

# BILL

No. 21 of 1921.

An Act to amend The Municipal Hospitals Act, 1919.

(Assented to , 1921.)

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. Section 2 of *The Municipal Hospitals Act*, 1919, being chapter 8 of the Statutes of Alberta, 1919, is amended—

- (a) By striking out paragraphs (e) and (g) thereof;
- (b) By striking out paragraph (i) thereof, and substituting therefor the following:
  - “(i) ‘Taxable person’ is any person personally liable for the payment of any tax levied for municipal purposes under the provisions of a municipal Act”;
- (c) By striking out from paragraph (l) thereof all the words after “improvement district taxes”;
- (d) By changing the word “ratepayers” to ratepayer”; and
- (e) By adding as paragraph (m) thereof the following:
  - “(m) ‘Department’ means the Department of Public Health.”

2. Section 4 of the said Act is hereby amended—

- (a) By striking out the words “said petitions” in the third proviso thereto, and inserting in lieu thereof the words “petition for the establishment of a hospital district”;
- (b) By inserting as the fifth proviso thereto:
  - “Provided further that at any time after a district is established but before the scheme of such district is advertised under the provisions of this Act the Minister may detach such lands as seem fit to him from any hospital district, without in any way invalidating or otherwise affecting the establishment of such district”;
- (c) By striking out in the sixth proviso thereto the words, “Provided further that the Minister may at any time after a district has been established detach certain lands from any hospital district;

and that particulars as to the proposed detachment have been advertised for at least two weeks in a newspaper published or circulating in the territory that it is proposed to detach, and that at a poll taken, as may be provided for, by the Minister, two thirds of the ratepayers actually voting shall favour detaching the said territory," and inserting in lieu thereof, "Provided further that the Minister may at any time after a district has been established detach certain lands from any hospital district, if particulars as to the proposed detachment have been advertised for at least two weeks in a newspaper published or circulating in the territory that it is proposed to detach, and if upon a plebiscite being taken two thirds of the voters actually voting favour detaching such territory."

3. Section 7 of the said Act is amended as to subsection 1 thereof—

- (a) By inserting after the words "hospital district" the following: "(or if no such election be held then upon the same day of the week as the nomination for the said election, but in the next week following)";
- (b) By striking out the words "by the ratepayers," and substituting therefor the words "by the voters."

4. Section 11 of the said Act is amended by striking out the same, and by substituting therefor the following:

"11. The persons entitled to vote at an election of members of the board held in any included area shall be the persons whose names are upon the hospital voters' list hereinafter provided for, and are not marked as those of persons owing hospital taxes or other money to the board.

"(2) The secretary-treasurer of every hospital board shall prepare—

- "(a) An alphabetical list of the persons, with respect to each included area (other than an improvement district) or part thereof, with whom or for whose benefit any agreement for the extension of hospital benefits and accommodation to persons other than hospital supporters, or any similar agreement made after the ratification of a scheme has been entered into, who—prior to the inclusion of their names in the list—have been resident within the hospital district for at least six months and are at the date of such inclusion resident within the included area concerned, and make application to him to be placed thereon; and
- "(b) An alphabetical list of all persons resident within the included area concerned, who owe money to the board.

“(3) The said secretary-treasurer shall close such lists three days prior to the polling day and shall forward to the treasurer or clerk of each municipality holding an election the lists affecting the same.

“(4) The list mentioned in paragraph (a) of subsection 2 hereof shall be added by the treasurer or clerk to the voters’ list of the municipality or included area, or, in the case of a village, to the assessment roll, and the list so formed shall be the hospital voters’ list.

“(5) The treasurer or clerk shall, where necessary, draw up a voters’ list for the purpose of this section, by excluding from the voters’ list of the municipality, or assessment roll of the village, all persons not resident within the included area concerned.

“(6) The treasurer or clerk of the municipality shall place a mark opposite to the names of all persons upon the hospital voters’ list who owe hospital taxes, and those of all persons who owe money to the board.

“(7) The treasurer or clerk of each municipality holding an election shall furnish to the returning officer, for distribution among the deputy returning officers, at least twenty-four hours before the opening of the polls, as many copies of the hospital voters’ list as they may require.

“(8) Any person whose name has been marked on the hospital voters’ list under the provisions of this Act may obtain a certificate from the secretary of the hospital board that he owes no money to the hospital board (if such is the fact) and may obtain a certificate from the treasurer or clerk of the municipality holding an election that he owes no hospital taxes, and upon presentation of such certificate to the deputy returning officer, the latter may remove the mark placed opposite the said person’s name and the latter shall be entitled to vote when all marks are removed from his name.”

5. Section 12 of the said Act is amended by striking out the words “Municipal Hospital District of” and the words “said municipal hospital district,” and inserting in lieu thereof respectively the words, “. . . . . Hospital District No. . . . .,” and the words “hospital district.”

6. Section 15, subsection 2, of the said Act is amended by striking out the word “ratepayer” where it first occurs in that subsection, and substituting in lieu thereof the word “voter”; and by striking out the word “ratepayer” where it occurs for the second time in that subsection, and inserting in lieu thereof the word “resident.”

7. Section 16 of the said Act is amended—

(a) By striking out clause 3 of paragraph (a) thereof, and inserting in lieu thereof the following:

"3. Extension of hospital benefits and accommodation to persons other than hospital supporters upon the terms of an agreement or agreements entered into with them either as individuals or as groups of persons";

(b) As to paragraph (c) thereof by striking out the same, and inserting in lieu thereof the following: "The schedule of fees to be charged for hospital services to residents of the hospital district and a definition of the class or classes of persons in this Act called 'hospital supporters' to whom minimum fees, if any, are to be charged";

(c) By adding as paragraph (h) of that section the following:

"(h) Such other matters as are incidental to the carrying out of or are of a like nature with those aforesaid."

(d) By adding as subsection 2 thereof the following:

"(2) The schedule of fees inserted in the scheme shall provide that no person in any city, town or village shall receive in any year hospital services at a minimum rate unless prior to a date in such year to be fixed by the board he pays a sum of money to the board, which, together with the amount payable by him as hospital taxes for that year, equals the sum fixed as an annual payment with regard to persons other than hospital supporters by an agreement entered into with individuals under sections 16 or 49b of this Act, or if there is no such scheme or no annual payment fixed therein, the sum of six dollars."

8. Section 16a of the said Act is amended—

- (a) By changing the number thereof to "45a";
- (b) By striking out the word "ratepayer" where it occurs therein, and inserting in lieu thereof the words "hospital supporters";
- (c) By striking out the word "non-ratepayer," and inserting in lieu thereof the words "person who is not a hospital supporter";
- (d) By striking out the words "of the district of which he is a ratepayer" wherever they occur therein, and inserting in lieu thereof the words "of such first mentioned district."

9. Section 16a is inserted in the said Act as follows:

"16a. Any scheme may, if so directed by the Minister, provide for the payment of not more than one half of the salary and expenses of one or more public health nurses.

"(2) Every public health nurse, a portion of whose salary is provided for in the scheme, shall be appointed by the Minister and shall carry out school inspection, child welfare and other work of a like nature under the direction and control of the Minister, and shall be paid by the department not less than one half of her salary and the expenses incident to her employment.

“(3) Subject to the prior provisions of this section the proportion in which the salaries and expenses of all public health nurses—a portion of whose salary is provided for by the scheme—are to be paid by the board and the department respectively, shall be determined by agreement, but the board shall not in any event be called upon to pay more than fifty per cent. thereof.”

**10.** Section 21 of the said Act is amended by striking out the last sentence thereof.

**11.** Sections 21a and 21b are added to the said Act as follows:

“**21a.** The persons entitled to vote at a poll to ratify or reject a hospital scheme shall be—

“(a) All persons whose names appear upon the district list hereinafter provided for;

“(b) All persons who on the day of the poll subscribe the declaration set out in form D in the schedule of this Act.

“**21b.** The treasurer, clerk or Minister of Municipal Affairs, as the case may be, shall forward to the returning officer at least three days before the taking of the poll, a list of the persons upon the last revised municipal voters’ list, if any, of every included area within the district, or if there is none, then a list of the persons upon the last revised assessment roll of such area.

“(2) Where an included area consists of a portion only of a municipality or improvement district, the treasurer, clerk or Minister of Municipal Affairs, as the case may be, shall prepare a list for the purpose of this section by excluding from the said voters’ list or assessment roll, as the case may be, all persons not resident within the hospital district.

“(3) The returning officer shall, by combining all such lists, make up a district list of voters and shall therefrom prepare a separate list for each polling division.”

**12.** Section 25 of the said Act is amended by striking out the words “subject to the provisions of this Act and the directions given by the Minister, be conducted in the same manner as nearly as may be as at an election for the councillors of a municipal district,” and substituting therefor “subject to the provisions of this Act be conducted in the same manner as nearly as may be as at an election of the councillors for a municipal district, or in the event of other directions being given by the Minister, then in accordance with such directions.”

**13.** Section 26 of the said Act is amended by striking out the word “ratepayers” wherever it occurs in the said section, and inserting in lieu thereof the word “voters.”

**14.** Section 29 of the said Act is amended—

(a) By striking out the first paragraph and part of the first proviso thereto down to and including the words "hospital board and," and substituting therefor the following: "As soon after the ratification of the scheme as is directed by the Minister the board shall divide amongst the included areas—

"(a) The amount of capital expenditure and interest thereon proposed to be repaid before the end of the then current year;

"(b) The amount of the estimated expenditure of the district less the estimated revenue (if any) derivable from the hospital or hospitals;

"(c) The expense incurred in connection with the establishment of the district and all other expenses incurred in connection with any matter or thing directed by or authorized under this Act;

and such division shall be made in accordance with the provisions of the scheme aforesaid and shall also be made in every subsequent year, whether it is so directed by the Minister or not, but in making such subsequent division the board may vary the proportions in which the sum divided is to be payable by the included areas and if it does so then";

(b) By striking out the last two provisos thereto.

**15.** Section 31 of the said Act is amended by striking out the words "by the ratepayers of the district" where they occur near the beginning of that section; and by striking out the words "poll of ratepayers" where they occur in that section, and inserting in lieu thereof the words "poll of voters."

**16.** Section 32 of the said Act is amended by striking out the proviso to subsection 1 thereof, and substituting therefor the following:

"Provided that where any person is liable to pay a tax in respect of any lot or other parcel of land, such tax shall be at least twenty-five cents:

"Provided further that where any taxable person is not liable to pay a hospital tax in respect of land then he shall pay a hospital tax of the same amount as any annual payment fixed with regard to persons other than hospital supporters by an agreement with individuals entered into under sections 16 or 49b of this Act; but if there is no such agreement or no annual payment fixed therein, he shall pay a tax of at least six dollars."

**17.** Section 35a is added to the said Act as follows:

"**35a.** Where it is not proposed to levy a tax in the year in which the scheme is ratified the board may, with the

approval of the Minister, pass a by-law authorizing the treasurer and chairman to borrow from any person, bank or corporation such sum or sums of money as may be required until such time as the hospital tax is collected."

18. Section 38 of the said Act is amended by striking out the words "and if the authority to make the loan has not been withdrawn"; and by striking out in subsection 2 thereof the words "Municipal Affairs" where they occur therein, and inserting in lieu thereof the word "Health."

19. Section 40 of the said Act is amended—

- (a) By striking out the first line thereof, and substituting therefor the following: "If subsequent to the ratification of the scheme any additional capital expenditure is proposed and the Minister consents thereto, then";
- (b) By striking out the words "the board may submit a plebiscite," and substituting therefor the words "the board shall submit a plebiscite";
- (c) By striking out the words "at the time of any annual election or upon such other date," and substituting therefor the words "upon such date";
- (d) By striking out the word "ratepayers" wherever it occurs therein, and substituting therefor the word "voters";
- (e) By adding thereto the following: "but in case the proposed capital expenditure does not exceed one thousand dollars in any one year, then the board may, without submission of the question to a plebiscite, borrow such amount and issue a debenture or debentures under the provisions of this Act for that amount and the interest thereon."

20. Section 42 of the said Act is amended—

(a) By striking out from subsection 2 thereof the words "The secretary-treasurer shall furnish to the board a good and sufficient bond for the proper performance of his duty in at least the sum of one thousand dollars, said bond to be issued by a guarantee company, acceptable to the Minister";

(b) By inserting therein the following new subsections:

"(3) The secretary-treasurer of every hospital district shall within one month after entering upon his duties furnish to the hospital district security in a penal sum to be named by the board, by a bond or policy of guarantee of any corporation empowered to grant securities, bonds or policies for the integrity and faithful accounting of public officers or servants or persons occupying positions of trust; and such security shall be renewed at the beginning of each year or changed at other times whenever renewal or change is required by the board.

"(4) The members of any board failing to take such security or renew the same shall be jointly and severally liable for any default of the secretary-treasurer to the extent of the sums for which such bond should be taken:

"Provided that when a majority of the board refuses or neglects to take such security on the demand of any trustee such demand being duly recorded in the minutes, such trustee shall be relieved from all personal liability in case of the default of such officer.

"(5) Such bond shall be in a form approved by the Minister.

"(6) In lieu of the provisions of subsections 3 and 4 hereof, the Minister may obtain such bond or policy covering any number of secretary-treasurers, and in such case each hospital district shall immediately forward to the Minister its proper proportion of the fee paid by the said Minister for such bond or policy";

(c) By adding thereto subsections 7, 8, 9 and 10 as follows:

"(7) The secretary-treasurer shall keep and make use of such books of record and account as the Minister shall from time to time require him to keep and use, including the debenture register, and shall also prepare and submit to the board, half-yearly, a correct statement of the moneys at the credit of the district.

"(8) The secretary-treasurer shall attend all meetings of the board and shall truly record in a book without note or comment all resolutions, decisions and other proceedings of the board; and (if required by any member present) shall record the name and vote of every member voting on any matter submitted; and shall safely keep all the books, documents and records of the board and the originals (or duly certified copies) of all the by-laws thereof.

"(9) The secretary-treasurer shall collect, receive and safely keep all moneys belonging or accruing due to the board from whatever source, and shall pay out the same only to such persons and in such manner as he is directed by resolution and by the by-law of the board.

"(10) The secretary-treasurer shall daily, or as often as the board may direct, deposit in the name of the board in some chartered bank designated by resolution of the board all moneys received by him; and he shall jointly with the chairman of the board sign all necessary cheques";

(d) By re-numbering the present subsections 3, 4 and 5 as 11, 12 and 13, respectively.

**21.** Section 44a is added to the said Act as follows:

"**44a.** The board and all officers thereof shall give all such information as may be in their power to give to the Minister upon any matter, when requested so to do, and shall submit all their books or records and accounts and

all other papers and documents to audit or investigation by him, or any person duly appointed by him, whenever required so to do."

**22.** Section 45*b* of the said Act is amended by striking out the words "trained attendants," and substituting therefor the words "district nurses."

**23.** Sections 49*a*, 49*b*, 49*c*, and 49*d* are added to the said Act as follows:

"**49*a*.** Any scheme ratified under the provisions may be subsequently varied or modified by the board with the approval of the Minister, either by subtraction therefrom, or addition thereto, or alteration thereof, but no variation so made shall have the effect of imposing a greater rate of taxation.

"**49*b*.** The board may at any time after a scheme has been ratified draw up an agreement or agreements for affording hospital accommodation for persons other than hospital supporters, of the same nature as any agreement which it might originally have inserted in the scheme.

"**49*c*.** The Lieutenant Governor in Council shall have power to appoint all such officers, clerks and other persons as may be necessary to carry this Act into effect.

"**49*d*.** Whenever, under the provisions of this Act, a plebiscite is directed to be taken, such plebiscite shall be taken in the same manner as if it were a poll to ratify or reject a hospital scheme, and the persons entitled to vote thereat shall be the persons who would be entitled to vote at such poll, save that where it is proposed to attach territory to, or detach territory from any hospital district, only persons resident within the said territory shall be permitted to vote."

**24.** The schedule of the said Act is amended by striking out the words "Minister of Municipal Affairs" where they occur in form B and in form C, and substituting therefor the words "Minister of Health," and by adding as form D, the following:

"FORM D.

"The...Hospital District No....of the Province of Alberta.

"Dated this...day of...19....

"The undersigned solemnly affirms:

"1. That he is of the full age of twenty-one years;

"2. That he lives within Hospital District No...;

"3. That he is liable to pay municipal or improvement district taxes in Hospital District No. . . . . ;

"4. That he owes no hospital taxes;

"5. That he owes no money to the board or hospital district.

*or*

"The undersigned solemnly affirms that he or she is the husband or wife or father or mother or son or daughter of . . . . . who lives within Hospital District No. . . . . , and is liable to pay municipal or improvement district taxes therein, and that he or she is of the full age of twenty-one years and lives with the said (wife, husband, etc., respectively)."

No. 21.

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FOURTH SESSION  
FOURTH LEGISLATURE  
11 GEORGE V  
'1921

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BILL

An Act to amend The Municipal  
Hospitals Act, 1919.

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Received and read the

First time . . . . .

Second time . . . . .

Third time . . . . .

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HON. C. R. MITCHELL

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