

Bill No. 18 of 1936.

A BILL TO AMEND THE MUNICIPAL HOSPITALS  
ACT, 1929.

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NOTE.

By section 2 of the Bill any corporation which is a ratepayer is empowered to nominate one person who is an officer or employee of the corporation and resident in the district as a ratepayer of the district for the purposes of the Act; it further empowers the board to fix by resolution the amount of hospital tax normally required in respect of one ratepayer and to provide that where the amount fixed constitutes an aliquot part of a ratepayer's hospital taxes, the ratepayer may in respect of each such aliquot part, after the first, if the ratepayer is a natural person, and in respect of every such aliquot part, if the ratepayer is a corporation, nominate one person who is an employee or tenant of the ratepayer and resident in the district as a ratepayer of the district.

Section 3 makes provision for including in a proposed hospital district municipal areas included in an established hospital district.

Section 4 is a restatement as to the persons eligible for election as members of a board.

Section 5 makes a new provision as to the disestablishment of a hospital district.

Section 7 makes special provision as to the tax payable in case a minimum tax is fixed by the scheme in cases where the taxes payable in respect of a ratepayer's property are either less or more than the minimum tax. It also provides that a non-resident ratepayer may request the secretary-treasurer to assess him with the minimum tax in respect of any property he has in any hospital district and upon being so assessed shall be entitled to hospital facilities as a resident ratepayer.

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. 18 of 1936.

An Act to amend The Municipal Hospitals Act, 1929.

(Assented to \_\_\_\_\_, 1936.)

**H**IS 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, 1936.*"

**2.** *The Municipal Hospitals Act, 1929*, being chapter 33 of the Statutes of Alberta, 1929, is hereby amended as to section 11 thereof by striking out subsection (6) thereof and by substituting therefor the following:

"(6) Subject to subsection (8), any corporation which is a ratepayer may from time to time by writing delivered to the board nominate one person who is an officer or employee of the corporation and is resident in the district, and the person so nominated shall be deemed to be a ratepayer of the district until he ceases to be a resident thereof or until the corporation nominates in the manner aforesaid another person in his stead whichever event first happens.

"(7) The board may by resolution fix an amount as being the amount of hospital taxes normally required in respect of one ratepayer and may provide that where the amount so fixed constitutes an aliquot part of the annual hospital taxes payable by any ratepayer, the ratepayer may in respect of each such aliquot part after the first if the ratepayer is a natural person and in respect of every such aliquot part if the ratepayer is a corporation, nominate one person who is an employee or tenant of the ratepayer and resident in the district: and the person so nominated shall be deemed to be a ratepayer of the district until he ceases to be a resident of the district or until the ratepayer nominates, in the manner aforesaid, another person in his stead whichever event first happens.

"(8) In case a ratepayer has nominated a person pursuant to either subsection (6) or subsection (7) hereof and such person has been furnished with hospitalization as a ratepayer, the ratepayer shall not be entitled to make another nomination in the place of that person without the consent of the board until the expiration of twelve months after the date at which the hospitalization ceased."

**3.** The said Act is further amended by inserting therein, immediately after section 29 thereof, the following new section:

"**29a.** In case it is proposed that a hospital district shall be established and that there be included in the district any

municipality or part of any municipality which is then included in an established hospital district, the Minister shall not include such municipality or part of a municipality in the proposed hospital district unless and until the board of the existing district has by resolution approved the detachment of the municipality or part of a municipality from the existing district and the inclusion thereof in the proposed district; and in case such approval is given, the Minister may, subject always to the provisions of subsections (5) and (6) of section 29 hereof, by order provide for the detachment of the municipality or part of a municipality from the existing district and the inclusion thereof in the proposed district, and if upon the establishment of the new district and the ratification of the scheme the Minister is satisfied that sufficient arrangements have been made for financing the scheme and so certifies in writing, the order shall become effective to detach the municipality or part of a municipality from the hospital district in which it was included and to include the same in the new district, and none of the provisions of section 29 as to the taking of a vote shall apply thereto."

4. The said Act is further amended as to section 31 thereof by striking out the same and by substituting therefor the following:

"31.—(1) Subject to subsection (2), the persons eligible for election as members of the board shall be persons who are,—

"(a) resident ratepayers of the hospital district or the husband or wife of any such ratepayer;

"(b) of the full age of twenty-one years and British subjects; and

"(c) able to read and write the English language.

"(2) Any member of a council of a municipality may be a member of a hospital board.

"(3) The following persons shall be ineligible for election and disqualified to be members of a hospital board, namely,—

"(a) doctors practising within the hospital district; and

"(b) any person who has any contract with the hospital board or is a partner with any other person who has any such contract."

5. The said Act is further amended by inserting therein, immediately after section 52 thereof, the following new section:

"52a.—(1) Upon it being made to appear to the Minister by resolutions passed by the board and by the councils of municipalities which are wholly or partially included in the hospital district that it is desired to disestablish a hospital district, the Minister, upon being satisfied that it is in the public interest to disestablish the district, may give notice in *The Alberta Gazette* and to the board and to each such council that it is proposed to disestablish the hospital district from and after a date to be specified in the notice which shall not be less than six months after the publication of the notice in *The Alberta Gazette*.

“(2) In case it is made to appear to the Minister within two months after the publication of the notice in *The Alberta Gazette* by resolutions passed by the board or by any council of any municipality wholly or partially included in the hospital district or by petitions of ratepayers of the hospital district or in any other way that it is desirable so to do, the Minister may by order direct a vote of the ratepayers of the district upon the question as to whether or not the district should be disestablished, and the vote shall be taken according to the provisions of this Act for the taking of a vote for the ratification or rejection of a hospital scheme, and all such provisions shall, *mutatis mutandis*, apply thereto.

“(3) If a vote has been taken and the proposal for the disestablishment of the district has been approved by a majority of the ratepayers voting thereat, the Minister may proceed to the disestablishment of the district.

“(4) In case it has not been made to appear to the Minister within two months after the publication of the notice of disestablishment in *The Alberta Gazette* that it is desirable to take a vote, the Minister may proceed to the disestablishment of the district.

“(5) The Minister may, in any case in which he is empowered by this Act so to do, make an order disestablishing a hospital district as and from the date set out in the notice of disestablishment or any later date which may be fixed by him and may by that order or by a separate order appoint one or more persons to wind up and liquidate the affairs of the district: every such order shall be published in *The Alberta Gazette* and shall take effect on publication; and from and after the date fixed for the disestablishment of the district the same shall continue to exist solely for the purpose of the winding up of its affairs and all the powers conferred upon the board of the district shall thereupon be transferred to and vested in the person or persons appointed to wind up its affairs to the extent that it may be necessary for that purpose.

“(6) The Minister may from time to time give such directions as he may deem proper as to the winding up of the affairs of the disestablished district.

“(7) In case the assets of the district are insufficient to meet its liabilities, the deficiency shall be borne and paid by each municipality included either wholly or partially therein in the same proportion as it would have been liable in respect of the requisitions of the board if the district had not been disestablished: in case after the payment of the liabilities of the district a surplus remains the same shall be distributed in the included municipalities in the same proportion as those municipalities would have been liable in respect of the requisitions of the board if the district had not been disestablished.

“(8) In case it is desired to disestablish a district which has an outstanding debenture indebtedness, the Minister shall not proceed to order the taking of a vote under this section or to make any order for the disestablishment of the district unless and until the Board of Public Utility Commissioners has certified that due provision has been made for the protection of the holders of debentures thereof

and has given all necessary directions to secure the effective carrying out of the provisions of this subsection."

6. The said Act is further amended as to section 67 thereof by striking out the same and by substituting therefor the following:

"67. In the event of the board failing to make any such division as aforesaid, the question shall be submitted to the decision of the Board of Public Utility Commissioners."

7. The said Act is further amended by inserting therein, immediately after section 67 thereof, the following new section:

"67a.—(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 deliver a request in writing to the secretary-treasurer to assess him for the minimum tax in respect of any property he has in any hospital district, and upon being so assessed he shall be entitled to hospital facilities as a resident ratepayer during the year in respect of which he is so assessed.

"(3) In the case of a district established prior to the first day of January, 1929, any sums collected by the municipality under this section in any month shall be paid over to the hospital district on or before the fifteenth day of the next ensuing month.

"(4) In the case of any other district any sums collected by the municipality under subsection (2) of this section in any month shall be paid over to the hospital district on or before the fifteenth day of the next ensuing month."

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

No. 18.

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FIRST SESSION  
EIGHTH LEGISLATURE  
1 EDWARD VIII  
1936

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**BILL**

An Act to amend The Municipal  
Hospitals Act, 1929.

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Received and read the

First time .....

Second time.....

Third time.....

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HON. DR. CROSS.

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EDMONTON:  
A. Shnitka, King's Printer  
1936