

2005 Bill Pr3

First Session, 26th Legislature, 54 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL Pr3

MEDICINE HAT COMMUNITY FOUNDATION AMENDMENT ACT, 2005

MR. MITZEL

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL Pr3

2005

MEDICINE HAT COMMUNITY FOUNDATION AMENDMENT ACT, 2005

(Assented to _____, 2005)

WHEREAS the Medicine Hat Community Foundation was incorporated by the *Medicine Hat Community Foundation Act*, being chapter 45 of the Statutes of Alberta, 1992; and

WHEREAS the Foundation has presented a petition that the Act be amended and it is deemed 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:

Amends SA 1992 c45

1 The *Medicine Hat Community Foundation Act* is amended by this Act.

2 The title and chapter number of the Act are repealed and the following is substituted:

COMMUNITY FOUNDATION OF MEDICINE HAT AND SOUTHEASTERN ALBERTA ACT

3 Section 1 is amended

(a) by adding the following after clause (b):

(b.1) "Community" means the City of Medicine Hat, the Towns of Bassano, Brooks, Bow Island, Hanna, Redcliff and Oyen, the Villages of Empress, Foremost and Tilley,

the Counties of 40 Mile, Cypress and Newell and Special Areas 2, 3 and the Municipality of Acadia Valley (Special Area 34);

(b) in clause (f)

(i) by adding “originally” before “incorporated”,

(ii) by adding the following after “this Act”:

“and continued under the name of “Community Foundation of Medicine Hat and Southeastern Alberta”;

(c) by repealing clause (g).

4 The following is added after section 2:

2.1 Upon the coming into force of the *Medicine Hat Community Foundation Amendment Act, 2005*, the Foundation shall be continued under the name of “Community Foundation of Medicine Hat and Southeastern Alberta”.

5 Section 5(e) is repealed and the following is substituted:

(e) to invest any money of or in the possession of the Foundation in any property in which a trustee may invest trust money pursuant to the *Trustee Act*.

6 Section 6(2) is amended

(a) in clause (a) by striking out “Chairman” and substituting “Chair”;

(b) in clause (c) by adding “and District” after “Medicine Hat”;

(c) by adding the following after clause (d):

- (e) a mayor or reeve representing that part of the Community outside the City of Medicine Hat.

7 Section 7(1) is repealed and the following is substituted:

7(1) The Chair of the Committee shall fix a date once in each year for a meeting of the Committee of Nominators and at the meeting the Committee shall nominate and appoint such members of the Board as are required to fill any vacancies and to succeed members whose terms have expired.

(1.1) The Chair may call additional meetings of the Committee as required.

8 Section 11 is amended in clause (a)

- (a) by striking out “Chairman” and substituting “Chair”,**
- (b) by striking out “Vice-Chairman” and substituting “Vice-Chair”.**

9 Section 20 is repealed and the following is substituted.

20 Reasonable administrative expenses incurred by the Board may be charged against all trusts on a pro rata basis or other such basis as the Board considers equitable.

10 In the following provisions “Medicine Hat Community” is struck out wherever it occurs and “Community” is substituted:

section 3;
section 4;
section 8;
section 12;
section 17;
section 19.

Explanatory Notes

1 Amends chapter 45 of the Statutes of Alberta, 1992.

2 Title of the Act presently reads:

MEDICINE HAT COMMUNITY FOUNDATION ACT

3 Section 1 presently reads in part:

1 In this Act,

(b) “Committee” means the Committee of Nominators established from time to time pursuant to the provisions of this Act.

(f) *“Foundation” means the Medicine Hat Community Foundation incorporated by this Act;*

(g) *“Medicine Hat Community” means the City of Medicine Hat and such parts of the surrounding area in the Province as in the opinion of the Board are readily accessible to the City of Medicine Hat;*

4 Continuation of the Foundation under a new name.

5 Section 5(e) presently reads in part:

5 In addition to the powers vested in the corporation pursuant to the Interpretation Act the Foundation has the power:

(e) *to invest any money of or in the possession of the Foundation in any property in which a trustee may invest trust money or in which a life insurance company may invest funds under the Insurance Companies Act (Canada), subject to any instruction of the person who donated the money or to any order of a Court.*

6 Section 6(2) presently reads:

(2) The Committee shall comprise:

(a) *the Mayor of the City of Medicine Hat, who shall be Chairman;*

(b) *the Senior Judge of the Provincial Court;*

(c) *the President of the Medicine Hat Chamber of Commerce;*

- (d) *the President of the City of Medicine Hat and District Trades and Labour Council.*

7 Section 7(1) presently reads:

7(1) The Chairman of the Committee shall fix a date for the first meeting of the Committee within 6 weeks of the coming into force of this Act and shall thereafter fix a date once in each year for a meeting of the Committee and at that meeting the Committee shall nominate and appoint such members of the Board as are required to fill any vacancies and to succeed members whose terms have expired.

8 Section 11(a) presently reads in part:

11 The powers of the Foundation 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 one or more Vice-Chairman from among its members;*

9 Section 20 presently reads:

20 Subject to any conditions imposed by a donor, reasonable, administrative expenses incurred by the Board may be charged against all trusts, on a pro rata or such other basis as the Board considers equitable.

10 Changes references from “Medicine Hat Community” to “Community”.