

1991 BILL 316

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Third Session, 22nd Legislature, 40 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 316

AN ACT TO AMEND  
THE LEGISLATIVE ASSEMBLY ACT

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MR. GIBEAULT

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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*Bill 316*  
*Mr. Gibeault*

## **BILL 316**

1991

### **AN ACT TO AMEND THE LEGISLATIVE ASSEMBLY ACT**

*(Assented to \_\_\_\_\_, 1991)*

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

*1 The Legislative Assembly Act is amended by this Act.*

*2 The following is added after section 17:*

17.1(1) The elections referred to in sections 16 and 17 shall be conducted in accordance with this section.

(2) An election shall be held for the office of Speaker, Deputy Speaker and Chairman of Committees and Deputy Chairman of Committees on the first convening of the Legislature after a general election or whenever there is a vacancy in any of the offices.

(3) On the convening of the Legislature after a general election, the Clerk shall receive nominations for each office until six hours before the hour proclaimed for the convening.

(4) If a vacancy occurs during a Legislature, the Clerk shall give notice to every Member of the vacancy occurring, requesting nominations for the vacant office, and advising Members of the date the election is to be held.

(5) A notice under subsection (4) shall be in writing and shall be given by delivering it to the Member's office at the Legislature, but no election is invalid solely on the grounds of

## **Explanatory Notes**

- 1** This Bill will amend chapter L-10.1 of the Revised Statutes of Alberta, 1980.
- 2** Provides for an elected Speaker of the Legislative Assembly of Alberta.

a defect in the process of giving notice.

(6) An election to fill a vacancy that arises during a sitting shall be held on the seventh sitting day after the vacancy occurs unless the Assembly unanimously consents to an earlier date, and if the vacancy occurs when the Assembly is not sitting, the election shall be held on the next sitting day or 7 days after the vacancy, whichever is the later date.

(7) Should the office of Speaker become vacant when the Assembly is not sitting, the office shall be assumed first by the Deputy Speaker and Chairman of Committees, or second by the Deputy Chairman of Committees in the interim, who shall hold office until a new Speaker is elected.

(8) When there is no Member to assume the office of Speaker when a vacancy occurs, the Speaker's duties shall be assumed, in the interim, by a person other than a Member of Executive Council who, at the time the vacancy occurred, or if the vacancy occurs after a dissolution of the Legislature, at the time immediately before the dissolution, has the most years of uninterrupted service as a Member of the Legislative Assembly until a new Speaker is elected.

(9) A nomination for a vacant office shall be in writing, signed by no less than 2 Members other than the Member nominated to indicate acceptance of the nomination, and in the case of an election during a Legislature, must be received by the clerk no later than 12:00 noon on the day prior to the election.

(10) The Clerk shall post every nomination received in a conspicuous place in the Legislature Building.

(11) An election under this section shall be conducted in the Assembly Chamber by the Clerk, by secret ballot, using ballot papers prepared by the Clerk, with every Member having one vote for each ballot.

(12) The Clerk shall first read out every nomination received for the office giving the names of the Members nominating the candidate, and shall then distribute one ballot paper to each Member in attendance.

(13) The ballot papers shall be placed by Members in a ballot box and shall be counted by the Clerk in the presence of one Member from each recognized political party in the House.

(14) If a ballot results in a clear majority of the votes being cast for one candidate, the Clerk shall declare that candidate



elected.

(15) If there is no candidate with a clear majority of the votes, the election shall be repeated with the candidate receiving the least votes being dropped from the subsequent ballot until one Member has a clear majority of the votes cast.

*3 The offices of Speaker, Deputy Speaker and Chairman of Committees and Deputy Chairman of Committees become vacant on October 1, 1991.*

**3 Transitional provision to elect the first officers.**