

1981 BILL 25

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Third Session, 19th Legislature, 30 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 25**

**THE COUNTY AMENDMENT ACT, 1981**

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MRS. CRIPPS

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First Reading .....  
Second Reading .....  
Committee of the Whole .....  
Third Reading .....  
Royal Assent .....

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Bill 25  
Mrs. Cripps

## BILL 25

1981

### THE COUNTY AMENDMENT ACT, 1981

(Assented to \_\_\_\_\_, 1981)

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

- 1 *The County Act is amended by this Act.*
- 2 *Section 2(d) is amended by striking out “or 20.1”.*
- 3 *Section 6(1)(a) is amended by striking out “municipal” and substituting “county”.*
- 4 *Section 16 is amended*
  - (a) *in clause (a) by striking out “municipal secretary in whom” and substituting “county secretary in whom”;*
  - (b) *by repealing clause (b) and substituting the following:*
    - (b) any other county officials or employees who are required to assist the county secretary and to provide for the efficient conduct of the business of the county council, the board of education, the municipal committee or any committee established or appointed by the county council.
- 5 *Section 18 is amended*
  - (a) *in subsection (1)(b) by striking out “sections 20, 20.1 and 20.2” and substituting “20”;*
  - (b) *by repealing subsection (2).*

## Explanatory Notes

1 This Bill will amend chapter 71 of the Revised Statutes of Alberta 1970.

2 Consequential to section 7 of this Bill.

3 Consequential to section 4 of this Bill.

4 Section 16 presently reads:

*16 The council shall appoint*

*(a) a municipal secretary in whom all the rights, duties, privileges and powers of the municipal secretary of a municipal district, and the secretary of a school division are vested, and*

*(b) such other officials as may be required to assist the municipal secretary and to provide for the efficient conduct of the business of the county council and any of its committees.*

5 Section 18 presently reads in part:

*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.*

6 *Section 19 is amended*

(a) *in subsections (2) and (3) by striking out “or 20.1”;*

(b) *in subsections (2) and (3) by striking out “those sections” and substituting “that section”;*

(c) *in subsection (5) by striking out “or 20.1, as the case may be”.*

7 *Sections 20, 20.1 and 20.2 are repealed and the following is substituted:*

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

(a) 1 school representative if the population of the educational unit is not greater than 2000 persons;

(b) 2 school representatives if the population is greater than 2000 persons but not greater than 4000 persons;

(c) 3 school representatives if the population of the educational unit is greater than 4000 persons.

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

**6** Consequential to section 7 of this Bill.

**7** Sections 20, 20.1 and 20.2 presently read:

*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.*

*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*

8 Section 20.4(2)(b) is amended by striking out “nomination” and substituting “polling”.

9 Section 26(1) is amended by striking out “The municipal committee” and substituting “Except as otherwise provided in this Act, the municipal committee”

10 Section 28(1) is repealed.

11(1) In the following provisions “municipal secretary of the county” is struck out and “county secretary” is substituted:

section 18(5);  
section 36.

*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.*

**8** Section 20.4(2) presently reads:

*(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.*

**9** Section 26(1) presently reads:

*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.*

**10** Section 28(1) presently reads:

*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.*

**11** Consequential to section 4 of this Bill.

(2) *Form 2 is amended by striking out “Municipal” and substituting “County”.*

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*In accordance with section 4(1) of The Interpretation Act, 1980, this Bill comes into force on the date it receives Royal Assent.*



