

1972 Bill 99

First Session, 17th Legislature, 21 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 99

The Legislative Assembly Amendment Act, 1972

HONOURABLE DR. HORNER

First Reading

Second Reading

Third Reading

Printed by L. S. Wall, Queen's Printer, Edmonton

BILL 99

1972

THE LEGISLATIVE ASSEMBLY AMENDMENT ACT, 1972

(Assented to _____, 1972)

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

1. *The Legislative Assembly Act is hereby amended.*

2. (1) *Sections 51 to 54 are struck out and the following sections are substituted therefor:*

51. (1) There shall be paid to each member of the Legislative Assembly

- (a) an indemnity allowance at the rate of \$4,800 a year, and
- (b) an expense allowance at the rate of \$2,400 a year for expenses incident to the discharge of his duties as a member.

(2) There shall be paid to the member of the Legislative Assembly holding the office of Speaker

- (a) an additional indemnity allowance at the rate of \$3,200 a year, and
- (b) an additional expense allowance at the rate of \$1,600 a year for expenses incident to the discharge of his increased duties as a member.

(3) There shall be paid to the member of the Legislative Assembly holding the office of Deputy Speaker

- (a) an additional indemnity allowance at the rate of \$1,600 a year, and
- (b) an additional expense allowance at the rate of \$800 a year for expenses incident to the discharge of his increased duties as a member.

(4) There shall be paid to the member of the Legislative Assembly who is the leader of Her Majesty's loyal opposition

- (a) an additional indemnity allowance at the rate of \$2,400 a year, and

Explanatory Notes

1. This Bill will amend chapter 204 of the Revised Statutes of Alberta 1970.

2. The sections relating to M.L.A.'s indemnity and expense allowances to provide for the payment of the allowances in monthly instalments instead of by a lump sum at the end of the first session in each year. The figures used in the proposed section are the same as those in the existing section except that the existing section 51(2) is omitted. Section 51(2) reads:

(2) For each session of the Legislative Assembly that is in any year held after the first session held in that year a member of the Legislative Assembly attending the session is allowed and shall be paid

(a) a sessional indemnity allowance of \$14 a day, and

(b) an expense allowance of \$7 a day,

for any period, not in excess of ten days, during which the member attends the sittings of that session of the Legislative Assembly or the meetings of any committee thereof.

- (b) an additional expense allowance at the rate of \$1,200 a year for expenses incident to the discharge of his increased duties as a member.

52. (1) There shall be paid to each member out of the moneys that have accrued to him under section 51 an amount not exceeding one-twelfth of his annual indemnity and expense allowances per month.

(2) For the purpose of computing the amount of any allowances payable pursuant to section 51 and this section, a member

- (a) shall be deemed to have been a member from the polling day on which he was elected, and
- (b) shall, when the Legislature of which he is a member is dissolved, be deemed to be a member until the day preceding the polling day following the dissolution or until his death, whichever first occurs.

(3) For the purpose of computing the amount of any allowances payable under section 51 and this section, the Speaker, the Deputy Speaker and the leader of Her Majesty's loyal opposition, respectively,

- (a) shall be deemed to have occupied the position from the polling day on which he was elected a member of the Assembly, and
- (b) shall, when the Legislature in which he occupies the position is dissolved, be deemed to occupy the position until the day preceding the polling day following the dissolution or until his death, whichever first occurs,

except that, when the occupant of the position changes, the member succeeding to the position shall be deemed to have occupied the position from the day following that on which his predecessor ceased to occupy the position.

53. Notwithstanding section 51, deductions shall be made at the rate of \$14 a day from the indemnity allowance and at the rate of \$7 a day from the expense allowance for each day in excess of five days on which

- (a) a sitting of the Legislative Assembly is held, and
- (b) the member does not attend the sitting or a meeting of some committee thereof

except where illness, which shall be certified by a qualified medical practitioner, is the cause of the absence, in which case the member shall be deemed to have been present during each day of his illness.

(2) This section shall be deemed to have come into force on September 1, 1971 as if that day had been the polling day on which the persons who were then members of the Assembly were elected.

3. Sections 57 and 58 are struck out.

4. Section 59 is amended by striking out subsection (1) and by substituting the following:

59. (1) Notwithstanding anything in this Act, where a member of the Legislative Assembly serves, during intervals between sessions or while the Assembly is adjourned for more than five days, on a committee appointed by resolution of the Assembly or by the Lieutenant Governor in Council, the member shall be paid in respect of such service,

- (a) an allowance of \$40 a day for each day upon which he
 - (i) attends a meeting of the committee, or
 - (ii) is otherwise engaged in the work or business of the committee,
- (b) the reasonable disbursements actually expended for sustenance and accommodation
 - (i) while travelling to or from committee meetings or other committee business, and
 - (ii) while attending committee meetings or other committee business,and
- (c) reasonable disbursements for travel other than by private automobile, or an allowance of 16 cents per mile for every mile travelled by private automobile.

5. Section 60 is struck out.

6. The M.L.A. Pension Act is amended

- (a) as to section 3, subsection (1) by striking out the words "and section 53, subsection (2)",
- (b) as to section 11, subsection (1)
 - (i) by adding after the word "respectively" the words "under section 51, subsections (2), (3) and (4) of The Legislative Assembly Act",
 - (ii) by striking out clauses (a), (b) and (c),
- (c) as to section 12, subsection (4), clause (a)
 - (i) by striking out of subclause (i) the words "section 52, subsection (1)" wherever they occur and by substituting the words "section 51, subsection (2)",
 - (ii) by striking out of subclause (ii) the words "section 52, subsection (2)" wherever they occur and by substituting the words "section 51, subsection (3)",

3. Section 57 provides for the payment of allowances at the end of the session. Section 58 deals with payment of a member who takes his seat or ceases to be a member during a session. These sections will be no longer applicable with the revised sections 51 and 52.

4. Section 59(1) presently reads:

59. (1) Notwithstanding anything in this Act, where a member of the Legislative Assembly serves, during any interval between sessions of the Assembly, on a committee appointed by resolution of the Assembly or by the Lieutenant Governor in Council pursuant to a resolution of the Assembly, the member shall be paid, in respect of such service,
- (a) an allowance of \$25 a day for each day upon which he
 - (i) attends a meeting of the committee, or
 - (ii) is otherwise engaged in the work or business of the committee,
 - (b) the reasonable disbursements actually expended for sustenance and accommodation
 - (i) while travelling to or from committee meetings or other committee business, and
 - (ii) while attending committee meetings or other committee business,and
 - (c) reasonable disbursements for travel other than by private automobile, or an allowance of 11 cents per mile for every mile travelled by private automobile.

5. This section will be unnecessary due to the proposed section 52.

6. Consequential amendments.

(iii) by striking out of subclause (iii) the words “section 53, subsection (1)” wherever they occur and by substituting the words “section 51, subsection (4)”.

7. This Act comes into force on the day upon which it is assented to.

