

2008 Bill 203

First Session, 27th Legislature, 57 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 203

**ELECTION STATUTES (FIXED ELECTION DATES)
AMENDMENT ACT, 2008**

MR. ALLRED

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 203
Mr. Allred

BILL 203

2008

ELECTION STATUTES (FIXED ELECTION DATES) AMENDMENT ACT, 2008

(Assented to _____, 2008)

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

Election Act

Amends RSA 2000 cE-1

1(1) The *Election Act* is amended by this section.

(2) Section 39 is renumbered as 39.1 and the following is added before section 39.1:

Fixed election dates

39(1) Nothing in this section affects the powers of the Lieutenant Governor, including the power to dissolve the Legislature by proclamation in Her Majesty's name when the Lieutenant Governor sees fit.

(2) Subject to the powers of the Lieutenant Governor referred to in subsection (1),

- (a) a general election shall be held on October 15, 2012, unless a general election has been held after the day on which the *Election Statutes (Fixed Election Dates) Amendment Act, 2008* receives Royal Assent and before October 15, 2012, because of a dissolution of the Legislature, and

(b) thereafter, general elections shall be held on the 3rd Monday in October in the 4th calendar year following polling day in the most recent general election.

(3) If the Chief Electoral Officer is of the opinion that a Monday that would otherwise be polling day is not suitable for that purpose because it is a day of cultural or religious significance, the Chief Electoral Officer shall choose an alternate day and recommend to the Lieutenant Governor in Council that polling day should be that alternate day, and the Lieutenant Governor in Council may make an order to that effect.

(4) The alternate day shall be one of the 7 days following the Monday that would otherwise be polling day.

(3) The following sections are amended by striking out “section 39” and substituting “section 39.1”:

section 40(1);
section 66(1)(b).

Amends RSA 2000 cL-9

2(1) The *Legislative Assembly Act* is amended by this section.

(2) The *Legislative Assembly Act* is amended in section 32(2) and (3) by striking out “section 39 of the *Election Act*” and substituting “section 39.1 of the *Election Act*”.

Local Authorities Election Act

Amends RSA 2000 cL-21

3(1) The *Local Authorities Election Act* is amended by this section.

(2) Section 10 is amended by repealing subsection (1) and substituting the following:

10(1) The members of an elected authority elected in 2007 hold office for a term of 3 years.

(1.1) Commencing with the general election of 2010, members of a local authority elected at a general election hold office for a term of 4 years and a general election shall be held every 4th year after the year 2010.

Amends RSA 2000 cS-3

4(1) The *School Act* is amended by this section.

4(2) The *School Act* is amended in section 251

- (a) in subsection 2(a) by striking out “2-year” and substituting “3-year”,**
- (b) in subsection (2)(b) and (3) by striking out “3rd year” and substituting “4th year”.**

5 This Act comes into force on Proclamation.

Explanatory Notes

- 1** Amends chapter E-1 of the Revised Statutes of Alberta 2000.

2 Amends chapter L-9 of the Revised Statutes of Alberta 2000.

3 Amends chapter L-21 of the Revised Statutes of Alberta 2000.

4 Amends chapter S-3 of the Revised Statutes of Alberta 2000.

5 Coming into force.