

1993 BILL 364

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Fourth Session, 22nd Legislature, 42 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 364

MEMBERS OF THE LEGISLATIVE ASSEMBLY  
INDEPENDENT REMUNERATION PANEL ACT

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MR. CHIVERS

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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*Bill 364*  
*Mr. Chivers*

## **BILL 364**

1993

### **MEMBERS OF THE LEGISLATIVE ASSEMBLY INDEPENDENT REMUNERATION PANEL ACT**

*(Assented to , 1993)*

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

Definitions

#### **1 In this Act**

- (a) "Panel" means the panel established by section 2, and
- (b) "Speaker" means the Speaker of the Legislative Assembly.

Legislative  
Assembly  
Remuneration  
Panel established

#### **2 The Members of the Legislative Assembly Remuneration Panel is hereby established.**

Duties of Panel

#### **3 The Panel shall inquire into and report on the salaries, expenses, allowances and benefits paid to Members of the Legislative Assembly pursuant to**

- (a) the *Legislative Assembly Act*, and
- (b) the *Members of the Legislative Assembly Pension Plan Act*.

Composition of  
Panel

4(1) The Independent Remuneration Panel shall consist of the following persons who shall not be Members of the Legislative Assembly or employees of the government:

(a) The Chair shall be a Justice of either the Court of Appeal or the court of Queen's Bench of Alberta, and

(b) The following persons or their designates shall be Members of the Panel:

(i) the President of the Alberta Council on Aging;

(ii) the President of the Alberta Chamber of Commerce;

(iii) the President of the Alberta Federation of Labour; and

(iv) in rotation, one of:

(A) the President of the Alberta Urban Municipalities Association;

(B) the President of the Alberta Association of Municipal Districts and Counties;

(C) an official representative of Alberta's improvement districts; or

a mutually agreed upon designate of the above named parties; and

(v) an Albertan living below the poverty line.

(2) The persons appointed pursuant to sub-section (1) shall have all the powers, privileges and immunities of Commissioners under the *Public Inquiries Act*.

Panel to hold  
hearings

5(1) The Panel, prior to preparing its report, shall hold a public hearing in each of the provinces 12 Judicial Districts and shall hear any person wishing to make representations to the Panel in respect of matters related to the remuneration of Members.

(2) The Panel shall give reasonable public notice of the time, place and purpose of such public hearings.

Use of advisors

6(1) The Panel may, as reasonably necessary, engage independent professional advisors to assist in its review and in the preparation of its report, provided that funds are allocated to this purpose by the Legislative Assembly.

(2) Within 120 days of appointment, the Panel shall deliver to the Speaker a report establishing the Member's salaries, expenses, allowances and benefits for the following three years, and the Speaker shall table the report in the Legislative Assembly.

(3) The Speaker, forthwith upon receipt of the report, shall cause the report to be published in the Alberta Gazette.

(4) The Government shall introduce such legislation as is necessary to put the report into effect, specifically amending:

(a) the *Legislative Assembly Act*;

(b) the *Members of the Legislative Assembly Pension Plan Act*;

(c) without limiting the generality of the foregoing, parts 3 and 4 of the *Legislative Assembly Act*.

Report

7(1) In its report the Panel shall:

(a) provide for salaries that are fair and which reasonably reflect the work done;

(b) abolish the current tax free expense allowance so that the salaries of Members are fully taxable;

(c) ensure that Members shall be reimbursed for expenses only upon submission of receipts or satisfactory proof of permissible expenses;

(d) modify the Members of the Legislative Assembly pension plan so as to abolish defined benefits and to prohibit the drawing of any pension benefits while a person remains a Member of the Legislative Assembly and in substitution therefore to establish a self funding pension plan with equal contributions by Members of the Legislative Assembly and Government; and

(e) for any other related or incidental matters as the Panel sees fit;

Members' Services  
Committee Orders

**8(1)** The Member's Allowance Order RMSC 1992 CM-1 of the Members Services Committee entitled "Re-establishment Allowance" is hereby repealed.

(2) Members of the Legislative Assembly who leave office during a term of office shall in lieu of the re-establishment allowance repealed by subsection (1) be entitled to an unemployment allowance equivalent to and payable in the same manner and on the same basis as the insurance which would be payable under the *Unemployment Insurance Act* of Canada if the Member had been eligible to participate in that plan except that the said allowance shall not be paid during any period of time in respect of which the Member is in receipt of pension benefits, provided funds are allocated to that purpose by the Legislative Assembly.

**9** Section 2 of the Third Party Allowances and Expenses Order, RMSC 1992, C. T-1 is hereby repealed.

**10** Sections 8 and 9 will apply to Members of the 22nd Legislature.

Amends *Legislative  
Assembly Act*

**11** Section 40 of the *Legislative Assembly Act* is repealed and the following is substituted:

**40** Deductions in an amount computed to be the daily equivalent of the salary of a Member shall be made from the said allowances of the Member for each day 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

- (i) illness or injury;
- (ii) bereavement; or
- (iii) public or official business.

*Amends Members  
of the Legislative  
Assembly Pension  
Plan Act*

**12** The *Members of the Legislative Assembly Pension Plan Act* is amended by:

(a) striking out "20" in sections 15(1), 16(e)(i)(B), and 13(2) of Schedule 1 and section 15(1) of Schedule 2 and substituting "10".

(b) adding ", upon having attained the age of 55 years" after "entitled" in section 17(2) of Schedules 1 and 2.

**13** This Act comes into force on Assent.