

1979 BILL 74

---

---

First Session, 19th Legislature, 28 Elizabeth II

---

---

THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 74**

**THE LEGISLATIVE ASSEMBLY  
AMENDMENT ACT, 1979 (NO. 2)**

---

---

HONOURABLE MR. CRAWFORD

---

---

First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

Bill 74

## BILL 74

1979

### THE LEGISLATIVE ASSEMBLY AMENDMENT ACT, 1979 (NO. 2)

(Assented to , 1979)

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

1 *The Legislative Assembly Act is amended by this Act.*

2 *Section 51(1) is amended by adding the following after clause (d):*

- (e) on and after November 1, 1979,
  - (i) an indemnity allowance at the rate of \$21 000 a year, and
  - (ii) an expense allowance at the rate of \$6176 a year.

3 *Section 51.1 is amended*

(a) *in subsection (1) by adding the following after clause (d):*

(e) on and after November 1, 1979, salaries at the following rates:

- (i) \$19 600 a year, in the case of the Speaker, and
- (ii) \$7300 a year, in the case of the Deputy Speaker.

(b) *by adding the following after subsection (1):*

(1.01) There shall be paid to the member of the Legislative Assembly holding the office of Deputy Chairman of Committees, on and after November 1, 1979, a salary at the rate of \$4800 a year.

(c) *in subsection (1.1) by striking out “and Deputy Speaker” wherever it occurs and substituting “, Deputy Speaker and Deputy Chairman of Committees”, and*

## Explanatory Notes

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

**2** Section 51(1) presently reads in part:

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

*(d) on and after April 1, 1978,*

*(i) an indemnity allowance at the rate of \$12,469 a year, and*

*(ii) an expense allowance at the rate of \$6234 a year.*

**3** Section 51.1 presently reads in part:

*51.1(1) There shall be paid to the members of the Legislative Assembly holding the offices of Speaker and Deputy Speaker*

*(d) on and after April 1, 1978, salaries at the following rates:*

*(i) \$19,795 a year, in the case of the Speaker, and*

*(ii) \$6928 a year, in the case of the Deputy Speaker.*

*(1.1) There shall be paid to the Speaker and Deputy Speaker, from moneys appropriated by the Legislature for that purpose, reasonable allowances for travelling and living expenses incurred in the performance of their duties as Speaker and Deputy Speaker respectively and the receipt of any such money does not disqualify either of them as a member of the Legislative Assembly or from sitting and voting in the Assembly.*

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

*(d) on and after April 1, 1978, a salary at the rate of \$30,483 a year.*

*(d) in subsection (2) by adding the following after clause (d):*

(e) on and after November 1, 1979, a salary at the rate of \$32 000 a year.

*4 The following is added after section 51.1:*

**51.2(1)** In this section “rental office space” includes office space that is in a fixed location and office space that is in a structure that may be moved from place to place.

(2) Subject to subsection (3), there may be paid in respect of each member of the Legislative Assembly to enable him to perform his duties as a member in his constituency the actual cost of

(a) rental office space in his constituency, to a maximum of \$5000 per year, and

(b) office and secretarial assistance, to a maximum of \$5000 per year, in relation to the rental office space referred to in clause (a).

(3) The Clerk of the Legislative Assembly shall, on the request of a member, enter into the agreements on behalf of the member that are necessary to provide the rental office space and services referred to in subsection (2) and shall pay the cost thereof.

*5 Section 52(3) is amended by adding “, the Deputy Chairman of Committees” after “Deputy Speaker”.*

*6 Section 55(1) is amended by adding the following after clause (d):*

(e) on and after November 1, 1979, salaries at the following rates:

**4** Expense allowance paid in respect of constituency offices and services.

**5** Consequential to the amendment made by section 3(b) of this Bill. Section 52(3) presently reads:

*(3) For the purpose of computing the amount of any salaries payable under section 51.1 and this section, 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.*

**6** Section 55(1) presently reads in part:

*55(1) There shall be paid to the members of the Executive Council . . .*

*(d) on and after April 1, 1978, salaries at the following rates:*

- (i) \$39 300 a year, in the case of the President of the Executive Council,
- (ii) \$32 000 a year, in the case of a Minister with portfolio, and
- (iii) \$22 700 a year, in the case of a Minister without portfolio.

*7 The following is added after section 55:*

**55.1** (1) If, in December of any calendar year, commencing with 1980, the average of the All-items Consumer Price Index for Edmonton and Calgary for that year published by Statistics Canada is at least 5%

(a) more than that average in December of the immediately preceding year, the salaries and expenses provided for in sections 51, 51.1 and 55 shall be increased, effective January 1 of the year following the year in which the increase occurs, by 5%, or

(b) less than that average in December of the immediately preceding year, the salaries and expenses provided for in sections 51, 51.1 and 55 shall be decreased, effective January 1 of the year following the year in which the decrease occurs, by 5%.

(2) If the percentage increase or decrease in the calendar year referred to in subsection (1) is less than 5%, it shall be carried over and added to the percentage increases or decreases in every following year until the cumulative total in December of a year reaches at least 5% and, in that case, subsection (1) applies to that year.

**55.2** There shall be paid to the President of the Executive Council, on and after November 1, 1979, a representational allowance at the rate of \$5000 a year.

**55.3** (1) In this section, “recognized opposition party” means a party that

(a) holds at least 4 seats in the Legislative Assembly, and

(b) received at least 5% of the popular vote in the election immediately preceding the year in which the allowance in subsection (2) is to be paid.

*(i) \$37,410 a year, in the case of the President of the Executive Council,*

*(ii) \$30,483 a year, in the case of a Minister with portfolio, and*

*(iii) \$22,169 a year, in the case of a Minister without portfolio,*

*and reasonable allowances for travelling and living expenses incurred in the performance of their duties as members of the Executive Council at such rates as may be prescribed by the Lieutenant Governor in Council.*

**7** Adjustment in relation to salaries and expenses, representational allowance and allowance for recognized opposition party.

(2) There shall be paid to a member of the Legislative Assembly who is the Leader of a recognized opposition party, except the Leader of Her Majesty's loyal opposition, on and after November 1, 1979, an allowance at the rate of \$5000 a year.

8 *Section 56(1) is amended by striking out “\$40” and substituting “\$50”.*

9 *Section 59 is amended*

*(a) in subsection (1)*

*(i) in clause (a) by striking out “\$50” and substituting “\$75”, and*

*(ii) in clause (c) by striking out “11 cents” and substituting “13 cents”,*

*(b) in subsection (1.1)*

*(i) in clause (a) by striking out “\$40” and substituting “\$75”, and*

*(ii) in clause (c) by striking out “11 cents” and substituting “13 cents”,*

*and*

*(c) in subsection (2) by adding “or (1.1) or section 51.2” after “subsection (1)”.*



**8** Section 56(1) presently reads:

*56(1) Where it is necessary for a member of the Legislative Assembly to live in a temporary residence in Edmonton for the purpose of attending a session of the Assembly, the member may claim and be paid, in respect of each day during the session that he is necessarily absent from his ordinary place of residence, reimbursement for actual expenses incurred by him for accommodation and meals and for actual sundry living expenses but subject to a maximum amount of \$40 for each day.*

**9** Section 59 presently reads in part:

*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, the member shall be paid in respect of such service,*

*(a) an allowance of \$50 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,*

*(c) reasonable disbursements for travel other than by private automobile, or an allowance of 11 cents per kilometre for every kilometre travelled by private automobile.*

*(1.1) 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 the Lieutenant Governor in Council, the Lieutenant Governor in Council may order that the member be paid in respect of such service any or all of the following:*

*(a) an allowance not exceeding \$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,*

*(c) reasonable disbursements for travel other than by private automobile, or an allowance not exceeding 11 cents per kilometre for every kilometre travelled by private automobile.*

*(2) The receipt by a member of any money in payment of any allowance or disbursement pursuant to subsection (1) does not disqualify him as a member of the Legislative Assembly or from sitting and voting in the Assembly.*

*10(1) Subject to subsection (2), this Act comes into force on the day upon which it is assented to.*

*(2) Upon coming into force section 8 shall be deemed to have been in force on and from November 1, 1979.*