

1989 ~~BILL~~ 24

First Session, 22nd Legislature, 38 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 24

LEGISLATIVE ASSEMBLY AMENDMENT ACT, 1989

HON. MR. HORSMAN

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 24

1989

LEGISLATIVE ASSEMBLY AMENDMENT ACT, 1989

(Assented to _____, 1989)

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- 2 *Section 39(1)(a) is repealed and the following is substituted:*
 - (a) an indemnity allowance at the rate per year prescribed by the Members' Services Committee, and
- 3 *Section 40 is amended by striking out "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" and substituting "from the indemnity allowance and the expense allowance of a Member at the rates prescribed by the Members' Services Committee".*
- 4 *Section 42 is amended by striking out all that portion preceding clause (b) and substituting the following:*

42 A Member who serves on a committee appointed by resolution of the Assembly or who performs duties in respect of the Assembly that are recognized by the Members' Services Committee is entitled to be paid in respect of that service or those duties

 - (a) an allowance in an amount prescribed by the Members' Services Committee,

Explanatory Notes

- 1 This Bill will amend chapter L-10.1 of the Statutes of Alberta, 1983.
- 2 Section 39(1) presently reads:

39(1) There shall be paid to each Member

 - (a) an indemnity allowance at the rate of \$28 141 a year, and*
 - (b) an expense allowance at the rate prescribed by the Members' Services Committee.*
- 3 Section 40 presently reads:

40 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 10 sitting days during a session on which the Member did not either take his seat in the Assembly or a meeting of a committee of the Assembly otherwise than by reason of

 - (a) illness or injury,*
 - (b) bereavement, or*
 - (c) public or official business.*
- 4 Section 42 presently reads:

42(1) During intervals between sessions of the Assembly or while it is adjourned for more than 8 days, a Member who serves on a committee appointed by resolution of the Assembly is entitled to be paid in respect of that service

 - (a) an allowance of \$100 a day for each day on which he attends a meeting of the committee or is otherwise engaged in the business and affairs of the committee,*
 - (b) an allowance in respect of his living expenses at the rate prescribed by the Members' Services Committee*
 - (i) for each day on which he attends committee meetings or is otherwise engaged in the business and affairs of the committee, and*
 - (ii) for each additional day required for travel in connection with the matters referred to in subclause (i),*

5 *Section 45 is amended*

(a) *in subsection (1)(b) by adding “notwithstanding section 44 or 50(3),” before “the participation”;*

(b) *by repealing subsection (1.1) and substituting the following:*

(1.1) The Members’ Services Committee shall by order prescribe

(a) the rates of the indemnity allowance and the expense allowance referred to in section 39(1),

(b) the rates referred to in section 40,

(c) the rate of the allowances and the maximum number of days referred to in section 41,

(d) the amount of the allowances and the rate of the expenses referred to in section 42,

(e) the rates of the salaries referred to in sections 48(2) and 50(1), and

(f) the rate of the allowance referred to in section 51.

6 *Section 48(2) is amended by striking out “equal to” and substituting “per year prescribed by the Members’ Services Committee that is not less than”.*

7 *Section 49 is repealed.*

if he is required to obtain accommodation by reason of his absence from his ordinary place of residence on that day, and

(c) his reasonable travelling expenses for travel otherwise than by private automobile, or an allowance for every kilometre travelled by private automobile at a rate per kilometre prescribed by the Members' Services Committee.

(2) No Member is entitled to be paid any amount under subsection (1) in respect of service on more than one committee on the same day.

5 Section 45(1) and (1.1) presently read:

45(1) The Members' Services Committee may by order authorize, on such conditions as the Committee determines,

(a) the payment of allowances and expenses related to the establishment and maintenance of constituency offices of Members;

(b) the participation of Members in group insurance plans or group plans for the prepayment of the cost of services, and the payment by the Crown of all or part of the premiums or subscriptions under those plans;

(b.1) the payment of expenses to or for the benefit of Members where the expenses are related to

(i) attendance at a meeting or event sponsored by the Commonwealth Parliamentary Association or any other parliamentary association or by any other body that is a branch or subdivision of any of those associations, or

(ii) attendance at a meeting or event as a representative of the Assembly or the Speaker;

(c) the payment of other allowances, benefits or expenses to or on behalf of Members or former Members or any class of Members if they are related to the performance of their duties or to their service as Members;

(d) the provision of any services or things to or for the use of Members or the Speaker, Deputy Speaker, Deputy Chairman or the Leader of Her Majesty's loyal opposition.

(1.1) The Members' Services Committee shall by order prescribe

(a) the expense allowance referred to in section 39(1)(b),

(b) the allowances referred to in sections 41(1) and 42(1)(b), and

(c) the maximum number of days referred to in section 41(3).

6 Section 48(2) presently reads:

(2) There shall be paid to a Member who is the leader of a recognized opposition party, except the Leader of Her Majesty's loyal opposition, an allowance at a rate equal to 25% of the rate of salary payable to a member of the Executive Council pursuant to section 50(1)(a)(iii).

7 Section 49 presently reads:

49(1) If in December of a calendar year, the average of the All-items Consumer Price Indexes for Edmonton and Calgary for that year published by Statistics Canada is at least 5% more than that average in December of the immediately preceding year for that year, the allowances, salaries and deductions provided for in sections 39, 40, 46 and 47 shall be increased by 5%, effective January 1 of the year following the year in which the increase occurs.

8 *Section 50 is amended*

(a) by repealing subsection (1)(a) and substituting the following:

(a) salaries at the rates per year prescribed by the Members' Services Committee for

(i) the President of the Executive Council,

(ii) a member designated otherwise than as a Minister without Portfolio, and

(iii) a member designated as a Minister without Portfolio,

and

(b) by repealing subsection (2).

9 *Section 51 is amended by striking out "of \$5000 a year" and substituting "per year prescribed by the Members' Services Committee".*

(2) If in December of a calendar year, the average of the All-items Consumer Price Indexes for Edmonton and Calgary for that year published by Statistics Canada is at least 5% less than that average in December of the immediately preceding year for that year, the allowances, salaries, expenses and deductions provided for in sections 39, 40, 46 and 47 shall be decreased by 5%, effective January 1 of the year following the year in which the decrease occurs.

(3) If the percentage increase or decrease for the calendar year referred to in subsection (1) or (2) 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) or (2), as the case may be, applies to that year.

8 Section 50(1) and (2) presently read:

50(1) There shall be paid to the members of the Executive Council

(a) a salary at the rate of

(i) \$45 494 a year, in the case of the President of the Executive Council,

(ii) \$37044 a year, in the case of a member designated otherwise than as a Minister without Portfolio, and

(iii) \$26 278, in the case of a member designated as a Minister without Portfolio,

and

(b) reasonable allowances for travelling and living expenses incurred in the performance of their duties as members of the Executive Council.

(2) Section 49 applies, with the necessary modifications, to the salaries payable under this section.

9 Section 51 presently reads:

51 There shall be paid to the President of the Executive Council a representational allowance at the rate of \$5000 a year.