

# Education Property Tax Bulletin

*A bulletin on the 2000 education taxation process*

**March 2000**



## **2000 Alberta School Foundation Fund Requisition**

An MLA committee was established in 1999 to review Alberta's education property tax system.

The committee is preparing for full consultation allowing all stakeholders an opportunity to make their positions known. After the public consultation, the Committee will prepare recommendations on future education tax alternatives.

**The province approved the following interim measures recommended by the MLA committee for the 2000 tax year:**

1. Average equalized assessment over a period of two years;
2. Cap growth in both residential and non-residential equalized assessments at five percent; and
3. Reduce the provincial uniform education tax rates to the following levels:

<b>Residential/Farmland</b>	<b>6.77 mills</b>
<b>Non-Residential</b>	<b>9.94 mills</b>

## **Telus Appeal**

In January 2000, the Court of Queen's Bench conducted a judicial review of Telus Corporation's 1996 linear property appeal. The decision, when available, is expected to affect Telus' subsequent 1997 and 1998 appeals, which are currently scheduled to be heard by the Municipal Government Board from March 27 to April 7, 2000.

Municipalities will be notified as to the decision relating to the Judicial review when the Court of Queen's Bench makes its decision available.

Telus has requested affected municipalities to apply credits resulting from the 1996 appeal adjustments to its 2000 property tax notices.

To compensate for the corresponding adjustments to the 1998 education requisitions, Alberta Learning has provided credits to the affected municipalities' December 1999 tax accounts.

The credit provided by Alberta Learning will not likely equal the school portion of the refund that was owed to Telus (due to different tax years). Therefore, an over or underlevy will need to be applied to your 2000 education requisition. If you require assistance please call our team at (780) 422-7125.

## Ministerial Orders Extending Linear Appeal Periods

When setting your 2000 live tax rates, consideration should be given to the affect the extensions may have on your municipality's 2000 assessment roll.

This suggestion is a result of the following Ministerial Orders.

- Ministerial Order (MO L:206/99) extends the time for hearing MGB appeals of 1999 linear property assessment to **April 1, 2000**.
- Ministerial Order (MO L:246/99), allows Municipal Affairs to amend the linear property assessment until **May 1, 2000**. Municipalities have until **June 1, 2000**, to amend their respective assessment and tax rolls.



### Public School Boards' Association of Alberta -- Supreme Court Challenge

- 1994 The Public School Boards' Association of Alberta (PSBAA) challenged the constitutional validity of the School Amendment Act.
- 1995 Alberta's Court of Queen's Bench ruled that public school boards should have the same right as separate school boards to opt-out of the ASFF.
- 1998 The Alberta government successfully appealed the 1995 decision. The Public School Boards were again barred from opting out of the ASFF

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Local Government Services  
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and applied to the Supreme Court of Canada to hear a subsequent appeal.

2000 On March 21, 2000, the Supreme Court will hear this appeal. A written decision is typically issued six to eight months after the hearing.

## School Support Declarations

If the Supreme Court rules in favor of the PSBAA, each public school board will be authorized under Section 165 of the School Act to pass a resolution establishing themselves as a collecting board.

**Municipalities should continue to update their school support declaration records in case the Supreme Court rules in favour of the PSBAA.**

For information on school support declarations, or copies of the declaration form, please contact Tracy Harper of Alberta Learning at 422-0865.

## Refund Policy Reminder

Copies of the new refund policy guidelines were distributed in January of 2000. If you would like another copy, or if you have any questions, please contact us.

## Contact Us

You can reach us at (780) 422-7125; or by writing to the Education Taxation Team at:

Assessment Services Branch  
Alberta Municipal Affairs  
15<sup>th</sup> floor, 10155 - 102 Street  
Edmonton, Alberta T5J 4L4

You can also find us on the Internet at [www.gov.ab.ca/ma/lgs/index.htm](http://www.gov.ab.ca/ma/lgs/index.htm)

To contact the Alberta Government outside  
Edmonton or Calgary call toll-free 310-0000  
and ask to be connected