

1977 BILL 95

Third Session, 18th Legislature, 26 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 95

**THE GLENBOW-ALBERTA INSTITUTE AMENDMENT ACT,
1977**

HON. MR. McCRAE

First Reading

Second Reading

Third Reading

BILL 95

1977

THE GLENBOW-ALBERTA INSTITUTE 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 Glenbow-Alberta Institute Act is amended by this Act.*

2 *Section 4 is struck out and the following is substituted:*

4(1) The governing body of the Institute shall be the Board of Governors consisting of 13 Governors.

(2) The Lieutenant Governor in Council shall appoint 7 Governors, one of whom he shall designate as the chairman of the Board of Governors.

(3) The Devonian Foundation shall appoint 2 Governors.

(4) The Governors appointed by the Lieutenant Governor in Council and the Governors appointed by the Devonian Foundation shall, by a resolution passed at a meeting of the Board made up of those Governors, appoint 4 other Governors.

(5) The chairman shall hold office as a Governor and chairman for a term of 3 years or until his successor is appointed by the Lieutenant Governor in Council.

(6) The term of office of a Governor, other than the chairman, expires at the end of the annual general assembly of the Institute held in the third year following the year in which the Governor was appointed.

(7) Where the office of a Governor appointed under subsection (2), other than that of the chairman, becomes vacant before his term of office expires, the Lieutenant Governor in Council may appoint a person as Governor to fill the vacancy for the unexpired term.

Explanatory Notes

1 This Bill will amend chapter 35 of the Statutes of Alberta, 1966.

2 Section 4 presently reads:

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 three years or until his successor is appointed, and is eligible for reappointment.

(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.

(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.

(8) Where the office of a Governor appointed under subsection (3) becomes vacant before his term of office expires, the Devonian Foundation may appoint a person as Governor to fill the vacancy for the unexpired term.

(9) Where the office of a Governor appointed under subsection (4) becomes vacant before his term of office expires, the Governors appointed by the Lieutenant Governor in Council and the Governors appointed by the Devonian Foundation may, by a resolution passed at a meeting of the Board made up of those Governors, appoint a person to fill the vacancy for the unexpired term.

(10) Notwithstanding subsection (2), (3) or (4), where

(a) the term of office of a Governor, other than that of chairman, expires, and

(b) that office remains vacant 90 days after the term of office expired,

the remaining Governors may by a resolution of the Board appoint a person to fill that vacancy.

(11) Notwithstanding subsection (7), (8) or (9), where

(a) the term of office of a Governor, other than that of chairman, becomes vacant before the term of office expires, and

(b) that office remains vacant 90 days after it became vacant,

the remaining Governors may by resolution of the Board appoint a person to fill that vacancy for the unexpired term.

(12) To be eligible to be a Governor, a person must be

(a) a resident of Alberta, and

(b) a Canadian citizen.

(13) Subject to subsection (12), a person who is a Governor is eligible for reappointment to the Board of Governors.

3 Section 6(1) is repealed and the following is substituted:

6(1) The Board of Governors shall appoint annually one of its members as vice-chairman of the Board, who in the absence of the chairman may act as and exercise all the powers of the chairman.

(4a) In addition to the number of Governors provided for in subsection (1), commencing in 1971

(a) the Lieutenant Governor in Council,

(b) the Harvie Foundation, and

(c) the members of the Institute,

shall each appoint or elect, as the case may be, one additional Governor to hold office for a term of three years.

(4b) The Board of Governors may at any time, by resolution, increase the number of Governors to 15 and, in that case

(a) the Lieutenant Governor in Council,

(b) the Harvie Foundation, and

(c) the members of the Institute,

shall each appoint or elect, as the case may be, one additional Governor to hold office for a term of three years.

(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), (4a) or (4b) to fill the vacancy for the unexpired portion of the term.

(5a) If no person is elected by the members of the Institute to fill one of their vacancies, in accordance with subsection (5), within a period of three months, the remaining Governors may elect a person 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), (4a) or (4b) to fill the vacancy, the remaining Governors may elect a person to fill the vacancy.

(6a) The terms of all Governors appointed or elected under this section expire at the end of the annual general assembly of the Institute in the final year of their respective terms.

(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 reappointment or re-election as long as he remains a Canadian citizen or a British subject and a resident of Alberta.

3 Section 6(1) presently reads:

6(1) The Harvie Foundation shall appoint annually one member of the Board of Governors as vice-chairman, who in the absence of the chairman may act as and exercise all the powers of the chairman.

4 Section 10(1) is amended by striking out “the Harvie Foundation” and substituting “the Devonian Foundation”.

5 Section 13(5) is repealed.

6 Section 18 is repealed and the following is substituted:

18 The Provincial Treasurer shall pay each year to the Institute from money appropriated for the purpose by the Legislature, a grant to be applied towards meeting the operating expenses of the Institute.

7(1) A person who

(a) was appointed as a Governor of the Glenbow-Alberta Institute by the Lieutenant Governor in Council, and

(b) holds that office at the commencement of this Act,

shall continue to hold that office until his term of office expires or the office becomes otherwise vacant.

(2) Subject to subsection (1), upon the commencement of this Act, the terms of office of the Governors of the Glenbow-Alberta Institute who held office immediately prior to the commencement of this Act expire, and, notwithstanding section 4(6) of The Glenbow-Alberta Institute Act, as enacted by this Act,

(a) the Lieutenant Governor in Council shall, pursuant to section 4(2) of that Act, appoint

(i) one person as a Governor of the Glenbow-Alberta Institute for a term of office expiring at the end of the annual general assembly of the Glenbow-Alberta Institute held in 1978,

(ii) one person as a Governor of the Glenbow-Alberta Institute for a term of office expiring at the end of the annual general assembly of the Glenbow-Alberta Institute held in 1979, and

(iii) one person as a Governor of the Glenbow-Alberta Institute for a term of office expiring at the end of the annual general assembly of the Glenbow-Alberta Institute held in 1980,

4 Section 10(1) presently reads:

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

5 Section 13(5) presently reads:

(5) At each annual general assembly the members present shall elect such number of Governors as is necessary to fill any vacancy in their representation on the Board of Governors.

6 Section 18 presently reads:

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.

7 Transitional.

(b) the Devonian Foundation shall, pursuant to section 4(3) of that Act, appoint

(i) one person as a Governor of the Glenbow-Alberta Institute for a term of office expiring at the end of the annual general assembly of the Glenbow-Alberta Institute held in 1978, and

(ii) one person as a Governor of the Glenbow-Alberta Institute for a term of office expiring at the end of the annual general assembly of the Glenbow-Alberta Institute held in 1980,

and

(c) the Governors of the Glenbow-Alberta Institute referred to in subsection (1) and those referred to in clauses (a) and (b) of this subsection shall, pursuant to section 4(4) of that Act, appoint

(i) one person as a Governor of the Glenbow-Alberta Institute for a term of office expiring at the end of the annual general assembly of the Glenbow-Alberta Institute held in 1978,

(ii) 2 persons as Governors of the Glenbow-Alberta Institute for a term of office expiring at the end of the annual general assembly of the Glenbow-Alberta Institute held in 1979, and

(iii) one person as Governor of the Glenbow-Alberta Institute for a term of office expiring at the end of the annual general assembly of the Glenbow-Alberta Institute held in 1980.

8 The Public Service Employee Relations Act is amended in section 1 of the Schedule by adding after clause (a) the following:

(a.1) the Glenbow-Alberta Institute;

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

8 This section amends chapter 40 of the Statutes of Alberta, 1977.