

No. 6

3rd Session, 15th Legislature, Alberta
14 Elizabeth II

BILL 6

A Bill to amend The County Act

HON. MR. HOOKE

Explanatory Note

1. This Bill will amend chapter 64 of the Revised Statutes.
2. Section 4a, subsection (2) presently reads:

(2) If, within the period during which under subsection (1) the notice in Form 1 is required to be kept posted, a petition is received from at least ten per cent of the proprietary electors of the county requesting that the question of whether the electors of the county are in favour of the continuation of the county or are in favour of reverting to the previous form of government be submitted to a vote of the electors, the county council shall immediately notify the Minister thereof and shall conduct a plebiscite to determine the question.

3. Section 16a, subsection (1), clause (b) presently reads:

16a. (1) Immediately after the publication of the order establishing a county in the Alberta Gazette, the secretary-treasurer of the school division to be incorporated in the county, shall notify

.....
(b) the Minister of Education in the case of each rural school district incorporated into the county for school administrative purposes, of the formation of the county and the date set for the first meeting of the county council.

The references to "rural school districts" in subsections (3) and (4) are changed to "school districts" to relate to the amendments being made to section 17a. See clause 6 of this Bill.

4. After the first election of school representatives of the towns and villages a meeting of such representatives is required to be held to appoint a chairman and secretary pursuant to section 16b and the amendment authorizes the secretary-treasurer of the county to call this meeting.

5. Section 17, subsection (2) presently reads:

(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 a representative of the town or village who shall be appointed by the county council to be a member of the school committee.

BILL

No. 6 of 1966

An Act to amend The County Act

(Assented to _____, 1966)

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* is hereby amended.

2. Section 4*a* is amended by adding the following subsections after subsection (2):

(2*a*) When a vote of the electors is required, the reversion to the previous form of government shall not be proceeded with unless the reversion is approved by

(*a*) two-thirds of the electors voting thereon, when the total number of electors voting on the question is not more than fifty per cent of the total number of electors entitled to vote thereon, or

(*b*) one-half of the electors voting thereon, when the total number of electors voting on the question is more than fifty per cent of the total number of electors entitled to vote thereon.

(2*b*) No question that is required to be submitted to the electors pursuant to this section shall be deemed to have been passed or rejected unless the total number of electors voting on the question is ten per cent or more of the total number of electors entitled to vote thereon.

3. Section 16*a* is amended

(*a*) as to subsection (1), clause (*b*) by adding after the words "school administrative purposes" the word "only",

(*b*) as to subsections (3) and (4) by striking out the word "rural".

4. Section 16*b* is amended by adding the following subsection after subsection (1):

(1*a*) The first meeting of the representatives of the towns and villages held pursuant to this section shall be called by the secretary-treasurer of the county who shall determine the time and the place for the holding of the meeting.

5. Section 17, subsection (2) is amended by striking out the words "has been constituted" and by substituting the words "would qualify as".

6. The present section 17a, subsection (1) provides that one or more rural districts outside the county boundaries, but included for administrative purposes only may elect a representative. According to the present section 17, subsection (1) a town in a district outside the county boundaries but also included for administrative purposes may elect a representative on the school committee. The town school district extends beyond the boundaries of the town and the electors in this rural fringe cannot vote under the present section 17a, subsection (1) because they are not part of a rural district and they cannot vote to elect a town representative under the present section 17, subsection (1), therefore they are actually disenfranchised. The proposed amendment would give the persons in the fringe area the privilege of voting with the electors of the rural school districts.

7. Commencement of Act.

6. Section 17a is struck out and the following is substituted:

17a. (1) Where one or more school districts situated outside the outer boundaries of the county have been incorporated into a county for school administrative purposes only the electors

(a) of all the rural school districts so incorporated, and

(b) of that part of a school district so incorporated outside the boundaries of a town or village

may elect an elector pursuant to this subsection as their representative who, subject to subsection (2) shall be appointed by the county council to be a member of the school committee.

(2) Where one or more school districts situated outside the outer boundaries of the county are incorporated into a county for school administrative purposes only, such rural school districts and that part of such school district outside the boundaries of a town or village 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 the 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 pursuant to this section.

(3) The election of a representative to the school committee for the area of the rural school districts and that part of a school district outside the boundaries of a town or village included in the county for school administrative purposes only, pursuant to this section, shall be governed by sections 132 to 145 of *The School Act* and not by *The Town and Village Act*.

(4) The term of office of a person elected pursuant to this section commences on the date of his election and continues for a period of two years or until his successor is sworn into office and the county council shall appoint him to the school committee at its first regular meeting held after the date of his election.

(5) The term of office of a person appointed pursuant to section 16a to represent the rural school districts and that part of a school district outside the boundaries of a town or village pursuant to this section commences on the date of his appointment and continues until a representative has been elected pursuant to subsection (3) in the year following the effective date of the formation of the county.

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

No. 6

THIRD SESSION
FIFTEENTH LEGISLATURE
14 ELIZABETH II
1966

BILL

An Act to amend The County Act

Received and read the

First time

Second time

Third time

HON. MR. HOOKE
