

**2014**

**CHAPTER 9**

An Act to amend *The Assessment Management Agency Act*

(Assented to May 14, 2014)

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

**Short title**

**1** This Act may be cited as *The Assessment Management Agency Amendment Act, 2014*.

**S.S. 1986, c.A-28.1 amended**

**2** *The Assessment Management Agency Act* is amended in the manner set forth in this Act.

**Section 9 amended**

**3** **Subsection 9(2) is amended in the portion preceding clause (a) by striking out “executive director” and substituting “chief executive officer”.**

**Section 11 amended**

**4(1) Section 11(1) is repealed and the following substituted:**

“(1) Subject to subsections (2) to (3), the board may establish any committees that it considers appropriate to assist it in carrying out its duties”.

**(2) Subsections 11(4) to (7) are repealed.**

**Section 11.1 amended**

**5(1) Clause 11.1(1)(a) is repealed and the following substituted:**

“(a) considering and adopting resolutions respecting property assessment”.

**(2) Subsection 11.1(2) is repealed and the following substituted:**

“(2) Subject to the regulations, the board may pass bylaws to set procedures for consideration of resolutions and the casting of votes at an annual meeting”.

**(3) Subsection 11.1(3) is repealed.**

**Section 12 amended**

**6 Subsection 12(1) is amended:**

**(a) by repealing clause (i);**

**(b) by repealing clause (j);**

**(c) in clause (k) by striking out “responsible for the appropriate municipal Act or *The Education Act, 1995*”;**

**(d) in clause (n) by striking out “and school divisions”; and**

**(e) in subclause (n)(ii) by striking out “and school divisions”.**

**Section 12.2 amended****7 Clause 12.2(b) is repealed and the following substituted:**

“(b) any order made pursuant to clause 12(1)(c) or (d) or subsection 12(1.1), as those provisions existed before the coming into force of this section, is continued in force until it is amended or repealed in accordance with this Act”.

**Section 13 amended****8 Subsection 13(2) is amended by striking out “an executive director” and substituting “a chief executive officer”.****New section 14****9 Section 14 is repealed and the following substituted:****“Chief executive officer**

14(1) The chief executive officer shall be selected and appointed by the board, and serve at the pleasure of the board, subject to the bylaws of the agency.

(2) The chief executive officer shall carry out any duties that the board may assign to him or her, and shall:

- (a) be in charge of the employees and administration of the agency under the direction of the board;
- (b) ensure that the affairs of the agency are conducted in accordance with the requirements of this or any other Act and in accordance with any orders, rules, bylaws or regulations made pursuant to this Act; and
- (c) initiate any research, studies, policy review and analysis and make any recommendations that may be advisable relating to assessment”.

**Section 16 amended****10(1) Subsection 16(1) is amended by striking out “(2), (3) and (4)” and substituting “(2) and (3)”.****(2) Subsection 16(2) is repealed and the following substituted:**

“(2) The agency may:

- (a) borrow any sum pursuant to subsection (1) on the condition that it must be repaid or the loan otherwise retired within the fiscal year in which the loan is made; and
- (b) extend the loan and renew or extend the promissory notes or other obligations securing the loan for up to five years”.

**(3) Subsection 16(3) is amended by striking out “to 18.05” and substituting “to 18.04”.****(4) Subsection 16(4) is repealed.**

**Section 18 amended**

**11(1) Subsection 18(2) is amended by striking out “July 15” and substituting “September 1”.**

**(2) Clause 18(3)(d) is repealed and the following substituted:**

“(d) the amount of funding to be provided by the Government of Saskatchewan and municipalities in each fiscal year of the plan”.

**New sections 18.01 and 18.011**

**12 Section 18.01 is repealed and the following substituted:**

**“Annual funding**

**18.01(1)** For the purposes of establishing an annual budget for a fiscal year, the board shall, on or before the September 1 preceding the fiscal year:

(a) submit to the parties, for review, a proposed budget for the fiscal year having regard to:

(i) the four-year funding plan mentioned in section 18; and

(ii) any changes in circumstances that may have arisen since the establishment of the four-year funding plan;

(b) attend a meeting with the parties and make available employees of the agency at that meeting to explain the proposed budget and the reasons for proposed expenditures; and

(c) after considering any suggestions made by the parties, determine the budget required for the fiscal year for the agency to perform its responsibilities properly.

(2) The funding to be provided to the agency must be paid by:

(a) the Government of Saskatchewan, in accordance with section 18.011; and

(b) municipalities, in accordance with section 18.03.

**“Funding by the Government of Saskatchewan**

**18.011(1)** The Government of Saskatchewan shall provide annual funding to the agency that reflects the provincial interest in:

(a) assessment research and policy development;

(b) maintaining a central database;

(c) providing assessment information pursuant to clauses 12(1)(m) and (n);

(d) assuring the quality of assessments; and

(e) the property taxation system.

(2) The Minister of Finance shall pay to the agency in each fiscal year of the Government of Saskatchewan, out of the general revenue fund, the amount directed by the Lieutenant Governor in Council, in more or less equal quarterly instalments at times agreed on by the Minister of Finance and the agency.

(3) Subject to subsection (4), if funds have been appropriated by the Legislature for a purpose other than one mentioned in subsection (1), the minister may make loans or grants to the agency related to that purpose.

(4) The minister shall obtain the approval of the Lieutenant Governor in Council before making a loan or grant pursuant to subsection (3) that is greater than \$50,000 in any fiscal year of the Government of Saskatchewan.

(5) The minister may impose any terms and conditions on a loan or grant made pursuant to subsection (3) that the minister considers appropriate.

(6) A loan or grant to the agency made pursuant to subsection (3) may be made in addition to any amounts paid pursuant to subsection (2)".

**New section 18.03**

**13 Section 18.03 is repealed and the following substituted:**

**"Funding by municipalities**

**18.03(1)** On or before February 1 of every fiscal year, the board shall:

- (a) determine the amount that is required to be paid by municipalities to pay for the activities of the agency;
- (b) determine, in accordance with this section, what part of the amount mentioned in clause (a) is to be paid by each municipality; and
- (c) requisition the amount required to be paid pursuant to clause (b):
  - (i) with respect to the Northern Saskatchewan Administration District, from the Northern Municipal Trust Account continued pursuant to *The Northern Municipalities Act, 2010*; and
  - (ii) with respect to every other municipality, from the municipality.

(2) The amount to be paid by each municipality pursuant to subsection (1) is to be determined on any basis the board may decide, having regard to:

- (a) the four-year funding plan mentioned in section 18; and
- (b) any changes in circumstances that may have arisen since the establishment of the four-year funding plan.

(3) If a municipality carries out its valuations and revaluations and determines its assessments using services other than those of the agency, it is not required to make any payment pursuant to this section.

(4) Municipalities shall pay the amounts requisitioned by the agency pursuant to subsection (1) on or before April 1 in each year, or at any other time or times that may be determined by the board".

## Section 18.031 amended

**14(1) Subsection 18.031(1) is amended:**

- (a) in the portion preceding clause (a) by striking out “18.01 and 18.03” and substituting “18.011 and 18.03”;**
- (b) by repealing clause (b) and substituting the following:**
  - “(b) requisition an additional fee or amount from a municipality for providing an additional service for that municipality in accordance with subsection (2)”;
- (c) by striking out “and” after clause (c);**
- (d) by adding “and” after clause (d); and**
- (e) by adding the following clause after clause (d):**
  - “(e) requisition an additional fee or amount from a municipality for the purposes of projects or programs of the agency as may be determined by the board in accordance with subsection (2)”.

**(2) Subsection 18.031(2) is repealed and the following substituted:**

- “(2) For the purposes of clauses (1)(b) and (e):
  - (a) the agency may requisition an amount from the municipality that the agency considers necessary to cover its reasonable costs in providing an additional service mentioned in clause (1)(b);
  - (b) the agency may requisition an amount from the municipality that the agency considers necessary to fund projects or programs of the agency mentioned in clause (1)(e); and
  - (c) municipalities that are required to pay the amounts determined by the board pursuant to section 18.03 in a fiscal year continue to be required to pay those amounts”.

## Section 18.04 amended

- 15 Subsection 18.04(3) is amended in the portion preceding clause (a) by striking out “September 1” and substituting “the day that is 60 days from the issuance of a requisition”.**

## Section 18.05 repealed

- 16 Section 18.05 is repealed.**

## Section 18.1 amended

- 17 Section 18.1 is amended by striking out “18.01(6) to (9)” and substituting “18.011(2) to (5)”.**

## Section 20 amended

**18(1) Subsection 20(1) is amended:****(a) by repealing clause (a) and substituting the following:**

“(a) a report on:

- (i) the activities of the agency for the preceding fiscal year; and
- (ii) the progress that the agency is making in achieving the goals of the current four-year funding plan”; **and**

**(b) in subclause (b)(ii) by striking out “18.01(7) to (9)” and substituting “18.011(3) to (5)”.**

**(2) Subsection 20(4) is amended by striking out “18.01(3) and (6) to (9)” and substituting “18.011(1) to (5)”.**

## Section 22 amended

**19(1) Subsection 22(3) is amended by striking out “responsible for the administration of *The Education Act, 1995*”.**

**(2) Subsection 22(7) is amended by striking out “responsible for the administration of *The Education Act, 1995*”.**

**(3) Clause 22(8)(a) is amended by striking out “responsible for the administration of *The Education Act, 1995*”.**

**(4) Subsection 22(8.1) is amended by striking out “18.03(3)” and substituting “18.03(2)”.**

**(5) Subclause 22(8.2)(a)(i) is repealed and the following substituted:**

“(i) the agency may requisition the fees mentioned in clauses (8)(d) and (e)”.

## Section 22.2 amended

**20(1) Clause 22.2(5)(a) is repealed and the following substituted:**

“(a) the minister”.

**(2) Clause 22.2(6)(b) is repealed and the following substituted:**

“(b) provide written notification of the date, time and place fixed for hearing the appeal to the municipality and its assessment appraiser, to the agency and to the minister”.

**(3) Subsection 22.2(10) is repealed and the following substituted:**

“(10) The secretary of the appeal board shall send, by ordinary mail, a copy of the decision of the appeal board to the municipality and its assessment appraiser, to the agency and to the minister”.

## Section 24.1 amended

**21 Subsection 24.1(3) is repealed and the following substituted:**

“(3) Licensed members of SAAA are deemed to be certified for the purposes of this section”.

**Section 38 amended****22(1) Subsection 38(1) is amended:****(a) by repealing clause (b) and substituting the following:**

“(b) establishing procedures for the consideration of resolutions and the casting of votes at an annual meeting pursuant to section 11.1”;  
**and**

**(b) by repealing clause (g).****(2) Subsection 38(2) is repealed.****Section 42 amended****23 Clause 42(1)(c) is repealed and the following substituted:**

“(c) to the Director of Assessments in the Department of Rural Development or the Department of Urban Affairs or to the executive director of the Saskatchewan Assessment Authority is deemed to be a reference to the chief executive officer of the agency appointed pursuant to this Act”.

**Coming into force**

**24(1)** Subject to subsection (2), this Act comes into force on assent.

(2) Sections 10 to 19 and 22 come into force on assent, but are retroactive and are deemed to have been in force on and from January 1, 2014.

