

Bill No. 52 of 1932.

A BILL TO AMEND THE SCHOOL ACT, 1931.

NOTE.

Sections 2 and 3 of the Bill empower the Minister to direct that if a poll is necessary for the election of trustees, the same shall be held on the same day of the week following the day upon which the annual meeting is held, and further empower the Minister to direct that the poll shall be kept open for longer than two hours, and provides for the appointment of persons to act as chairman and secretary upon the taking of the poll.

Section 4 of the Bill removes from section 57 the reference to any special Act or Charter.

Section 5 of the Bill makes applicable the provisions of any special Act or Charter incorporating any city or town to a board of trustees.

Section 6 of the Bill makes applicable the provisions of an Act of incorporation in the case of districts wholly or partially within the limits of any city or town incorporated by Statute.

Section 7 of the Bill corrects an erroneous reference to the form of declaration to be administered to an elector.

The amendment made by section 8 of the Bill is a necessary consequence to amendments made by sections 2 and 3 of the Bill by providing that the board shall meet within ten days after the annual election of trustees instead of after the annual meeting of the ratepayers.

Section 9 of the Bill strikes out the qualification as to agreements for conveyance for children of isolated families to the effect that the land upon which such children reside is to be more than one mile in a direct line from the nearest conveyance route.

Section 10 of the Bill makes provision for the erection of school buildings, the cost of which is to be met out of current revenues.

Section 12 of the Bill amends the present restrictions as to the termination of an agreement with a teacher by providing that notice to terminate must not be given between the first day of July and the first day of September except by mutual consent.

Section 13 of the Bill strikes out of subsection (2) of section 161 the reference to a salary schedule.

Section 14 of the Bill amends the section dealing with the borrowing powers of a district by including in districts empowered to borrow any district empowered to make an

assessment and levy taxes, and by striking out the reference to a collecting municipal district, and by striking out the reference to districts separated from municipal districts.

Section 15 of the Bill strikes out the reference to collecting districts in section 171.

Section 16 of the Bill makes provision for the placing on every debenture a memorandum of registration.

Section 17 of the Bill corrects an erroneous reference in section 209.

Section 18 of the Bill clarifies section 227 as to the statutory provisions which are applicable in the case of a controverted election of a school trustee in any town or village district.

Sections 19 and 20 of the Bill amend Forms B(1) and B(2) to make the same conform to the express provisions of the Act as to the qualification to vote.

R. ANDREW SMITH,
Legislative Counsel.

(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)

BILL

No. 52 of 1932.

An Act to amend The School Act, 1931.

(Assented to _____, 1932.)

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

1. This Act may be cited as "*The School Act, 1931, Amendment Act, 1932.*"

2. *The School Act, 1931*, being chapter 32 of the Statutes of Alberta, 1931, is hereby amended as to section 50 thereof by adding at the end thereof the following new clause:

"(e) In case the taking of a poll of the electors is necessary and the Minister has directed that the poll shall be taken on a day other than the day of the annual meeting, the poll shall be taken in accordance with the directions of the Minister: and in the absence of any such direction, the poll shall be taken at the annual meeting."

3. The said Act is further amended by inserting therein, immediately after section 55 thereof, the following new section:

"**55a.** The Minister may from time to time, in the case of any district, by order provide that during any period specified in the order, or in the alternative, until further order, whenever it is necessary to take a poll of the electors for the purpose of electing trustees, such poll shall be taken on the same day of the week following the day upon which the annual meeting is held; and in such case the poll shall be opened at two o'clock in the afternoon, and shall remain open for two hours, or for such longer period as the Minister may direct: the chairman of the board, or any elector appointed for that purpose by the board, shall preside over the taking of such poll, and the secretary of the board, or any other person appointed by the board, shall be secretary at such poll."

4. The said Act is further amended as to section 57 thereof by striking out the words "subject to the provisions of any special Act or Charter" where the same occur therein.

5. The said Act is further amended as to section 59 thereof by inserting therein, at the beginning of subsection (1) thereof, the words "Subject to the provisions of any special Act or Charter."

6. The said Act is further amended as to section 76 thereof by striking out the words "the provisions of *The Town Act*" where the same occur therein and by substituting therefor the words "the provisions of *The Town Act*, or in the case of districts situated wholly or partially within the limits of any city or town incorporated under and subject to the provisions of any other Act, then the provisions of such Act."

7. The said Act is further amended as to section 90 thereof by striking out the words "Form B(1) or B(2)" where the same occur in subsection (1) thereof, and by substituting therefor the words "Form A in the case of a proposed district, and Form B(1) or Form B(2) in the case of an established district."

8. The said Act is further amended as to section 107 thereof by striking out the words "annual meeting" where the same occur therein, and by substituting therefor the words "annual election of trustees."

9. The said Act is further amended as to section 131 thereof by striking out the words "and more than one mile in a direct line from the nearest conveyance route" where the same occur in subsection (3) thereof.

10. The said Act is further amended as to section 140 thereof by adding thereto the following new subsection:

"(3) In any case in which the Board of any rural or village school district proposes to erect any school buildings and to defray the cost thereof out of the current revenues of the district, the Board may submit to the Minister for his approval a scheme setting out in detail the manner in which it is proposed to provide the materials, supplies and labour requisite for the erection of such school buildings, and upon the scheme being approved by the Minister and adopted by a resolution of the Board, any contracts or engagements made in pursuance of and in conformity to such scheme shall be good and binding upon all parties thereto and shall be good and effectual for all purposes, notwithstanding anything in this section to the contrary."

11. The said Act is further amended as to section 143 thereof by striking out the words "Sundays and holidays" where the same occur in subsection (1) thereof, and by substituting therefor the words "Sundays, holidays and any day during which the school is lawfully closed pursuant to any provisions of this Act."

12. The said Act is further amended as to section 157 thereof by striking out provisos (a) and (b) thereof and by substituting therefor the following:

“(a) that no such notice shall be given between the first day of July and the first day of September except by mutual consent.”

13. The said Act is further amended as to subsection (2) of section 161 thereof by striking out the words “in an ungraded school where no salary schedule is in operation” where the same occur therein.

14. The said Act is further amended as to section 170 thereof—

(a) by striking out clause (b) of subsection (1) thereof, and by substituting therefor the following:

“(b) any district which is empowered by the Minister under *The School Assessment Act* to make an assessment and levy taxes in respect of its whole area;”

(b) by striking out the words “collecting” and “or” where the same occur in clause (d) of subsection (1) thereof;

(c) by striking out clause (e) of subsection (1) thereof; and

(d) by striking out the word “collecting” where the same occurs in subsection (2) thereof.

15. The said Act is further amended as to section 171 thereof by striking out the word “collecting” where the same occurs in subsection (1) thereof.

16. The said Act is further amended as to section 197 thereof by adding thereto the following new subsection:

“(6) There shall be written or printed upon the face of every debenture issued pursuant to this section a form of memorandum as to the registration thereof pursuant to section 200 of this Act, which shall be in the following form:

“Department of Education,
“Edmonton, Alberta.

“Registered....., 193...
.....
and also a form of memorandum as to its authorization by the Board of Public Utility Commissioners pursuant to section 101 of *The Public Utilities Act, 1923*, which shall be in the following form:

“Authorized by order of the Board of Public Utility Commissioners, No....., and dated the.....day of
....., 193...
.....

‘THE BOARD OF PUBLIC UTILITY COMMISSIONERS,
‘.....,
‘Chairman.’”

17. The said Act is further amended as to section 209 thereof by striking out the words "this section" where the same occur in subsection (3) thereof, and by substituting therefor the words "subsection (2) of this section."

18. The said Act is further amended as to section 227 thereof by striking out the same and by substituting therefor the following:

"227. In any town or village district the validity of the election of a school trustee may be contested before a judge upon the relation of any elector of the district, and the proceedings therein shall be subject to and governed by the provisions of such Statutes dealing with controverted elections as are applicable to a contested election of a member of the council of the city, town or village, as the case may be, within whose corporate limits such district is either wholly or partially situated."

19. The said Act is further amended as to Form B(1) of the schedule thereof by striking out the words "two months" where the same occur therein, and by substituting therefor the words "one year."

20. The said Act is further amended as to Form B(2) of the schedule thereof by striking out the words "two months" where the same occur therein, and by substituting therefor the words "one year."

21. This Act shall come into force on the day upon which it is assented to.

No. 52.

SECOND SESSION
SEVENTH LEGISLATURE
22 GEORGE V
1932

BILL

An Act to amend The School Act,
1931.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. BAKER

EDMONTON:
W. D. MCLEAN, KING'S PRINTER
1932