

# BILL

No. 18 of 1916.

An Act to amend The School Ordinance, The School Assessment Ordinance, The Truancy Act, and The School Grants Act.

(Assented to \_\_\_\_\_, 1916.)

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The School Ordinance* is amended as follows:

Section 7, clause 11: By adding the words "or employer" immediately after the word "guardian" wherever the same appears in the said clause.

Section 39: By adding thereto the following subsection:

"(2) Where in the opinion of the Minister it is advisable that a temporary school should be established in any district he may authorize the board to lease premises for such purpose and make such repairs or alterations as may be necessary to fit the same for school purposes, or to purchase a tent to be used as a school building."

Section 40e: By striking out the word "town" where the same appears therein and substituting the word "village" therefor.

Section 46, subsection 1: By repealing the said subsection and substituting therefor the following:

"46. In every rural and village school district the board shall acquire a site at such point in the district as shall be approved or selected by the Minister."

And by adding thereto the following new subsection:

"(5) Where the title in fee simple to any approved or selected site cannot be obtained by reason of the fact that the party in possession of the land is either unable or unwilling to furnish title, the Minister may, by order, authorize the board to enter upon and take possession of the land so selected or approved as a school site, and the school district shall be entitled to possession of such land for school purposes as against all persons whatsoever excepting the Crown. Any compensation for the dis-possession of any person of any land included in a school site so acquired shall be settled by arbitration under the provisions of *The Arbitration Act*. Before any school board shall take possession of any such land, the secretary-treasurer shall file in the land titles office for the land registration district in which the land is situated a caveat in accordance with the provisions of *The Land Titles Act*."

Section 47: By striking out the words "or village" wherever the same appear in said section.

Section 82, subsection 2: By inserting after the word "audit" in the first line of said subsection the words "unless increased by order of the Minister".

Section 95: By adding immediately at the end of sub-clause 8 thereof the following:

"In rural and village school districts the trustees shall obtain tenders for the erection of school buildings and the same shall be built under contract and not by day labour and no such contract shall be entered into or signed by the trustees or any other person until submitted to and approved by the Minister and no action shall be maintained or enforced for the price of any school building or materials supplied to construct the same unless the contract therefor is approved and no claim in respect thereof shall be allowed by way of set-off or counterclaim, nor shall such contract have any legal validity whatever unless so approved as aforesaid. All specialties, bills, notes or accounts stated given or made in whole or in part for or to secure any such price or materials shall be void, unless the contract under which the same are given or made is approved as aforesaid."

Section 95: By striking out clause 26 thereof and substituting therefor the following:

"26. To cause to be erected and maintained on the school grounds a flag-pole with all requisite attachments for raising and lowering a flag and to furnish a flag which shall be the British Union Jack to be not less than four feet long and not less than two feet wide, and to cause the said flag to be displayed from such flag-pole upon all such days as may be prescribed by regulation, and when not so displayed to be hung upon the wall inside the schoolroom.

"27. To perform such other duties as may be required by this Ordinance or the regulations of the department."

Sections 108, 111 and 112: By striking out the word "Minister" wherever the same occurs therein and in the subsections thereto and substituting the words "Board of Public Utility Commissioners" therefor.

Section 109: By striking out the word "Department" where the same occurs in the last line of subsection 2 thereof and substituting the words "Board of Public Utility Commissioners" therefor.

Section 110: By striking out the word "Minister" where the same occurs therein and substituting therefor the words "Board of Public Utility Commissioners".

And by repealing clause 3 thereof and substituting the following:

"(3) Such other information as the Board of Public Utility Commissioners shall require; and upon being satisfied that the several conditions required by this Ordinance have been substantially complied with the Board of Public Utility Commissioners may in writing authorize the board of trustees to borrow the sum or sums of money mentioned in the by-law or a less sum."

Section 127: By striking out the word "Department" where the same occurs therein and substituting the words "Board of Public Utility Commissioners" therefor.

Section 128: By striking out the word "Minister" where the same first occurs in said section and substituting therefor the words "Board of Public Utility Commissioners".

By striking out the words "and shall publish notice of authorization in the official gazette" where the same appear in the sixth and seventh lines of the said section.

And by adding thereto the following subsection:

"(11) The Board of Public Utility Commissioners shall, subject to the provisions of this Ordinance, have power to fix a maximum rate of interest payable upon any school

debenture and a minimum price at which such debenture shall be sold by the board of trustees, and no debenture shall be issued carrying a higher rate of interest than that fixed by said board."

Section 135: By striking out the words "Arbour Day, being the second Friday in May, or in lieu thereof such other day as may in each year be proclaimed a public holiday for the planting of forest and other trees".

Section 155: By striking out the words "who has been engaged in any district for four months or more continuously" where the same appear in the first and second lines of subsection 1 of the said section.

Section 171: By adding thereto the following subsection:

"(3) Any person required by this Ordinance or by the regulations made thereunder to furnish any information or make any return or statement in writing to the department or to perform any act or duty and who refuses or neglects to furnish such information or make such return or statement or perform such act or duty shall be liable to a penalty not exceeding fifty dollars (\$50.00)."

The following new section is added:

"**176c.** In any order under this Ordinance the Minister may provide that the same shall not take effect until some future date named therein but not later than one year from the date of the order."

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2. *The School Assessment Ordinance* is amended as follows:

Section 5: By adding thereto the following:

"(7) The land to the extent of five acres held by or for the use of any hospital which receives a government grant."

Section 21, subsection 1: By adding thereto the following:

"Provided also that notwithstanding the above provision as to redemption fee the Minister may compromise upon such terms as may be agreed upon for the payment of the redemption fees on lands which have been subdivided under a plan registered at the land titles office."

Section 24a: By striking out subsection 2 thereof and substituting therefor the following:

"(2) If any rural school district is situated partly within two or more rural municipalities the board of trustees of such school district shall prepare a detailed estimate of the probable amount of the expenditure for the year and shall allocate the amount of such estimated expenditure in proportion to the area of the district lying within the respective municipalities and shall, before the first day of March in each year, forward a requisition to the secretary-treasurer of each municipality for the amount so allocated to such municipality."

By striking out subsection 3 and substituting therefor the following:

"(3) If any rural school district is situated partly within the boundaries of one or more municipalities and partly outside the boundaries of any rural municipality the board of trustees of such district shall prepare a detailed estimate of the probable expenditure for the year and shall allocate the amount of such estimated expenditure in proportion to the assessable area of the portions of the district lying within the municipality or respective municipalities and

that portion lying outside the boundaries of any municipality and shall, before the first day of March in each year, forward to the secretary-treasurer of such municipality or municipalities a requisition for the amount so allocated to such municipality or municipalities respectively."

By striking out subsection 4 and substituting therefor the following:

"(4) If any rural school district is situated partly within the boundaries of one or more rural municipalities and partly outside the boundaries of any rural municipality the board of trustees shall levy and collect upon that portion of the school district situated outside the boundaries of any rural municipality the amount of money allocated thereto as provided in the previous subsection in the same manner as is provided for assessment in rural districts in this Ordinance."

Section 26, subsection 2, clause 8: By adding to clause 8 immediately after the word "apparel" the following words "and live stock and farm implements used or kept on a farm".

(a) Section 26, subsection 2, clause 11: By striking out the whole of clause 11.

(b) Section 26, subsection 2: By adding thereto the following:

"(12) The land to the extent of five acres held by or for the use of any hospital which receives a government grant."

Section 42: By striking out the words: "Provided, however, that the taxes levied on any lot or parcel of land in any subdivision or plan or any fraction of a section shall be at least fifty cents" and substituting therefor the following: "Provided, however, that the taxes levied on any lot in any subdivision or plan shall be at least twenty-five cents and on any lot of at least one acre in any subdivision or plan or any fraction of a section containing at least one acre shall be at least fifty cents."

And by adding thereto the following new subsection:

"(3) In the case of a village school district the rate of taxation on unsubdivided farm lands situate outside of the boundaries of a village shall not exceed ten mills on the dollar:

"Provided, however, that the Minister may, in the case of any such district, authorize a rate exceeding ten mills on the dollar where, in his opinion, the same is necessary to meet payments on account of debenture indebtedness in said district either due or accruing due."

Section 96: By adding immediately after section 96 the following new section:

"96a. Subject to the approval of the Minister the board may enter into an agreement with the owner or owners of any land which is subdivided into plots or parcels of one acre or less to accept in full settlement of arrears of taxes an amount less than the total amount due on account of such arrears in consideration of such owner or owners procuring cancellation of the plan of subdivision of said land."

### 3. *The Truancy Act* is amended as follows:

Section 5, subclause (c): By adding thereto the following: "or in the case of a consolidated school district where the regular route travelled by any conveyance

provided by such consolidated school district is more than one mile from such child's residence."

By striking out the title to the Act and substituting therefor the title "*The School Attendance Act*."

Section 1: By striking out the words "*The Truancy Act*" and substituting therefor the words "*The School Attendance Act*".

Section 7: By striking out the word "truant" where the same appears in line two of subsection 1 thereof and substituting therefor the word "attendance".

By striking out the word "truant" where the same occurs in subsection 2 thereof, and substituting therefor in each case the word "attendance".

By striking out the word "truant" where the same appears in the third line of subsection 3 thereof, and substituting therefor the word "attendance".

By striking out the words "A truant" where the same appears in the first line of subsection 4 thereof, and substituting therefor the words "An attendance".

By striking out the word "truant" where the same appears in the third line of subsection 5 thereof, and substituting therefor the word "attendance".

By striking out the word "truant" where the same appears in line three of subsection 7 thereof, and substituting therefor the word "attendance".

By striking out subsection 8 thereof and substituting therefor the following subsection:

"(8) Every attendance officer shall report monthly to the body appointing him as well as to the department, according to the forms prescribed by the regulations."

Section 8: By striking out subsection 1 thereof and substituting therefor the following:

"8. It shall be the duty of every attendance officer to examine into all cases of violation of this Act which may come within his knowledge, or be brought to his attention, to warn one of the parents or the guardian of any children not complying with the provisions of this Act by notice in writing in form provided in schedule A hereto, and generally to enforce the provisions of this Act."

By striking out the words "A truant" where the same appear in line one of subsection 2 thereof and substituting therefor the words "An attendance".

Section 10: By striking out the word "truant" where the same appears in line one thereof, and substituting therefor the word "attendance".

Section 11: By striking out the word "truant" where the same occurs in the said section and substituting therefor in each case the word "attendance".

Schedule A: By striking out the words "*The Truancy Act*" where the same occur therein and substituting the words "*The School Attendance Act*".

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4. *The School Grants Act* is amended as follows:

By striking out section 3b thereof and substituting therefor the following:

"3b. The Minister of Education may in aid of any school organized and conducted under the provisions of *The School Ordinance* in a district in which land held under grazing lease or permit from the Government of Canada is situate, direct the Provincial Treasurer to pay to such school out of the moneys received by him under the provisions of section 17a of *The Educational Tax Act* such sum or sums as he may think fit."

No. 18.

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FOURTH SESSION  
THIRD LEGISLATURE  
6 GEORGE V  
1916

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BILL

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Received and read the

First time . . . . .

Second time . . . . .

Third time . . . . .

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HON. J. R. BOYLE.

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EDMONTON:  
J. W. JEFFERY, GOVERNMENT PRINTER,  
A.D. 1916