

No. 79

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

BILL 79

A Bill to amend The School Act (No. 2)

HON. MR. AALBORG

Explanatory Note

2. Section 86 dealing with the resignation of trustees is amended. Subsection (3) presently reads:

"(3) The resignation takes effect only upon the date of the election of a new trustee."

3. Section 94 is amended to conform to the amendment to section 86, subsection (3). Section 94 presently reads:

"94. Every trustee shall continue to hold office until his successor has been duly elected or appointed, as the case may be, unless he has become disqualified by reason of any of the provisions of sections 88, 89 and 92, in which event he ceases to hold office upon becoming so disqualified."

4. Section 153 presently reads:

"153. In a town or city district the election of a trustee to fill a vacancy shall be held in the same manner as is provided for the election to fill a vacancy on the council of the town or city, as the case may be."

BILL

No. 79 of 1960

An Act to amend The School Act (No. 2)

(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 School Act*, being chapter 297 of the Revised Statutes is hereby amended.

2. Section 86 is amended by striking out subsection (3) and by substituting the following:

(3) The notice of resignation shall be presented to the board at its next regular or special meeting and shall be recorded in the minutes and upon being so recorded the resignation has immediate effect.

3. Section 94 is amended by adding immediately after the words "as the case may be," the words "unless he has resigned or".

4. Section 153 is amended

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

(2) Where a vacancy occurs in the membership of the board of a city or town district on or after the first day of May and before the nomination day for the next annual election, a special election to fill the vacancy need not be held but the vacancy shall be filled at the next annual election.

(3) In the case of a city board that, pursuant to subsection (2) of section 80, consists of seven trustees, a special election to fill a vacancy need not be held

- (a) where only one office becomes vacant, or
- (b) where more than one office becomes vacant on or after the first day of May and before the nomination day for the next annual election, but in either case the vacancy or vacancies shall be filled at the next annual election.

5. (a) Section 284, subsection (1), clause (a) presently reads:

"284. (1) On or before the fifteenth day of February in each year the proper officer of a municipality within which a non-divisional district is situate in whole or in part shall provide a certificate to the secretary of the district board showing

(a) the total assessed value of all lands, together with sixty per cent of the fair actual value of all buildings and improvements, liable to assessment at the thirty-first day of December of the preceding year in that part of the district that is within the municipality, or such amount in lieu thereof as may be determined and ordered by the Alberta Assessment Equalization Board pursuant to The Municipalities Assessment and Equalization Act, and".

(b) Apportionment of assessments.

(c) Subsection (2) of section 284 presently reads:

"(2) The board of a non-divisional district shall, on or before the thirty-first day of March of each year, prepare and adopt a detailed estimate of its expenditures for the current year."

5. Section 284 is amended

- (a) as to subsection (1) by striking out all the words preceding clause (a) and clause (a) and by substituting the following:

284. (1) On or before the first day of April in each year the proper officer of a municipality within which a non-divisional district is situate in whole or in part shall provide a certificate to the secretary of the district showing

- (a) the portion of the equalized assessment of the municipality, as determined by the Alberta Assessment Equalization Board for the current year pursuant to *The Municipalities Assessment and Equalization Act*, that is applicable to that part of the municipality which is within the non-divisional district and the portion shall be determined by multiplying the equalized assessment of the municipality by the total of the actual assessed values of the properties liable to assessment lying within the district, together with the valuations of exempt properties lying within the district in respect of which grants are paid in lieu of taxes, and dividing the product thereof by the total of such actual assessed values and valuations of exempt properties as relate to the municipality as a whole, and
- (b) by adding the following subsection after subsection (1):
- (1a) Where a separate school district lies in whole or in part within a municipality, for the purposes of clause (a) of subsection (1)
- (a) the assessments of property, whether of individuals or of companies, designated for the support of separate schools shall pertain to the separate school district and not to the public school district, and
- (b) the valuations of exempt properties lying within the boundaries of the district in respect of which grants are paid in lieu of taxes shall be apportioned between the separate school district and the public school district in the same manner as the assessment of a company is apportioned pursuant to section 294.
- (c) as to subsection (2) by striking out the words "thirty-first day of March" and by substituting the words "thirtieth day of April".

6. Section 286 reads:

"286. (1) For the purpose of apportioning the requisitions the total assessed value of farm lands within a city, town or village district or consolidated district may be reduced or increased by such fraction of the assessed value as may be approved or ordered by the Minister.

(2) Any reduction or increase of the assessed value of farm lands that has been approved or ordered by the Minister under this section shall continue in effect from year to year until such time as a further change has been approved or ordered by the Minister.

(3) If the assessed value of farm lands that are in a city, town or village district or consolidated district and that are also within a municipal district, improvement district or special area constitutes less than ten per cent of the total assessed value of the property in that municipality within the school district, notwithstanding the provisions of The Municipal District Act, or any other Act, the rate of taxation imposed upon the farm lands shall not exceed ten mills unless the Minister authorizes a rate in excess of ten mills."

7. (a) Section 297, subsection (1), clause (a) presently reads:

"297. (1) On or before the fifteenth day of February in each year, the proper officer of a municipality within which a division is situate in whole or in part shall provide a certificate to the secretary of the divisional board, showing

- (a) the total assessed value of all lands, together with sixty per cent of the fair actual value of all buildings and improvements, liable to assessment at the thirty-first day of December of the preceding year in that part of the division that is within the municipality, or such amount in lieu thereof as may be determined and ordered by the Alberta Assessment Equalization Board pursuant to The Municipalities Assessment and Equalization Act, and".

(b) Subsection (2) presently reads:

"(2) Where a non-divisional separate school district has been established in a divisional district, the proper officer of the municipality, in giving the certificate required by this section, shall not include any company property that is assessable for separate school purposes under the provisions of sections 289 to 296 inclusive."

6. Section 286 is repealed.

7. Section 297 is amended

- (a) as to subsection (1) by striking out all the words preceding clause (a) and clause (a) and by substituting the following:

297. (1) On or before the first day of April in each year the proper officer of a municipality within which a division is situate in whole or in part shall provide a certificate to the secretary of the division showing

- (a) the portion of the equalized assessment of the municipality, as determined by the Alberta Assessment Equalization Board for the current year pursuant to *The Municipalities Assessment and Equalization Act*, that is applicable to that part of the municipality that is within the division and the portion shall be determined by multiplying the equalized assessment of the municipality by the total of the actual assessed values of the properties liable to assessment lying within the division, together with the valuations of exempt properties lying within the division in respect of which grants are paid in lieu of taxes, and dividing the product thereof by the total of such actual assessed values and valuations of exempt properties as relate to the municipality as a whole, and
- (b) by striking out subsection (2) and by substituting the following:
- (2) Where a separate school district lies in whole or in part within a municipality, for the purposes of clause (a) of subsection (1)
- (a) the assessments of property, whether of individuals or of companies, designated for the support of separate schools shall pertain to the separate school district and not to the public school district, and
- (b) the valuations of exempt properties lying within the boundaries of the district in respect of which grants are paid in lieu of taxes shall be apportioned between the separate school district and the public school district in the same manner as the assessment of a company is apportioned pursuant to section 294,
- and if the separate school district or the public school district has been included in a division, the assessments and valuations pertaining to the district shall pertain to the division.

8. Section 298, subsection (1) presently reads:

"298. (1) On or before the thirty-first day of March in each year a divisional board shall prepare and adopt a detailed estimate of its expenditures for the current year."

9. Commencement of Act.

8. Section 298, subsection (1) is amended by striking out the words "thirty-first day of March" and by substituting the words "thirtieth day of April".

9. (1) Sections 1 to 4 and this section come into force on the day upon which this Act is assented to and upon so coming into force sections 2, 3 and 4 shall be deemed to have been in force at all times on and after the first day of December, 1959.

(2) Sections 5 to 8 come into force on a date to be fixed by proclamation.

No. 79

FIRST SESSION

FOURTEENTH LEGISLATURE

8 ELIZABETH II

1960

BILL

An Act to amend The School Act
(No. 2)

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. AALBORG
