

2006

CHAPTER 23

An Act to amend *The Local Government Election Act*

(Assented to May 19, 2006)

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 Local Government Election Amendment Act, 2006*.

S.S. 1982-83, c.L-30.1 amended

2 *The Local Government Election Act* is amended in the manner set forth in this Act.

New section 5.1

3 The following section is added after section 5:

“Joint elections

5.1(1) In any year in which a general election is to be held in a rural municipality pursuant to Part VIII, notwithstanding section 5 the council of a municipality or the board of education of a school division may, at least 90 days before an election is to be held pursuant to this Part, enter into an agreement with the rural municipality to set the same day, hours and place of voting for both elections.

(2) An election held pursuant to subsection (1) must be held on or between:

- (a) the fourth Wednesday in October; and
- (b) the third Wednesday following the third Monday in October”.

Section 38 amended

4 Clauses 38(a) and (b) are repealed and the following substituted:

“(a) at least 31 days before the day on which a general election is held, shall cause to be posted in the offices of the clerk and secretary treasurer and in any other public place that he or she considers necessary:

- (i) a copy of the voters’ list; and
- (ii) a copy of the notice of revision of voters’ list in the prescribed form;

“(b) may cause to be posted in a conspicuous place in each ward:

- (i) a copy of the voters’ list for the polling areas in the ward; and
- (ii) a copy of the notice of revision of voters’ list in the prescribed form”.

Section 160.01 amended**5 Paragraph 160.01(1)(c)(ii)(E) is repealed and the following substituted:**

“(E) is licensed with respect to property in the rural municipality used for business purposes”.

Section 160.04 amended**6 Clause 160.04(3)(a) is repealed and the following substituted:**

“(a) in the case of an annual election, takes effect at the first meeting of the council following the annual election”.

Section 160.07 amended**7 Subsections 160.07(6) and (7) are repealed and the following substituted:**

“(6) If a member of the council of a rural municipality whose term of office does not expire at the first meeting of the council following the next annual election submits his or her notice of resignation to the administrator not less than 15 days before the closing of the nomination period and specifies a day in the future, but not beyond the date of the first meeting following the next annual election, on which the resignation is to become effective, the returning officer shall take the steps necessary to elect, at the next annual election, a reeve or councillor, as the case may be, to fill the vacancy for the remainder of the term of the person being replaced.

“(7) If a person is elected at the annual election to fill a vacancy of a member of council whose term would have expired at the first meeting of the council following the annual election, the person so elected continues to be a member of the council for the following two years”.

Section 160.12 amended**8 Subsection 160.12(2) is repealed and the following substituted:**

“(2) In an election, every voter:

- (a) is entitled to vote once only for reeve and once only for councillor, notwithstanding that he or she qualifies as a voter more than once in accordance with clause 160.01(1)(c) for the purposes of that election; and
- (b) shall vote at the polling place for the division in which the voter is entitled to vote”.

Section 160.35 amended**9 Subsection 160.35(2) is repealed and the following substituted:**

“(2) Subject to subsection (2.1), if a person presents to the deputy returning officer a written notice authorizing that person to represent a candidate as his or her agent, in the prescribed form and signed by the candidate, the person named in the notice shall:

- (a) be recognized by the deputy returning officer as an agent of the candidate; and
- (b) on making a declaration in the prescribed form, be permitted to exercise his or her duties as an agent.

“(2.1) Not more than two agents of any candidate are entitled to be present at the same time in any polling place during the voting or the counting of votes”.

New section 160.381

10 The following section is added after section 160.38:**“Objection re entitlement to vote**

160.381 A candidate or a candidate’s agent may object to the entitlement of any person intending to vote and, on such an objection, the deputy returning officer shall:

- (a) require the person to complete a voter’s registration form if the person has not already done so;
- (b) enter the objection in the poll book opposite the name of the person;
- (c) note in the poll book the name of the person who made the objection; and
- (d) initial the entry in the poll book”.

Section 160.44 amended

11 Subsection 160.44(2) is repealed and the following substituted:

“(2) When the ballot has been deposited pursuant to subsection (1), the deputy returning officer or poll clerk shall enter in the poll book in the proper column or columns, after the voter’s name:

- (a) the word ‘voted’; or
- (b) a checkmark”.

New section 160.681

12 The following section is added after section 160.68:**“Notice to minister**

160.681 As soon as is practicable after the counting of the votes, the administrator of the rural municipality shall give to the minister written notice of the name and address of each person who has been elected as a member in an election pursuant to this Part”.

Section 160.86 amended

13 Subsection 160.86(2) is amended in the portion preceding clause (a) by striking out “section 160.87 or 160.88” and substituting “section 160.861, 160.87 or 160.88”.

New section 160.861

14 The following section is added after section 160.86:**“Canvassing at polling place prohibited**

160.861 No candidate, candidate’s agent or any other person shall canvass or solicit votes in a polling place or within 50 metres of the building where the poll is held”.

Coming into force

15 This Act comes into force on assent.

