

1981 BILL 54

Third Session, 19th Legislature, 30 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 54

THE LEGISLATIVE ASSEMBLY AMENDMENT ACT, 1981

HON. MR. CRAWFORD

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 54

BILL 54

1981

THE LEGISLATIVE ASSEMBLY AMENDMENT ACT, 1981

(Assented to _____, 1981)

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 *The following is added after section 3:*

3.1 Where the boundary between 2 electoral divisions passes through a building used for 1 or more residences, the Chief Electoral Officer may, after consultation with the returning officers for those electoral divisions, determine in which electoral division the building should be located for the purposes of this Act and *The Elections Act, 1980*.

3 *Section 12 is amended*

(a) *in clause 2 by adding “, dental” after “medical”;*

(b) *by adding the following after clause 6.2:*

6.3 receiving or having agreed to receive a benefit under section 59.2, or

4 *Section 53 is repealed and the following is substituted:*

53 Notwithstanding section 51, deductions shall be made at the rate of \$75 a day from the indemnity allowance and at the rate of \$25 a day from the expense allowance of a member for each day in excess of 5 sitting days during a session on which the member did not attend the sitting or a meeting of a committee of the Legislative Assembly, except when the cause of the absence was illness or attendance as a Government member or a

Explanatory Notes

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

2 Power to determine electoral divisions if boundary passes through a building.

3 Section 12, clause 2, presently reads:

12 Nothing in this Act renders any person ineligible to be nominated for or elected as a member of the Legislative Assembly or disqualifies him from sitting or voting in the Legislative Assembly, by reason only of the person

2. receiving or having received or agreed to receive medical, surgical or health services, whether or not they are supplied in whole or part, directly or indirectly from public moneys, or

4 Section 53 presently reads:

53 Notwithstanding section 51, deductions shall be made at the rate of \$26 a day from indemnity allowance and at the rate of \$13 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

member of an opposition party at a meeting or event as a representative of the Legislative Assembly, the Speaker, the Crown or the Commonwealth Parliamentary Association.

5 *Section 55.1(1)(a) and (b) are repealed and the following is substituted:*

(a) more than that average in December of the immediately preceding year for that year, the allowances, salaries, expenses and deductions provided for in sections 51, 51.1, 53 and 55 shall be increased by 5% effective January 1 of the year following the year in which the increase occurs, or

(b) less than that average in December of the immediately preceding year for that year, the allowances, salaries, expenses and deductions provided for in sections 51, 51.1, 53 and 55 shall be decreased by 5% effective January 1 of the year following the year in which the decrease occurs.

6 *Section 56 is repealed and the following is substituted:*

56(1) For the purposes of this section, a session is deemed to continue during the period of any adjournment or prorogation that is not more than 7 days in duration.

(2) Subject to subsection (3), where it is reasonably necessary for a member to live in a temporary residence in or near Edmonton for the purpose of attending a session of the Legislative Assembly, the member may claim and be paid \$50 per day during the session in respect of accommodation, meals and sundry living expenses.

(3) A member is not entitled to receive a payment under this section in respect of any day on which a deduction from his allowances is made under section 53.

7 *Section 59(1) and (1.1) are amended by striking out “five” and substituting “7”.*

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.

5 Section 55.1(1)(a) and (b) presently reads:

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 allowances, 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 allowances, 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%.

6 Section 56 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 \$50 for each day.

(2) Notwithstanding the provisions of subsection (1) reimbursement for expenses shall not be paid for any 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.

(3) Where illness is the cause of the absence of a member from a sitting of the Legislative Assembly or a meeting of some committee thereof and the illness is certified by a qualified medical practitioner then for the purposes of subsection (2) the member shall be deemed to have been present during each day of his illness.

7 Section 59(1) and (1.1) presently read 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

8 *The following is added after section 59.1:*

59.2 The following benefits may be paid by the Government to or on behalf of members of the Legislative Assembly:

(a) the payment of all or part of premiums payable in respect of a group insurance contract to which the Government is a party for the provision of medical, dental, surgical or health services;

(b) benefits payable under any plan operated by or on behalf of the Government to provide medical, dental, surgical or health services.

9 *The Schedule is amended by striking out the descriptions of the following electoral districts and substituting the descriptions set out in the Schedule to this Act:*

Calgary-Bow
Calgary-Foothills
Calgary-McKnight
Calgary-North Hill
Calgary-North West
Three Hills.

10(1) Sections 3 and 8 are deemed to have come into force on October 1, 1980.

(2) Section 4 is deemed to have come into force on April 2, 1981.

In accordance with section 4(1) of The Interpretation Act, 1980, this Bill, except sections 3, 4 and 8, comes into force on the date it receives Royal Assent.

appointed by resolution of the Assembly, the member shall be paid in respect of such service,

(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:

8 Benefits to members.

9 Amendments to Schedule.

SCHEDULE

CALGARY-BOW

The boundary whereof is as follows: Commencing at the intersection of the right bank of the Bow River with the east boundary of section 4 in township 25, range 2, west of the 5th meridian; thence downstream along the right bank of the Bow River to its intersection with the westerly production of the centre line of 32nd avenue north west; thence easterly along the said westerly production and the centre line of 32nd avenue north west to the centre line of Shaganappi Trail; thence southerly along the said centre line to the centre line of the Trans-Canada Highway; thence in a general north-easterly and south-easterly direction along the said centre line to the centre line of the Crowchild Trail; thence southerly along the said centre line to the centre line of the lane between 7th and 9th avenues north west; thence easterly along the said centre line of lane and the centre line of 8th avenue north west and its easterly production to the centre line of 10th street north west; thence in a general southerly direction along the said centre line to the centre line of the Louise Bridge; thence south-easterly along the said centre line to the right bank of the Bow River; thence upstream along the said right bank to the centre line of the Trans-Canada Highway; thence north-westerly along the said centre line to the north boundary of section 27 in township 24, range 2, west of the 5th meridian; thence westerly along the said north boundary to the north-east corner of section 28 in said township; thence northerly along the east boundary of the south-east quarter of section 33 in said township 24, range 2, west of the 5th meridian to the north-east corner of block 51, registered plan 5565 A.H., in the said quarter section; thence in a general north-westerly direction along the northerly boundaries of the said block to the east boundary of block 62, registered plan 673 J.K.; thence northerly along the said east boundary and its northerly production to its intersection with the south-east boundary of block 61, of the said registered plan 673 J.K.; thence north-easterly along the said south-east boundary to the most easterly corner of the said block 61, at the south-west corner of the intersection of 83rd street and 33rd avenue north west; thence in a general north-westerly direction along the north-east boundary of block 61, registered plan 673 J.K. to the west boundary of lot 2, block 45, registered plan 5565 A.H.; thence in a general northerly direction along the said west boundary and the south-west and north-west boundary of all that portion of block 57 shown outlined in red on plans 7824 F.G. and 8102 F.F. filed in the Southern Alberta Land Titles Office and the west boundary of lot 1 in said block 45 to the north-west corner of lot 1, block 45, registered plan 5565 A.H.; thence northerly along the east boundary of the north-west quarter of section 33 in township 24, range 2, west of the 5th meridian

and the east boundary of the south-west quarter of section 4 in township 25, range 2, west of the 5th meridian to the north-west corner of block 39, registered plan 5565 A.H.; thence in a general easterly direction along the north boundary of the said block 39 to the east boundary of the south half of section 4 in township 25, range 2, west of the 5th meridian; thence northerly along the said east boundary to the point of commencement.

CALGARY-FOOTHILLS

The boundary whereof is as follows: Commencing at the intersection of the centre line of John Laurie Boulevard with the centre line of 14th street north west; thence southerly along the centre line of 14th street north west to its intersection with the centre line of the ravine between 24th avenue north west and Roselawn Crescent; thence in a general north-westerly and westerly direction along the said centre line of the said ravine, between the built up areas of the Capitol Hill and Collingwood subdivisions, to its intersection with the centre line of 19th street north west, south of Collingwood Drive; thence north-westerly along the said centre line of 19th street north west to the centre line of Chicoutimi Drive; thence south-westerly and north-westerly along the said centre line to the centre line of Chippendale Drive; thence south-westerly and north-westerly along the said centre line to the centre line of Charlebois Drive; thence westerly along the said centre line to the centre line of 24th street north west; thence southerly along the said centre line and the centre line of the Crowchild Trail to the centre line of the Trans-Canada Highway; thence in a general north-westerly and south-westerly direction along the said centre line to its intersection with the centre line of Shaganappi Trail; thence northerly along the said centre line to the centre line of 32nd avenue north west; thence easterly along the said centre line to the centre line of 37th street north west; thence northerly along the said centre line and its northerly production to its intersection with the centre line of the Crowchild Trail; thence north-westerly along the said centre line to the centre line of 53rd street north west; thence north-easterly and easterly along the said centre line and the centre line of Edgemont Blvd. to the centre line of Shaganappi Trail; thence north-easterly and north-westerly along the centre line of the proposed extension of Shaganappi Trail, as shown on Figure 16 (By-law 8500) in the November, 1979 edition of CALTS 64, to its intersection with the north boundary of the south half of section 19, township 25, range 1, west of the 5th meridian; thence easterly along the said boundary to the east boundary of the west half of said section; thence northerly along said boundary to the south boundary of legal subdivision 15 in said section; thence easterly along the south boundary of legal subdivisions 15 and 16 in said section to the intersection with the centre line of the proposed extension of 14th street north west as shown on Figure 16 (By-law 8500) in the November, 1979 edition of CALTS 64; thence south-easterly and south-westerly along the said centre line and centre line of 14th street north west its intersection with

the westerly production of the centre line of the lane backing houses on the north side of Ninga Road; thence easterly along the said westerly production and the centre line of the said lane and the lane backing houses on the north side of Nesbitt Road and its easterly production to its intersection with the centre line of John Laurie Boulevard; thence in a general south-westerly direction along the said centre line of John Laurie Boulevard to the point of commencement.

CALGARY-McKNIGHT

The boundary whereof is as follows: Commencing at the intersection of the centre line of the Calgary-Red Deer Branch of the Canadian Pacific Railway with the north boundary of section 11 in township 25, range 1, west of the 5th meridian; thence in a general southerly and south-easterly direction along the centre line of the Calgary-Red Deer Branch of the Canadian Pacific Railway to its intersection with the centre line of 41st avenue north east; thence south-westerly along said centre line to the centre line of 6th street north east; thence southerly and south-westerly along said centre line to the centre line of 32nd avenue north east connector; thence north-westerly along said centre line to the centre line of 41st avenue north east; thence westerly and south-westerly along the said centre to the centre line of 40th avenue north east; thence westerly and south-westerly along the centre line of 40th avenue north east and north west to the centre line of 4th street north west; thence southerly along the said centre line to the centre line of 32nd avenue north west; thence westerly along the production of the centre line of 32nd avenue north west to its intersection with the northerly production of the centre line of 6th street north west; thence southerly along the said northerly production to its intersection with the centre line of the ravine between the built up areas of the North Mount Pleasant and Cambrian Heights subdivisions; thence in a general south-westerly and north-westerly direction along the said centre line of the said ravine to its intersection with the centre line of 14th street north west, between 24th avenue north west and Roselawn Crescent; thence northerly along the said centre line of 14th street north west to the centre line of John Laurie Boulevard; thence in a general north-easterly direction along the said centre line to its intersection with the easterly production of the centre line of the lane backing houses on the north side of Nesbitt Road and Ninga Road; thence westerly along the said easterly production and the centre line of the said lane and its westerly production to its intersection with the centre line of 14th street north west; thence north-easterly and north-westerly along the said centre line and the centre line of the proposed extension of 14th street north west as shown on figure 16 (By-law 8500) in the November, 1979 edition of CALTS 64, to its intersection with the south boundary of legal subdivision 16, section 19, township 25, range 1, west of the 5th meridian; thence easterly along the said boundary and south boundary of the legal subdivisions 13 and 14, section 20 of the said township to its inter-

section with the east boundary of legal subdivision 14 of the said section; thence northerly along the said boundary to the north boundary of section 20 in said township; thence easterly along the north boundary to its intersection with the centre line of West Nose Creek; thence downstream along the centre line of West Nose Creek to its intersection with the east boundary of section 15, township 25, range 1, west of the 5th meridian; thence southerly along the said east boundary to the north east corner of section 10 in said township; thence easterly along the north boundary of section 11 in said township 25, range 1, west of the 5th meridian to the point of commencement.

CALGARY-NORTH HILL

The boundary whereof is as follows: Commencing at the intersection of the centre line of the Calgary-Red Deer Branch of the Canadian Pacific Railway with the centre line of 41st avenue east; thence south-easterly along the centre line of the Calgary-Red Deer Branch of the Canadian Pacific Railway to the centre line of 16th avenue north east; thence westerly along the centre line of 16th avenue north east and north west to the centre line of 10th street north west; thence in a general southerly direction along the said centre line to its intersection with the easterly production of the centre line of 8th avenue north west; thence westerly along the said easterly production and the centre line of 8th avenue north west and the centre line of the lane between 7th and 9th avenues north west to the centre line of the Crowchild Trail; thence northerly along the said centre line and the centre line of 24th street north west to the centre line of Charlebois Drive; thence easterly along the said centre line to the centre line of Chippendale Drive; thence in a general south-easterly and north-easterly direction along the said centre line to the centre line of Chicoutimi Drive; thence in a general south-easterly and north-easterly direction along the said centre line to the centre line of 19th street north west; thence in a general south-easterly direction along the said centre line to its intersection with the centre line of the ravine between Canmore Road and Collingwood Drive; thence in a general south-easterly and north-easterly direction along the said centre line of the said ravine, north of the built up areas of the Capitol Hill, Pleasant Heights and North Mount Pleasant subdivisions and south of the built up areas of the Collingwood, Rosemont and Cambrian Heights subdivisions, to its intersection with the northerly production of the centre line of 6th street north west; thence northerly along the said northerly production to its intersection with the westerly production of the centre line of 32nd avenue north west; thence easterly along the said westerly production of the centre line of 32nd avenue north west to the centre line of 4th street north west; thence northerly along the said centre line to the centre line of 40th avenue north west; thence in a general north-easterly and easterly direction along the said centre line and the centre line of 40th avenue north east to the centre line of 41st avenue north east; thence north easterly and easterly along said centre line to the centre line of

32nd avenue north east connector; thence south easterly along said centre line to the centre line of 6th street north east; thence north-easterly and northerly along said centre line to the centre line of 41st avenue north east; thence north-easterly along said centre line to the point of commencement.

CALGARY-NORTH WEST

The boundary whereof is as follows: Commencing at the intersection of the north boundary of the south half of section 19, township 25, range 1, west of the 5th meridian and the centre line of the proposed extension of Shaganappi Trail, as shown on Figure 16 (By-law 8500) in the November, 1979 edition of CALTS 64; thence south-easterly and south-westerly along the centre line of the proposed extension of Shaganappi Trail to the centre line of Edgemont Blvd.; thence westerly and south-westerly along the said centre line and the centre line of 53rd street north west to the centre line of Crowchild Trail; thence south-easterly along the said centre line to its intersection with the northerly production of the centre line of 37th street north west; thence southerly along the said northerly production and the centre line of 37th street north west to the centre line of 32nd avenue north west; thence westerly along the said centre line and its westerly production to its intersection with the right bank of the Bow River; thence upstream along the said right bank to the east boundary of section 4 in township 25, range 2, west of the 5th meridian; thence northerly along the said east boundary to its intersection with the westerly limit of 85th street, registered plan 4183 J.K.; thence in a general northerly direction along the said westerly limit to its intersection with the east boundary of section 9 in said township 25, range 2, west of the 5th meridian; thence northerly along the said east boundary to the north-east corner of said section; thence easterly along the westerly production of the north boundary of section 10 in said township to the north-west corner of said section 10, township 25, range 2, west of the 5th meridian; thence northerly along the west boundary of sections 15 and 22 in said township to the north-west corner of the south-west quarter of section 22 in said township; thence easterly along the north boundary of the south half of sections 22, 23 and 24 in said township 25, range 2, west of the 5th meridian and the north boundary of the south half of section 19, township 25, range 1, west of the 5th meridian to the point of commencement.

THREE HILLS

The boundary whereof is as follows: Commencing at the north-east corner of township 33, range 29, west of the 4th meridian; thence easterly along the north boundary of township 33 to the north-east corner of section 31 in township 33, range 27, west of the 4th meridian; thence northerly along the east boundary of section 6 in township 34, range 27, west of the 4th meridian to

the north-east corner of said section; thence easterly along the north boundary of sections 1 to 5 inclusive in the said township and sections 4 to 6 inclusive in township 34, range 26, west of the 4th meridian to the north-east corner of section 4 in township 34, range 26, west of the 4th meridian; thence northerly along the east boundary of sections 9, 16, 21, 28 and 33 in the said township to the north boundary of township 34; thence easterly along the said north boundary to the left bank of the Red Deer River; thence downstream along the said left bank to the north boundary of township 31; thence westerly along the said north boundary to the east boundary of range 23, west of the 4th meridian; thence southerly along the said east boundary to the north boundary of township 29; thence westerly along the said north boundary to the east boundary of range 24, west of the 4th meridian; thence southerly along the said east boundary to the north boundary of township 27; thence westerly along the said north boundary to the east boundary of range 26, west of the 4th meridian; thence southerly along the said east boundary to the north boundary of township 25; thence westerly along the said north boundary to the east boundary of range 28, west of the 4th meridian; thence southerly along the said east boundary to the north boundary of township 24; thence westerly along the said north boundary to the north-west corner of section 36 in township 24, range 29, west of the 4th meridian; thence northerly along the west boundary of sections 1, 12 and 13 in township 25, range 29, west of the 4th meridian to the north-west corner of section 13 in said township; thence westerly along the north boundary of sections 14, 15 and 16 in said township 25, range 29, west of the 4th meridian and section 13 in township 25, range 1, west of the 5th meridian to the north-east corner of section 14 in township 25, range 1, west of the 5th meridian; thence southerly along the east boundary of said section 14 to the north-east corner of section 11 in said township; thence westerly along the north boundary of said section 11 to the north-east corner of section 10 in said township; thence northerly along the east boundary of section 15, township 25, range 1, west of the 5th meridian to its most northerly intersection with the centre line of West Nose Creek; thence upstream along the said centre line to its intersection with the north boundary of section 20, township 25, range 1, west of the 5th meridian; thence westerly along the said boundary to the east boundary of legal subdivision 14, in said section; thence southerly along the said boundary to the south boundary of legal subdivision 14, in the said section; thence westerly along the south boundary of legal subdivisions 14 and 13 in section 20 and the south boundary of legal subdivisions 16 and 15 in section 19, of the said township to the east boundary of the west half of section 19 of said township; then southerly along the said boundary to the north boundary of the south half of the said section; thence westerly along the said boundary and the north boundary of the south half of section 24, township 25, range 2, west of the 5th meridian to the east boundary of the west half of the said section; thence northerly along the said boundary and the east boundary of the west half of sections 25 and 36 in said township 25, range 2, west of the 5th meridian to the north

boundary of township 25; thence easterly along the said north boundary to the east boundary of range 2, west of the 5th meridian; thence northerly along the said east boundary to the north boundary of township 27; thence easterly along the said north boundary to the east boundary of range 29, west of the 4th meridian; thence northerly along the said east boundary to the point of commencement.