

2021 Bill 68

Second Session, 30th Legislature, 70 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 68

ELECTION STATUTES AMENDMENT ACT, 2021

THE MINISTER OF JUSTICE AND SOLICITOR GENERAL

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 68

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2021

ELECTION STATUTES AMENDMENT ACT, 2021

(Assented to , 2021)

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

Education Act

Amends SA 2012 cE-0.3

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

(2) Section 124(e) is amended by striking out “section 135” and substituting “section 135(1)”.

(3) Section 135(2), (3) and (4) are repealed and the following is substituted:

(2) For the purposes of this Act and the *Local Authorities Election Act*, an individual is eligible to be nominated as a candidate for election as and to be elected as a trustee of a Francophone regional authority if

Explanatory Notes

Education Act

1(1) Amends chapter E-0.3 of the Statutes of Alberta, 2012.

(2) Section 124 presently reads in part:

124 In this Division,

(e) “separate school elector” means an individual described in section 135 who declares that the individual is of the same faith, whether Protestant or Roman Catholic, as the minority of all individuals living within the boundaries of a Francophone education region as determined by the Minister under section 128;

(3) Section 135 presently reads in part:

(2) For the purposes of this Act and the Local Authorities Election Act, an individual is eligible to be elected as a trustee of a Francophone regional authority if the individual

(a) is a Francophone,

- (a) the individual
 - (i) is a Francophone,
 - (ii) is 18 years of age or older,
 - (iii) is a Canadian citizen,
 - (iv) has been a resident of Alberta for the 6 consecutive months immediately preceding nomination day and resides in the Francophone education region on election day, and
 - (v) is not otherwise ineligible under the *Local Authorities Election Act*,

or

- (b) the individual is a member of a class of individuals prescribed by the Lieutenant Governor in Council as being eligible to be nominated as a candidate for election and to be elected.

(3) In addition to the requirements set out in subsection (1),

- (a) an individual who is a public school elector may only vote for a public school trustee, and
- (b) an individual who is a separate school elector may vote for either a public school trustee or separate school trustee, but not both.

(4) In addition to the requirements set out in subsection (2),

- (a) an individual who does not declare that the individual is of the same faith, whether Protestant or Roman Catholic, as the minority of all individuals living within the boundaries of a Francophone education region is only eligible to be nominated as a candidate for election as and to be elected as a public school trustee, and
- (b) an individual who declares that the individual is of the same faith, whether Protestant or Roman Catholic, as the minority of all individuals living within the boundaries

- (b) is 18 years of age or older,*
- (c) is a Canadian citizen,*
- (d) has been a resident of Alberta for the 6 consecutive months immediately preceding nomination day and resides in the Francophone education region on election day, and*
- (e) is not otherwise ineligible under the Local Authorities Election Act.*

(3) An individual who is a public school elector is eligible only

- (a) to vote for, and*
- (b) to be nominated as a candidate for election as,*

a public school trustee of a Francophone regional authority.

(4) For the purposes of this Act, an individual who is a separate school elector is eligible

- (a) to vote for, and*
- (b) to be nominated as a candidate for election as,*

either a public school trustee or a separate school trustee of a Francophone regional authority, but not both.

of a Francophone education region is eligible to be nominated as a candidate for election as and to be elected as either a public school trustee or separate school trustee, but not both.

(4) This section has effect on January 1, 2021.

Election Act

Amends RSA 2000 cE-1

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

(2) Section 134.1 is amended by adding the following after subsection (3.1):

(3.2) For greater certainty, subsection (3.1) does not prohibit a member of the Legislative Assembly, including a member of the Executive Council in his or her capacity as a member of the Legislative Assembly, from publicly expressing his or her views on the subject-matter of a referendum.

- (4) Coming into force.

Election Act

- 2(1)** Amends chapter E-1 of the Revised Statutes of Alberta 2000.

- (2) Section 134.1 presently reads in part:

(3.1) During a referendum period, a department or a Provincial corporation shall not advertise or publish any information about its programs or activities related to the subject-matter of the referendum that has a disproportionate impact on voters in the areas of Alberta in which the referendum is being held unless the advertisement or publication

- (a) is required by law,*
- (b) is required at that time*
 - (i) to solicit proposals or tenders for contracts or applications for employment, or*
 - (ii) because it relates to important matters of public health or safety,*
- (c) is a continuation of earlier publications or advertisements and is required for ongoing programs of a department or a Provincial corporation, or*
- (d) occurs at a time when the Legislative Assembly is not dissolved and deals with a matter before the Assembly such as the Speech from the Throne, the budget, the introduction or passage of a Bill or an order or resolution of the Assembly.*

RECORD OF DEBATE

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