

Bill No. 58 of 1941.

A BILL TO AMEND THE MUNICIPAL HOSPITALS
ACT, 1929

NOTE.

This Bill amends *The Municipal Hospitals Act, 1929*.

Amendments have been made to the definitions so as to specifically apply the terms and provisions of this Act to special areas which are and may be included in hospital districts.

The amendment to section 5 enables the Minister to establish a district without the necessity of petitions in cases where it is advisable to do so in order that a provisional Board may be set up, a scheme be prepared, and a vote for the ratification or rejection of the scheme be taken. Petitions have not been submitted in many cases as residents of the proposed district were too divided over some relatively unimportant question relating to the scheme, but were otherwise largely in favour of the formation of the district.

The amendment to section 31a enables the Minister in any municipality under an administrator or in any improvement district, to divide the area composed of such municipalities and improvement districts into wards and to call a meeting or meetings in the wards for the purpose of electing such number of members to the hospital board as the Minister may direct. The Minister is given fairly wide powers to designate the time, place and form of election so that it can be adapted to the varying circumstances in such municipalities and improvement districts and will greatly facilitate the election of hospital boards therefrom.

The amendments to section 66 enable the Minister to maintain a check on the fairness of the apportionment of requisitions as between the various included areas of a hospital district. Due to changes in population or conditions in the included areas, it is necessary that the portion payable by each vary from time to time, and this amendment enables the Minister to request such variation. If the Minister and the Board cannot agree, the question may be referred by the Minister to the Board of Public Utility Commissioners, whose decision is final. If the Minister

and the Board do agree, there is provision for appeal by the ratepayers of any included area to the Board of Public Utility Commissioners.

The amendment to section 70a enables the Board of a district where a free hospitalization scheme has been put into effect with respect to the residents of one or more of its included areas, to raise the minimum hospital tax for the ratepayers or subscribers in such included area or areas.

W. S. GRAY,
Acting Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 58 of 1941.

An Act to amend The Municipal Hospitals Act, 1929.

(Assented to _____, 1941.)

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, 1941.*"

2. *The Municipal Hospitals Act, 1929*, being chapter 33 of the Statutes of Alberta, 1929, is hereby amended as to section 2 thereof,—

(a) by adding at the end of paragraph (b) thereof the following words: "and in respect of a special area, the Minister of Lands and Mines";

(b) by striking out paragraph (k) thereof and by substituting therefor the following:

"(k) 'Ratepayer' shall mean any person liable to pay municipal or improvement district taxes in respect of property situate within the district or any person liable to deliver a share of the crop as rental on Provincial Government lands within the district;"

(c) by adding at the end thereof the following new paragraphs:

"(l) 'Special area' means any special area constituted under the authority of *The Special Areas Act, 1939*;"

"(m) 'Improvement district' wherever it occurs in this Act, shall in addition to its customary meaning, include special areas."

3. The said Act is further amended as to section 5 by renumbering subsection (2) as subsection (3) and by adding thereto the following new subsection, numbered (2):

"(2) Whenever the Minister in his absolute discretion is satisfied that it is necessary or advisable so to do, he may by order establish a hospital district, determine its area, give it a name and do such other things as he may deem advisable whether or not he has received any petition or petitions."

4. The said Act is further amended as to section 6 by striking out subsection (1) thereof and by substituting therefore the following:

“6.—(1) The Minister, after establishing a district, and before a vote is taken for ratification of the scheme as is hereinafter provided, may disestablish the same or may vary the scheme if such course appears to him to be desirable.”

5. The said Act is further amended as to section 11 by adding at the end thereof the following new subsection:

“(9) Any scheme may provide that a renter of any real property situate within the district in respect of which taxes are payable to a municipality or improvement district, shall be entitled to any or all of the benefits conferred by this Act upon a hospital supporter, upon such terms and conditions as may be deemed expedient.”

6. The said Act is further amended as to section 28 by striking out the same and by substituting therefor the following:

“28. Any scheme ratified under the provisions of this Act or of *The Municipal Hospitals Act*, may be subsequently varied in any way by the Board, with the approval of the Minister, either by subtraction therefrom, addition thereto, or alteration thereof.”

7. The said Act is further amended as to section 31 by striking out the words “subsection (2)”, where the same occur in subsection (1) thereof, and by substituting therefor the words “subsection (3)”.

8. The said Act is further amended as to section 31a by striking out subsection (1) thereof and by substituting therefor the following:

“31a.—(1) In any municipality in which an administrator appointed pursuant to *The Department of Municipal Affairs Act* is substituted for the Council thereof, or in any improvement district or in any part of any such municipality or improvement district included in a hospital district, the Minister may by order divide the area composed of such municipalities and improvement districts into wards and may direct that a meeting or meetings be held of all persons entitled to vote who shall be all persons who subscribe to either of the declarations set out in Form C in the Schedule to this Act, and such meeting or meetings shall be held at such time or times and at such place or places and in such manner as the Minister may direct for the purpose of selecting in such manner, such number of persons as the Minister may direct to represent upon the Board, such ward, or in the event of the area not being so divided,

he may make similar directions with respect to any such municipality, improvement district, or part thereof included in the hospital district."

9. The said Act is further amended as to section 44 by striking out subsection (2) thereof and by substituting therefor the following:

"(2) The place of any member of the Board whose period of office expires, under the provisions of this section, shall in the case of a member representing a municipality, be filled by an election held at the regular election of councillors or aldermen immediately preceding the date of his retirement, and shall, in the case of a member representing a municipality or part thereof, in which an administrator appointed pursuant to *The Department of Municipal Affairs Act* is substituted for the Council thereof, or in the case of an improvement district or part thereof, be filled in the manner prescribed by section 31a."

10. The said Act is further amended as to section 50 by adding immediately after subsection (2) thereof the following new subsection:

"(3) The Board may, with the approval of the Minister, enter into any agreement to provide for the payment of any portion of the salary and expenses of one or more nurses to provide nursing service outside the hospital, but within the district."

11. The said Act is further amended as to section 65 by striking out subsection (2) thereof and by substituting therefor the following:

"(2) The Board may, with the approval of the Minister, at any time when it has a sufficient amount in cash in its reserve fund to pay for the same, do all or any of the acts and things following, namely; alter, improve or add to its hospital buildings, lands or equipment; erect and equip a new hospital; erect and equip a nurses' home; and acquire any property, real or personal, required for the purpose of so doing."

12. The said Act is further amended as to section 66 by striking out the same and by substituting therefor the following:

"**66.**—(1) As soon after the ratification of the scheme as is directed by the Minister, the Board shall prepare a statement of,—

"(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 (including such amount, if any, as may be approved by the Minister, to provide a reserve fund

for the retirement of debentures or for the defrayal of any of the expenditures referred to in section 65), less the estimated revenue, if any, to be derived from the hospital or hospitals;

- “(c) the expenses 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;
- “(d) the portion of the estimate required to be furnished in accordance with the provisions of the scheme by each included area;
- “(e) any data pertaining to assessments, requisitions, acreage, mill rates, population, number of rate-payers or any other data of a similar nature which may from time to time be required by the Minister,—

and shall as soon as possible after ratification of the scheme and not later than the fifteenth day of February in each year thereafter, submit all such estimates to the Minister, who may confirm the same or may vary the estimate and confirm the estimate so varied if such variation is approved by the Board.

“(2) The Minister, in his discretion, may refuse to confirm any estimate if he believes the amount of such estimate is not equitably divided amongst the included areas, and may request the Board to vary the proportions in which the sum so divided is to be payable by the included area.

“(3) If the Minister and the Board are unable to agree on an equitable division of the estimate, the Minister may refer the matter to the Board of Public Utility Commissioners which shall make such division as it deems just, and its decision shall be final for all purposes and shall not be questioned in any court of law.

“(4) In each year, the Board, upon receiving the confirmation of the estimate from the Minister, shall send to each of the contributing councils a notice setting out the portion of the estimate required from it and from each of the other contributing councils whether or not there is any variations in the proportions in which the estimate is payable by the included areas.

“(5) Within twenty-one days after any such notice 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 decision, either confirm it or make a re-division, and its decision shall be final for all purposes and shall not be questioned in any court of law.”

13. The said Act is further amended by adding immediately after section 68 the following new section:

“**68a.** The provisions of sections 66, 67, and 68 of this Act shall not apply to any or any part of any special area

in a hospital district which has made general provision for the hospitalization of its residents by an agreement approved by the Minister of Public Health between the special area and the Board of the district, either alone or together with any other hospital Board or Boards.”

14. The said Act is further amended as to section 69a by striking out the words “prior to the year 1930” wherever the same occur therein.

15. The said Act is further amended as to section 70a by adding immediately after subsection (3) thereof the following new subsection:

“(3a) Upon the making and publication of any order by the Minister as aforesaid, the Board may fix or vary the minimum tax of the included area in respect of which the order is made, and may fix or vary the fee paid by residents under section 11.”

16. The said Act is further amended as to the Schedule by adding thereto the following:

“6. *The Special Areas Act, 1939.*”

17. The said Act is further amended as to Form C by striking out the same and by substituting therefor the following:

“FORM C.

“ELECTION OF BOARD.

“(Sections 31a and 36 (1))

“The Hospital District No.

“Dated this day of, 19.....

“The undersigned solemnly affirms:

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

“2. That he is liable to pay municipal or improvement district taxes in respect of property in hospital district No....., (or he is liable to deliver a share of his crop as rental on Provincial Government Lands in Hospital District No.....); and

“3. That he has not voted before at this election.

“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 in respect of property therein, (or is liable to deliver a share of his crop as rental on Provincial Government Lands therein), and that he or she is of the full age of twenty-one years, and lives with the said (wife, husband, etc., respectively), and that he has not voted before at this election.

“.....”

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

No. 58.

FIRST SESSION
NINTH LEGISLATURE
5 GEORGE VI
1941

BILL
An Act to amend The Municipal
Hospitals Act, 1929.

Received and read the

First time.....

Second time.....

Third time.....

HON. DR. CROSS.

EDMONTON:
A. Shultka, King's Printer
1941