authorities and community health councils are nominated, appointed or elected, the terms of office of members, the filling of vacancies and the appointment or election of officers;

4(1) Consequential amendments to chapter L-27.5 of the Statutes of Alberta, 1983.

(2) Section 1 presently reads in part:

1 In this Act,

(g) "elected authority" means

(i) a council under the Municipal Government Act, or

(iii) a board of trustees under the School Act;

(iv) a regional health authority;

- (d) in clause (r) by adding “or” at the end of subclause (i) and by repealing subclause (ii);**
- (e) in clause (z) by adding “or” at the end of subclause (i) and by repealing subclause (ii).**

(3) Section 3 is repealed.

(4) Section 22 is amended

- (a) by repealing subsection (1)(j);**
- (b) in subsection (1.2) by striking out “(f) to (j)” and substituting “(f) to (i)”.**

(n) “local jurisdiction” means a municipality, a health region under the Regional Health Authorities Act or a district or division as defined in the School Act, as the case may be;

(p.1) “regional health authority” means a regional health authority established under the Regional Health Authorities Act;

(r) “relevant Minister” means,

(i) in the case of a municipality, the Minister of Municipal Affairs,

(ii) in the case of a regional health authority, the Minister of Health, or

(iii) in the case of a district or division as defined in the School Act, the Minister of Education;

(z) “ward” means

(i) a ward or electoral division under the Municipal Government Act,

(iii) a ward of a health region under the Regional Health Authorities Act, or

(iv) a ward or an electoral subdivision under the School Act.

(3) Repeals spent provision. Section 3 presently reads:

3 If an election is to be held to elect members to a district board, the election shall be conducted in accordance with this Act by a council designated pursuant to the Hospitals Act or the Nursing Homes Act.

(4) Section 22 presently reads:

22(1) A person is not eligible to be nominated as a candidate in any election under this Act if on nomination day

(j) in the case of a district board election, he or his spouse

(i) is a physician and a member of the medical staff,

(ii) is a dentist and a member of the medical staff or dental staff, or

(iii) is an employee

of a hospital or nursing home in respect of which the election is being held.

(1.2) Subsection (1)(f) to (j) do not apply to a candidate for election as a trustee of a school board.

(5) Section 42 is amended

(a) by repealing subsection (1)(d) and (e);

(b) by repealing subsection (2)(d) and (e);

(c) in subsection (3) by striking out “or district board”.

(6) Section 59(f) and (g) are repealed.

(5) Deletes spent references to hospital and nursing home boards.
Section 42 presently reads:

42(1) A separate ballot shall be used for

- (a) the office of chief elected official;*
- (b) the offices of councillors;*
- (c) the offices of school representatives or trustees;*
- (d) the offices of members of a hospital district board;*
- (e) the offices of members of a nursing home district board.*

(2) The names of the candidates for

- (a) the office of chief elected official;*
- (b) the offices of councillors;*
- (c) the offices of school representatives or trustees;*
- (d) the offices of members of a hospital district board;*
- (e) the offices of members of a nursing home district board;*

shall be placed on the ballot in the prescribed form.

(3) Every ballot used in an election for a member of an elected authority or district board shall contain a brief explanatory note stating the maximum number of candidates who can be voted for in order not to make the ballot void.

(4) Every ballot used in an election for chief elected official shall contain a brief explanatory note stating that the ballot shall not be marked for more than 1 candidate.

(6) Deletes spent references to hospital and nursing home boards.
Section 59 presently reads:

59 The deputy shall record on the voting register that an elector has received a ballot for any one or more of the following that are applicable to the election:

- (a) chief elected official;*
- (b) councillors;*
- (c) public school trustees or representatives;*
- (d) separate school trustees or representatives;*

(7) In the following provisions “or district board” is struck out wherever it occurs:

section 7(1);
section 8;
section 9;
section 33(1);
section 69(5);
section 126(1);
section 138(3);
section 147(b)(ii).

(e) by-law or question;

(f) hospital board member;

(g) nursing home board member.

(7) Repeals spent references to hospital boards.