

Bill No. 55 of 1946.

A BILL TO AMEND THE SCHOOL ACT

NOTE.

Section 49 of the Act which is amended by section 1 of the Bill provides for an annual meeting of electors and rate-payers of every district other than town districts to be held before February 20th. The purpose of the amendment is to authorize a divisional board to call a meeting when the meeting provided for in subsection (2) has not been held.

Section 2 of the Bill amends section 64 of the Act which provides that a rural district shall have three trustees which may be increased to five by a resolution passed at the annual meeting. The purpose of the amendment is to authorize a rural district in a division to provide by resolution for the election of only one trustee in which case the terms of sitting members shall be deemed to have expired and one trustee elected.

Section 3 of the Bill amends section 73 of the Act which deals with prohibited transactions for trustees, but allows a trustee to receive remuneration for acting as secretary, etc. The amendment limits this exemption to remuneration for "casual or part time employment". The reference to school divisions is struck out of subsection (6) which deals with trustees who are merchants selling merchandise to the Board as that matter is dealt with in a later section dealing with divisions.

The change made by section 4 of the Bill in section 127 is necessary by reason of the reorganization of the Department of Education and the change in the title of officials.

Section 5 of the Bill enacts a new section 140a dealing with the conveyance of school children in school divisions, and provides that the width of road allowances shall not be included in computing the distance a child is from school on the van route. There is now a similar section in *The School Attendance Act*.

Section 143 of the Act deals with the expropriation of school sites, and the amendment made by section 6 is solely for the purpose of clarification.

Section 7 of the Bill amends section 171. This section deals with disputes between a board and a teacher as to the termination of an engagement and provides for a reference by the Minister to the Board of Reference. Subsection (6) provides among other things that if the Board of Reference is satis-

fied that the contract was not terminated for the reason that the termination was conducive to the general welfare of the district and the betterment of the educational facilities therein, it shall disallow the action of the trustees, otherwise it shall confirm the action. The purpose of the amendment is to make it clear that the replacement of a teacher by another possessing higher qualifications or superior record is included in the term "betterment of educational facilities".

Section 8 of the Bill strikes out subsection (3) of section 172 and substitutes a new subsection (3). The present subsection provides for the payment of a teacher by either ten or twelve equal monthly instalments; the amendment provides only for twelve monthly instalments.

Section 9 of the Bill strikes out section 173 and enacts a new section 173. This section deals with the computation of the teacher's salary. The section now in force provides that when a teacher does not teach on all the days when the school should be in operation, he shall receive remuneration at the rate of one two-hundredth part of his annual salary for each day enumerated in the section. The amendment provides that in such a case the teacher shall receive his full salary less one two-hundredth part of such salary for each day upon which he did not teach. The new subsection (3) provides for payment on the daily basis for teachers who teach for a term which is not part of a year's employment consisting of a December term followed by a June term and for teachers teaching less than one hundred days in two consecutive terms. The provision of subsection (4) as to the days on which a teacher shall be deemed to have taught is the same as in the section now in the Act.

Section 10 of the Bill enacts a new section 178, striking out the present section. The section now in force merely provides that the head teacher shall be called the principal and the other teachers assistants. The purpose of the amendment is to give the principal, etc. a more definite status by providing that they shall be designated by the Board as principal, etc., and further provides that a principal shall remain as such until the engagement as such is terminated in the same manner as the engagement of a teacher under section 167, and that the employment as principal may be terminated without affecting the employment as a teacher.

The amendment to section 179 by section 11 of the Bill is to bring the section in line with the above amendments to section 178.

Section 181 which is struck out by section 12 of the Bill deals with the borrowing powers of certain school districts. This section is no longer necessary as the borrowing powers of all school districts are now included in section 182 which is enacted by section 13 of the Bill. The principal changes made from the existing section 182 are as follows:

(a) Subsection (1) makes it clear that a board may borrow, with the approval of the Minister, on terms of repayment either in the current year or over future years.

(b) Subsection (2) makes it clear that a Board may charge the loan not only on current taxes and requisitions but also on taxes and requisitions of future years limited to the years in which the loan is repayable under the terms of the borrowing.

(c) Subsection (4) is a provision which is already found in *The Town and Village Act* and *The Municipal District Act*.

(d) Subsection (3) is unchanged.

Section 185 of the Act which is amended by section 14 of the Bill deals with the advertising required of intention to apply to the Board of Public Utility Commissioners for authority to borrow on debentures. The change made is to make a special provision on this matter with respect to school divisions owing to their large area and the fact that one newspaper may circulate in one part of the division and another in another part. The provision in the Act now requires publication in only one newspaper.

Section 15 of the Bill is necessary by changes in the Department of Education.

Section 16 of the Bill amends section 208*a* dealing with debenture issues by adding two new subsections (1*a*) and (1*b*) and by striking out subsection (8) and substituting a new (8). The new subsection (1*a*) provides for debentures containing provisions for redemption before maturity and the terms of the by-law in such cases and the procedure to be adopted. Subsection (1*b*) authorizes refunding debentures to exceed in amount the outstanding debentures redeemed. The new subsection (8) provides that the signature of the chairman or of the treasurer be engraved or lithographed on debentures, and the signature of both on the coupons is to be engraved or lithographed.

Section 17 of the Bill adds a subsection (2) to section 212. The new subsection authorizes the engraving or lithographing of the counter-signature of the Minister of Education or Deputy Minister of Education.

Section 215 amended by section 18 of the Bill deals with school fees. Paragraph (b) of subsection (3) which is struck out and substituted deals with pupils in Grade IX and provides that no fee shall be charged for a pupil whose parent or lawful guardian is resident in unorganized territory and on lands subject to taxation under *The Educational Tax Act*. The new (b) makes the parent or guardian residing outside a school district or division liable, but provides that if he is residing on land taxed under *The Educational Tax Act*, the Minister will pay the fee up to thirty dollars. A similar amendment is made to paragraph (e) of subsection (4) which applies to pupils in Grades X, XI and XII. In these cases the Minister pays the fee up to thirty-five dollars.

Section 20 of the Bill amends section 251 which deals with the setting up of school divisions and the powers of the

Minister with respect to the same. Paragraph (a) strikes out words which are inappropriate because the subsection in which they appear does not refer to proposed divisions but to established divisions. Paragraph (b) adds to the powers of the Minister the power to combine two school divisions and a new subsection (5*a*) is added to make it clear that the Minister when making orders under subsection (5) has power to deal with the property of a school division or district and transfer the title to the land on the register under *The Land Titles Act*.

The changes made to sections 256, 257 and 261 by sections 21, 22 and 23 of the Bill are to provide for cases where two trustees may be elected for a subdivision which may be the case where a town district goes into a division. This is provided for in section 285*c* where a town district has a certain school enrolment.

Section 24 of the Bill amends section 274 of the Act. Paragraph (b) of subsection (1) imposes upon a divisional board the duty of engaging a secretary-treasurer whose engagement shall be subject to the approval of the Minister. The proviso added to the paragraph by the Bill authorizes the Minister to withdraw his approval in which case a board is required to terminate the engagement of the secretary-treasurer. Paragraph (b) of section 24 of the Bill adds two new paragraphs to subsection (1) which impose new duties on a divisional board, namely; to appoint board representatives to attend meetings of the councils of municipalities to which the board submits requisitions for estimated expenditure and also provide for the attendance at board meetings of representatives of the same municipalities. These representatives may take part in discussions of the board on matters affecting municipal administration but shall have no vote.

Section 25 of the Bill adds to the discretionary powers of a divisional board the power set out in paragraph (s) where a teacher is transferred from one school to another by the board.

Section 26 of the Bill amends section 277 dealing with prohibited transactions by members of a divisional board. Under the amendment it is only casual or part time employment as secretary, etc. that a member of a board may accept. Subsection (6) is new and was formerly in the section dealing also with members of boards of school districts. This subsection permits a member of a divisional board who is a merchant to sell goods to a board up to the amount of three hundred dollars per year.

Section 27 of the Bill; see note to sections 21, 22 and 23.

Section 28 of the Bill cures an omission in section 287 of the Act.

Section 29 of the Bill introduces a new section 287*a* which provides for the arrears of school taxes of certain districts included in a division being transferred to the assessment

and tax roll of the municipality upon which the division will be requisitioning with respect to the portion of the district in which the properties to which the arrears relate, lie.

Section 289 of the Act amended by section 30 of the Bill provides that the secretary of a municipality within which is a school district included in a division shall certify in writing to the secretary of the divisional board the total assessed value of all lands, buildings, improvements and personal property in the municipality and in any school district included in a division. The amendment omits from the certificate the value of personal property because some municipalities assess personal property and some do not; also different methods of assessment are used, so it is considered advisable for the sake of uniformity to omit personal property in arriving at the amount of requisitions to be made by divisional boards.

Section 31 of the Bill enacts a new section 289*a*. Section 289 deals with the certificate which the secretary of a municipality is required to give to a divisional board before February 5th of each year showing the total assessed value of all property in the municipality as at December 31st of the preceding year. These certificates from each municipality in the division are the basis of arriving at the requisitions to be made by the divisional board on the different municipalities. The new section 289*a* deals with the village of Picture Butte in which is situated a factory of Canadian Sugar Factories Ltd., which for the ten years from 1936 to 1945, inclusive, was exempt by statute from all kinds of assessment on its building, machinery and equipment except as to one-tenth of its valuation. That exemption has now expired and for the purpose of the certificate as to the assessment for the purpose of the school requisition for 1946, the assessment of the sugar factory is declared to have been ten times the actual assessment under the exemption provisions. This amendment does not in any way affect the 1945 assessment under the exempting Act, but only the amount of the divisional requisition for 1946. Without the amendment the divisional board could only requisition the village on the basis of the one-tenth assessment of the sugar factory.

Section 32 of the Bill cures an omission.

Section 302 of the Act amended by section 33 of the Bill deals with debenture by-laws and increases from twenty thousand dollars to forty thousand dollars the amount which a school division may borrow on debentures in a year without submitting the by-law to the electors, but further provides that the borrowing shall not exceed one per cent of the assessment. This will prevent small divisions from borrowing more than one per cent of the assessment. The proviso added to paragraph (c) of the section is necessary in some divisions where a local school board is inactive and has no secretary-treasurer or where no school is in operation in a district.

Section 34 of the Bill adds to the duties of the secretary of a divisional board those set out in the section which are related to the interchange of representatives between boards and councils of municipalities.

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

BILL

No. 55 of 1946.

An Act to amend The School Act.

(Assented to _____, 1946).

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

1. *The School Act*, being chapter 175 of the Revised Statutes of Alberta, 1942, is hereby amended as to section 49 by adding immediately at the end thereof the following new subsection:

“(3) Notwithstanding the provisions of subsections (1) and (2), the board of a school division may, with respect to any district in the division in which no meeting has been held as hereinbefore provided, fix a date for the holding of such meeting and cause it to be advertised in the manner provided in subsection (2).”

2. The said Act is further amended as to section 64 by adding immediately at the end thereof the following new subsections:

“(3) In any rural district included in a school division, the electors may by resolution at the annual meeting provide that the board shall consist of one trustee only whose term of office, notwithstanding the other provisions of this Act, shall be for one year, and who may, notwithstanding the provisions of section 116, act as secretary of the board.

“(4) Upon the passing of a resolution pursuant to subsection (3), the terms of all sitting members of the board shall be deemed to have expired and the electors shall proceed to the election of the single member provided for by the resolution.”

3. The said Act is further amended as to section 73—

(a) by striking out paragraph (a) of subsection (5) thereof and by substituting therefor the following:

“(a) remuneration from the board for casual or part time employment as secretary, treasurer, janitor, local attendance officer, assessor or collector;”;

(b) by striking out the words “or school division” where the same occur in subsection (6) thereof.

4. The said Act is further amended as to section 127 by striking out the words “chief inspector”, where the same

occur in paragraph (g) of subsection (1) thereof, and by substituting therefor the words "Chief Superintendent of Schools".

5. The said Act is further amended by adding immediately after section 140 thereof the following new section:

"140a. In computing distances for the purposes of this Part, the Dominion Lands Survey shall be accepted as final and conclusive and all sections shall be deemed to be one mile square and no more and the width of road allowances shall be excluded from the computation and distance from school shall mean the shortest possible distance measured along a road allowance or highway between the van route or the boundary of the school site, as the case may be, and the nearest boundary of the quarter section upon which the child resides."

6. The said Act is further amended as to section 143 by striking out the words "any site which has been selected and approved pursuant to the last preceding section", where the same occur in subsection (1) thereof, and by substituting therefor the words "any site which has been selected by the board of a town district pursuant to section 141 or which has been selected by any other district or by a school division and approved pursuant to section 142".

7. The said Act is further amended as to section 171 by adding immediately after the words "the betterment of the educational facilities therein", where the same occur in subsection (6) thereof, the words "which shall be deemed to include the replacement of any teacher by another possessing higher qualifications or superior professional record".

8. The said Act is further amended as to section 172 by striking out subsection (3) thereof and by substituting therefor the following:

"(3) Every teacher shall be paid his annual salary in twelve equal monthly instalments on the last day of each month:

"Provided that if a teacher is entitled to receive payment for fewer than fifteen teaching days in any month, the board may make a proportionate payment for such month."

9. The said Act is further amended as to section 173 by striking out the same and by substituting therefor the following:

"173.—(1) Every teacher teaching upon all the days of a year consisting of a December term followed by a June term, upon which his school should be in operation under the provisions of this Act shall receive his full annual salary.

"(2) Every teacher employed for a period including all the teaching days of a year, consisting of a December term followed by a June term, who does not teach upon all the days upon which his school should be in operation under the provisions of this Act, shall, except as provided in subsection

(3) hereof, receive his full annual salary less one two-hundredth part of such salary for each day upon which he did not teach.

“(3) Any teacher employed for any term or any portion of a term which is not part of a year’s employment consisting of a December term followed by a June term, or any teacher employed for two such consecutive terms who has during them taught for fewer than one hundred days, shall receive one two-hundredth part of his annual salary for each day upon which he has taught.

“(4) For the purposes of this section, a teacher shall be deemed to have taught upon all the days comprised in the following enumeration:

“(a) days during which the school is lawfully in operation under his charge or would be in such operation save for an order of the board to the contrary not being an order made pursuant to section 153:

“(b) days other than those within a vacation period upon which he is necessarily absent from his school in order to attend any teachers’ convention or institute or school fair or musical festival approved by the Minister;

“(c) days during which his school is closed by order of a duly qualified medical practitioner or a public health nurse employed by the Department of Public Health, or by the board on account of the existence within the district or division of an actual or threatened epidemic of disease, but not exceeding in all thirty days in the year;

“(d) holidays permitted by the board pursuant to subsection (3) of section 152;

“(e) days upon which the school is closed by law for the purpose of holding any election;

“(f) days for which the teacher is entitled to salary in accordance with the provisions of section 174;

“(g) days proclaimed as holidays by order of the Governor General in Council or the Lieutenant Governor in Council or by the mayor of a city or the council of a town or village other than those mentioned in subsection (2) of section 152.”

10. The said Act is further amended as to section 178 by striking out the same and by substituting therefor the following:

“**178.**—(1) In every school where more teachers than one are employed the board shall designate one teacher to be the principal of the school; and the board may designate one or more persons to be vice-principals or assistant principals.

“(2) In the event that any teacher is designated to be a principal, vice-principal or assistant principal, such designation shall remain in effect unless and until terminated in the same manner as is provided by section 167 for the termination of the contract of employment or engagement of a teacher:

“Provided, however, that notice of termination of the employment as principal, vice-principal or assistant principal may be separately given, in which case the engagement as teacher shall not be affected.”

11. The said Act is further amended as to section 179 by striking out the same and by substituting therefor the following:

“**179.** Subject to the approval of the board, the principal shall prescribe the duties of the members of the staff of his school and shall be responsible for the organization and general discipline of his school.”

12. The said Act is further amended as to section 181 by striking out the same.

13. The said Act is further amended as to section 182 by striking out the same and by substituting therefor the following:

“**182.**—(1) Any board may, by resolution or by-law, on receiving the written consent of the Minister, borrow for any purpose from any person, bank, treasury branch or corporation, such sums, on such terms and repayable at such times, either during the current or any later year or years as the board may deem necessary, and the Minister may approve.

“(2) The amount borrowed may be made a charge on any sums of money due or accruing or to accrue or become due or payable to the school district or division during the year in which such borrowing is effected and during the years over which repayment is to be made under the terms of the borrowing, and without limiting the generality of the foregoing, whether by way of taxes levied or to be levied or requisitions made or to be made, and may be secured by the promissory note or notes of the chairman and treasurer given on behalf of the board, and by such form of assignment or covenant as may be fixed by resolution or by-law.

“(3) The board may also as security for the sum borrowed hypothecate any debenture or debentures which have been duly registered and countersigned as required by this Act.

“(4) Any person, bank, treasury branch or corporation lending any sum to a school district or division under this section shall not be bound to establish the necessity for borrowing the same, nor to see that it is expended for the purpose for which it is borrowed.”

14. The said Act is further amended as to section 185,—

- (a) by striking out the words “a school division or” where the same occur in subsection (3) thereof;
- (b) by striking out the words “or division” wherever the same occur in subsection (3) thereof;
- (c) by adding immediately at the end of subsection (3) thereof the following new subsection:

“(3a) In the case of a school division, a copy of the notice referred to in subsection (2) shall be

posted in each post office within the division and also in each post office located within any town or village district surrounded by or adjacent to any of the districts of the division, and such notice shall be printed in at least two issues of each newspaper published within the division including newspapers published in any town or village district surrounded by or adjacent to any of the districts of the division, and if there be no such newspaper, then in any two daily newspapers published in Alberta having circulation within the division."

15. The said Act is further amended as to section 205 by striking out the words "Chief Inspector of Schools", where the same occur in subsection (2) thereof, and by substituting therefor the words "Chief Superintendent of Schools".

16. The said Act is further amended as to section 208*a*,—

(a) by adding immediately after subsection (1) thereof the following new subsections:

"(1*a*) Any such by-law authorizing the issue of new debentures may provide that all or any part of the debentures authorized thereby shall be redeemable at the option of the Board on any date prior to maturity, and in such case the following provisions shall apply:

"(a) the by-laws shall specify the place of redemption and the value at which such debentures may be so redeemed, which value may include such premium or premiums on redemption as the Board may determine, not exceeding three per cent of the principal amount of any debenture to be redeemed;

"(b) interest shall be paid to the date set for such redemption and shall cease thereafter to accrue;

"(c) notice of intention so to redeem shall be sent by post at least thirty days prior to the date set for such redemption to the person, if any, in whose name the debenture is registered, at the address shown in the debenture register;

"(d) at least thirty days prior to the date set for such redemption notice of intention so to redeem shall be published in such manner as may be set out in the by-law;

"(e) any debentures issued under such by-law shall bear an endorsement to the effect that they are issued subject to redemption, and such endorsement shall specify the place of redemption, the value at which the debentures may be redeemed, and the manner of publication of notice of intention to redeem.

"(1*b*) New debentures may be issued under the authority of this section notwithstanding that the

principal amount of such new debentures may exceed the principal amount of the outstanding debentures which may be purchased or redeemed out of the moneys realized from the sale of such new debentures.”

- (b) by striking out subsection (8) thereof and by substituting therefor the following:

“(8) The signature of the chairman or of the treasurer of the district on the debentures and the signatures of the chairman and the treasurer on the coupons may be engraved or lithographed, in which case the debentures and the coupons shall be deemed to be duly signed within the meaning of this section by the chairman and treasurer of the district.”

17. The said Act is further amended as to section 212 by adding immediately at the end thereof the following new subsection:

“(2) The countersignature of the Minister or Deputy Minister on the debentures may be engraved or lithographed, in which case the debentures shall be deemed to be countersigned by him within the meaning of this section.”

18. The said Act is further amended as to section 215,—

- (a) by striking out paragraph (b) of subsection (3) thereof, and by substituting therefor the following:

“(b) in the event that the parent or lawful guardian is not resident in a school district or division the fees chargeable herein shall be payable by such parent or guardian;

“Provided that if the parent or lawful guardian is resident on land subject to taxation under *The Educational Tax Act* the fee or such portion of it as does not exceed thirty dollars shall be paid by the Minister who is hereby authorized to pay the same;”;

- (b) by striking out paragraph (e) of subsection (4) thereof and by substituting therefor the following:

“(e) in the event that the parent or lawful guardian is not resident in a school district or division the fees chargeable herein shall be payable by such parent or guardian;

“Provided that if the parent or lawful guardian is resident on land subject to taxation under *The Educational Tax Act* the fee or such portion of it as does not exceed thirty-five dollars shall be paid by the Minister who is hereby authorized to pay the same;”.

19. The said Act is further amended as to section 218 by striking out the words “Chief Inspector of Schools”, where the same occur therein, and by substituting therefor the words “Chief Superintendent of Schools”.

- 20.** The said Act is further amended as to section 251,—
- (a) by striking out the words “or if it is so requested by the board of trustees of the majority of school districts in a proposed division” where the same occur in subsection (5) thereof;
 - (b) by adding immediately at the end of subsection (5) thereof the following new paragraph:
“(f) include in a school division another school division.”;
 - (c) by adding immediately after subsection (5) thereof the following new subsection:
“(5a) The Minister may in any order made pursuant to subsection (5), or in a subsequent order, make such provision as to him may appear proper with respect to the assets and liabilities of any district or division affected by such order and such provision shall be binding upon the boards of any such district or division, and without limiting the generality of the foregoing, the Minister may execute any transfer under *The Land Titles Act* of any real property of any such district or division to a division or to a district, or as the case may be, which may be necessary to carry out the purpose of the Minister’s order and the Registrar of Land Titles for the proper land registration district shall register any transfer made pursuant to subsection (5) and to this subsection and shall issue a certificate of title to such real property in the name of the transferee.”
- 21.** The said Act is further amended as to section 256 thereof by striking out the same and by substituting therefor the following:
“**256.** In the case of any subdivision if the number of persons nominated does not exceed the number of trustees to be elected, or if as a result of a withdrawal or withdrawals, the number of persons nominated has been reduced to the number of trustees to be elected, such person or persons shall be declared elected by the secretary of the division and he shall certify the fact of the election in the manner prescribed in section 261.”
- 22.** The said Act is further amended as to section 257,—
- (a) by striking out the words “if more than one person has been nominated”, where the same occur in subsection (2) thereof, and by substituting therefor the words “if more persons have been nominated than the number of trustees to be elected”;
 - (b) by adding immediately after the words “a notice of the election of a trustee”, where the same occur in subsection (9) thereof, the words “or trustees”.
- 23.** The said Act is further amended as to section 261,—

- (a) by adding immediately after the words "and declare the persons", where the same occur in the eighth line of subsection (1) thereof, the words "or persons";
- (b) by adding immediately after the words "the name of the person", where the same occur in the second last line of subsection (1) thereof, the words "or persons";
- (c) by adding immediately after the words "a member", where the same occur in the last line of subsection (1) thereof, the words "or members".

24. The said Act is further amended as to section 274,—

- (a) by adding immediately after paragraph (b) of subsection (1) thereof the following proviso:

"Provided that in any case where in the opinion of the Minister the services of a secretary-treasurer appointed pursuant to the provisions of this paragraph are unsatisfactory, the Minister may withdraw his approval and the board shall forthwith after receiving notice of such withdrawal terminate the engagement of the secretary.";

- (b) by adding immediately at the end of subsection (1) thereof the following new paragraphs:

"(t) to appoint by resolution one or more of its members sufficient to have one representative attend meetings of the council of each municipality to which the board submits a requisition under the provisions of this Act, and to pay the expenses of any member of the board incurred in attending meetings of a council as such representative to a sum not exceeding Six Dollars per diem for each meeting, and not exceeding Ten Cents for every mile necessarily travelled in coming to and returning from such meetings;

"(u) to provide for the attendance at board meetings of a member of a municipal council appointed as a representative of any municipality to which the board submits requisitions, and any municipal representative so appointed shall have the right to take part in discussions of the school board or matters which affect municipal administration, but shall not have voting privileges and shall receive no remuneration from the divisional board."

25. The said Act is further amended as to section 275 by adding immediately at the end thereof the following new paragraph:

"(s) to pay all or any part of the expenses necessarily incurred by any teacher as a result of any transfer from one district to another, pur-

suant to paragraph (d) of subsection (1) of section 274 in moving himself, his family and his personal and household effects, or any of them."

26. The said Act is further amended as to section 277,—

(a) by striking out paragraph (a) of subsection (5) thereof and by substituting therefor the following:

"(a) remuneration from the board for casual or part time employment as secretary, treasurer, janitor, local attendance officer, assessor or collector;"

(b) by adding immediately at the end thereof the following new subsection:

"(6) Nothing in this section shall prevent a trustee of a school division who is a merchant, from making in the ordinary course of his business sales of goods and merchandise to the board, or to persons contracting with the board, and to receive payment for such goods and merchandise at the ordinary retail price to an amount not in excess of three hundred dollars in any one year."

27. The said Act is further amended by adding immediately after section 285*b* thereof the following new section:

"**285*c*.** Notwithstanding any other provisions of this Act, where a town school district entering, or having entered a school division by an agreement of inclusion, and having been constituted a subdivision pursuant to section 285*b* hereof, has an enrolment of resident pupils in excess of forty per cent of the total enrolment of the schools of the division, exclusive of the schools of such town district, the Minister may by the order including the district in the division or by a subsequent separate order, make provision for the election of two members of the board to represent the subdivision comprised of the town district, and generally for the procedure to be adopted in their election, and in determining the terms of office of the trustees first elected."

28. The said Act is further amended as to section 287 by adding immediately after the words "is dissatisfied with the agreement in that respect", where the same occur in the sixth and seventh lines of subsection (2) thereof, the words "and serves notice of such dissatisfaction upon the other party".

29. The said Act is further amended by adding immediately after section 287 thereof the following new section:

"**287*a*.** In the case of any town, village, consolidated or separate school district which has been heretofore or is hereafter included within a school division, the arrears of taxes, if any, which have been levied for school purposes by the district or by any municipality upon which the district has

therefore made a requisition shall, unless already thereon, be transferred to the assessment and tax roll of the municipality upon which the division shall thereafter make requisitions with respect to the portion of the district in which the properties to which the arrears of taxes are applicable, lie."

30. The said Act is further amended as to section 289 by striking out the words "the total assessed value of all lands, buildings, improvements, and personal property", where the same occur therein, and by substituting therefor the words "the total assessed value of all lands, buildings and improvements".

31. The said Act is further amended by adding immediately after section 289 thereof the following new section:

"**289a.**—(1) Notwithstanding the provisions of section 289, the proper officer of the village of Picture Butte within which is in part the Picture Butte School District which is included in the Lethbridge School Division No. 7 shall forward to the secretary of the divisional board on or before the tenth day of April, A.D. 1946, a revised certificate of the total assessed value of the lands, buildings and improvements which are within the said village and within the Picture Butte School District as at the thirty-first day of December, 1945, showing as the assessed value of the factory building and machinery therein and equipment thereof of Canadian Sugar Factories Limited an amount equal to ten times the amount of the assessment of the said building, machinery and equipment on the assessment roll for the year 1945, and the said revised certificate shall for the year 1946 be the certificate as to assessed values referred to in and for the purpose of section 293.

"(2) Notwithstanding the provisions of section 292, the Lethbridge School Division may prepare and adopt its estimate of expenditures and statement for the year 1946 required by that section subsequent to the fifteenth day of March, 1946, and may do so not later than two weeks after the receipt of the revised certificate of assessment provided for in subsection (1)."

32. The said Act is further amended as to section 291 by adding immediately after the words "by section 293", where the same occur therein, the words "or in case an additional requisition has been authorized under section 290 and subsection (2) of section 293".

33. The said Act is further amended as to section 302,—

- (a) by striking out the words "twenty thousand dollars", where the same occur in paragraph (a) thereof, and by substituting therefor the words "forty thousand dollars, or one per cent of the total assessed value of the division, whichever is the less";

- (b) by adding immediately after paragraph (c) thereof the following proviso:

“Provided that if there be no secretary registered with the secretary-treasurer of the school division, the returning officer may appoint some other person to act as deputy returning officer; and provided further that if no school is in operation in any district the board may direct that the electors of such district cast their votes at the poll conducted in some other district of the same subdivision, notice to this effect being given in the same manner as is prescribed in subsection (3a) of section 185.”

34. The said Act is further amended as to section 305 by adding immediately at the end thereof the following new paragraphs:

- “(j) to advise board members appointed to attend the meetings of the council of any municipality of the date, place and time of each such meeting and the matters to be dealt with at any such meeting;
- “(k) to advise the secretary-treasurer of each municipality to which the board submits requisitions of the names of the board members appointed to represent the divisional board at meetings of the council of the municipality;
- “(l) to advise the secretary-treasurer of any municipality to which the board submits requisitions, and the member of the council appointed to represent the council at board meetings of all meetings of the board and of the matters to be dealt with at each such meeting and to forward to the secretary-treasurer of the council of the municipality a copy of the minutes of meetings of the board in so far as such minutes refer to matters of interest to the council.”

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

THIRD SESSION
TENTH LEGISLATURE
10 GEORGE VI
1946

BILL

An Act to amend The School Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. ANSLEY.

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