

No. 59

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

BILL 59

A Bill to Establish the Glenbow-Alberta Institute

HON. MR. HOLOWACH

Printed by L. S. WALL, Printer to the Queen's Most Excellent Majesty,
Edmonton, Alberta, 1966

Explanatory Note

General. For the reasons set out in the preamble this Bill will establish the Glenbow-Alberta Institute with the objects set out in section 3.

1. Short title.

BILL

No. 59 of 1966

An Act to Establish the Glenbow-Alberta Institute

(Assented to , 1966)

WHEREAS it is desirable that the cultural life of Alberta be enriched through the development of an increased knowledge and understanding of the arts, technology, and social heritage of man and the natural world in which he lives; and

WHEREAS the Glenbow Foundation of Calgary, a corporation established by Eric L. Harvie, Q.C., and his family, has made invaluable contributions to Alberta's cultural life through the collection and preservation of objects of historical, cultural and scientific interest with special emphasis on objects related to the history of Western Canada; and

WHEREAS Eric L. Harvie and his family have proposed as their memorial to the Centennial of Canadian Confederation that the Glenbow Foundation, together with the collections, buildings and properties belonging to the Foundation, be vested in a body corporate having perpetual life for the lasting benefit of the people of Alberta and have further proposed to make a gift of five million dollars to aid in the establishment and operations of such body and to this end have given their undertaking in this connection, a copy of which undertaking is contained in the Schedule to this Act; and

WHEREAS the encouragement and support of the humanities and natural sciences, while primarily a matter for private and local initiative, is also a proper matter of concern to the Government of Alberta and in accepting this generous gift on behalf of the people of Alberta it is appropriate that this Legislature grant an equal sum of money and make other provisions for the advancement of these objectives; and

WHEREAS it is desirable to establish an institute to hold and administer these grants, and to foster historical, cultural and scientific activities in the Province:

THEREFORE, 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 Glenbow-Alberta Institute Act*".

2. Incorporation of the Glenbow-Alberta Institute.

3. Objects of the Institute.

4. Board of Governors of the Institute.

2. (1) There is hereby created a corporation with the name "Glenbow-Alberta Institute" and with the objects, duties and powers herein set out.

(2) The head office of the Institute shall be at the city of Calgary.

3. The objects of the Institute are to promote and encourage the acquisition and diffusion of knowledge of man, his arts, his history and the nature of the world in which he lives, in such a manner as to best serve the educational and cultural needs of the peoples of Alberta, and in particular, but without limiting the generality of the foregoing, the Institute may in furtherance of its objects:

- (a) collect and preserve specimens of nature, art works, documents and objects of man, and record, publish and make available information related thereto;
- (b) exhibit the collections of the Institute;
- (c) undertake and support research and education related to the general objects of the Institute;
- (d) lend collections, circulate exhibitions and provide technical aid to other organizations with similar purposes to that of the Institute;
- (e) co-operate with and enlist the aid of municipalities and organizations the objects of which are similar to any of the objects of the Institute;
- (f) provide financial grants and loans to museums and art galleries and other corporate bodies with similar objects;
- (g) establish, erect and maintain museums and art galleries;
- (h) solicit, receive and hold gifts of every nature for any purpose similar to any objects of the Institute upon such trusts and conditions as seem proper to the Board of Governors and administer the gifts in accordance with such trusts and conditions.

4. (1) There shall be a governing body of the Institute called the Board of Governors, to consist of a chairman and nine other members.

(2) The chairman shall be appointed by the Lieutenant Governor in Council to hold office for a term of five years or until his successor is appointed, and is eligible for re-appointment.

(3) Of the other nine Governors,

- (a) three shall be appointed by the Lieutenant Governor in Council,
- (b) three shall be appointed by the Harvie Foundation, and
- (c) three shall be elected by the members of the Institute,

each to hold office for a term of three years.

5. Board to conduct business and affairs of the Institute.

6. Officers of the Institute.

(4) Notwithstanding subsection (3),

- (a) on the first appointments under clause (a) thereof and under clause (b) thereof, one Governor shall be appointed for a one-year term, one Governor shall be appointed for a two-year term and one Governor shall be appointed for a three-year term, and
- (b) the six Governors so appointed and the chairman shall elect the first three of the Governors referred to in clause (c) thereof, one for a one-year term, one for a two-year term and one for a three-year term,

and one Governor from each of the three classes shall be appointed or elected as provided in subsection (3) in each year thereafter.

(5) If the office of a Governor (other than the chairman) becomes vacant before the expiry of the term thereof a person may be appointed or elected a Governor as provided in subsection (3) to fill the vacancy for the unexpired portion of the term.

(6) If, within three months after the term of a Governor (other than the chairman) expires, a person is not appointed or elected as provided in subsection (3) to fill the vacancy, the remaining Governors may elect a person to fill the vacancy.

(7) To be eligible for appointment or election as a Governor, a person must be a resident of Alberta and a Canadian citizen or a British subject but he does not have to be a member of the Institute and any Governor is eligible for re-appointment or re-election as long as he remains a Canadian citizen or a British subject and a resident of Alberta.

5. (1) The Board of Governors shall manage and conduct the business and affairs of the Institute and exercise in the name of or on behalf of the Institute the powers of the Institute.

(2) In addition to its ordinary corporate powers the Institute may acquire, hold and alienate real property and exercise such other powers as may be necessary to carry out its objects.

(3) The members of the Board of Governors shall not receive any remuneration for their services but the Institute may compensate them for reasonable travelling and other expenses incurred while absent from their ordinary place of residence and in the course of their duties as members of the Board.

6. (1) The Board of Governors shall elect annually from its own members a vice-chairman who in the absence of the chairman may act as and exercise all the powers of the chairman.

7. Procedural requirements.

8. Executive committee.

9. By-laws to be made by Governors.

10. Honorary chairmen of Institute.

(2) The Board of Governors shall elect from its own members a president and a treasurer of the Institute, each to hold office for a term of one year and to be eligible for reappointment.

(3) The president and treasurer may be paid such remuneration as may be fixed by the Board of Governors.

(4) The Board of Governors may appoint an executive director, a secretary and such other officers and employees as it considers necessary and prescribe their duties and their salary or remuneration.

7. (1) Five Governors and the chairman or vice-chairman constitute a quorum of the Board and the affirmative votes of the majority of the Governors present at a meeting of the Board at which a quorum is present are sufficient to pass any by-law or resolution and to bind all the Governors.

(2) A resolution signed by all the Governors shall be as valid and effective as if passed at a duly constituted meeting of the Board of Governors.

(3) Where one or more vacancies occur on the Board, the remaining Governors may exercise all the powers of the Board so long as a quorum remains in office.

8. (1) There shall be an executive committee consisting of the president and the treasurer and such other Governors being not less than two and such officers as the Board of Governors by by-law provides.

(2) The executive committee shall exercise such functions, powers and duties with respect to the management of the Institute as are delegated to it by by-law of the Board of Governors.

9. (1) The Board of Governors may make by-laws

- (a) respecting the calling of meetings of the Board and general assemblies of the Institute and the conduct of business thereat, including the manner of holding elections,
- (b) respecting the duties and conduct of Governors and of the executive officers and of the executive committee, and
- (c) generally as to the conduct of the business and affairs of the Institute.

(2) A by-law made by the Board is of no effect until approved by the Lieutenant Governor in Council.

10. (1) The Premier of the Province and the chairman of the Harvie Foundation shall be the honorary chairmen of the Institute.

11. Patrons of the Institute.

12. Membership of the Institute.

13. Institute to hold annual general assembly.

14. Special general assemblies of the Institute may be called.

(2) An honorary chairman may attend and participate in any meeting or other proceedings of the Board of Governors or of the Institute.

11. The Institute, on the recommendation of the Board of Governors, may invite such distinguished persons as it thinks appropriate to become Patrons of the Institute.

12. (1) The membership of the Institute consists of

- (a) the honorary chairmen of the Institute,
- (b) the members of the Board of Governors,
- (c) the Associates of the Institute, and
- (d) the Fellows of the Institute.

(2) Associates are persons who hold the offices or positions designated by the Board of Governors as being offices or positions entitled to membership in the Institute, as being representative of provincial, municipal or local government, or as being representative of educational, religious or other public interests.

(3) Fellows are persons elected by the Board of Governors as members of the Institute in recognition of their outstanding contributions in the humanities, arts or sciences, in the advancement of knowledge or in the furtherance of the objects of the Institute.

13. (1) There shall be an annual general assembly of the Institute to provide an opportunity for a wide expression of views on the activities of the Institute.

(2) The annual assembly shall be held at such place and time as the Board of Governors may decide.

(3) At least thirty days before the annual assembly the secretary of the Institute shall cause to be mailed to each member of the Institute a notice of the time and place of the meeting.

(4) At each annual general assembly the president of the Institute shall present a report on the activities of the Institute since the last annual general assembly, and the treasurer shall present an audited statement of the financial position and affairs of the Institute during the previous fiscal year.

(5) At each annual general assembly the members present shall elect one Governor to fill the vacancy in their representation on the Board of Governors.

(6) Where the Board of Governors has recommended a distinguished person as a Patron of the Institute the members present at a general assembly may direct that the person so recommended be invited to become a Patron.

14. The Board of Governors may at any time call a special general assembly at such time and place and for such purposes as they may deem proper.

15. Transfer of shares in Glenbow Foundation.

16. Gift of money from the Harvie Foundation.

17. Gift of money from the Government of Alberta.

18. Annual appropriation toward meeting operating expenses of Institute.

19. Audit of Institute's accounts by Provincial Auditor.

15. (1) Upon the acceptance by the Institute of the gifts mentioned in sections 16 and 17 all the shares of the Glenbow Foundation except one shall vest in the Institute and the one remaining share shall vest in the chairman of the Board of Governors in trust for the Institute.

(2) The Board of Governors shall elect the members of the board of directors of the Glenbow Foundation.

16. (1) The Institute shall accept for its own use subject to the conditions set out in this section the gift of five million dollars referred to in the undertaking of the Harvie Foundation as set out in the Schedule to this Act.

(2) Subject to subsection (3) the gift mentioned in subsection (1) shall be invested in securities in which a trust company is authorized to invest its own funds under the provisions of *The Trust Companies Act, 1960* but subject to the limitations on such investments as contained in that Act and any interest earned thereon shall be used to further the general objects of the Institute.

(3) Subject to the approval of the Lieutenant Governor in Council the Board may for the purpose of carrying out the objects of the Institute

- (a) by purchase, grant or otherwise expend all or any part of the gift, and
- (b) make loans from the gift to municipal governments, universities, colleges and educational institutions in the Province, or to any organization or person where such loan is guaranteed by the municipal government, to assist in the acquisition or improvement of land and buildings being used or to be used as museums or art galleries.

17. (1) Upon the completion of the undertaking given by the Harvie Foundation, as set out in the Schedule to this Act, the Provincial Treasurer shall pay to the Institute out of the General Revenue Fund a gift of five million dollars.

(2) The gift received under subsection (1) shall be invested by the Institute in securities in which a trust company is authorized to invest its own funds under the provisions of *The Trust Companies Act, 1960* but subject to the limitations on such investments as contained in that Act, and any interest earned thereon shall be used to further the general objects of the Institute.

18. There shall be paid to the Institute in each year out of the General Revenue Fund a grant in the amount of one hundred thousand dollars to be applied towards meeting the operating expenses of the Institute.

19. The accounts of the Institute shall be audited by the Provincial Auditor or his nominee at least once in every year.

20. Annual report of Institute's activities to be prepared and tabled in the Legislative Assembly.

21. Commencement of Act.

Schedule. Setting out undertaking of Harvie Foundation and estimated assets of Glenbow Foundation.

20. (1) The Institute shall annually, after the end of its fiscal year, prepare a report

- (a) summarizing its activities and financial affairs during the last fiscal year,
- (b) setting forth its financial position at the close of the last fiscal year, and
- (c) containing such other information as the Provincial Secretary may require.

(2) When prepared, the report shall be submitted to the Provincial Secretary who shall lay a copy of it before the Legislative Assembly if it is then in session and, if not, at the next ensuing session.

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

SCHEDULE

HARVIE FOUNDATION A Charitable Foundation

200-838 Eleventh Ave. S.W.
Calgary, Alberta.

February 9, 1966

The Honourable The Provincial Secretary,
Legislative Building,
Edmonton, Alberta.

Dear Sir:

Re: Glenbow-Alberta Institute

Further to our recent discussions, the following are the terms of our firm undertaking with the Government of Alberta:

- 1) On the enactment by the Legislature at its 1966 sitting of a special Act to establish The Glenbow-Alberta Institute in substantially the form of the draft Bill attached hereto, Harvie Foundation will, within thirty days after the coming into force of this Act, providing the Act comes into force on or before April 30, 1966, make a gift to the Institute of \$5,000,000.00 in cash or in securities authorized by the Act for the investment of this gift.
- 2) At the time of the vesting of the shares of Glenbow Foundation in the persons referred to in the Act the financial position of Glenbow Foundation will be substantially as set forth in the estimated balance sheet dated March 31, 1966 attached hereto with adjustments necessary to reflect any difference between March 31, 1966 and the date of the vesting of the shares.

Yours truly,
HARVIE FOUNDATION
Per: "Neil S. Harvie"
Per: "H. W. Meech"

GLENBOW FOUNDATION
ESTIMATED BALANCE SHEET
as at 31 MARCH 1966

Estimated for transfer to Glenbow-Alberta Institute

ASSETS

Miscellaneous deposits	\$	500
Collections, at cost		2,252,000
(insured value—\$4,950,000)		
Fixed Assets, at cost		
Buildings	\$493,000	
—located at 822 and 902 11th Avenue S.W., Calgary acquired in 1962		
Furniture and Fixtures	153,300	646,300
(No depreciation has been provided on these assets)		
		<u>\$2,898,800</u>

LIABILITIES

Liabilities	\$	Nil
Share Capital		
Authorized—400 shares without nominal or par value		
Issued — 12 shares @ \$100 each		1,200
Surplus		2,897,600
		<u>\$2,898,800</u>

GLENBOW FOUNDATION

Calgary, Alberta

Descriptive Summary of Collections and
Public Displays

The major collections of the Foundation include:

(a) Archaeology

47 pictograph reproductions; 575 archaeological site reports; 10,000 black and white photos and negatives; 3,500 colour transparencies; 43,000 specimens.

(b) Archives

500,000 pages documentary material; 70,000 photos and negatives; 40,000 feet microfilm; 10,000 feet movie film; 2,500 transparencies; 250,000 feet tape recordings.

(c) Art

Over 14,000 items by upwards of 1,000 artists made up of:

- 1,000 portraits and figure studies
- 2,000 landscapes
- 3,000 natural history
- 4,000 descriptive and documentary
- 4,000 decorative, cast and fragile pieces.

Over 1,500 research files on artists, galleries and collections are maintained.

(d) Earth Sciences

Over 5,000 mineralogy, petrology and paleontology specimens.

(e) Ethnographic

Holdings exceed 20,000 pieces including 13,000 North American Indian and Eskimo artifacts. Other significant collections include South American Indian, West African, Indonesian and Australian including nearly 50 bark paintings.

(f) Library

20,000 volumes and pamphlets, including 8,000 Canadian and American History; 1,500 Natural History; 1,600 Arts, 1,500 Military and 1,400 books on horses. In addition 8,000 maps, and 120 + 50 lineal feet respectively of early newspapers and catalogues.

(g) Military Department

Nearly 4,000 pieces including 500 rifles and shot guns; 800 pistols; 500 edge weapons and 100 models.

(h) Natural History

Some 24,000 specimens including 250 mounted animals, heads and antlers; 2,000 mounted birds and bird skins; 4,000 birds eggs; 6,500 insects; 10,000 butterflies and moths; 1,700 conchology specimens.

(i) Pioneer

Nearly 10,000 specimens of furnishings, clothing, tools, vehicles, and household, agricultural, industrial and commercial articles.

Public displays of the Glenbow Collections are to be found at the following locations:

(a) Glenbow Foundation - Alberta Government Museum, Calgary, Alberta.

An initial and successful experiment in private and governmental co-operation in museum development.

- (b) Luxton Museum, Banff, Alberta
The museum buildings, named after Mr. Norman K. Luxton, are leased by Glenbow Foundation from an associated company. Displays are concentrated on the cultural life of the Plains Indians.
- (c) Glenbow Art Gallery
Operated by Glenbow Foundation in Calgary's Public Library in co-operation with the City Council and Library Board.
- (d) Glenbow Historical Library and Archives
Another example of local authority co-operation is the availability on nominal terms to Glenbow's Historical Library and Archives of the old public library building in Calgary's Memorial Park.
- (e) Heritage Park, Calgary
Glenbow provides many of the artifacts displayed in the pioneer village developed in this park.
- (f) Imperial Oil Building
A small display is maintained by Glenbow in the foyer of the Imperial Oil Building in Calgary.

No. 59

THIRD SESSION
FIFTEENTH LEGISLATURE
14 ELIZABETH II
1966

BILL

An Act to Establish the Glenbow-
Alberta Institute

Received and read the

First time

Second time

Third time

HON. MR. HOLOWACH
