

1994 BILL 201

Second Session, 23rd Legislature, 43 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 201

ELECTORAL BOUNDARIES (REDUCTION) ACT

MR. DECORE

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 201
Mr. Decore

BILL 201

1994

ELECTORAL BOUNDARIES (REDUCTION) ACT

(Assented to , 1994)

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

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| Definition | 1 In this Act, "Commission" means an Electoral Boundaries Commission appointed pursuant to section 2. |
| Electoral
Boundaries
Commission | 2 From time to time as required by this Act, an Electoral Boundaries Commission shall be established consisting of <ul style="list-style-type: none">(a) the Chief Justice of the Court of Queen's Bench of Alberta or, if he is unwilling or unable to act, a justice of the Court of Queen's Bench selected by the Chief Justice, and(b) the Chief Electoral Officer who shall sit as a non-voting member of the Commission. |
| Function | 3 The function of a Commission is to establish the area, boundaries and names of the electoral divisions of Alberta. |
| Remuneration | 4(1) Members of a Commission may be paid the remuneration prescribed by the Lieutenant Governor in Council for their services on the Commission.

(2) The members of a Commission may be paid their reasonable travelling and living expenses while away from their ordinary place |

of residence in the course of their duties as members at the rates the Lieutenant Governor in Council prescribes.

**Report to
Speaker**

5(1) The Commission shall, after considering any representations to it and within 9 months of the date on which the Commission is appointed, submit to the Speaker of the Legislative Assembly an interim report, which shall set out the area, boundaries and names of the electoral divisions proposed by the Commission.

(2) On receipt of the interim report, the Speaker shall make the interim report public and publish the Commission's boundaries in The Alberta Gazette as soon as possible.

(3) If the office of Speaker is vacant, the interim report shall be submitted to the Clerk of the Legislative Assembly, who shall comply with subsection (2).

6(1) The Commission

(a) may before its interim report is submitted to the Speaker, and

(b) shall after its interim report has been made public,

hold public hearings at the places and times it considers appropriate to enable representations to be made by any person as to the area and boundaries of any proposed electoral division.

(2) The Commission shall give reasonable public notice of the time, place and purpose of any public hearings held by it.

**Appointment of
new
Commissions**

7(1) The Commission shall, after considering any representations made to it and within 3 months of the date on which the interim report was submitted to the Speaker, submit to the Speaker of the Legislative Assembly a final report, which shall set out the area, boundaries and names of the electoral divisions.

(2) On receipt of the final report, the Speaker shall make the report public and publish the Commission's boundaries in The Alberta Gazette as soon as possible.

(3) If the office of Speaker is vacant, the final report shall be submitted to the Clerk of the Legislative Assembly, who shall comply with subsection (2).

8(1) In this section, "five-year census" means a five-year census of population referred to in section 19(1) of the *Statistics Act* (Canada).

(2) Commencing with the next five-year census, there is to be a new Commission after each five-year census.

(3) A new Commission is to be appointed as soon as possible after the population count for the electoral divisions, as ascertained by the five-year census, is available.

(4) If a Commission has reported pursuant to sections 5 and 7, the next Commission appointed shall determine whether or not new electoral divisions are necessary having considered the results of the most recent five year census and the matters referred to in section 11 and shall either prepare the necessary report or give the Speaker notice, in writing, that no reports will be forthcoming.

(5) If a Commission gives notice to the Speaker that no reports will be forthcoming, the next Commission appointed shall prepare the reports required by sections 5 and 7.

(6) If a Commission gives notice that no report will be forthcoming, the Speaker shall make the notice public and publish the notice in The Alberta Gazette as soon as possible.

**Electoral
Divisions Act**

9 Upon the publication of a final report referred to in section 7 in The Alberta Gazette, the Schedule to the *Electoral Divisions Act* is repealed and the final report of the Commission is substituted therefor.

**Electoral
divisions**

10 The Commission shall divide Alberta into 65 electoral divisions.

**Relevant
considerations**

11 In determining the area to be included in and in fixing the boundaries of the electoral divisions, the Commission, may take into consideration any factors it considers appropriate, but shall take into consideration

(a) the Canadian Charter of Rights and Freedoms, and relevant judicial considerations of the Canadian Charter of Rights and Freedoms, and

(b) the situation of isolated communities and geographic features.

- Transitional** **12(1)** *The first Commission to be appointed under this Act shall be appointed during the 3rd session of the 23rd Legislature of the Province.*
- (2)** *The Commission appointed under subsection (1) shall submit its report under section 5 on or before December 31, 1995.*
- Administrative support** **13(1)** *The Commission appointed under subsection (1) shall submit its report under section 5 on or before December 31, 1995.*
- (2)** *The Speaker shall appoint a person who is to be responsible for providing the administrative support for the Commission.*
- 14** *The Electoral Divisions Act is amended in section 1 by striking "83" and substituting "65".*
- Repeal** **15** *The Electoral Boundaries Commission Act, SA 1990, cE-4.01 is repealed.*