

No. 66

1st Session, 14th Legislature, Alberta
8 Elizabeth II

BILL 66

A Bill to amend The County Act

HON. MR. HOOKE

Explanatory Note

2. A reference to the school committee is removed from section 15(1) as this committee will be dealt with under the new section 16. See clause 3 of this Bill. Section 15(1) presently reads in part:

"15. (1) A county council, at its first meeting in each year, shall appoint not less than three members of the council, one of whom shall be designated as the committee chairman, to each of the following committees,

.....

(b) the school committee, and"

3. Section 16 presently reads as follows:

"16. Members shall be appointed to the school committee to represent towns and villages that are deemed to be included in the county for school purposes as provided in section 17."

Under section 15 (see note to clause 2 above) only a member of the county council can be chairman of the school committee. This proposed new section which incorporates the intent of the present section 16 would permit the representative of a town or village or the representative of a rural school district included in the county for school purposes to be appointed chairman of the school committee.

Separate school districts are not usually included in counties and the county school committee has no jurisdiction over such districts which manage their own affairs. As the Act is presently worded an elector of a separate school district could sit on the county school committee and help formulate policies and make decisions which do not affect the separate school district.

4. At present the term of office of the elected representatives to the school committee is one year. The proposed subsection (3a) increases this to two years and the references to an annual election are removed from subsections (2) and (3) of section 17 which read:

"(2) In any such school district that has been constituted a separate subdivision of the school division under The School Act, the electors of the town or village may elect annually a representative of the town or village who shall be appointed by the county council to be a member of the school committee.

(3) In any such school district, other than a school district mentioned in subsection (2), the electors of the town or village may elect annually a representative of the town or village who, subject to subsection (4), shall be appointed by the county council to be a member of the school committee."

BILL

No. 66 of 1960

An Act to amend The County Act

(Assented to _____, 1960)

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

1. *The County Act*, being chapter 64 of the Revised Statutes, is hereby amended.

2. Section 15, subsection (1) is amended by striking out clause (b).

3. Section 16 is struck out and the following is substituted:

16. (1) At its first meeting in each year a county council shall appoint a school committee which shall consist of

- (a) not less than three members of the council, and
- (b) the representatives, if any, elected pursuant to sections 17 and 17a.

(2) The school committee at its first meeting in each year shall elect a chairman from among its number.

(3) A person who is an elector of a separate school district is not eligible to be elected or appointed and shall not be appointed to the school committee unless the separate school district is included in the county for school purposes by way of agreement pursuant to *The School Act*.

4. Section 17 is amended

- (a) as to subsection (2) by striking out the word "annually",
- (b) as to subsection (3) by striking out the word "anually",
- (c) by adding immediately after subsection (3) the following new subsections:

(3a) The term of office of a person elected pursuant to section 17 or 17a shall be for a period of two years commencing on the third day of April following his election.

The new subsection (3a) will give representation on a similar basis to that given under section 39 of The School Act which provides that where a town district has been constituted a subdivision of the school division and it has an enrolment in excess of 40% of the total enrolment of the division it may be represented by two trustees instead of one. Section 17(4) presently reads:

"(4) If the number of school districts referred to in subsections (2) and (3) exceeds three, the county council shall arrange for the representation of the towns or villages included in the school districts referred to in subsection (3) in rotation from year to year in such a manner that the total number of members representing towns and villages appointed under both subsections (2) and (3) does not exceed three."

5. Section 17a, subsection (1), which gives representation on the school committee to rural school districts included in the county for school administrative purposes is revised to provide that where the total enrolment in all such school districts is at least 250, the rural school district representative must be appointed to the school committee under section 17, subsection (4). See note to clause 4 above.

6. Section 19(2) is amended to make the language also applicable to representatives of rural school districts incorporated into the county for school purposes under section 17a. Section 19(2) presently reads:

"(2) On the school committee each member representing a town or village has the same rights, privileges and powers and shall receive the same remuneration and expenses for attendance at meetings of the committee as the other members of the committee."

7. Under the proposed amendments to sections 15 and 16, a representative from a town or village or rural school district on the school committee pursuant to sections 17 and 17a, may be appointed chairman of that committee. This proposed new subsection would give such a person the same powers as any other county council member when the business before the council concerns school affairs. Section 22 presently reads:

"22. A person appointed a member of the school committee shall exercise the rights, privileges and powers of a member of the county council when the business before the council is the annual estimates of the school committee."

8. Section 27(2) is revised to add a reference to the proprietary electors of a rural school district included in a county for school purposes under section 17a. Section 27(2) presently reads:

"(2) Where Part VIII of The School Act applies to a debenture borrowing by a county for school purposes, the proprietary electors of a town or village deemed to be included in the county for school purposes under section 17 shall be deemed to be proprietary electors of the county for the purposes of Part VIII of The School Act."

(3b) Notwithstanding the provisions of this section, where the enrolment of resident pupils in a school district mentioned in subsection (2) is in excess of forty per cent of the total enrolment of the schools under the jurisdiction of the school committee, exclusive of the schools of the district, such district may elect two representatives to be appointed to the school committee, in which case the total number of representatives that may be appointed under subsection (4) shall not exceed four.

5. Section 17a is amended by striking out subsection (1) and by substituting the following:

17a. (1) Where one or more rural school districts have been incorporated into a county for school administrative purposes only, the electors of all the rural school districts so incorporated may elect annually an elector of one of the districts as their representative who, subject to subsection (1a), shall be appointed by the county council to be a member of the school committee.

(1a) Where one or more rural school districts are incorporated into a county for school administrative purposes only, such rural school districts shall be treated as one school district and shall be included in the number of school districts to which subsection (4) of section 17 applies as if they were a town, but if in any year the total enrolment of resident pupils in all such rural school districts is two hundred and fifty or more, one of the representatives appointed in accordance with subsection (4) of section 17, shall be the representative elected by the rural school districts.

6. Section 19, subsection (2) is amended by striking out the words "representing a town or village" and by substituting the words "appointed pursuant to sections 17 and 17a".

7. Section 22 is amended

- (a) by renumbering the section as subsection (1),
- (b) by adding immediately after the renumbered subsection (1) the following new subsection:

(2) Where a person appointed to the school committee in accordance with section 17 or 17a is appointed chairman of that committee, he shall exercise the rights, privileges and powers of a member of the county council when the business before the council lies within the school committee portion of the budget of the county or concerns a matter governed by *The School Act*.

8. Section 27 is amended by striking out subsection (2) and by substituting the following:

(2) Where Part VIII of *The School Act* applies to a debenture borrowing by a county for school purposes, the proprietary electors of a town, village or rural school district deemed under sections 17 and 17a to be included in the county for school purposes, shall be deemed to be proprietary electors of the county for the purposes of Part VIII of *The School Act*.

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

No. 66

FIRST SESSION

FOURTEENTH LEGISLATURE

8 ELIZABETH II

1960

BILL

An Act to amend The County Act

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. HOOKE
