

No. 97

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

BILL 97

A Bill to amend The Libraries Act

HON. MR. HOLOWACH

Explanatory Note

1. This Bill amends chapter 27 of the Statutes of Alberta, 1956.

2. Section 2, subsection (1), clauses (h) and (k) presently read:

- (h) "mayor" means the mayor of any city, town or village, and the reeve of any municipal district and the chairman of the county council;
.....
- (k) "municipality" means any city, town, village, municipal district or county;

3. Section 10 presently reads:

10. (1) The Lieutenant Governor in Council, on the recommendation of the Minister may establish a library board, which shall be known as the Alberta Library Board.

(2) The Alberta Library Board shall consist of not less than five and not more than fifteen persons and shall be the advisory board to Central Library Services.

4. Section 13, subsection (2) presently reads:

(2) The Alberta Library Board

- (a) may carry out surveys, encourage community activities, call public meetings, promote publicity campaigns, carry on its activities in co-operation with or through an established organization or agency, and generally, may do any act or thing having for its purpose the promotion of library services, and
- (b) may raise funds by public subscription to be used in the promotion and advancement of libraries, and shall cause to be kept a proper record of the funds collected and all disbursements, which record shall be audited by the Provincial Auditor and appear in the annual report of the board submitted to the Minister.

BILL

No. 97 of 1966

An Act to amend The Libraries 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 Libraries Act* is hereby amended.
2. Section 2, subsection (1) is amended
 - (a) as to clause (*h*) by adding at the end thereof the words "and the chairman of the board of trustees of a school district situated within a national park",
 - (b) as to clause (*k*) by adding at the end thereof the words "or a school district situated within a national park".
3. Section 10 is struck out and the following is substituted:

10. The Lieutenant Governor in Council, on the recommendation of the Minister, may establish a board consisting of not more than seven members and to be known as the Alberta Library Board, whose function is to advise the Minister with respect to matters relating to the expansion, development, co-ordination and encouragement of libraries in the Province.
4. Section 13 is amended by striking out subsection (2) and by substituting the following:

(2) Without in any way limiting the generality of the functions of the Alberta Library Board under section 10, the Alberta Library Board may, with the approval of the Minister, carry out surveys, encourage community activities, call public meetings, promote publicity campaigns, carry on its activities in co-operation with or through an established organization or agency, and generally may do any act or thing having for its purpose the promotion of library services.

5. Section 17, subsections (2) to (5) and subsection (7) presently read:

(2) Subject to subsection (4), the council of a municipality shall, upon receipt of a petition, in Form A in the Schedule, praying for the establishment of a public library and signed by at least one-tenth of the resident electors, prepare and submit to the electors a by-law providing for the establishment of a public library.

(3) The by-law shall be submitted to the electors in the same manner and with the like proceedings as are required in the case of any other by-law requiring the assent of the electors.

(4) If the annual grant to be made for the support of the library does not exceed the sum of one thousand dollars the council may, with the permission of the Minister, give effect to the petition and make such grant by resolution without a reference to the electors.

(5) Where a by-law that is submitted to the electors under this section receives the assent of at least three-fifths of the electors voting thereon, the council shall pass the by-law without unnecessary delay, whether such council is or is not the council that submitted the by-law to the electors.

(7) When the vote of the electors is adverse to the by-law, no new by-law for the same purpose shall afterwards be submitted to the electors within the same fiscal year of the municipality.

6. Section 24 presently reads:

24. The annual appointment of the members of the board shall be made at the first meeting of the council in January in every year, and any vacancy arising from any cause shall be filled at the first meeting of the council after the vacancy occurs.

7. Subsections (2) and (3) of section 29 and sections 30 to 34 set out the procedure to be followed in raising money for library purposes by borrowing, including the submission of a by-law to the proprietary electors. The proposed new subsection will make the standard municipal procedures applicable to borrowings under this Act.

8. See note to clause 7 of this Bill.

9. Sections 57 and 58 are revised to merge the present separate book grants and periodicals grants into one grant and to raise the maximum grant payable

- (a) under section 57 from \$550 to \$750, and
- (b) under section 58 from \$350 to \$500.

5. Section 17 is amended

- (a) by striking out subsections (2) to (5) and by substituting the following:

(2) Subject to subsection (3), the council of a municipality

(a) may, on its own initiative, or

(b) shall, upon receipt of a petition therefor in Form A of the Schedule signed by at least one-tenth of the resident electors of the municipality,

pass a by-law providing for the establishment of a public library for the municipality.

(3) The provisions of the appropriate municipal Act governing the passing of by-laws for borrowing money apply *mutatis mutandis* to a by-law under subsection (1).

- (b) by striking out subsection (7).

6. Section 24 is amended by striking out the words "in January" and by substituting the words "following the date fixed for municipal elections".

7. Section 29 is amended by striking out subsections (2) and (3) and by substituting the following:

(2) The provisions of the appropriate municipal Act governing

(a) the passing of by-laws for borrowing money,

(b) the issue and form of debentures therefor, and

(c) the assessment, levy and collection of moneys necessary to meet the indebtedness incurred by the issue of debentures,

apply to the borrowing of money for the purposes mentioned in section 28.

8. Sections 30 to 34 are repealed.

9. Sections 57 and 58 are struck out and the following sections are substituted:

57. (1) On or before the thirty-first day of January in each year a municipal library or a regional library may apply to the Minister for a book and periodical grant on the basis of book and periodical purchases made during the previous year.

(2) If the municipal library or regional library provides public library service that meets with the standard fixed by the Lieutenant Governor in Council, the Minister may approve the application for a grant.

(3) In respect of an approved application for a book and periodical grant the Minister may pay to such muni-

10. Section 59, subsections (3) and (4) presently read:

(3) A sum of at least thirty-five cents per capita may be paid directly to the library board concerned to be used in such manner as the board may determine.

(4) The grant shall be given on the condition that in the case of a town or city having a total population of ten thousand or over the appropriation from the municipality to the library will be at least seventy-five cents per capita, and that in the case of a town, city or village having a total population under ten thousand, or a county or rural municipality, the local appropriation from the municipality to the library will be at least fifty cents per capita.

cipal library or regional library out of any moneys appropriated by the Legislature for that purpose, a book and periodical grant of one dollar for every dollar expended on the purchase of books and periodicals by the board out of the funds under its control other than grants as herein provided, but the book and periodical grant shall not exceed the sum of seven hundred and fifty dollars in any one year in respect of any one library.

(4) Any sum paid as a book and periodical grant to any municipal or regional library shall be expended on the purchase of books and periodicals within six months following its receipt by the board of the library.

58. (1) On or before the thirty-first day of January in each year a community library may apply to the Minister for a book and periodical grant on the basis of book and periodical purchases made during the previous year.

(2) If the community library provides public library service that meets with the standard fixed by the Lieutenant Governor in Council, the Minister may approve the application for a grant.

(3) In respect of an approved application for a book and periodical grant the Minister may pay to such community library out of any moneys appropriated by the Legislature for that purpose, a book and periodical grant on the same scale as is payable in respect of municipal libraries or regional libraries but the book and periodical grant shall not exceed the sum of five hundred dollars in any one year in respect of any one library.

(4) Any sum paid as a book and periodical grant to any community library shall be expended on the purchase of books and periodicals within six months following its receipt by the board of the library.

10. Section 59 is amended by striking out subsections (3) and (4) and by substituting the following:

(3) Where an approval is given under subsection (2) there may be paid directly to the library board

(a) a grant of thirty-five cents per capita when

(i) in the case of a city or town having a population of ten thousand or over, the municipal appropriation to the library is at least seventy-five cents per capita, and

(ii) in the case of any other municipality, the municipal appropriation to the library is at least fifty cents per capita,

or

(b) a grant of seventy-five cents per capita when

(i) in the case of a city or town having a population of ten thousand or over, the municipal ap-

11. Section 60 presently reads:

60. (1) Grants paid under section 59 shall be thirty-five cents per capita but not exceeding a total of five thousand dollars in the case of a city or town having a population of less than forty thousand or ten thousand dollars in case of a city or town having a population of forty thousand or more.

(2) With the intent of increasing grants to large municipal libraries the total grant to be awarded to each library affected by subsection (1) shall be subject to review by the Minister when so recommended by the Alberta Library Board.

12. Section 64 presently reads:

64. If any member of the board of any municipal or regional library is convicted under the Criminal Code, or becomes insane, or absents himself from the meetings of the board for three consecutive meetings without being authorized by resolution entered upon its minutes, or ceases to be a resident within the municipality for which he is a member, such member ipso facto vacates his seat, and the remaining members shall declare his seat vacated forthwith and notify thereof the council having authority to appoint the member.

13. Sections 76 and 77 read:

76. For the purposes of implementing the provisions of this Act, a municipality desiring to obtain library service by contract with a regional library or another municipal library shall be deemed to be establishing a municipal library and, with the approval of the Minister, shall follow the procedure for the establishment of a municipal library as prescribed in Part III.

77. For the purpose of implementing this Act a municipal library serving a municipality or school district or school division by contract shall be deemed to be a regional library and, with the approval of the Minister, those provisions of this Act that relate to regional libraries may be applied to such municipal library.

14. Section 80 presently reads:

80. (1) The board of a municipal or regional library may make by-laws and regulations for the safety and use of the library and reading room and for the admission of the public thereto, and for regulating all other matters and things connected with the management of the library and of the reading room, and with the management of all property of every kind under its control for the purpose of this Act.

(2) No by-law or regulation has any effect nor is it binding on any party until a copy thereof certified by the chairman of the board has been posted up in a conspicuous place in the library, or elsewhere, in, on or near the property under the management and control of the library.

15. Commencement of Act.

appropriation to the library is at least one dollar and fifty cents per capita, and

- (ii) in the case of any other municipality, the municipal appropriation to the library is at least one dollar per capita.

(4) A grant paid under this section to a library board may be used in such manner as the board may determine.

11. Section 60 is struck out and the following is substituted:

60. The maximum grant payable under section 59

- (a) to a city or town having a population of less than forty thousand is twelve thousand five hundred dollars, and
- (b) to a city or town having a population of forty thousand or more is twenty-five thousand dollars.

12. Section 64 is amended by striking out the words “, and the remaining members shall declare his seat vacated forthwith and notify thereof the council having authority to appoint the member”.

13. Sections 76 and 77 are repealed.

14. Section 80 is amended by striking out subsection (2) and by substituting the following:

(2) Any elector may at all reasonable times inspect any by-law or regulation of a municipal or regional library board and the chairman of the board shall, within a reasonable time after a demand therefor by an elector, furnish the elector with a copy of any such by-law or regulation, or part thereof at the rate of twenty-five cents per one hundred words.

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

No. 97

THIRD SESSION
FIFTEENTH LEGISLATURE
14 ELIZABETH II
1966

BILL

An Act to amend The Libraries Act

Received and read the

First time

Second time

Third time

HON. MR. HOLOWACH
