

No. 66

4th Session, 14th Legislature, Alberta
10 Elizabeth II

BILL 66

A Bill respecting the Building of Schools

HON. MR. AALBORG

Explanatory Note

General. This Bill revises and consolidates The School Buildings Assistance Act which has been amended numerous times in recent years. A number of existing provisions are dropped and some new provisions are added.

2. Definitions.

3. Establishment of the School Buildings Board (formerly the School Buildings Assistance Board.) The present section 4 revised.

4. (1) The present section 5 (1) reworded to refer to the School Foundation Program Fund regulations.

(2) The present 5 (2).

BILL

No. 66 of 1962

An Act respecting the Building of Schools

(Assented to _____, 1962)

HER 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 School Buildings Act*".
2. In this Act,
 - (a) "board" means the School Buildings Board;
 - (b) "Minister" means the Minister of Education;
 - (c) "school building" means a building used for the instruction of school pupils;
 - (d) "school division" includes a county, a school district and the Lloydminster Public School District and the Lloydminster Roman Catholic Separate School District.
3. (1) The Lieutenant Governor in Council may appoint a board consisting of three members, which shall be known as the School Buildings Board.
(2) The Lieutenant Governor in Council may appoint an alternate member for each of the three members and each alternate member may act on the board in the absence of the member for whom he is appointed as the alternate.
4. (1) A school division shall apply to the board for approval of any school building project the cost of which is to be paid for in whole or in part from funds available for capital purposes, including the retirement of capital borrowings, under the School Foundation Program Fund regulations established pursuant to subsection (7) of section 304a of *The School Act*.
(2) The school division shall give to the board such information concerning the school building and the site and equipment of the school building that the school division proposes to construct or purchase as the board may require
 - (a) as to the necessity for the proposed construction or purchase, having regard to existing and available facilities,
 - (b) as to the nature and suitability thereof, and

5. Regulations may be made with respect to the granting of approval.

6. Approval of enlargement of building project.

7. The present section 6b revised.

8. (1) The present section 10 (1) and (2) revised.
(2) The present 12 (1) and (2) revised.
(3) The present 10 (3) and 12 (3) combined.
(4) The present section 14 revised.

(c) as to the method of the financing, whether by borrowing or otherwise.

5. (1) The Lieutenant Governor in Council may make regulations by which the board shall be governed in the granting of approval of a school building project.

(2) The regulations may include a schedule setting forth with respect to school buildings of different sizes and for different purposes the limits in respect of which approval may be granted.

(3) Any project, or any portion of a project, not approved by the board as coming within the scope of the regulations shall not be a charge against the School Foundation Program Fund as described in subsection (1) of section 4.

6. If after approval of a school building project, a school division as a result of modification of its plans or other cause, makes application for approval of an enlargement of the project the board may consider the application and approve such enlargement.

7. Where a school building or a portion of a school building is declared an approved project by the Government of Canada, pursuant to any agreement between the Government of Canada and the Government of Alberta, in respect of the provision of facilities for vocational training, the board may authorize the payment of a grant

- (a) from funds appropriated for that purpose by the Legislative Assembly, and
- (b) in accordance with regulations that may be made in respect thereof by the Lieutenant Governor in Council.

8. (1) Where, on a debenture issued pursuant to *The School Buildings Assistance Act*, and payable to the Provincial Treasurer, a school division fails to repay an annual instalment of principal or interest on or before the date when such instalment is due and payable, the Minister, if so requested by the Provincial Treasurer,

- (a) shall retain from the moneys payable to that school division under *The School Grants Act*, section 304a of *The School Act*, *The Border Areas Act* or *The Lloydminster Municipal Amalgamation Act, 1930*, an amount equal to the amount of the annual instalment that is then in default, and
- (b) shall pay the moneys so retained to the Provincial Treasurer,

and thereupon all moneys retained and paid over shall be deemed to have been paid to and received by the school division on account of the legislative grant to the school division for that year, and the indebtedness of the school division to the Provincial Treasurer is reduced by the amount of the moneys so retained.

9. Repeal and transitional provision.

10. Commencement of Act.

(2) Where, before or after the maturity date of the debentures of a school division, the school division fails to pay any interest guaranteed by the Province on the debentures of the school division pursuant to *The School Buildings Assistance Act*, the Minister, if so requested by the Provincial Treasurer,

- (a) shall retain from the grants payable to the school division under *The School Grants Act*, section 304a of *The School Act*, *The Border Areas Act*, or *The Lloydminster Municipal Amalgamation Act, 1930*, an amount equal to the interest that is guaranteed by the Province and that the school division has failed to pay on its debentures, and
- (b) shall pay the moneys so retained to the Provincial Treasurer on account of the liability of the Province under any such guarantee of the payment of interest on the debentures of the school division,

and thereupon all moneys so retained and paid over shall be deemed to have been paid to and received by the school division on account of the legislative grant to the school division for that year.

(3) The procedures set out in this section are in addition to all other rights and remedies that the Provincial Treasurer may have

- (a) for the collection of moneys due to the Crown, and
- (b) for recovery from a school division of the amount for which the Province became liable by its guarantee of the interest on the debentures of the school division.

(4) The Provincial Treasurer shall deposit in the General Revenue Fund all payments made by a school division pursuant to the terms of a borrowing made under *The School Borrowing Assistance Act*.

9. (1) *The School Buildings Assistance Act*, being chapter 298 of the Revised Statutes, is hereby repealed and section 15 thereof shall be deemed to be repealed effective on the thirty-first day of December, 1961.

(2) Notwithstanding subsection (1), any approved grant under *The School Buildings Assistance Act* that has not been paid in full or in part shall be paid in full as if that Act had not been repealed.

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

No. 66

FOURTH SESSION

FOURTEENTH LEGISLATURE

10 ELIZABETH II

1962

BILL

An Act respecting the Building
of Schools

Received and read the

First time

Second time

Third time

HON. MR. AALBORG
