



Dissolution Guidelines

Legislative Assembly of Alberta

Revised February 2019

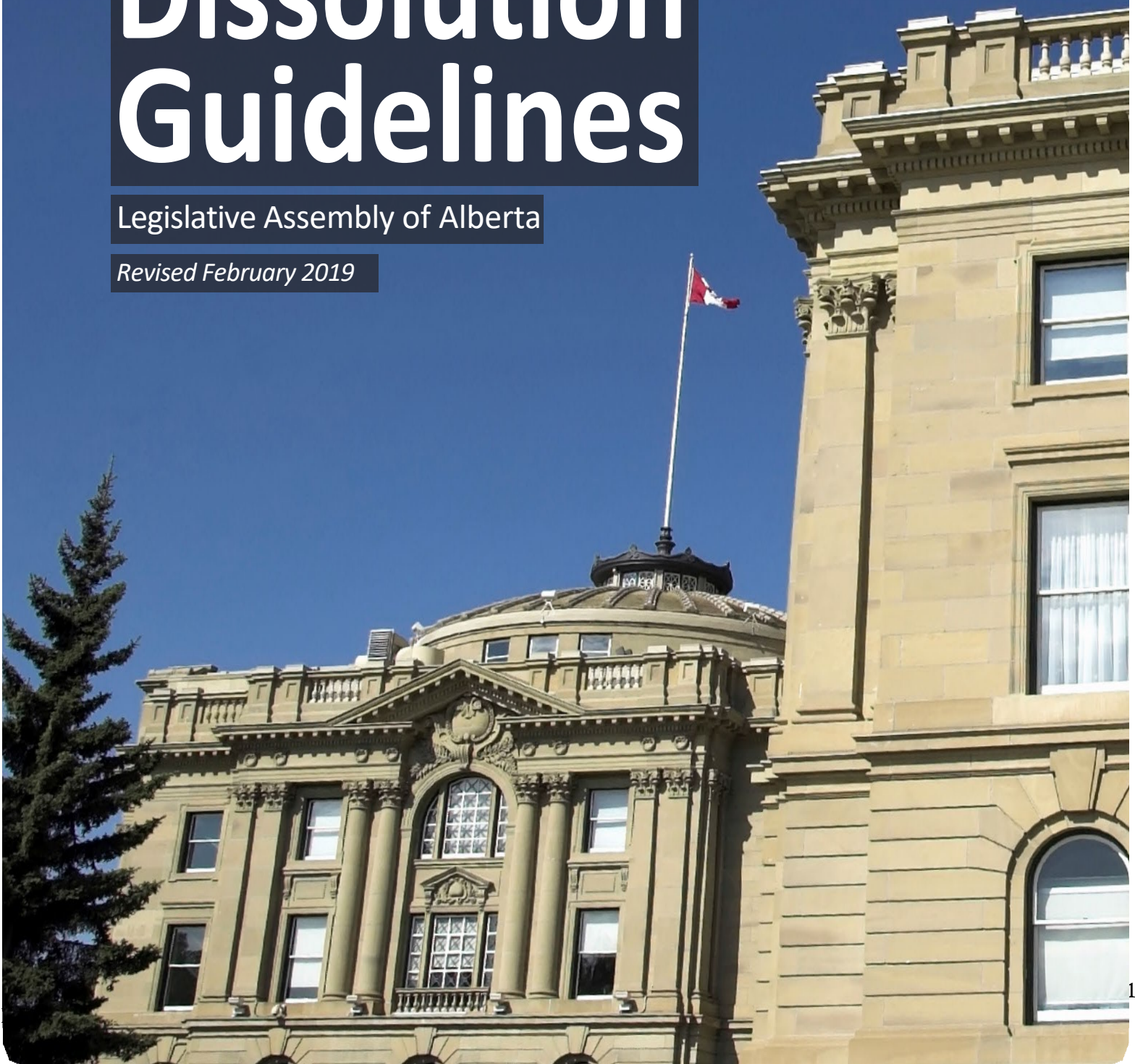






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Dissolution Guidelines Overview

What is Dissolution?

Dissolution is the act by which a Legislature is terminated, ending all business of the Legislative Assembly, and followed by a general election. A Legislature is dissolved by proclamation of the Lieutenant Governor on the advice of the Premier. When approved, an Order in Council authorizes the Chief Electoral Officer to issue the writs of election. Voting takes place 28 days after the writs of election are issued by the Chief Electoral Officer.

Once a Legislature has been dissolved, and throughout the election period, Members cease to be Members of the Legislative Assembly and should no longer identify themselves as such.

Please note, when the Legislature is dissolved, and the election is called, the new electoral divisions will come into effect.

The Dissolution Guidelines are provided for Members and staff of the Legislative Assembly of Alberta. They are intended to provide basic policies and procedures to be followed when the Assembly is dissolved. Some points that may be of particular interest are:

- Upon dissolution Members are not to make any expenditures related to promotional or communications activities. However, all contractual obligations (office rent, employee salaries, et cetera) and day-to-day expenses will continue to be paid out of the Member's Services Allowance. (page 9)
- As Members cease to be Members, they should no longer identify themselves as such. It is important that all reference on correspondence and social media using "MLA" be removed.
- Constituency offices may remain open during the election period but cannot be used to prepare, store, or distribute party, constituency association, or election campaign material; nor can offices display any material advocating the choice of any party or candidate. (page 12)
- Upon dissolution Members are no longer considered Commissioners for Oaths or Notaries Public, so all commissioning and notarizing services should cease.
- All employment contracts with staff will automatically terminate on the 14th day after polling day. (pages 12, 14)
- Upon dissolution all temporary accommodation and travel allowances are no longer claimable unless they meet the conditions outlined in these guidelines. (page 8)
- All Member and constituency staff purchase cards will be suspended on December 1 of the year prior to an election. Except for emergent matters, the use of all other credit cards (Elements and American Express) must cease upon dissolution. (page 9)
- Constituent case files and other operational files are the Member's personal property and may be disposed of as the Member sees fit. LAO records management staff are available to assist Members and their staff in determining the best method of disposition. Case files that require continuing work may be transferred to the new Member, if applicable. Consent to transfer must be given by the constituent. (pages 10, 11)
- Constituent contact information gathered during the course of conduct of an MLA's duties cannot be used in any manner during the election process.
- Members' LAO network accounts will remain active throughout the election period, but Members are reminded that the use of the LAO network accounts and all LAO IT equipment (computers, laptops, tablets, and mobile devices) should be limited to dealing with emergent, nonpartisan constituent matters and may not be used for election purposes. It is recommended that all IT equipment and mobile devices be left in the constituency office during the election period.

Frequently Asked Questions

- Q** *Am I still considered to be a Member of the Legislative Assembly after dissolution?*
Once a Legislature has been dissolved, and throughout the election period, Members cease to be Members of the Legislative Assembly and should no longer identify themselves as such. However, members of Executive Council remain members of Executive Council until their appointment is terminated, and the Speaker remains Speaker until the election of a new Speaker on the first day of the first session of the new Legislature.
- Q** *If I am no longer a Member, am I still paid?*
Yes, Members continue to receive their MLA remuneration until the day preceding polling day.
- Q** *If I am currently a Member, can I use “MLA” on my election campaign advertising and social media accounts?*
No. As indicated above, once the Legislature is dissolved, Members are no longer Members of the Legislative Assembly, and all reference to “MLA” on any correspondence and social media needs to be removed (or suspended), including on campaign and social media accounts.
- Q** *After the election when am I considered a Member of the Legislative Assembly?*
Unless the election results are challenged in court, a person declared elected is considered to be a Member of the Legislative Assembly after the expiry of the election appeal period outlined in the *Election Act*. At that time MLA remuneration is processed retroactive to the day of the election.
- Q** *Can I continue to assist my constituents following dissolution?*
Members are only permitted to assist their constituents with **emergent, nonpartisan concerns**; however, Members are not permitted to commission or notarize documents.
- Q** *What LAO IT services are available to Members following dissolution?*
Members’ LAO network accounts will remain active throughout the election period, but Members are reminded that the use of the LAO network accounts and all LAO IT equipment (computers, laptops, tablets, and mobile devices) should be limited to dealing with emergent, nonpartisan constituent matters and may not be used for election purposes.
- Q** *Do I have to close my constituency office after dissolution?*
No. Constituency offices may remain open during the election period but cannot be used to prepare, store, or distribute party, constituency association, or election campaign material; nor can offices display any material advocating the choice of any party or candidate.

Member Information

Members' Remuneration

Members' remuneration – Upon dissolution Members continue to receive their MLA remuneration up to the day preceding polling day. Once they are elected or re-elected, and unless the election results are challenged in court, an MLA's remuneration is processed retroactively to the day of the election.

Ministerial remuneration – Ministerial remuneration is not affected by dissolution. Although dissolution dissolves the Assembly, it does not affect the appointment of Ministers, who continue to be Ministers until their appointment is terminated or they resign.

Speaker's remuneration – The person who is Speaker at the time of dissolution continues to hold office and receive remuneration up to and including the day preceding the first day of the next sitting of the Legislative Assembly. The election of the Speaker takes place on the first day of the first session of the new Legislature.

Remuneration for the Deputy Speaker and Deputy Chair – Upon dissolution remuneration continues up to the day preceding polling day.

Remuneration for the Leader of the Official Opposition – Upon dissolution remuneration continues up to the day preceding polling day.

Remuneration for the leader of a recognized opposition party* – Remuneration ceases immediately upon dissolution.

Special Members' allowance (whips, House leaders) – The payment of all special Members' allowances ceases immediately upon dissolution.

Committees of the Legislative Assembly of Alberta – Upon dissolution, Standing, Special Standing, and Select Special Committees cease to exist, and therefore allowances and expenses related to these committees are not claimable.

Service on Government Committees – Service on Government committees is not regulated by the *Legislative Assembly Act*.

Members' Benefits and Allowances

Health Benefits

Continuation of health benefits – Upon dissolution all health benefit coverage remains in effect up to and including the day preceding polling day. If a Member is re-elected, their health benefits continue uninterrupted.

Health benefits for new Members – Newly elected Members are provided with basic health coverage until they indicate otherwise. A new Member's basic benefit coverage commences on polling day.

**A recognized opposition party is a party that is represented in the Assembly by at least four Members and received at least 5 per cent of the popular vote at the general election.*

Health Benefits for Nonreturning Members

Extended benefits option – The extended benefits option (EBO) provides former Members with continued health benefit coverage after they resign or if they choose not to run for re-election or are defeated. Benefit coverage may be extended for benefits listed under Members' Choice (prescriptions and extended medical, including out-of-province/Canada emergency coverage, dental and life Insurance). If a former Member exercises this option, the extended coverage continues:

- until the age of 75 years (except for life insurance coverage, which terminates at age 70);
- until the death of the former Member; or
- until the date the former Member gives written notice to discontinue the coverage.

Out-of-province/country emergency travel coverage may be provided to a former Member between the ages of 70 and 75 on the following conditions:

- The former Member must pay any additional monthly premiums; and
- The former Member's coverage will be limited to 30 consecutive days per trip.

Premiums are paid by the former Member and the Legislative Assembly in the same proportions as for a current Member for the first five years of coverage or until the age of 75, whichever comes first. If a former Member continues coverage beyond the five years, the premiums are to be paid entirely by the former Member.

Former Members can extend only that part of the coverage in place when they ceased to be Members. Later, they may discontinue that coverage in whole or in part. **Once the extended coverage has been terminated, it may not be recommenced.**

At age 75, a former Member is eligible to apply for coverage under the Alberta Blue Cross retiree plan should they choose to. www.ab.bluecross.ca/retiree

Transition Allowance

In 2012 the Members' Allowances Order was amended, limiting the eligibility to receive transition allowance to only those Members who served prior to April 23, 2012. Please contact the Senior Manager of Human Resources regarding your specific entitlement.

Vehicles (if applicable)

Speaker – the Speaker may continue to use an Assembly-supplied vehicle

- a) if re-elected as Speaker without any interruption; or
- b) if not re-elected as Speaker, until the day preceding the first day of the first session of the new Legislature.

Deputy Speaker and Deputy Chair of Committees – May continue to use their Assembly-supplied vehicles up to the day preceding polling day.

Leader of the Official Opposition – May continue to use their Assembly-supplied vehicles up to the day preceding polling day.

Leader(s) of a recognized opposition party* – Use of an Assembly-supplied vehicle should cease immediately upon dissolution. The Member should contact the Clerk's office to arrange for return of the vehicle.

Premier and Ministers – May continue to use their GOA-supplied vehicles on Government business until their appointments are terminated even if they are not re-elected as Members.

**A recognized opposition party is a party that is represented in the Assembly by at least four Members and received at least 5 per cent of the popular vote at the general election.*

Committee Expenses

As there are no committees of the Assembly after dissolution, expenses cannot be claimed in relation to committee business. In order to ensure the integrity of committee records, the Chairs of Standing, Special Standing, and Select Special Committees are asked to organize any committee records in their possession and transfer them to the Committee Clerk. Any claims for committee-related expenses incurred before dissolution should be completed and forwarded to the Committee Clerk immediately after dissolution. Service on government committees is not regulated by the *Legislative Assembly Act*.

Expenses for Government committees continue to be forwarded for processing to the Government department responsible for payment.

Members' Expense Allowances

Expenditure officer approval – A Member ceases to be an expenditure officer on dissolution of the Legislature. Therefore, all Member expenses and allowances claimed after dissolution must be approved by the Clerk of the Legislative Assembly.

Temporary Accommodation Allowance

Temporary accommodation allowance in Edmonton – Upon dissolution and during the election period this allowance is no longer claimable unless the Member is required to stay overnight in the capital to attend to an emergent, nonpartisan constituent matter. If emergent claims are required, the Member is required to provide the details to the Legislative Assembly Office when claiming reimbursement. Claims must be submitted and sent to the Clerk of the Legislative Assembly for approval.

As the Assembly could be dissolved as early as February, all recurring payments will cease. Effective February 1 of an election year, eligible Members will be required to submit temporary accommodation allowance claim forms manually on a monthly basis until dissolution. Submission of temporary claims related to the above must be completed within 10 days after the Legislature is dissolved unless it applies to expenses for dealing with emergent matters as per above.

New and returning Members will be required to complete new permanent and temporary residence declaration forms after polling day.

Temporary accommodation allowance while travelling in Alberta (excludes in or near Edmonton)
This allowance terminates on the date of dissolution.

Travel Allowances

Vehicle operation, mileage allowance, parking, vehicle rental, air, taxi, bus travel, meals

Upon dissolution Members are not to incur any expenses related to the above unless the Member is required to travel when dealing with emergent, nonpartisan constituent concerns.

If a Member is in the capital when the Assembly is dissolved, the Member is eligible to claim expenses to return to their constituency. Submission of personal expense claims or invoices related to the above must be completed within 10 days after dissolution unless it applies to expenses for dealing with an emergent, nonpartisan constituent matter during the election period. In this instance, expenses should be itemized on a personal expense claim form and submitted to the Legislative Assembly Office with supporting documentation for approval by the Clerk. Any airline tickets ordered by the Member prior to dissolution, other than a ticket to return home if in the capital when the Assembly is dissolved, must be cancelled or returned for credit with the original vendor.

Spouse/partner/family member/guest travel – Upon dissolution this is no longer claimable.

Legislature Offices

Access to your Edmonton Legislature Office will not be restricted. However, the office cannot be used to prepare, store, or distribute party, constituency association, or election campaign material; nor can offices display any material advocating the choice of any party or candidate.

If a Member chooses not to run again, they may access their office to pack up personal belongings and records and wrap up Member business.

Member's Services Allowance (MSA)

A Member ceases to be an expenditure officer upon dissolution of the Legislature. Approval for any operational expenses of the constituency office, after dissolution, is made by the Clerk of the Legislative Assembly.

Members are reminded that year-to-date expenses should not exceed their prorated Member's Services Allowance (MSA). Should polling day fall on or before March 31, 2019, the proration period for a Member's 29th Legislature MSA is from the start of the current fiscal year (April 1, 2018) to the end of the calendar month in which polling day occurs. If polling day takes place in the 2019-2020 fiscal year, the proration period for a Member's 29th Legislature MSA is from the start of the fiscal year (April 1, 2019) to the end of the calendar month in which polling day occurs. The MSAs for the 30th Legislature will be calculated from the day after polling day.

If expenditures exceed a Member's prorated budget, the returning Member or nonreturning Member may be responsible to reimburse the Legislative Assembly Office. Please note that there is no provision to carry over a deficit from one Legislature and apply it against the MSA in the next Legislature.

Promotional and Communication Expenses

Upon dissolution Members are not to incur any promotional or communications-related expenses.

Where orders have been placed but delivery has not been made prior to dissolution, payment will be made from the MSA by the Clerk upon delivery of the service. Such material may not be distributed during the election period.

Since new purchase order books will be issued to all Members after polling day and Members cannot sign as expenditure officers during this period, all Members must return their purchase order books to Financial Management and Administrative Services upon dissolution.

If a constituency office requires office supplies during the election period, prior approval must be received by the Clerk.

Credit Cards

Elements (fuel), American Express, and Member/constituency staff purchase cards (P-cards)

All Member/constituency staff P-cards will be suspended December 1 of the year prior to an election. Except for emergent matters the use of all other credit cards (Elements and American Express) must cease upon dissolution and may only be used in dealing with an emergent, nonpartisan constituent concern with prior approval of the Clerk of the Legislative Assembly.

Cards of nonreturning Members will be cancelled the day after polling day. Members in this situation are asked to return their cards to the Financial Management and Administrative Services' office as soon as possible but no later than 10 days after polling day.

Petty Cash

All petty cash accounts must be reconciled prior to dissolution.

IT Equipment, Network Support, and IT Services

Members' LAO network accounts will remain active throughout the election period, but Members are reminded that the use of the LAO network accounts and all LAO IT equipment (laptops, tablets, and mobile devices) should be limited to dealing with emergent, nonpartisan constituent matters and may not be used for election purposes. It is recommended that laptops, tablets, and mobile devices be left in the constituency office during the election period.

Nonreturning Members' network accounts will be suspended after polling day. All Member and constituency office computers, laptops, tablets, and mobile devices must be returned to the LAO within 10 days. Constituency office network accounts will be refreshed, and new rights will be assigned to the new Members.

Telephone Services

Permanent residence, temporary residence, and mobile service are maintained throughout the election period, but Members are reminded that their use should be limited to dealing with emergent, nonpartisan constituent matters and may not be used for election purposes.

After polling day telephone-related services provided by the Legislative Assembly Office for nonreturning Members will be cancelled. If the nonreturning Member wishes to assume certain services personally, the Member should contact Information Technology Services immediately after polling day so that appropriate transfers can be made.

Constituency office telephone service will continue uninterrupted throughout the election period.

Records Management

Prior to dissolution a review of all files should be done to determine which records need to be kept and which may be discarded. Personal and constituency records generated by Members in their capacity as Members of the Legislative Assembly are their personal property and can be disposed of as they see fit.

When making decisions related to Member records disposition, the following should be considered:

Nonreturning Members

Administrative, operational, or constituent case files that are complete should be closed and retained by the Member or destroyed. All remaining MLA-related records may be reviewed by office staff. If disposal is determined, the Member must sign off on an MLA records disposition request form indicating that the records have been reviewed and authorizing their disposition.

If a Member has open constituent case files, the Member may choose to transfer the files to the new Member. A consent to transfer file form must be completed prior to the new Member beginning work on the file.

LAO records management staff work with each nonreturning Member and the information and technology services branch with regard to disposing of the Member's records on Legislative Assembly-provided equipment and network accounts.

For further information please contact Val Footz, Legislature Librarian, responsible for records management and FOIP.

** Records include paper records, e-mail, electronic documents, microfilm, maps, images/photos, databases, or any recorded information used in the course of your duties as a Member. Records may reside in or on file cabinets, desk drawers, computers, laptops, tablets, and mobile devices, or the LAO network under your Member's account or constituency accounts.*

Returning Members

A review of all files should be done to determine what records need to be kept and which may be disposed of appropriately.

Administrative, operational, or constituent case files that are complete should be closed and retained by the Member or destroyed.

If disposal is determined, the Member must sign off on an MLA records disposition request form, indicating that the records have been reviewed and authorizing their disposition.

Due to the implementation of new electoral divisions, a constituent may be represented by another MLA following the general election. An open constituent case file may be transferred to another MLA by completing a consent to transfer file form prior to the new Member beginning work on the file.

LAO records management staff are available to assist Members and their staff in determining the best method of disposition and provide any advice or assistance required on any records management issue.

Caucus Records

Disposition of any records relating to the caucus office or the operations of the caucus should be co-ordinated with senior caucus management.

Websites and Links to Social Media

Members and Constituency Office

Upon dissolution, constituency office websites and social media accounts must either be deactivated, temporarily suspended or edited to remove any reference or link to the Member name, roles in the Legislature, et cetera, from the body, banners, headers, or footers of the site. If the constituency office website is to remain accessible during the election period, it must only provide nonpartisan information of use to constituents and content should be restricted to either a notice of the temporary suspension and/or basic contact information (office address, phone number, fax number, office hours) or links to nonpartisan community resources of use to constituents.

Constituency office websites and social media cannot be transferred to the candidate or party at election time and cannot be used to display party, constituency association, or election campaign materials.

Upon dissolution Members cease to be Members; therefore, all personal websites and social media accounts must remove any reference or link to the terms "Member" and "MLA".

Caucus

Upon dissolution caucuses must deactivate or temporarily disable all caucus websites.

Audio and Video Excerpts

Program material from any Assembly proceeding may not be used in advertising for political party purposes or during the election period.

Library Services

Upon dissolution Members remain eligible for resources and services to deal with emergent nonpartisan matters but not for election-related activities. Guided by the principle that Members should not have services that provide them with an advantage over other candidates, some services are suspended (such as in-depth research requests and interlibrary loans) when the Assembly is dissolved

and are re-instated for Members and their staff after polling day. Library cards in the possession of nonreturning Members may be retained for borrowing print material; however, associated privileges to licensed electronic content will cease.

Constituency Information

Constituency Offices

Constituency offices may remain open during the election period, and payments for rent and core services will continue to be made out of the respective MSA.

Constituency offices cannot be used to prepare, store, or distribute party, constituency association, or election campaign material; nor can offices display any material advocating the choice of any party or candidate.

After polling day rent payments for the constituency office will be paid out of the Member's Services Allowance of the newly elected or re-elected Member. Nonreturning Members are asked to co-operate to ensure a smooth handover of the office as soon as possible after the election (within 10 working days).

Each newly elected Member automatically assumes the constituency office location of the Member's predecessor following the election. If a change of office is necessary, arrangements are to be made in consultation with the Clerk of the Assembly and Financial Management and Administrative Services.

The standard lease form provides for the option to give notice of termination within a certain number of days of polling day. Depending on the terms of the agreement governing the constituency office lease, this will likely be either 30 or 60 days following polling day. It is important that Members wishing to terminate an existing lease arrangement contact the Legislative Assembly Office shortly after polling day so that sufficient notice can be provided to the landlord by the Clerk of the Legislative Assembly.

Constituency Office Employees and Independent Contractors

Employment contracts – Constituency office employees may continue to work in the constituency office but must not be involved in any way with party promotion, nominations, or election campaigning during normal working hours. Employees' LAO network accounts will remain active throughout the election period, but they are reminded that the use of the account and all LAO IT equipment (computers, laptops, tablets, and mobile devices) should be limited to dealing with constituent matters only and may not be used for election purposes.

Employees who wish to become involved with the election campaign during normal working hours must take either an unpaid leave of absence or vacation leave during the election period. Employees wishing to take such leave must inform the Senior Manager of Human Resources in writing prior to their leave. A constituency employee who is running for election as a Member must commence a leave of absence without pay upon dissolution.

In addition, upon dissolution and pursuant to all constituency office employment contracts, the employment contract will

“terminate on the 14th day after the next polling day in the Member's constituency, and the calling of a general election or a by-election in the Member's constituency shall serve as notice that the Employee's services will no longer be required.”

Members are asked to ensure that all employee attendance is up to date prior to dissolution. In the event of an employee's termination, all vacation and accrued overtime entitlements will be paid out of

the MSA. Attendance and hourly time sheets will be approved by the Clerk during the election period.

Staff travel ceases upon dissolution unless the individual is dealing with an ongoing or emergent, nonpartisan constituent matter, where prior approval has been obtained from the Clerk.

Independent contractor agreements (fee-for-service) – The LAO’s standard independent contractor agreement provides the option to terminate the contract on one week’s notice. When the Assembly is dissolved, all independent contractors will be served notice that services and products will not be required and contracts will terminate the day preceding polling day.

Constituency Office Security

Constituency office staff must advise the Sergeant-at-Arms’ office as to office closure so that appropriate measures can be taken. The names of staff who are not returning should also be sent so that key holder contact information can be amended.

All office keys should be accounted for. Upon completion of the “winding up” of constituency business Members who choose not to run or are not re-elected must ensure that keys to the constituency office are either given to the new Member during the handover, left with remaining constituency staff, or surrendered to the landlord. The Sergeant-at-Arms’ office should be advised of this.

Fixtures and furniture that have a panic alarm affixed to them cannot be moved without notification to the Sergeant-at-Arms’ office.

Constituency Office Equipment, Furniture, Fixtures, and Supplies

Any equipment, including IT equipment, furniture, fixtures, or supplies purchased with Legislative Assembly funds or provided by the Legislative Assembly, remains the property of the LAO and must not be used in any partisan campaign activities. The provision, management, reallocation, and disposition of these items is at the discretion of the LAO.

Prior to dissolution each Member will be sent an inventory list of all equipment assigned to the Member and constituency office. The Member is asked to reconcile each item and return a signed copy of the inventory list to the LAO prior to dissolution. If there are items not accounted for, the Member should be in contact to resolve the discrepancy as soon as possible.

IT support and services will be provided during the election period. Arrangements will be made to terminate network accounts for departing constituency employees as required.

Office supplies or promotional items provided by or purchased with LAO funds will also remain in the constituency office until a determination is made as to whether the office will remain open or move. If necessary, any reallocation of supplies or promotional items is at the discretion of the Director. After dissolution all orders for supplies must be approved by the Clerk of the Legislative Assembly.

Caucus and Independent Member Information

Upon dissolution, budgets for the caucuses and independent Members are maintained until the day preceding polling day to accommodate the payment of employee salaries and core services. Caucus directors/chiefs of staff are reminded that year-to-date expenses must not exceed their prorated budget.

Caucus and Independent Member Staff and Contractors

Employment contracts – Staff who work for a caucus or independent Member may continue to carry out normal duties during the election period but must not be involved in any way with party promotion, nominations, or election campaigning during normal working hours. Employees' LAO network accounts will remain active throughout the election period, but they are reminded that the use of the account and all LAO IT equipment (computers, laptops, tablets, and mobile devices) should be limited to dealing with caucus matters only and may not be used for election purposes. Employees who wish to become involved with the election campaign during normal working hours must take either an unpaid leave of absence or vacation leave during the election period. Caucus directors/chiefs of staff should inform the Senior Manager of Human Resources in writing of such leaves. A caucus employee who is running for election as a Member of the Legislative Assembly must commence a leave of absence without pay upon dissolution.

In addition, upon dissolution and pursuant to all caucus office employment contracts, the employment contract will

“terminate on the 14th day after the date set as polling day in the next general provincial election, and the calling of an election shall serve as notice that the Employee's services will no longer be required.”

Caucus directors/chiefs of staff are asked to consult with the Senior Manager of Human Resources with respect to the termination status of their employees and to verify outstanding vacation and overtime entitlements owing. On termination these entitlements will be paid out of the caucus/independent Member budget.

After the election results are known, each caucus will liaise with the Senior Manager of Human Resources with respect to caucus staffing decisions for the new Legislature.

IT support and services will be provided during the election period. Arrangements will be made to terminate network accounts for departing caucus employees as required.

Independent contractor agreements (fee-for-service) – All independent contractor agreements will be reviewed upon dissolution since services and products being provided may not be required. All independent contractors will be served notice that services and products will not be required, and contracts will terminate the day preceding polling day. Caucuses are asked to consult with Financial Management and Administrative Services with respect to any outstanding contractor issues.

Contact Us

If you require further information or interpretation of the guidelines in this document, please contact the appropriate individual.

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