

Tabled
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THIRD REPORT
OF THE
STANDING COMMITTEE
ON
RULES, ELECTIONS AND PRIVILEGES

2nd Session of the 24th Legislature

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Terms of Reference

On March 7, 1979 the Yukon Legislative Assembly resolved:

THAT the Standing Committee on Rules, Elections and Privileges consider and make recommendation to the Yukon Legislative Assembly on: (1) the advisability of establishing a Standing Committee on Public Accounts, and (2) the salaries, indemnities and allowances of Members of the Yukon Legislative Assembly including those of the Speaker, Deputy Speaker and Members of the Executive Committee.

This report is on the second of these directions. A separate report will be tabled on the formation of a Public Accounts Committee.

Your committee met five times to consider salaries, indemnities and allowances and has decided to submit, in this report, a discussion of the topic, a list of recommendations and a proposed draft bill to implement those recommendations.

Discussion

The base for pay provisions for Members of the Yukon Legislative Assembly is set by the Elections Ordinance (see Appendix I for Office Consolidation of that legislation). Present pay levels are outlined on pages 19 and 20 of Appendix II which is entitled "Historical Summary of Members' Pay".

The committee considered this legislation and the pay established pursuant to it under six main headings. The remainder of this report will highlight the views of the committee on each of these subjects.

1. M.L.A.s - Indemnity Allowances and Expense Allowances

The committee spent a great deal of time discussing the principles which should apply to setting the level of indemnities and expense allowances for M.L.A.s. It was decided the two main considerations should be that:

- (a) The job of an M.L.A. is, at present, not a full-time position, and
- (b) The pay offered to an M.L.A. should be neither an incentive nor a disincentive to run for office.

The present level of pay largely satisfies these two principles and the committee, therefore, does not propose a significant increase. M.L.A.s representing Whitehorse electoral districts should be granted an indemnity allowance of \$10,400 and an expense allowance of \$5,200. In giving due recognition

to the additional work required of M.L.A.s representing electoral districts outside Whitehorse it is recommended that they receive an indemnity allowance of \$12,400 per annum and an expense allowance of \$6,200 per annum.

The committee recognizes that the Yukon Legislative Assembly has been undergoing a fairly steady evolution for the past decade and that the position of the M.L.A. may well also be altered in the near future due to the presence of party politics and of further constitutional developments. If such developments should make the job of the M.L.A. a full-time position the committee feels that these pay provisions should be reviewed once again.

2. Speaker and Deputy Speaker - Salaries

The same principles as listed above were considered valid when assessing the salaries of the Speaker and Deputy Speaker. The committee recommends that the Speaker be paid \$6,200 per annum and the Deputy Speaker \$3,100 per annum.

3. Executive Committee - Salaries, Indemnity Allowances and Expense Allowances

The committee feels that the present pay levels for Executive Committee Members are basically fair in comparison to other jurisdictions. However, since Executive Committee salaries will no longer be indexed (see pages 5 and 6) the committee recommends an increase in these salaries from \$20,362 per annum to \$24,000 per annum.

Further, it is recommended that all Executive Committee Members should continue to receive an indemnity allowance and expense allowance as M.L.A.s which is the equivalent of such allowances for a member representing an electoral district outside Whitehorse (i.e. indemnity allowance of \$12,400 per annum and expense allowance of \$6,200 per annum).

The committee feels that Executive Committee Members who do actually represent electoral districts outside Whitehorse do suffer a financial burden not imposed on their Whitehorse peers. In order to ease that burden and to assure that those electoral districts are well represented by their M.L.A.s, the committee recommends that living expenses up to \$2,200 per annum and travel expenses for up to twelve trips per annum be paid to these Executive Committee Members for the purpose of visiting their home constituencies on business as members of the Assembly.

4. Party Politics

For the first time in Yukon's history the structure of the Yukon Legislative Assembly is set along traditional party lines. With the presence of party politics we have also witnessed the growth of at least three new positions, these being Government Leader, Leader of the Official Opposition and Leader of a Recognized Political Party. It is the feeling of the committee that each of these positions attaches additional responsibilities to the incumbent and that it is only fair that a special salary

be paid on this basis. The committee recommends that the Government Leader be paid \$5,000 per annum, the Leader of the Official Opposition \$2,500 per annum and the Leader of a Recognized Political Party \$1,000 per annum.

Party politics has also given rise to additional expense for M.L.A.s. They are now obliged to attend periodic caucus meetings in Whitehorse and, with the growth of public consciousness about the role of the M.L.A., have additional work to do on behalf of their constituents which must take place at the seat of government. These factors create some problem for M.L.A.s representing electoral districts outside Whitehorse because they are only able to claim expenses for coming to Whitehorse during sessions of the Assembly or for meetings of its committees. The committee feels that caucus meetings and business undertaken as an M.L.A. are legitimate occasions for an M.L.A. to be reimbursed for expenses even if these do fall during out of session periods. It is recommended that, while on such business, M.L.A.s representing electoral districts outside Whitehorse should receive living expenses up to \$1,200 per annum and travel expenses for up to ten trips per annum.

5. Indexing of Members' Indemnity Allowances, Expense Allowances and Salaries

Indemnity allowances, expense allowances and salaries were to be indexed pursuant to Section 20 of the Elections Ordinance since 1974. With the imposition of Anti-Inflation

Guidelines in 1975, however, this indexing formula was never truly adhered to since those guidelines were held to apply to Members of the Yukon Legislative Assembly. The committee has reviewed the concept of indexing and feels that it is a fair way to deal with the pay of politicians because it removes the necessity for members to review frequently their own remuneration.

In reference to the present indexing formula the committee is apprehensive that it could well be subject to distortions caused by one major project such as a pipeline or new mine. The committee has examined indexing formulae from other jurisdictions and proposes that one similar to that used by the House of Commons be adopted. It is recommended that increases in members' indemnity allowances and expense allowances be indexed yearly to the lesser of (a) a seven percent increase or (b) one half of the percentage increase in the average weekly earnings of workers in Yukon pursuant to the Industrial Composite of Average Weekly Wages and Salaries established for the twenty-four month period ending on September 30 of each year.

It should be noted that this recommendation applies only to indemnity allowances and expense allowances as the committee does not believe that any of the salaries, including those paid to Executive Committee Members, Leaders of Parties and the Speaker and Deputy Speaker, should continue to be indexed.

6. Pay Periods

The provisions of the Elections Ordinance have caused some difficulty following dissolution of the Assembly when it comes

to identifying exactly how long each member should be paid his indemnity allowance, expense allowance or salary. The committee recommends that the legislation governing pay specify clearly the length of time for which each of these is to be paid.

Conclusion

For ease of reference the committee includes as Appendix IV of this report a statement of the present and recommended financial entitlements of members.

The committee has also prepared a draft bill which would implement the recommendations of this report and which is attached as Appendix V. Since this would be a money bill the committee requests the government to undertake to introduce it in the House. It is suggested that Appendix V be used as a model in the preparation of this legislation.

Recommendations

1. That the base rate for present indemnities, allowances and salaries should not be substantially increased.
2. That, for members representing electoral districts outside Whitehorse, the indemnity allowance be \$12,400 per annum and the expense allowance be \$6,200 per annum.
3. That, for members representing electoral districts within Whitehorse, the indemnity allowance be \$10,400 per annum and the expense allowance be \$5,200 per annum.
4. That, for members appointed to the Executive Committee, the indemnity allowance be \$12,400 per annum and the expense allowance be \$6,200 per annum.
5. That the salary of the Speaker be \$6,200 per annum.
6. That the salary of the Deputy Speaker be \$3,100 per annum.
7. That the salary of an Executive Committee member be \$24,000 per annum.
8. That the Government Leader be paid an additional salary of \$5,000 per annum.
9. That the Leader of the Official Opposition be paid a salary of \$2,500 per annum.
10. That Leaders of Recognized Political Parties other than the Leader of the Official Opposition and the Government

Leader be paid salaries of \$1,000 per annum.

11. That only indemnity allowances and expense allowances should continue to be indexed and that a new indexing formula be adopted which would restrict increases to the lesser of seven percent or one half the percentage increase in the average weekly earnings of workers in Yukon pursuant to the Industrial Composite of Average Weekly Wages and Salaries established for the twenty-four month period ending on September 30 of each year.
12. That the legislation governing pay specify clearly the periods for which each indemnity allowance, expense allowance and salary may be paid.
13. That members representing electoral districts outside Whitehorse be reimbursed for living expenses to a maximum of \$1,200 per annum and for travel expenses to a maximum of ten return trips per annum for the purpose of attending caucus meetings and while on business as a member of the Assembly.
14. That Executive Committee members representing electoral districts outside Whitehorse be reimbursed for living expenses to a maximum of \$2,200 per annum and for travel expenses to a maximum of twelve return trips per annum for the purpose of visiting their electoral districts on business as members of the Assembly.

15. That the Government introduce a bill to implement these recommendations and that the draft bill attached as an appendix to this report be considered a model for such legislation.

Doug Graham
Chairman

Elections Ordinance

Office Consolidation

15.(1) There shall be paid to each member of the Council an indemnity calculated at the rate of eight thousand, eight hundred dollars per annum. 1975(3rd)c.6,s.1.

(2) In addition to the amount provided in subsection (1), there shall be paid to each member of Council representing the electoral districts of

- (a) Campbell
- (b) Faro
- (c) Hootalinqua
- (d) Klondike
- (e) Kluane
- (f) Mayo
- (g) Old Crow
- (h) Tatchun
- (i) Watson Lake

an allowance in respect of duty expenses calculated at the rate of four thousand dollars per annum, and to each member of Council representing the electoral districts of

- (j) Whitehorse North Centre
- (k) Whitehorse Porter Creek East
- (l) Whitehorse Porter Creek West
- (m) Whitehorse Riverdale North
- (n) Whitehorse Riverdale South
- (o) Whitehorse South Centre
- (p) Whitehorse West

an allowance in respect of duty expenses calculated at the rate of two thousand dollars per annum. 1975(3rd)c.6,s.1.

(Note: Electoral District names amended by 1978(1st)c.4,s.1)

(3) In lieu of the amount provided in subsection (2) there shall be paid to the members of the Advisory Committee on Finance an allowance in respect of duty expenses calculated at the rate of four thousand dollars per annum. 1975(3rd)c.6,s.1.

(4) For the purposes of this section, a person shall be deemed to have become a member of the Council on the day last fixed for the election of a member for the electoral district represented by him, and if re-elected, he shall be deemed to have served continuously. 1975(3rd)c.6,s.1.

(Note: This subsection is identical to the old subsection 15(3) found in R.O. 1971, c.E-1.)

(5) In addition to the amount provided in subsections (1) and (2) there shall be paid:

- (a) to the member of Council appointed Speaker of the House by the Council an allowance in respect of duty expenses calculated at the rate of four thousand dollars per annum, and
- (b) to the member of the Council appointed Deputy Speaker of the House and Chairman of Committees by the Council an allowance in respect of duty expenses calculated at the rate of two thousand dollars per annum. 1975(3rd)c.6,s.1.

16.(1) In addition to the amounts provided in Section 15, there shall be paid to each member of the Council appointed to the Advisory Committee on Finance or to the Executive Committee or to both Committees by the Commissioner on the recommendation of the Council, a salary calculated at the rate of fourteen thousand two hundred and twelve dollars per annum, out of monies appropriated for that purpose by the Commissioner in Council. 1977(1st)c.9,s.1.

17.(1) For the purposes of subsection 15.(5) and section 16, members of the Council shall be entitled to the allowance provided from the day of their appointment and to continue until such time as the member vacates his seat on the Council or is replaced by another appointment, providing that if a member is re-elected at a general election and is reappointed at the first Session of the Council thereafter, he shall be deemed to have served continuously. 1975(3rd)c.6,s.1.

18.(1) The indemnities and duty expenses mentioned in sections 15 and 16 shall be payable every fourteen days. 1975 (3rd)c.6,s.1.

19.(1) A member of the Council who is absent from his normal place of residence in order to attend

- (a) a session of the Council, or
- (b) a meeting of a committee of the Council, or
- (c) a meeting called by the Speaker or the Clerk of the Council, shall
 - i) be reimbursed for his actual expenditure for meals, accommodation and sundry living expenses up to a maximum of \$45 for each day in respect of the period from April 1st, 1976, to March 31st, 1977, and

ii) be reimbursed for his actual expenditure for accommodation and sundry living expense and receive an allowance for meals at the rate in force at the time for members of the public service, in respect of the period after March 31st, 1977.

- (2) The payments provided in subsection (1) shall be made out of monies appropriated for the purpose by the Commissioner in Council.
- (3) A member shall be paid a travel allowance for travel incurred to attend the session or meeting at the rate in force at the time for members of the public service.
- (4) The reimbursement and allowances described in subsections (1), (2) and (3) shall be payable in respect of the time of attendance at the session or meeting and the time necessarily spent in travel to and from the session or meeting.
- (5) For the purposes of this section, members of the Advisory Committee on Finance and the Executive Committee shall be deemed to reside at the seat of Government. 1977(1st)c.9, s.2.

20.(1) The indemnities, salaries and duty expense allowances payable pursuant to sections 15 and 16 and the expenses payable pursuant to subsection 19.(1) shall be adjusted on April 1 of each year in accordance with the percentage change in the average weekly earnings of workmen in the Territory pursuant to the Industrial Composite of Average Weekly Wages and Salaries established by Statistics Canada for the 12-month period ending on September 30 of the immediately preceding year, rounded to the nearest dollar. 1975(3rd)c.6,s.2.

21.(1) The members of the Council shall be deemed to be workmen while actually engaged in the business of the Council and any Workmen's Compensation in respect of them shall be paid by the Commissioner. 1975(3rd)c.6,s.3.

Historical Summary of Members' Pay

Yukon Legislative Assembly

A. Yukon Act

In 1908 amendments to the Yukon Act were passed creating a wholly elected Council of the Yukon Territory. Section 18 of the new Yukon Act stated that each member of the Council was to receive \$600 per session and actual travelling expenses incurred in attending each session.

Payment to members was set in the Yukon Act from that date until 1970 when the act was amended to allow the Legislative Assembly to establish, through ordinance, the indemnities and allowances.

In 1919 the indemnity was reduced to \$400 per session and it stayed at that level until 1948 when it was increased to \$1000 per session. An allowance for living expenses was added in that year which was not to exceed \$10 per day or \$200 per session. Travelling expenses were still paid for but a restriction of one return trip per session was imposed. Also, a subsection was added which exempted the allowance for living expenses from being classified as income under the Income War Tax Act.

In 1953 the Yukon Act was again amended to allow payment of \$50 per day to members instead of the \$1,000 per session previously in force. This per diem, however, could not exceed \$1,000 during the calendar year. The allowance for living expenses was raised to \$15 per day with no overall limit and was again exempted as income from the amended Income Tax Act.

Further amendments in 1955 resulted in members being paid \$1,000 per calendar year if the Council sat ten days or less. If it sat more often the members were paid \$100 per day to a maximum of \$2,000. The allowance for living expenses was again raised, this time to \$25 per day.

An amendment in 1960 created the Advisory Committee on Finance, a committee consisting of three members to assist in budget preparation. For meetings of the committee members were to be paid \$25 per day living expenses and actual travelling expenses. In 1966 this was amended to read "reasonable" travelling and living expenses with no limit set. As well, an indemnity of \$300 per year was established for committee members.

In the same year the indemnity of Council members was raised to \$5,000 per year. "Reasonable" travelling and living expenses were to be paid with travelling expenses still limited to one return trip per session. A new subsection (15.(4)) was also added which stated that the first \$1,000 of a member's indemnity was not income for the purposes of the Income Tax Act. This subsection is still in force in the present Yukon Act.

On June 26, 1970, amendments to the Yukon Act were passed which gave the Legislative Assembly the right to set salaries. They read as follows:

- 15.(1) Subject to subsection (3), each member of the Council shall be paid out of the Yukon Consolidated Revenue Fund such annual indemnity and such travelling and living expenses for each session of the Council as the Commissioner in Council may prescribe. (1970 1st Supp., c.48)
- (2) Subject to subsection (3), each member of the Advisory Committee on Finance and of any other committee of the Council shall be paid out of the Yukon Consolidated Revenue Fund, in addition to his annual indemnity, such indemnity and such travelling and living expenses as the Commissioner in Council may prescribe. (1970 1st Supp., c.48)
- (3) The Commissioner in Council may prescribe the terms and conditions on which the indemnities and travelling and living expenses prescribed pursuant

to subsections (1) and (2) shall be paid to members of the Council or any committee thereof. (1970 1st Supp., c.48)

- (4) The first one thousand dollars of the indemnity paid to a member of the Council under subsection (1) in any year is not income for the purposes of the Income Tax Act.

B. Elections Ordinance

Amendments to the Elections Ordinance in 1971 set the pay for members for the first time within Yukon legislation. Each member was to receive an indemnity of \$8,000 per year. Members from electoral districts outside of Whitehorse were to be paid "an allowance in respect of duty allowances" of \$2,000 per year. Those members representing Whitehorse electoral districts received a similar allowance of \$1,000.

Special salaries were also established at \$1,500 per year for the Speaker and \$1,000 per year for the Deputy Speaker. The salary for members of the Advisory Committee on Finance was raised to \$1,000 per year.

Expense allowances were set at \$25 per day for members who were absent from their normal place of residence to attend: "(i) Sessions of the Council, (ii) meetings of committees of the Council, or (iii) meetings at the request of the Council." The allowance was raised to \$35 per day for out of territory meetings of committees or meetings called at the request of the Council. A maximum of seventeen cents per mile was set on travel allowances.

Although no salaries were set within the Elections Ordinance for members of the newly created Executive Committee, subsection 18(2) did state the following in relation to travelling and living expenses:

- 18.(2) For the purposes of this section, members of the Council elected by the Council to the Executive Committee shall be deemed to reside at the seat of government.

Salaries for Executive Committee Members were set at this time through motion of the Assembly. Motion Number 27 passed on November 13, 1970 stated: "That Members of Council appointed to the Executive Committee be paid a salary of \$20,920 per annum, including indemnities, salaries and duty expenses." The breakdown of this total would be:

- (a) \$8,000 indemnity as M.L.A.,
- (b) \$1,000 allowance in respect of duty expenses,
- (c) \$1,000 salary as member of Advisory Committee on Finance, and
- (d) \$10,920 salary as member of the Executive Committee.

The reason separate salaries were established for both Committees was that, at the time, there were three members of the Advisory Committee on Finance and only two Executive Committee Members.

On December 15, 1975 amendments to the Elections Ordinance were assented to which raised the member's yearly indemnity to \$8,800. The allowances in respect of duty expenses were raised to \$4,000 for members from outside Whitehorse and to \$2,000 for members representing electoral districts within Whitehorse. Members of the Advisory Committee, however, were to be paid \$4,000 regardless of the location of their electoral district.

The salaries of the Speaker and Deputy Speaker were raised to \$4,000 and \$2,000 respectively. The term "salary" though was deleted and replaced by the description "an allowance in respect of duty expenses" which was more advantageous for income tax purposes.

The salary for members of the Advisory Committee on Finance was set at \$14,212 per annum. This established a combined Ex Com - Advisory Committee salary since the elected membership of Ex Com had been raised to three and these same people were appointed to the Advisory Committee.

Expense allowances were raised to \$45 per day and the reference to out of territory travel and expenses was deleted. The travel allowance was tied to the rate in force for the public service.

Two important new sections were added. Section 20 established a cost of living index for members stating:

20. The indemnities, salaries and duty expense allowances payable pursuant to sections 15 and 16 and the expenses payable pursuant to subsection 19(1) shall be adjusted on April 1 of each year in accordance with the percentage change in the average weekly earnings of workmen in the Territory pursuant to the Industrial Composite of Average Weekly Wages and Salaries established by Statistics Canada for the 12-month period ending on September 30 of the immediately preceding year, rounded to the nearest dollar.

Section 21 made Members of the Assembly eligible to receive workers' compensation payments under the Workers' Compensation Ordinance.

The coming into force provisions of the amendment ordinance deemed all sections regarding indemnities, allowances in respect of duty expenses and salaries to have come into force on November 18, 1974 which was the date of election of the Twenty-Third Legislative Assembly.

In 1977 the Elections Ordinance was again amended. Section 16, which established the salary for members of the Advisory Committee on Finance, was amended to add members of the Executive Committee to its provisions. A practice had evolved whereby the same members were always appointed to both Committees so the reference to only the Advisory Committee was quite satisfactory. However, when the Assembly began pressing for a fourth

Executive Committee Member it was clear that Executive Committee would have to be added to Section 16 because only three Ex Com members could be appointed to the Advisory Committee on Finance.

At the same time Section 19 was amended to allow payment of all actual living expenses rather than to a limit of \$45 per day.

It should be mentioned that Executive Committee Members were also provided a superannuation payment through Commissioner's Order 1975/303 which was signed on December 30, 1975. This payment is in lieu of a pension plan and equals 6½% of the member's Executive Committee salary.

C. Present Salaries

The amendments to the Elections Ordinance in 1975 set a base rate for all remuneration paid to members and, in Section 20, established an index for future increases. Payments, however, have not followed that simple formula because of the imposition of anti-inflation guidelines at the same time those amendments were passed. The Yukon Legislative Assembly was ruled to fall under the auspices of the Anti-Inflation Board and the AIB subsequently ordered a rollback of the base rate which, in turn, required members to return some money they had already received. Also, during the period the guidelines were in force the index could not be utilized as the AIB legislation had set specific allowable increases.

Rather than attempt to show the exact result of the convolutions caused by the AIB it is simplest to show the base rates as at November 18, 1974 and the present remuneration as at April 1, 1979.

(1) Whitehorse M.L.A.s

	1974	1979
Indemnity	8,800	12,608
Expense Allowance	<u>2,000</u>	<u>2,865</u>
Total	10,800	15,473

(2) M.L.A.s from outside Whitehorse

	1974	1979
Indemnity	8,800	12,608
Expense Allowance	<u>4,000</u>	<u>5,731</u>
Total	12,800	18,339

(3) Speaker (assuming Speaker from outside Whitehorse)

	1974	1979
Indemnity	8,800	12,608
Expense Allowance as M.L.A.	4,000	5,731
Expense Allowance as Speaker	<u>4,000</u>	<u>5,731</u>
Total	16,800	24,070

(4) Deputy Speaker (assuming Deputy Speaker from Whitehorse)

	1974	1979
Indemnity	8,800	12,608
Expense Allowance as M.L.A.	2,000	2,865
Expense Allowance as Deputy Speaker	<u>2,000</u>	<u>2,865</u>
Total	12,800	18,338

(5) Executive Committee Members

	1974	1979
Indemnity	8,800	12,608
Expense Allowance as Ex Com Member	4,000	5,731
Salary	14,212	20,362
Superannuation (6½% of Salary)	<u>924</u>	<u>1,323</u>
Total	27,936	40,024.

These figures show an increase in remuneration of 43% over the five year period since the establishment of the base rate.

Comparison of Yukon Pay Provisions with Provinces

M.L.A.s

	Current		Suggested Amendments	
	Indemnity	Expense Allowance	Indemnity	Expense Allowance
Alberta	12,352	6,176		
B.C.	16,000	8,000		
Manitoba	12,200	6,100		
New Brunswick	12,152	4,050		
Newfoundland	12,450	--		
Nova Scotia	9,600	4,800		
Ontario	19,242	7,500		
P.E.I.	10,000	5,000		
Quebec	27,800	7,000		
Saskatchewan	8,470	7,560		
Yukon				
(a) Whitehorse	12,608	2,865	10,400	5,200
(b) Out of Town	12,608	5,731	12,400	6,200

Government Leaders and Leaders of Official Opposition

	Government Leader		Leader of Opposition	
	Current *	Suggested Amendment	Current	Suggested Amendment
Alberta	37,060		30,197	
British Columbia	28,000		19,000	
Manitoba	16,600		15,600	
New Brunswick	25,000		16,000	
Newfoundland	23,455		14,815	
Nova Scotia	25,000		21,000	
Ontario	25,000		18,000	
P.E.I.	29,000		10,000	
Quebec	41,700		30,580	
Saskatchewan	26,095		19,300	
Yukon	20,362	29,000 **	--	2,500

* Note: These figures represent only the salaries of Government Leaders and do not include their M.L.A. indemnities and expense allowances.

** Note: This is the total salary of the Government Leader. It includes the recommended increase in the salaries of all Executive Committee members and the additional \$5,000 salary recommended for the position of Government Leader

Speakers and Deputy Speakers

	Speakers		Deputy Speakers	
	Current *	Suggested Amendment	Current	Suggested Amendment
Alberta	18,500		6,864	
British Columbia	19,000		8,500	
Manitoba	5,000		2,500	
New Brunswick	5,000		2,500	
Newfoundland	8,640		6,170	
Nova Scotia	11,000		5,000	
Ontario	9,000		5,000	
P.E.I.	3,000		1,500	
Quebec	30,580		13,900	
Saskatchewan	7,060		4,240	
Yukon	5,731	6,200	2,865	3,100

* Note: These figures represent only the salaries of Speakers and Deputy Speakers and do not include their M.L.A. indemnities and expense allowances.

Cabinet Ministers

	Current*	Suggested Amendment
Alberta	30,198	
British Columbia	24,000	
Manitoba	15,600	
New Brunswick	16,000	
Newfoundland	14,815	
Nova Scotia	21,000	
Ontario	18,000	
P.E.I.	19,000	
Quebec	30,580	
Saskatchewan	19,300	
Yukon	20,362	24,000

* Note: These figures represent only the salaries of Cabinet Ministers and do not include their M.L.A. indemnities and expense allowances.

Financial Entitlements for Members of the
Yukon Legislative Assembly

Present and Recommended

1.	M.L.A. representing electoral district within Whitehorse		
		<u>Present</u>	<u>Recommended</u>
	Indemnity Allowance	12,608	10,400
	Expense Allowance	<u>2,865</u>	<u>5,200</u>
	Total	15,473	15,600
2.	M.L.A. representing electoral district outside Whitehorse		
		<u>Present</u>	<u>Recommended</u>
	Indemnity Allowance	12,608	12,400
	Expense Allowance	<u>5,731</u>	<u>6,200</u>
	Total	18,339	18,600
3.	Speaker		
		<u>Present</u>	<u>Recommended</u>
	Salary	5,731	6,200
4.	Deputy Speaker		
		<u>Present</u>	<u>Recommended</u>
	Salary	2,865	3,100
5.	Executive Committee Member		
		<u>Present</u>	<u>Recommended</u>
	Indemnity Allowance	12,608	12,400
	Expense Allowance	5,731	6,200
	Salary	20,362	24,000
	Superannuation	<u>1,323</u>	<u>1,560</u>
	Total	40,024	44,160

6. Government Leader

	<u>Present</u>	<u>Recommended</u>
Salary	--	5,000

7. Leader of the Official Opposition

	<u>Present</u>	<u>Recommended</u>
Salary	--	2,500

8. Leader of Recognized Political Party

	<u>Present</u>	<u>Recommended</u>
Salary	--	1,000

ORDINANCES OF THE YUKON TERRITORY

AN ORDINANCE TO AMEND THE YUKON COUNCIL ORDINANCE
(Assented to

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. The *Yukon Council Ordinance* is amended in section 2 by adding immediately after the definition of "Executive Committee" in subsection (1) thereof the following definitions:

"Government Leader" means the recognized leader of the Party or coalition that forms the Government;

"Leader of a Party" means the recognized leader of a Party;

"Leader of the Official Opposition" means the recognized leader of the largest Party in opposition to the government Party in the Council;

"Party" means a registered political party as defined in the *Elections Ordinance, 1977* which has one or more members who are members of the Council and identify themselves with that party in the Council;

"recognized leader" means the member of the Council who is recognized, by the members of the Council who identify themselves with a Party, as being the leader of that Party in the Council.
2. Section 7, subsection (3) of the said Ordinance is amended by adding after paragraph (b):

(b.1) receives any indemnity allowance, expense allowance, salary, reimbursement or other payment to which he is entitled pursuant to this Ordinance;

(b.2) receives any payment, benefit or service which is funded by money which has been appropriated to that purpose.

3. The following sections are added after section 40 of the said Ordinance:

40.1(1) There shall be paid to each member of the Council representing the electoral district of

- (a) Campbell;
- (b) Faro;
- (c) Hootalinqua;
- (d) Klondike;
- (e) Kluane;
- (f) Mayo;
- (g) Old Crow;
- (h) Tatchun; or
- (i) Watson Lake

an indemnity allowance calculated at the rate of twelve thousand four hundred dollars per annum and an expense allowance calculated at the rate of six thousand, two hundred dollars per annum.

(2) There shall be paid to each member of the Council representing the electoral district of

- (a) Whitehorse North Centre;
- (b) Whitehorse Porter Creek East;
- (c) Whitehorse Porter Creek West;
- (d) Whitehorse Riverdale North;
- (e) Whitehorse Riverdale South;
- (f) Whitehorse South Centre; or
- (g) Whitehorse West

an indemnity allowance calculated at the rate of ten thousand, four hundred dollars per annum and an expense allowance calculated at the rate of five thousand, two hundred dollars per annum.

- (3) Notwithstanding subsections (1) and (2), each member of the Council appointed to the Executive Committee or to the Advisory Committee on Finance or to both Committees shall be paid an indemnity allowance calculated at the rate of twelve thousand, four hundred dollars per annum and an expense allowance calculated at the rate of six thousand, two hundred dollars per annum.
- (4) The expense allowances referred to in subsections (1), (2) and (3) are provided to pay for the expenses of that member incident to the discharge of his duties as a member.
- (5) For the purpose of computing the amount of any allowances payable pursuant to 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 Council 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, resignation or disqualification, whichever first occurs.

- 40.2(1) In addition to the amounts provided in section 40.1 there shall be paid:
- (a) to the member of the Council elected Speaker a salary calculated at the rate of six thousand, two hundred dollars per annum, and
 - (b) to the member of the Council elected Deputy Speaker a salary calculated at the rate of three thousand, one hundred dollars per annum.
- (2) For the purpose of computing the amount of salary payable under this section, the Speaker shall, when the Council in which he occupies the position is dissolved, be deemed to occupy the position until the day preceding the date fixed by Proclamation for the next sitting of the Council to begin, or until his death, resignation or disqualification, whichever first occurs.
- (3) For the purpose of computing the amount of salary payable under this section, the Deputy Speaker shall, when the Council 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, resignation or disqualification, whichever first occurs.
- 40.3(1) In addition to the amounts provided in section 40.1, there shall be paid to each member of the Council appointed to the Executive Committee or to the Advisory Committee on Finance or to both Committees, a

salary calculated at the rate of twenty-four thousand dollars per annum.

(2) For the purpose of computing the amount of salary payable under this section, each member of the Council appointed to the Executive Committee shall be deemed to occupy his position on the Executive Committee from and including the day of his appointment up to and including the day his appointment is terminated or until his death, resignation or disqualification, whichever first occurs.

(3) For the purpose of computing the amount of salary payable under this section, each member of the Council appointed to the Advisory Committee on Finance shall be deemed to occupy his position on the Advisory Committee on Finance from and including the day of his appointment up to and including the day of the dissolution of the Council, or until his death, resignation or disqualification, whichever first occurs.

40.4(1) In addition to the amounts provided in sections 40.1 and 40.3, the Government Leader shall be paid a salary calculated at the rate of five thousand dollars per annum.

(2) For the purpose of computing the amount of salary payable under this section the Government Leader shall be deemed to occupy his position for such period as he is the recognized leader of the Party or coalition that

forms the Government but such period shall not exceed the time of his appointment to the Executive Committee.

40.5(1) In addition to the amounts provided in section 40.1, the Leader of the Official Opposition shall be paid a salary calculated at the rate of two thousand five hundred dollars per annum.

(2) Every Leader of a Party other than the Government Leader and the Leader of the Official Opposition shall be paid, in addition to the amounts provided in section 40.1, a salary calculated at the rate of one thousand dollars per annum.

(3) For the purpose of computing the amount of salary payable under subsection (1), the Leader of the Official Opposition:

- (a) shall be deemed to have occupied the position from the polling day on which he was elected a member of the Council, or from the day on which he becomes Leader of the Official Opposition, whichever is the later, and
- (b) shall, when the Council 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, resignation or disqualification, whichever first occurs.

- (4) For the purpose of computing the amount of salary payable under subsection (2), a Leader of a Party:
- (a) shall be deemed to have occupied the position from the polling day on which he was elected a member of the Council, or from the day on which he becomes Leader of a Party, whichever is the later, and
 - (b) shall, when the Council 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, resignation or disqualification, whichever first occurs.

40.6(1) The indemnity allowances, expense allowances and salaries mentioned in sections 40.1, 40.2, 40.3, 40.4 and 40.5 shall be payable every fourteen days.

- (2) The indemnity allowances and expense allowances payable pursuant to section 40.1 shall be adjusted on April 1, 1980 and on April 1 of each successive year by the lesser of:
- (a) one-half the percentage change in the average weekly earnings of workers in the Territory pursuant to the Industrial Composite of Average Weekly Wages and Salaries published by Statistics Canada for the

twenty-four month period
ending on September 30 of
the immediately preceding
year; and

(b) seven percent.

40.7(1) Every member of the Council who is absent from his normal place of residence in order to attend a sitting of the Council, a meeting of a committee of the Council or any meeting or event as a representative of the Council, the Speaker or the Government of the Yukon Territory in his capacity as a member of the Council shall be reimbursed for his actual expenditure for accommodation and receive an allowance for meals, incidental expenses and travelling expenses at the rate in force at the time for the public service.

(2) A member of the Council representing the electoral district of

- (a) Campbell;
- (b) Faro;
- (c) Hootalinqua;
- (d) Klondike;
- (e) Kluane;
- (f) Mayo;
- (g) Old Crow;
- (h) Tatchun; or
- (i) Watson Lake

who is absent from his normal place of residence in order to attend a meeting of a caucus or to act in his capacity as a member of the Council during a period when the Council is not sitting shall be reimbursed for actual expenditures for accommodation and receive an allowance for meals and incidental expenses at the rate in force at the time for the public service.

- (3) The maximum amount payable to a member pursuant to subsection (2) shall be one thousand, two hundred dollars in each fiscal year.
 - (4) A member of the Council referred to in subsection (2) shall be reimbursed for or paid an allowance in respect of travelling expenses incurred at the rate in force at the time for the public service.
 - (5) The maximum number of return trips for which a member may claim reimbursement or an allowance pursuant to subsection (4) shall be ten in each fiscal year.
 - (6) The reimbursement and allowances described in this section shall be payable only in respect of the time of attendance and of the time necessarily spent in travel.
 - (7) For the purposes of this section, every member of the Executive Committee or of the Advisory Committee on Finance shall be deemed to reside at the seat of Government.
- 40.8(1) A member of the Council representing the electoral district of
- (a) Campbell;
 - (b) Faro;
 - (c) Hootalinqua;
 - (d) Klondike;
 - (e) Kluane;
 - (f) Mayo;
 - (g) Old Crow;
 - (h) Tatchun; or
 - (i) Watson Lake
- who has been appointed to the Executive Committee or to the Advisory Committee on Finance or

to both Committees shall be reimbursed for actual expenditures for accommodation and receive an allowance for meals and incidental expenses at the rate in force at the time for the public service when visiting his electoral district in his capacity as a member of the Council.

- (2) The maximum amount payable to each member mentioned in subsection (1) shall be two thousand, two hundred dollars in each fiscal year.
- (3) A member of the Council referred to in subsection (1) shall be reimbursed for or paid an allowance in respect of travelling expenses incurred at the rate in force at the time for the public service.
- (4) The maximum number of return trips for which a member may claim reimbursement or an allowance pursuant to subsection (3) shall be twelve in each fiscal year.

40.9(1) No member of the Council may claim reimbursement or an allowance pursuant to sections 40.7 and 40.8 between the dissolution of a Council and the day of the official addition of the votes pursuant to the *Elections Ordinance, 1977* at the next ensuing general election.

- (2) Notwithstanding subsection (1) a member may claim reimbursement or an allowance pursuant to sections 40.7 and 40.8 after the dissolution of a Council if the member:
 - (a) began his travel at some

time preceding the day
of dissolution, and

- (b) returns to the point of
origin or to his residence
or to Whitehorse as soon
as possible following his
becoming aware of the
dissolution.

40.10(1) In respect of travel in the per-
formance of their duties, the
Speaker and Deputy Speaker shall
be reimbursed for actual expenditure
for accommodation and receive an
allowance for meals, incidentals
and travel at the rate in force
at the time for the public service.

40.11(1) Every member of the Council shall
be deemed to be a worker within the
meaning of the *Workers' Compensation
Ordinance* while actually engaged
in the business of the Council and
any compensation to which he becomes
entitled shall be paid by the
Commissioner.

4. The *Elections Ordinance*, being Chapter E-1 of
the Revised Ordinances of the Yukon Territory,
1971 is amended by repealing sections 15 to
21 thereof.
5. This Ordinance shall come into force on the
day of assent.

time preceding the day
of dissolution, and

- (b) returns to the point of
origin or to his residence
or to Whitehorse as soon
as possible following his
becoming aware of the
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the Revised Ordinances of the Yukon Territory,
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21 thereof.
- 5. This Ordinance shall come into force on the
day of assent.

to both Committees shall be reimbursed for actual expenditures for accommodation and receive an allowance for meals and incidental expenses at the rate in force at the time for the public service when visiting his electoral district in his capacity as a member of the Council.

- (2) The maximum amount payable to each member mentioned in subsection (1) shall be two thousand, two hundred dollars in each fiscal year.
- (3) A member of the Council referred to in subsection (1) shall be reimbursed for or paid an allowance in respect of travelling expenses incurred at the rate in force at the time for the public service.
- (4) The maximum number of return trips for which a member may claim reimbursement or an allowance pursuant to subsection (3) shall be twelve in each fiscal year.

40.9(1) No member of the Council may claim reimbursement or an allowance pursuant to sections 40.7 and 40.8 between the dissolution of a Council and the day of the official addition of the votes pursuant to the *Elections Ordinance, 1977* at the next ensuing general election.

- (2) Notwithstanding subsection (1) a member may claim reimbursement or an allowance pursuant to sections 40.7 and 40.8 after the dissolution of a Council if the member:
 - (a) began his travel at some