

1977 BILL 50

Third Session, 18th Legislature, 26 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 50

THE COUNTY AMENDMENT ACT, 1977

MR. BATIUK

First Reading

Second Reading

Third Reading

Bill 50
Mr. Batiuk

BILL 50

1977

THE COUNTY AMENDMENT ACT, 1977

(Assented to , 1977)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1. *The County Act is hereby amended.*
2. *Section 2 is struck out and the following is substituted therefor:*
 2. In this Act,
 - (a) "educational unit" means
 - (i) a town or village, other than a summer village, included in a county for school purposes under section 8, or
 - (ii) a town or village, other than a summer village, included in a county for school purposes under section 21, or
 - (iii) those school districts or parts thereof included in a county for school purposes only under section 22, or
 - (iv) a summer village included in the county for school purposes that has a population of 150 or more persons, or
 - (v) a hamlet (as defined in *The Municipal Government Act*) that has a population of 5,000 or more persons;
 - (b) "Minister" means the Minister of Municipal Affairs;
 - (c) "municipality" means a municipal district, improvement district or special area;
 - (d) "school representative" means a person appointed under section 19 or elected under section 20 or 20.1 to represent an educational unit.

Explanatory Notes

1. This Bill will amend chapter 71 of the Revised Statutes of Alberta, 1970.
2. Section 2 presently reads:
 2. *In this Act,*
 - (a) *“Minister” means the Minister of Municipal Affairs;*
 - (b) *“municipality” means any municipal district, improvement district or special area.*

3. Section 4, subsection (6) is amended by striking out the words “section 19, 20,” and by substituting therefor, the words “sections 19, 20, 20.1, 20.2, 20.3, 20.4, 20.5”.

4. Section 6 is amended

(a) as to subsection (1), clause (a) by striking out the words “secretary treasurer” and by substituting therefor the words “municipal secretary”;

(b) by striking out subsections (2), (3) and (4) and by substituting therefor the following:

(2) At any time after a notice is posted under subsection (1), the electors of the county equalling not less than 5 per cent of the population of the county as determined under subsection (4), may petition the county council to conduct a vote on the question of whether the electors of the county are in favour of

(a) the continuation of the county, or

(b) reverting to the form of government existing immediately prior to the formation of the county.

(3) Where the county council receives a petition under subsection (2), it shall

(a) notify the Minister of the receipt of the petition by the county council, and

(b) conduct a vote to determine the question.

(4) For the purposes of subsection (3), the population of a county shall be calculated by using

(a) the last census taken by the county between April 1 and June 30 in any year, or

(b) the latest population census taken under the *Statistics Act* (Canada),

whichever census is the most recent.

(4.1) Where a vote is held under this section, the reversion to the previous form of government shall not be proceeded with unless the reversion is approved of by a majority of the electors who voted on the question.

(c) as to subsection (5) by striking out the word “plebiscite” and by substituting therefor the word “vote”.

3. Section 4, subsection (6) presently reads:

(6) The following provisions of this Act do not apply with respect to a county formed under this section, that is, section 5, section 8, subsection (3), section 14, subsection (1), section 18, subsection (1), clause (b) and sections 19, 20, 22, 24, 25, 28 and 29.

4. Section 6 presently reads:

6. (1) Immediately after the expiration of four years from the date of the formation of the county, the county council shall

(a) post up and keep posted for a period of not less than 30 days a notice in Form 1 in the Schedule or to the like effect in not less than 15 conspicuous places in the county, one of which shall be the office of the secretary-treasurer, and

(b) insert in a newspaper of general circulation in the county at least once during the period in which the notice is required to be kept posted under clause (a) a notice in Form 1 in the Schedule or to the like effect.

(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 10 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) When a vote of the electors is required, the reversion to the previous form of government shall not be preceded 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 50 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 50 per cent of the total number of electors entitled to vote thereon.

(4) 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 10 per cent or more of the total number of electors entitled to vote thereon.

(5) The Lieutenant Governor in Council shall make such regulations and orders and shall do all things necessary to give effect to the decision of the electors as determined by the plebiscite.

5. Section 8, subsection (3) is amended by striking out the words "school committee in accordance with the provisions of section 18" and by substituting therefor the words "board of education in accordance with this Act".

6. Sections 18, 19 and 20 are struck out and the following is substituted therefor:

18. (1) The county shall, at its organizational meeting in each year, establish a board of education consisting of

- (a) not less than three members of the county council, and
- (b) those school representatives appointed from educational units in accordance with section 19 or sections 20, 20.1 and 20.2, as the case may be.

(2) The number of school representatives appointed to the board of education shall not exceed the number of electoral divisions that exist within the county.

(3) Notwithstanding the provisions of this or any other Act, only those persons who are electors of school districts that are included in the county for school purposes are eligible to be members of the board of education.

(4) The board of education at its first meeting held subsequent to the organizational meeting of the county council shall elect a chairman from among its members.

(5) The county council shall, not less than 30 days prior to nomination day for the next general election, determine the number of school representatives to be elected in respect of each educational unit and upon making that determination the municipal secretary of the county shall notify

- (a) the council of a town or village, where that town or village is an educational unit, of the number of school representatives which the electors of that educational unit are entitled to elect, and
- (b) the Minister of Education, where the educational unit is one referred to in section 22, of the number of school representatives which the electors of that educational unit are entitled to elect.

19. (1) Immediately after the publication in The Alberta Gazette of the order establishing a county, the secretary of the school division to be incorporated in the county under that order shall notify

- (a) the council of each town or village which will be an educational unit included in that county, and

5. Consequential amendment.

6. Sections 18, 19 and 20 presently read:

18. (1) *At its organizational meeting in each year a county council shall appoint a school committee which shall consist of*

- (a) not less than three members of the council, and*
- (b) the representatives to be appointed to the school committee pursuant to sections 19, 21 and 22.*

(2) The school committee at its first meeting after the organizational meeting of the county council shall elect a chairman from among its number.

(3) A person who is an elector of a school district that is not included in the county for school purposes is not eligible to be elected or appointed and shall not be appointed to the school committee.

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

- (a) the council of each town or village included in the county for school purposes, and*
- (b) the Minister of Education in the case of each rural school district incorporated in to the county for school administrative purposes only,*

of the formation of the county and the date set for the first meeting of the county council.

(2) The council of each town or village shall appoint a representative having the same qualifications as are required for a trustee under The School Election Act.

(3) The Minister of Education shall appoint an elector of one of the school districts as set out in section 22 as a representative of the districts.

(4) A representative appointed under this section may attend the first meeting of the county council and if the town or village or the school district or group of districts, which he represents is entitled to a representative on the school committee, he shall be appointed to it by the county council.

(5) If the number of school districts referred to in subsections (2) and (3) exceeds the number of electoral divisions in the county,

- (a) the representative of a town or village referred to in section 21, subsection (2), and*
- (b) the representatives of towns or villages referred to in section 21, subsection (3) and who were chosen pursuant to section 20,*

shall be appointed to the school committee.

- (b) the Minister of Education, in respect of those school districts included in the county as an educational unit under section 22,

of the formation of the county and the date set for the first meeting of the county council.

(2) The council of each town and village referred to in subsection (1), clause (a) shall appoint as many school representatives as the electors of that town or village would be entitled to elect under section 20 or 20.1 if an election were held under those sections.

(3) The Minister of Education shall, with respect to the school districts referred to in subsection (1), clause (b), appoint as many school representatives as the electors of that educational unit would be entitled to elect under section 20 or 20.1 if an election were held under those sections.

(4) The only persons who may be appointed as school representatives under subsections (2) and (3) are persons who meet the qualifications of a school representative under section 20.4, subsection (1).

(5) The school representatives appointed under subsections (2) and (3) shall be appointed by the county council to the board of education in the same manner as if they had been elected under section 20 or 20.1, as the case may be.

(6) The term of office of a person appointed under this section as a school representative shall be for a period commencing on the date of the first meeting of the county council after the formation of the county and terminates on the date of the first meeting of the county council following the date that the election is held to fill that position of school representative.

20. (1) The electors of an educational unit may elect

- (a) one school representative where the population of the educational unit is greater than 1000 persons but not greater than 2000 persons;
- (b) two school representatives where the population of the educational unit is greater than 2000 persons but not greater than 4000 persons;
- (c) three school representatives where the population of the educational unit is greater than 4000 persons.

(2) Subject to section 20.2, the county council shall appoint the school representatives elected under this section to the board of education.

(6) The term of office of the representatives appointed pursuant to subsection (5) shall be for the period commencing with the date of the first meeting of the county council and ending on the date of the first meeting of the council which he represents following the date fixed for the general election or until their successors have been elected.

20. (1) Where the number of school districts referred to in section 21, subsections (2) and (3) exceeds the number of electoral divisions in the county, the representatives of the towns and villages included in the district referred to in section 21, subsection (3) shall

(a) determine the system of representation of their towns and villages on the school committee, and

(b) choose from among themselves, up to the maximum number permitted under section 18, the representatives to be appointed by the county council to the school committee.

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

(3) The representatives shall from among their number appoint a chairman and a recording secretary.

(4) The chairman or any two members may call a meeting of the representatives at any convenient time and place.

(5) The representatives appointed to the school committee shall attend the meeting.

(6) At least two meetings shall be convened by the chairman during each calendar year.

(7) The council of each town and village may provide for the payment of an allowance and reasonable provision for travelling, subsistence and out of pocket expenses incurred by its representative in attending meetings called pursuant to this section and section 19, in the manner provided for by section 47 of The Municipal Government Act.

(8) No payment shall be made under the authority of subsection (7) to pay any person in respect of more than six meetings during any one year.

(9) Before the expiry of the terms of office of the representatives appointed to the school committee, the representatives shall meet and reconsider their system of representation on the school committee and may decide that the representatives to be appointed to the school committee after the next following election are to be chosen pursuant to that system or pursuant to a different system.

(10) This section does not apply to the representative of a town or village referred to in section 21, subsection (2).

20.1 (1) Where an educational unit has a population of 1000 persons or less, the electors of the educational unit may elect one school representative.

(2) The county council shall appoint the school representatives elected under this section to the positions on the board of education that

- (a) are eligible to be filled by school representatives, and
 - (b) remain vacant following the appointments to the board of education under section 20.
- (3) Notwithstanding section 20, where
- (a) one or more school representatives are elected under subsection (1), and
 - (b) the number of school representatives elected under section 20, subsection (1) is equal to or greater than the number of electoral divisions in the county,

the number of positions on the board of education that may be filled by school representatives elected under section 20, shall be decreased to one less than the number of electoral divisions in the county and the county council shall appoint to that vacant position on the board of education a school representative elected under subsection (1).

(4) Where the number of school representatives elected under subsection (1) exceeds the number of positions on the board of education which may be filled by those school representatives under subsection (2) or (3), the county council shall meet with those school representatives at the organizational meeting of the county council and determine a system of rotation which will permit those positions on the board of education to be filled.

(5) Where a system of rotation is determined under subsection (4), the county council shall appoint school representatives elected under subsection (1) to the board of education in accordance with that system of rotation.

20.2 (1) Where the number of school representatives elected under section 20, subsection (1) is greater than the number of positions on the board of education to which those school representatives may be appointed, the county council shall meet with those school representatives at the organizational meeting of the county council and determine a system of rotation which will permit those positions on the board of education to be filled.

(2) Where a system of rotation is determined under subsection (1), the county council shall appoint school representatives

elected under section 20, subsection (1) to the board of education in accordance with the system of rotation.

20.3 (1) For the purposes of this Act, the population of an educational unit shall be determined by deducting the number of separate school supporters in the educational unit from the population of the educational unit calculated by

- (a) the last census taken in respect of that educational unit between April 1 and June 30 in any year, or
- (b) the latest population census under the *Statistics Act* (Canada),

whichever census is the most recent.

(2) Not less than 45 days before nomination day for the election of school representatives

- (a) the council of the town or village, where the town or village is an educational unit, and
- (b) the Minister of Education, where the educational unit is one referred to in section 22,

shall advise the county council of the population of the educational unit.

20.4 (1) To be eligible to become a school representative a person must be

- (a) 18 years of age or older,
- (b) a Canadian citizen,
- (c) resident in Alberta for the 12 consecutive months immediately preceding nomination day,
- (d) resident in the educational unit for which he is nominated for the six consecutive months immediately preceding nomination day,
- (e) eligible to vote as an elector at the election for which he is nominated, and
- (f) free from any of the disqualifications that render a person ineligible to remain a trustee under *The School Act*.

(2) A person is eligible to vote for a school representative if that person

- (a) is an elector as defined in *The School Election Act*, and
 - (b) is resident on nomination day in the educational unit in which the election is to be held.
- (3) The term of office of a person elected as a school representative is the same as that of a councillor as determined under *The Municipal Government Act*.
- (4) Where an election of a school representative is to be held in respect of an educational unit that is a town or village,
- (a) the nomination and the election for that position shall be conducted in the same manner as that for a trustee under *The School Election Act*, and
 - (b) the election shall be conducted by the town or village, as the case may be.
- (5) Where an election of a school representative is to be held in respect of an educational unit other than one that is a town or village,
- (a) the nomination and the election for that position shall be conducted in the same manner as that for a trustee under *The School Election Act*, and
 - (b) the elections shall be conducted by the county.

20.5 Where the office of school representative of an educational unit becomes vacant before the term of office expires, a by-election shall not be held to fill the office if, according to the most recent census determined under section 20.3, subsection (1), the population of the educational unit is no longer sufficient to permit the electors of the educational unit to elect a person to that office.

7. Section 21 is struck out and the following section is substituted therefor:

21. Where all or part of a school division included in a county, or included in a county for school purposes only, contains a school district that includes a town or village, that town or village is deemed to be included in the county for school purposes.

7. Section 21 presently reads:

21. (1) If all or part of a school division included in a county, or included in a county for school administrative purposes only, contains a school district that includes a town or village, such town or village

(a) shall be deemed to be included in the county for school purposes, and

(b) shall be represented on the school committee in accordance with the provisions of subsections (2), (3) and (7).

(2) In any such school district that would qualify as 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.

8. Section 22 is struck out and the following is substituted therefor:

22. Where a school division included in a county, or included in a county for school purposes only, contains one or more school districts that are located outside the boundaries of the county, those school districts, other than those portions thereof that are within the boundaries of a town or village, are deemed

(3) In any such school district, other than a school district mentioned in subsection (2), the electors of the town or village may elect a representative of the town or village who, subject to subsection (7), shall be appointed by the county council to be a member of the school committee.

(4) The term of office of a person elected pursuant to this section shall be for a period of time similar to that of a councillor as determined by The Municipal Government Act or until his successor is sworn into office.

(5) Where a person elected pursuant to this section is entitled to be appointed to the school committee, the county council shall appoint him to the school committee at its first regular meeting held after being advised in writing by the municipal secretary of the town or village of his election.

(6) Notwithstanding the provisions of this section, where the enrolment of resident pupils in a school district mentioned in subsection (2) is in excess of 40 per cent of the total enrolment of the schools under the jurisdiction of the school committee, exclusive of the schools of the district, such district may elect two representatives to be appointed to the school committee.

(7) If the number of representatives of the school districts referred to in subsections (2), (3) and (6) exceeds the number of electoral divisions in the county and if the representatives have not been chosen pursuant to section 20, the county council shall arrange for the representation of the towns or villages included in the school districts referred to in subsection (3) in rotation from year to year in such a manner that the total number of members representing towns and villages appointed under subsections (2), (3) and (6) does not exceed the number of electoral divisions in the county.

(8) No person shall

(a) be elected under subsection (2) or (3) as a representative of a town or village unless he has the qualifications required for a trustee under The School Election Act, or

(b) be permitted to vote as an elector for a representative under clause (a) unless he is an elector as defined in The School Election Act,

and unless he is an elector of a school district included in the county for school purposes.

(9) A representative of a town or a village shall, when required by subsection (2) or (3), be nominated and elected in the same manner as is provided by The School Election Act for the election of trustees but the election shall

(a) be conducted by the town or village,

(b) Repealed 1973, c. 18, s. 4.

(10) A representative of a town or village appointed or elected pursuant to section 19 or this section may be a member of the council of the town or village.

8. Section 22 presently reads:

22. (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

- (a) to be included in the county for school purposes only,
and
- (b) to comprise one educational unit of the county.

9. *Section 23 is struck out.*

(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 section 21, subsection (7) applies as if they were a town, but if in any year the total enrolment of resident pupils in the rural school districts is 250 or more, one of the representatives appointed in accordance with section 21, subsection (7) 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 The School Act and The School Election Act and in this section "elector" has the same meaning it has in The School Election 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 three 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 19 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.

9. Section 23 presently reads:

23. (1) In sections 18, 19, 20 and 21 the term "villages" or "village" does not include a summer village created under authority of The Municipal Government Act where reference is made to representation on the school committee.

(2) Subsection (1) does not apply to a summer village having a population of 150 or more persons, as disclosed by the taking of an actual census subsequent to the latest population census under the Statistics Act (Canada) or by the latest population census under that Act.

(3) The term of office of a representative of a summer village to which subsection (1) does not apply shall be for a period of three years commencing with the date of the organizational meeting of the county council and expires on the date of the first meeting of the council of the summer village or until his successor is sworn into office.

(4) Where the population of a summer village falls below 150 persons, entitlement to representation on the school committee expires at the date of the organizational meeting of the county council following the reduction of population below 150 persons.

10. Section 24 is amended by striking out the words “under 19, 21 or 22 and is not entitled to sit or vote as a representative” and by substituting therefor the words “as a school representative or entitled to sit or vote as a school representative on the board of education”.

11. Section 25 is struck out and the following is substituted therefor:

25. Each school representative sitting on the board of education has the same rights, privileges and powers and shall receive the same remuneration and expenses for attendance at meetings of the board of education as do the members of the county council who sit on the board of education.

12. The following section is added after section 25:

25.1 Where a school representative who is not sitting on the board of education attends a meeting of the board of education,

- (a) the council of the town or village, where that town or village is the educational unit, or
- (b) the Minister, where the educational unit is one referred to in section 22,

may pay to that school representative an allowance and reasonable travelling and subsistence expenses in respect of his attendance at that meeting.

13. Section 26 is amended

(a) by striking out subsection (1) and by substituting therefor the following:

26. (1) The municipal committee and the board of education have and shall exercise and perform on behalf of the county all the powers and duties that are conferred upon or exercised by a council or a board of trustees under *The Municipal Government Act* or *The School Act* respectively, except the power

- (a) to borrow money, or
- (b) to pass a by-law.

(b) as to subsection (2), by striking out the words “Each committee may” and by substituting therefor the words “The municipal committee and the board of education may each”, and

10. Section 24 presently reads:

24. A person is not eligible to be appointed or elected under section 19, 21 or 22 and is not entitled to sit or vote as a representative who has himself or by or with or through another an interest in any contract with the council or with any person or persons acting for the council, or in any contract under which any money of the county is to be paid for any service, work, matter or thing, except as provided in The School Act and The School Election Act.

11. Section 25 presently reads:

25. On the school committee each member appointed pursuant to sections 19, 21 and 22 has the same rights, privileges and powers and shall receive the same remuneration and expenses for attendance at meetings of the committee as the other members of the committee.

12. Payment of expenses of school representatives not sitting on the board of education.

13. Section 26 presently reads:

26. (1) The municipal and school committees have and shall exercise on behalf of the county council all the duties and powers that are conferred upon or exercised by a council or a board under The Municipal Government Act or The School Act, except the powers

(a) to borrow money,

(b) to pass a by-law,

(c) to do such other things as may by by-law be reserved from time to time to the county council, and

(d) to do such other things as may be specified from time to time by the Lieutenant Governor in Council.

(2) Each committee may exercise or perform its powers and duties in like manner and with the same effect as if the powers were exercised or the duties were performed by the county council.

(c) *as to subsection (3), by striking out the words “Subject to the limitations and reservations mentioned in subsection (1), the chairman of each committee may” and by substituting therefor the words “Subject to subsection (1), the chairman of the municipal committee and the chairman of the board of education may each”.*

14. Section 27 is amended

(a) *as to subsection (1), by striking out the words “municipal and school committees” and by substituting therefor the words “municipal committee and the board of education”,*

(b) *by striking out subsection (2) and by substituting therefor the following:*

(2) The county council shall consider and review the estimates and may

(a) reduce or increase one or both of the estimates, or

(b) return the estimates to the municipal committee or the board of education, as the case may be, for revision.

(c) *by striking out subsection (4) and by substituting therefor the following:*

(4) The county council shall administer and expend

(a) the portion of the budget of the county approved for the municipal committee on behalf of that committee, and

(b) the portion of the budget of the county approved for the board of education on behalf of that board.

15. Section 27.1 is amended by striking out the words “school committee’s” wherever they occur and by substituting therefor the words “board of education’s”.

16. Section 28 is struck out and the following is substituted therefor:

28. (1) Where a person is a school representative and sits on the board of education, that person shall exercise the rights, privileges and powers of a member of the county council when the business before the county council relates to the annual estimates of the board of education.

(3) Subject to the limitations and reservations mentioned in subsection (1), the chairman of each committee may exercise or perform the rights, duties, privileges and powers of the reeve of a municipality, or the chairman of the board of trustees of a school division, as the case may be, in like manner and with the same effect as if the same were exercised or performed by the reeve of the county council.

14. Section 27 presently reads:

27. (1) The municipal and school committees shall submit separate estimates to the county council in each year.

(2) The county council shall consider and review the estimates and may reduce or increase the estimates of any committee or may return the estimates to the committee for revision.

(3) The county council shall finally adopt the budget for the county.

(4) The portion of the budget of the county approved for each committee shall be administered and expended under the jurisdiction of that committee.

15. Consequential amendments.

16. Section 28 presently reads:

28. (1) A person appointed a member of the school committee shall exercise the rights, privileges and powers of a member of the county council when the business before the council is the annual estimates of the school committee.

(2) Where the chairman of the board of education is a school representative, that person shall exercise the rights, privileges and powers of a member of the county council when the business before the county council

(a) relates to the portion of the budget of the county that is administered or expended on behalf of the board of education, or

(b) concerns a matter governed by *The School Act*.

17. *Section 29 is amended*

(a) *by striking out subsection (1) and by substituting therefor the following:*

29. (1) The board of education shall, in preparing its estimates, calculate the amount of the requisition to be made upon

(a) the council of a town or village, where that town or village is an educational unit, and

(b) the Minister of Municipal Affairs, where all or part of an improvement district is an educational unit,

and upon the county council adopting its budget, it shall send requisitions to the council of that town or village or the Minister of Municipal Affairs, as the case may be.

(b) *by striking out subsection (3).*

18. *Section 30 is amended by striking out the words “one of the committees of the county council provided for herein” and by substituting therefor the words “the municipal committee or to the board of education”.*

19. *Section 33, subsection (2) is amended by adding after the words “debenture borrowing by a county for school purposes,” the words “the electors of a school district included in a county for school purposes pursuant to section 8 and”.*

(2) Where a person appointed to the school committee in accordance with section 19, 21 or 22 is appointed chairman of that committee, he shall exercise the rights, privileges and powers of a member of the county council when the business before the council lies within the school committee portion of the budget of the county or concerns a matter governed by The School Act.

17. Section 29 presently reads:

29. (1) The school committee in preparing its estimates shall calculate the amount of the requisition to be made upon the council of a town or village that is deemed to be included in the county for school purposes and upon the Minister of Municipal Affairs in the case of all or any part of an improvement district that is deemed to be included in the county for school purposes.

(2) The provisions of The School Act, in so far as they are applicable, govern the preparation of the estimates and the calculation and payment of the requisition.

(3) When the county council has adopted the budget for the county it shall send the requisition to the council of the towns or villages contributing for school purposes and to the Minister of Municipal Affairs in the case of an improvement district contributing for school purposes.

18. Section 30 presently reads:

30. A reference in any Act to

(a) a municipal district, improvement district, special area, school division, municipality or local authority, or

(b) the board or council of any such district, area, division, municipality or local authority,

shall, where a county is concerned, be deemed to be a reference to the county or to the county council or to one of the committees of the county council provided for herein, as the case may be.

19. Section 33 presently reads:

33. (1) Notwithstanding section 31, in the case of a borrowing by a county for school purposes, the provisions of Part 7 of The School Act apply, the necessary changes being made.

20. *Section 36 is struck out and the following is substituted therefor:*

36. The municipal secretary of the county shall mail a copy of all approved minutes of the board of education meetings to the school representatives representing educational units.

21. *The Schedule is amended as to Form 1, by striking out the words “within 30 days from the first publication of this Notice at least 10 per cent of the proprietary electors of the County petition the council to conduct a plebiscite” and by substituting therefor the words the electors of the County equalling not less than 5 per cent of the population of the County as determined under section 6, subsection (4) of The County Act petition the council to conduct a vote”.*

22. *The amendments made to the provisions of The County Act by sections 3, 5, 7 to 18 and 20 of this Act*

(a) apply in respect of the municipal general election next following the commencement of this Act, and

(b) do not, until the date of the municipal general election next following the commencement of this Act, apply to or affect the composition of a school committee that existed under The County Act at the commencement of this Act.

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

(2) Where Part 7 of The School Act applies to a debenture borrowing by a county for school purposes, the electors of a town, village or rural school district deemed under sections 21 and 22 to be included in the county for school purposes, shall be deemed to be electors of the county for the purposes of Part 7 of The School Act.

20. Section 36 presently reads:

36. The secretary-treasurer shall mail a copy of all approved minutes of the school committee meetings to the representatives elected or appointed pursuant to sections 19 and 21.

21. Consequential amendment.

22. Present school committees.