

Bill No. 31 of 1933.

A BILL TO AMEND THE MUNICIPAL HOSPITALS
ACT, 1929.

NOTE.

Section 2 of the Bill enables the board of the district to require that in the case of a non-ratepayer resident his right to hospitalization may be conditional upon his continuing to pay from year to year, whilst a resident, the annual sum payable for the right to hospitalization at the fixed per diem fee.

Section 3 of the Bill clarifies section 12*a* as to the persons entitled to vote under that section.

Section 4 of the Bill empowers the Minister to transfer any area included in a hospital district to another district without a vote of the ratepayers in the circumstances therein set out.

Section 5 of the Bill provides for the appointment of auditors and prescribes their duties.

Sections 6 and 7 of the Bill substitute for the existing provisions as to the apportionment of the expenditures of hospital districts amongst the included areas new provisions as to the liability of a ratepayer for the minimum tax.

Section 8 of the Bill makes provision for the payment of the hospital accounts against persons entitled to hospitalization at the rate chargeable to a ratepayer who resides in any included area by a levy upon all the property in that area liable to assessment and taxation under the Act, in case that course has been submitted to a vote of the persons in the area entitled to vote and has been approved by more than sixty per centum of the persons voting thereon.

R. ANDREW SMITH,
Legislative Counsel.

(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)

BILL

No. 31 of 1933.

An Act to amend The Municipal Hospitals Act, 1929.

(Assented to _____, 1933.)

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

1. This Act may be cited as "*The Municipal Hospitals Act, 1929, Amendment Act, 1933.*"

2. *The Municipal Hospitals Act, 1929*, being chapter 33 of the Statutes of Alberta, 1929, is hereby amended by inserting therein, immediately after section 11 thereof, the following new section:

"**11a.** Where by any scheme provision is made whereby a resident of the district who is not a ratepayer may become entitled to hospitalization in the hospital of the district at a fixed per diem fee upon payment of an annual sum, in case such resident has in any year become so entitled and in any subsequent year ceased to be so entitled, the board may in any subsequent year add to the amount of the annual fee payable by the resident a sum not in excess of the aggregate of the annual sums for all the years which have elapsed since the year he was last entitled to hospitalization as aforesaid during which he was a resident non-ratepayer of the hospital district."

3. The said Act is further amended as to section 12*a* thereof by striking out the words "to the same persons who would have been entitled to vote thereon if the variation to the scheme had been an original scheme" where the same occur in the proviso to subsection (2) thereof, and by substituting therefor the words "to the persons entitled to vote pursuant to subsection (3) of section 29 of this Act."

4. The said Act is further amended as to section 29 thereof by inserting therein, immediately after subsection (4*a*) thereof, the following new subsection:

"(4*b*) The Minister may by order at any time transfer any area included in a hospital district to any other hospital district upon being requested so to do by a petition signed by sixty-five per centum of the resident ratepayers of the area and with the consent of the board of the district from which the area is to be transferred and of the board of the district to which the area is to be transferred; and every order made pursuant to this subsection shall take effect as and from a day to be named therein."

5. The said Act is further amended by inserting therein, immediately after section 49 thereof, the following new section:

“49a.—(1) The board shall at its first meeting after the establishment of a district and at its first meeting in every subsequent year, or within two months thereafter, appoint an auditor.

“(2) An incorporated company or a partnership may be appointed as auditor.

“(3) No one shall be appointed auditor who then or during the preceding year, is or was—

“(a) a member of the board; or

“(b) secretary-treasurer of the board; or

“(c) interested directly or indirectly in any contract made by the hospital district; or

“(d) employed by the hospital district in any capacity except that of auditor.

“(4) Any auditor becoming—

“(a) a member of the board; or

“(b) secretary-treasurer of the board; or

“(c) interested directly or indirectly in any contract made by the hospital district; or

“(d) employed by the hospital district in any capacity except that of auditor—

shall immediately vacate his office.

“(5) The appointment of an auditor shall be subject to the approval of the Minister who shall forthwith be advised thereof by letter and the said Minister may confirm the appointment or disallow the same.

“(6) In the event of disallowance the board shall at its regular meeting (or if there be no regular meeting within one month after the receipt by the secretary-treasurer of notice of such disallowance, then at a special meeting called for that purpose and held within the said period of one month) appoint another person, company or firm as auditor, subject to the Minister's approval as aforesaid.

“(7) The auditor shall audit and report upon all books and accounts affecting the hospital district or relating in any wise to the business and affairs of the district, and after the examination of every account, voucher, receipt or paid debenture, shall stamp or write thereon in indelible letters the word “Audited” and initial the same, and he shall verify the cash balance as shown by the secretary-treasurer's books by counting the cash, and in no case shall he certify to the correctness of the books until he has checked up the deposits entered in the cash book with the deposits shown in the bank book, and shall comply with regulations made pursuant to this Act.

“(8) The auditor shall in every case write a special report respecting all expenditure made contrary to law, by-law or resolution, if there is such expenditure, and shall deliver the said report to the chairman of the board who shall lay the same before the board at its next regular meeting.

“(9) Not later than the thirty-first day of January in each year the auditor shall prepare a financial statement in such form as the Minister may direct or the regulations made pursuant to this Act may prescribe.

“(10) Such statement shall show the total amount of debentures authorized to be issued, the debentures actually issued, those actually sold, or otherwise, and their disposal, those remaining on hand, and the amount of debentures redeemed and outstanding, respectively.

“(11) The auditor shall make such statement and report in duplicate and shall forward one copy thereof to the Minister and deliver the other to the secretary-treasurer of the hospital district.”

6. The said Act is further amended as to section 66 thereof by striking out subsection (2) thereof.

7. The said Act is further amended by inserting therein, immediately after section 66 thereof, the following new sections:

“**66a.**—(1) The estimated expenditures of a hospital district as confirmed by the Minister shall be apportioned amongst and borne by the included areas of the hospital district in the proportions following, namely:

“(a) In case a hospital district contains both urban and rural included areas, the entire expenditures of the district shall be apportioned between all the included urban areas and all the included rural areas in the proportion which the aggregate population of all the urban areas bears to the aggregate population of all the included areas and the amount so apportioned shall, in respect of the included urban areas, be then apportioned between all the included urban areas in that proportion which the population of each included urban area bears to the aggregate population of all the included urban areas; and the amount so apportioned in respect of the included rural areas shall be then apportioned between all the included rural areas in that proportion which the acreage of each included rural area liable to assessment according to the last revised assessment roll of the area bears to the acreage of all lands of all the included rural areas so liable to taxation as aforesaid.

“(b) In case the areas included in a hospital district are all urban areas, or all rural areas, the total expenditures of the district shall be apportioned amongst the included areas in the manner hereinbefore prescribed for the apportionment thereof amongst urban areas or rural areas, as the case may be.

“(2)—(a) For the purpose of this section the population of any area shall be the population thereof as shown by the returns of the last census taken under the authority of any Act of the Parliament of Canada which are available at the time of making the apportionment.

“(b) In case in any year which is either the third, fourth, fifth or sixth year following the year in which the returns of any census are available, the council of any included area or the hospital board deems that the population of any included area has substantially altered or decreased may not later than the first day of February in any one of the third, fourth, fifth or sixth years aforesaid deliver to the Board of Public Utility Commissioners a resolution passed by the council or board, as the case may be, that the population of each and all the included areas of the district be ascertained by the Board of Public Utility Commissioners, and thereupon the Board of Public Utility Commissioners shall proceed to hold such enquiry under the provisions of *The Public Utilities Act* and shall have the power to direct that the population of any or all included areas be ascertained in such manner, at such times and by such persons as it deems expedient, and to order that for the purposes of this section the population shall be such as it may determine, and to order that the costs of the enquiry and of anything done by direction of the Board of Public Utility Commissioners for the purpose of ascertaining the population shall be paid by any council delivering a resolution as aforesaid or by the hospital board or by both in such proportions as it may deem just and proper in the circumstances.

“(3) 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 within twenty-one days after any re-division is made and notice thereof has been sent to the secretary-treasurer of each contributing council, any twenty-five ratepayers of an included area may appeal to the Board of Public Utility Commissioners, which shall, after considering the general fairness of the variation, either confirm the division or make a re-division, and its decision shall be final for all purposes and shall not be questioned in any court of law.

“(4) The provisions of this section shall apply to all hospital districts heretofore or hereafter to be established, and in the event of any of the provisions of any scheme conflicting with the provisions of this section, the provisions of this section shall prevail.

“**66b.**—(1) Where provision is made in any scheme prescribing the minimum tax payable by ratepayers assessed in respect of property within a hospital district, in case a ratepayer is assessed in respect of more than one parcel of land in the district he shall be liable to the payment of the minimum tax to the extent only that the sum of the hospital taxes payable by him in respect of all such parcels is less than the minimum tax, and where a ratepayer is assessed in respect of property within a district situated in more than one included area, he shall be liable to the payment of the minimum hospital tax in the included area of which he is a resident; and upon the ratepayer producing the tax notice

from the authority of any other included area in which he is assessed in respect of property therein to the secretary-treasurer of the included area of which he is resident, the secretary-treasurer shall abate the amount whereby the minimum tax exceeds the ordinary hospital taxes payable by the ratepayer therein by the amount of the taxes payable by him in any included area of which the ratepayer is not a resident.

“(2) A non-resident ratepayer may in any year before the first of February request in writing the secretary-treasurer to assess him for the minimum tax in respect of any property he has in any hospital district, and thereupon shall be entitled to hospital facilities as a resident ratepayer during the year in respect of which he is so assessed.”

8. The said Act is further amended by inserting therein, immediately after section 70 thereof, the following new section:

“70a.—(1) Upon the receipt of a petition in that behalf signed by not less than twenty-five per centum of the resident ratepayers of any included area, the Minister may by order appoint a returning officer and provide for the taking of a poll of those persons resident in the included area who are entitled to vote pursuant to subsection (3) of section 29 of this Act upon the following question, namely:

“Are you in favour of a proposal whereby—

“(a) any patient who is a resident of that part of (name of municipality) which is included in (name of hospital district), and who is entitled to hospitalization in the hospital of the district at the rate chargeable to a ratepayer shall no longer be personally liable for the payment of the hospital charges at the rate aforesaid in respect of hospitalization received by him; and

“(b) the cost of hospitalization of all such patients not exceeding the aggregate amount chargeable in respect thereof calculated at the rate chargeable to ratepayers shall be added to the portion of the annual expenditures of the hospital district payable by the included area and be levied as a part of the ordinary hospital taxes leviable in the included area?

Yes..... No.....

“(2) The vote shall be taken in the same manner as nearly as possible as if it were a poll to ratify or reject a hospital scheme, but the Minister may give any contrary or other directions as to the taking thereof which may seem to him to be necessary or convenient.

“(3) If upon the taking of the vote it is made to appear to the Minister that more than sixty-six per centum of all the persons who voted thereon voted in favour of the proposal, he may by order published in *The Alberta Gazette* declare that from and after a day to be mentioned therein—

“(a) any patient who is a resident of that part of (name of municipality), which is included in (name of hospital district), and who is entitled to hospitalization in the hospital of the district at the rate chargeable to a ratepayer shall no longer be personally liable for the payment of the hospital charges at the rate aforesaid in respect of hospitalization received by him; and

“(b) the cost of hospitalization of all such patients not exceeding the aggregate amount chargeable in respect thereof calculated at the rate chargeable to ratepayers shall be added to the portion of the annual expenditures of the hospital district payable by the included area and be levied as a part of the ordinary hospital taxes leviable in the included area.

“(4) Upon the making and publication of any order by the Minister as last aforesaid, from and after the day mentioned therein the cost of hospitalization in the hospital of the district of all patients resident in the included area not exceeding the aggregate amount chargeable in respect thereof calculated at the rate chargeable to ratepayers shall be ascertained and fixed by the board and shall be paid by a levy upon all the property in the included area liable to assessment and taxation for the purposes of this Act, and upon the board making a requisition upon the contributing council in respect of the included area for that part of the estimate attributed to it, the board shall add to the amount of the part aforesaid the total amount of the hospitalization costs of the resident patients of the included area for the previous calendar year and thereupon the amount to be levied and collected by the contributing council for hospital tax pursuant to section 68 of this Act shall be increased by the amount of the charges for hospitalization added thereto as aforesaid.”

9. This Act shall come into force on the day upon which it is assented to.

No. 31.

THIRD SESSION
SEVENTH LEGISLATURE
23 GEORGE V
1933

BILL

An Act to amend The Municipal
Hospitals Act, 1929.

Received and read the

First time.....

Second time

Third time

HON. MR. HOADLEY

EDMONTON:
W. D. McLEAN, KING'S PRINTER
1933