

HANSARD
UNEDITED TRANSCRIPT
WEDNESDAY, OCTOBER 31, 2018
YELLOWKNIFE, NORTHWEST TERRITORIES

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YELLOWKNIFE, NORTHWEST TERRITORIES**Wednesday, October 31, 2018****MEMBERS PRESENT**

Hon. Glen Abernethy, Mr. Beaulieu, Mr. Blake, Hon. Caroline Cochrane, Ms. Green, Hon. Jackson Lafferty, Hon. Bob McLeod, Hon. Robert McLeod, Mr. McNeely, Hon. Alfred Moses, Mr. Nadli, Mr. Nakimayak, Mr. O'Reilly, Hon. Wally Schumann, Hon. Louis Sebert, Mr. Simpson, Mr. Testart, Mr. Thompson, Mr. Vanthuyne.

The House met at 1:30 p.m.

Prayer

---Prayer

SPEAKER (Hon. Jackson Lafferty): Good morning, colleagues. Item 2, Ministers' statements. Minister of Industry, Tourism and Investment.

Ministers' Statements**MINISTER'S STATEMENT 125-18(3):
GROWTH OF TOURISM IN THE NWT**

HON. WALLY SCHUMANN: Mr. Speaker, the numbers are in and I'm pleased to say that the Northwest Territories tourism sector continues to lead our territory's march to a more diverse economy. Even on the heels of what was an extraordinary year of growth, in 2017-2018 we have once again seen our tourism numbers climb.

For the first time, over 110,000 visitors travelled to the NWT, spending over \$203 million in the process. Overall, visitation to the Northwest Territories increased by 4 percent last year. While modest for the 2017-2018 fiscal year, it supports the much broader and steeper five-year trend of improvements that we are seeing in our tourism numbers.

Since 2013, visitation has increased by 19 percent. Spending has increased by nearly 50 percent and we are well on the way to achieving our target of \$207 million annually identified in our Tourism 2020 plan.

Mr. Speaker, the most notable increase in our new numbers is found in Aurora viewing. Thirty-five thousand visitors came to our territory last year to see our northern lights, a 17 percent increase over 2016-2017. Those visitors spent almost \$57 million, also a 17 percent jump.

Telling our story has been essential in getting us to this point. It will become even more important as we continue to grow our share of the international travel market. Central to

these efforts is our partner, NWT Tourism, whose staff represent the Spectacular NWT brand and work hard to showcase our territory and all it has to offer to our potential visitors, across the country and around the globe.

2018 was a good year for us. The NWT's participation in the Canada-China Year of Tourism realized an unprecedented exchange of information between our jurisdiction and the world's fastest-growing tourist market. This included the federally led trade mission to China during which NWT Tourism solidified a partnership with Flow Creative Marketing Limited. The partnership gives the Spectacular NWT brand a consistent, locally relevant presence in the Chinese market. It was an important step and an opportunity to attract even more visitors to our spectacular territory.

The mission also highlighted Alipay as an important tool to encourage Chinese travelers to consider the NWT as their destination, purchase their tourism experiences, and spend money once they got here. At a follow-up event earlier this month, Yellowknife business owners got an opportunity to learn first-hand how this third-party mobile and online payment platform can benefit and grow tourism-based businesses in the NWT.

Mr. Speaker, in September Industry, Tourism and Investment, along with NWT Tourism, ushered in a partnership with the Indigenous Tourism Association of Canada that will leverage investment in Indigenous cultural tourism in the Northwest Territories. This is a popular and unique element of our territory's tourism offering that gives our territory an edge in the competitive global tourism marketplace.

Next week, I look forward to attending Northwest Territories Tourism's Annual Tourism Conference, an event which will bring together the Northwest Territories' local industry, international tourism and travel experts, and government support networks to exchange ideas, learn, and celebrate tourism success across the Northwest Territories. The theme for this year's event is Change, Challenge, Opportunity. It is a timely and fitting theme, given the position of our industry today.

There is no doubt that the surge of tourism that we have seen in the past five years has brought unprecedented change to our business landscape. We're sharing the Northwest Territories with more people than ever before. Tourism has brought a great deal of opportunity for businesses; from charter fishing businesses to Indigenous tourism outfitters to aurora operators. The department's Facebook pages are full of stories about Northwest Territories residents and entrepreneurs using programs and supports to advance their part in our ever-expanding tourism sector.

While new products and services mean new opportunities, we are also experiencing growing pains. Our capacity to respond to increased infrastructure demands, enforcement, and administrative challenges is being stretched.

In the North our new highway has opened a new era of tourism. Preliminary numbers indicate that the number of park permits issued in the Beaufort Delta appears to have doubled. Visits to the Western Arctic Visitors Centre in Inuvik have increased by more than half. Meanwhile, three times more people popped in to the new visitors' information centre in Tuktoyaktuk than there are residents in the community.

Mr. Speaker, we are working with the hamlet, local entrepreneurs, and funding sources

like CanNor to catch up with the many needs and opportunities that are being identified daily.

Here in Yellowknife we have added staff to facilitate the winter use of our parks by commercial tourism operators. We have also invested in staff and resources to address concerns about the administration and enforcement of tourism licenses.

Across the Northwest Territories we have instituted safety planning for tourism operators as a condition of their tourism license. We're continuing our investments of more than \$5 million annually into the tourism-related businesses, infrastructure, and training under our Tourism 2020 strategy to ensure all tourism operators and their businesses are positioned to grow and benefit alongside our booming industry.

Mr. Speaker, we recognize the contributions that this sector can make to our overall objective of greater economic development and diversity. The numbers that we are seeing, and even the challenges that we are addressing, are evidence of the fact that our approach is working and that our investments are paying off. Industry, Tourism and Investment is committed to ensuring that the right programs and supports are in place to capitalize on the growing demand that we are seeing for our spectacular Northwest Territories. I look forward to seeing even more growth in our territory's second-largest industry in the years to come. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Ministers' statements. Minister of Municipal and Community Affairs.

MINISTER'S STATEMENT 126-18(3):

ADVANCING A NORTHWEST TERRITORIES PHYSICAL ACTIVITY STRATEGY

HON. ALFRED MOSES: Thank you, Mr. Speaker. Mr. Speaker, today I am pleased to provide an update on the Department of Municipal and Community Affairs' progress on our mandate commitment to develop and implement a Northwest Territories Physical Activity Strategy. This strategy will promote community wellness and encourage individuals and families to lead healthy lifestyles through the promotion of physical activity.

Earlier this year the South Slave communities of Hay River, Fort Smith, and the K'atlodeeche First Nation hosted a very successful Arctic Winter Games. They proved beyond a shadow of a doubt that our communities are capable of tremendous achievements when volunteers, organizations, and companies collaborate to support important sport and recreation projects.

I mention this major accomplishment because it lays the groundwork for an important principle, that being, when individuals, communities, organizations, and governments share a common vision and work together, our successes will be stronger, our actions will be more meaningful, and our results will have more impact. The Department of Municipal and Community Affairs will use this principle as the foundation of our Northwest Territories Physical Activity Strategy and a broader Sport, Physical Activity and Recreation Framework.

Mr. Speaker, earlier this fall the Department of Municipal and Community Affairs

retained the services of an external contractor to help develop a framework that will support sport, physical activity, and recreation in our communities.

The development process will include engagement with the organizations most directly involved in sport and recreation, as well as the public and communities. We are aiming for a plan that will ensure our investments from funds approved by the Legislative Assembly and from the Western Canada Lottery Program are invested wisely and for the greatest benefit for our residents.

Mr. Speaker, by the spring of 2019 Members of this House will be able to review and comment on:

- A Northwest Territories Sport, Physical Activity, and Recreation Framework, including our mandate commitment, the complementary NWT Physical Activity Strategy;
- A funding policy for the utilization of Western Canada Lottery Program resources; and
- An evaluation framework to measure progress in future years.

Mr. Speaker, I look forward to hearing from residents and stakeholders throughout the engagement process. These important policies will help us make wise use of our resources for sport, physical activities and recreation to make our communities stronger and our people healthier. Marsi cho, Mr. Speaker.

MR. SPEAKER: Masi. Minister's statements. Colleagues, allow me to draw your attention to people in the gallery. We have with us here today Mr. Anthony W.J. Whitford. As many of you know, Mr. Whitford has had many roles in the past; former Commissioner, former Speaker, former Minister, former Member, former Sergeant-at-Arm, honorary Clerk at the Table, and a Member of the Order of the NWT. Welcome to our Assembly. In addition to that, colleagues, we have with us Mr. Yacub Adam, member of the NWT Human Rights Commission. Welcome to our Chambers.

Item 3, Members' statements. Member for Yellowknife North.

Members' Statements

MEMBER'S STATEMENT ON UNION OF NORTHERN WORKERS AND GOVERNMENT OF THE NORTHWEST TERRITORIES NEGOTIATIONS

MR. VANTHUYNE: Mr. Speaker, as we are seeing, the threat of a work stoppage looms large every day. Four thousand workers across the territory have been without a contract for more than two years, and they are frustrated. On the other side is a government that is walking a very narrow line between supporting economic growth and pinching every possible penny.

Mr. Speaker, I am not one of those who will stand up and suggest the government has lots of money and should be ever more generous with our workers. I know we have all worked too hard in the 18th Assembly, keeping a careful eye on spending, and I know

for a fact that every dollar is being stretched.

On the other hand, I see the UNW membership not as opponents but as members of the same team. Any good policy idea, program, or service that gets debated in this Chamber will one day need our highly skilled team of employees to make it happen. The union membership deserves our gratitude and respect for the contribution they make to our standard of living throughout the entire NWT.

It's not my place to comment on specifics, but the membership feels as though it's been given nothing for a long time. In this room, as I have said, we know how hard the pennies are to come by. As partners with them, we can see that is a problem.

However, the alternative, job action, is a blunt weapon. It will hurt everyone; the membership, the local businesses we all shop at, the rising debt of those temporarily out of work, and the clients of the many government programs that will have to be suspended or delayed. No one benefits from a job action in this case.

So, Mr. Speaker, I will echo the words of my colleague from Kam Lake earlier this week. I urge participants from all sides of these negotiations to not give up, to keep at the bargaining, and to continue seeking compromises that can lead to a resolution. None of us will be better off if job action takes place, especially with a fragile economy. Negotiations must not fail. We must reach a compromise that allows our professional, engaged public servants to go back to work, confident that their contributions are needed, valued, and respected. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Members' statements. Member for Nunakput.

MEMBER'S STATEMENT ON MOULD IN HOUSING UNITS IN NUNAKPUT

MR. NAKIMAYAK: Quyanainni, Mr. Speaker. Mr. Speaker, mould is a persistent problem in northern housing, and it's one that can have potentially severe impacts on health and well-being. It's also a housing problem that's often not too well understood. Sometimes it can be addressed with a bit of focused cleaning. Other times, professional remediation is required, which is usually the case across the northern part of the territory.

Mr. Speaker, mould is a fungal growth that crops up in spaces where there is excess moisture in the air. That could be places like windowsills or bathroom walls or in materials that get damp, like carpet or drywall. As mould grows, it releases spores into the air. Breathing in these spores can cause health problems, aggravating pre-existing conditions like asthma or contributing to serious respiratory infections.

Now, how does mould happen? Well, it can have many causes. Overcrowding in homes can overwhelm houses' ventilation systems, bringing on moisture buildup. Mr. Speaker, poor construction is one of the contributing factors to mould in the Northwest Territories. Poor windows and insulation, insufficient heating, wet materials, little or no ventilation, and irregular maintenance can also contribute.

Finally, Mr. Speaker, how can we fix it? A Government of Canada paper called "Meeting

the Northern Housing Challenge" made a number of suggestions for housing design itself: exterior porches; open-concept living areas; large south-facing windows; minimal corners and edges which encourage heat loss; and sealed roofs. Incorporating these things into housing planning, along with individual moisture management and maintenance practice, can help keep homes mould-free.

Mr. Speaker, mould problems can be very intimidating. People may be embarrassed or may not be able to identify whether the mould is a health risk or an easily solved matter. They may also be concerned for their health and the health of their families. I would like to see more public communication and public information on this subject, Mr. Speaker. Later I will have questions at the appropriate time. Quyanainni, Mr. Speaker.

MR. SPEAKER: Masi. Colleagues, I would like to draw your attention to the gallery again. We have with us Grand Chief Gladys Norwegian. Welcome to our Assembly. We also have the presence of the mayor of Tuktoyaktuk, Merven Gruben. Members' statements. Member for Yellowknife Centre.

MEMBER'S STATEMENT ON CHILDCARE AGREEMENT

MS. GREEN: Mahsi, Mr. Speaker. Mr. Speaker, I rise today to talk about the high cost and limited availability of licensed childcare in Yellowknife. For young families in Yellowknife, the cost of childcare is the second-largest household expense. Parents are paying \$900 per month on average to have one child in full-time care. The other issue is availability. The Yellowknife daycare, for example, has a waiting list of 151 children. They have space for 100 children.

These are basic problems, and they exist in other NWT communities, as well. Childcare is unaffordable, even for parents with two good incomes, particularly if they have multiple children in care. Eleven NWT communities do not have licensed childcare, at all. I made universal childcare a priority during the last election. Universal childcare was included in the mandate, but it was later watered down to read "creating an action plan for a phased-in approach to making childcare more accessible and more affordable."

There are so many reasons for the GNWT to invest in universal, affordable childcare. The first is child development. Second, women could choose whether to remain in their paid jobs or stay at home with their children, making a decision not solely driven by affordability or availability. Investing in universal, affordable childcare even benefits those without small children. It creates a demand for training and additional employment in the childcare field, itself. The NWT Bureau of Statistics estimates that the economic multiplier, a type of return on investment, for childcare services as 9.86 jobs for every \$1 million invested, and parents who return to the workforce as well as the additional childcare staff are paying taxes and spending.

Mr. Speaker, in its mandate tracker, the government has marked this commitment as "fulfilled." This is ridiculous. Costs have not gone down, and accessibility has not gone up. While Cabinet wrings its hands about adding to the cost of living with a carbon tax; for example, they are okay to leave the high costs of childcare where it is.

The agreement with Canada does not address these issues. The plan I found online, it

has not made its way to committee yet, says most of the money will be allocated to professional development. It will apparently create 100 spaces over the next three years; peanuts, even if it was all spent in Yellowknife, and there is no word on how the agreement will make childcare more affordable. I will have questions for the Minister. Mahsi.

MR. SPEAKER: Colleagues, I draw your attention to the visitors in the gallery, as well. We have with us here the mayor of Paulatuk, Ray Ruben. Welcome to our Assembly. Mahsi. Members' statements. Member for Deh Cho.

MEMBER'S STATEMENT ON FORT PROVIDENCE FIRE DEPARTMENT

MR. NADLI: Mahsi, Mr. Speaker. Mr. Speaker, earlier this week the Department of Municipal and Community Services recognized exceptional NWT firefighters through the annual Fire Service Merit Awards.

Collectively, the Fort Providence Fire Department received a merit award in recognition of the advancements they've made in achieving organizational excellence and safety compliance. I'd like to extend a congratulations to them.

Mr. Speaker, this is no small thing. I'm very proud of what the Fort Providence Fire Department has accomplished, especially after a recent reorganization. As with many local services, communities come together to get the job done.

New Fire Chief Andy Carpenter and along with Deputy Fire Chief Cameron Sapp lead a fresh crew of volunteers, and I know that a great deal of training and planning went into their reorganization. The team had to work through several levels of training before they could qualify to officially fight fires in the community, and I can assure you, Mr. Speaker, that the whole community is grateful for these volunteers' service.

While we're on the subject, I also want to leave Members and listeners with a few thoughts on fire safety. With winter setting in, it's more common for residents to burn wood at home. Extra attention must be paid to proper maintenance and care, including cleaning up chimneys and wood stoves and keeping an eye on all burning fires. Remember the ABCs: always be careful. Mahsi, Mr. Speaker.

MR. SPEAKER: Masi. Members' statements. Member for Sahtu.

MEMBER'S STATEMENT ON NEWLY ELECTED COUNCIL IN NORMAN WELLS

MR. MCNEELY: Thank you, Mr. Speaker. Mr. Speaker, the Department of Municipal and Community Affairs revoked the duties from the town of Norman Wells leadership on October 18, 2017. The town of Norman Wells since has been under the appointment of the administrator.

Mr. Speaker, the NWT seen six municipal elections on October 15, 2018, Norman Wells included. The community encountered many downward economic challenges in the absence of leadership. Residents continue to reside in an environment of uncertainty.

Now, Mr. Speaker, through determination and resiliency the community is experiencing positive growth. The oilfield is back in operation, residents are returning to the community, and the first 14 kilometres of the Mackenzie Valley Highway are completed with signs of further sectional construction.

The Department of Health and Social Services' regional health centre, with employment of 70 positions, has made a huge economic contribution to the community's stability.

Mr. Speaker, concerned parents are united and determined to reopen the Norman Wells daycare. Kudos to them.

Mr. Speaker, with a 64.5 percent election turnout during the last election on October 15th, I look forward to working collaboratively with the new leadership. This will start right after the inauguration set by the leadership during the first week of November. Mahsi

MR. SPEAKER: Masi. Members' statements. Member for Nahendeh.

MEMBER'S STATEMENT ON MUNICIPAL AND COMMUNITY AFFAIRS FUNDING

MR. THOMPSON: Thank you, Mr. Speaker. Mr. Speaker, in the Northwest Territories, community governments can provide municipal services to our residents who rely on annual core funding from the Department of Municipal and Community Affairs for their operation and maintenance needs. This funding also allows them to provide vital water and sewer services to community residents and build public infrastructure.

At the start of the Legislative Assembly, the Government of the Northwest Territories acknowledged that there is a gap between the core funding needs of the community governments and the level of funding that they are getting. In its 2016 mandate, the GNWT committed to developing a strategy to close this funding gap over the next nine years, which meant we could expect the gap to be closed by the year 2025-2026.

In 2018-2019, MACA's business plan said that the community operations division would begin to implement the strategy that "will allow the government to close the gap in community government funding levels over the next nine years." On this basis, it would appear that we now expect the municipal funding gap to be closed by the year 2027-2028.

Mr. Speaker, it has been three years since this commitment was made, and the Members of this Assembly have yet to see the strategy. Every year that there is a shortfall in funding to community governments, the amounts of the shortfall compound, meaning that the funding gap that existed in 2016 has grown over three years, while at the same time inflation increases the cost of living and erodes the spending power of municipalities.

I am concerned at the lack of process by GNWT on mandate commitment 4.5.5. If the department keeps pushing off the start of the nine-year window for closing the gap, we will never see this gap being addressed. For years that we delay this work, there needs to be a recognition that the strategy may have to change to account for the compound growth in the funding shortfall.

I'm not confident MACA is accurately accounting for this fact, nor do I have any comfort that a strategy is forthcoming. Today I will have questions for the Minister of Municipal and Community Affairs on the department's work in this area. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Colleagues, I am drawing your attention to the visitors in the gallery. We have with us here today Mr. David Ramsay, former Member and former Minister. Welcome to our Assembly. Members' statements. Member for Frame Lake.

MEMBER'S STATEMENT ON TOURISM REGULATION

MR. O'REILLY: Merci, Monsieur le President. Recent CBC reports raise many concerns that tourism licensing, regulation, and enforcement is weak and ineffective, and that operations could pose a risk to tourists, to the reputation of the tourism industry, and even to personal safety.

The media reports are detailed and extensive, citing problems with individual operators and the ability of the GNWT to enforce its rules and correct operators who may be out there doing something that is not quite right.

Under the law, an operator must have a licence issued by the territorial government to take money from tour services. If an operator is unlicensed, they are not obliged to follow safety rules nor have the proper insurance for their activities that can place tourists at a greater risk.

Media reports include many instances of operations providing poor tour experiences, including uninsured operations such as unsupervised canoeing. Instances of baiting wildlife to arrange photo ops for visitors have been reported, and we're all aware of the instances of road accidents, unsafe parking, and stranded tourists in and around Yellowknife.

I've also spoken in the past on the inadequacy of our consumer protection law. The case of a Yellowknife restaurant offering fish from Kazakhstan as local pickerel. Any policing of the tourism sector requires the ability to receive and investigate complaints in a timely fashion, and provide redress and restitution to customers who have not been fairly treated.

In the Hansard of October 18th, Small Business Day, the ITI Minister had this to say about tourism: "We are a victim of our own success. I have said that in this House before. Build it, and they will come. That is what happened around tourism, and that is what is happening particularly in the region of Yellowknife." As I can't fail to point out again, the commitment to building the tourism industry has not included a new visitors' information centre for Yellowknife, and according to these recent CBC reports, has not included an adequate capacity to regulate and protect the quality of the tourism industry.

As this government continues to promote tourism as economic diversification, we need to protect the quality of our product and ensure adequate regulation for the experience and safety of the visitors who come to Yellowknife and the NWT as a whole. I will have questions for the Minister of Industry, Tourism and Investment later today. Mahsi, Mr.

Speaker.

MR. SPEAKER: Masi. Members' statements. Member for Tu Nedhe-Wiilideh.

MEMBER'S STATEMENT ON
PASSING OF CHARLES "SUNSHINE" LAROCQUE AND JAY LAROCQUE

MR. BEAULIEU: Marsi cho, Mr. Speaker. Mr. Speaker, today I would like to do a eulogy for two men who were lifelong residents of the Northwest Territories; both of whom were close friends of mine. Their names are Charles Larocque and William Larocque. They were first cousins, and they passed away about a month apart last September and last August.

Mr. Speaker, Charles Larocque was born on July 17, 1955, and passed away at the age of 63 on September 27, 2018. Charles had a nickname. To everyone who knew him, he was "Sunshine." Sunshine was predeceased by his father, Archie Larocque, and his brothers, Johnny and Pat, as he had a nickname so that the majority of his family are his siblings.

Mr. Speaker, Sunshine is survived by his wife, Margaret Mckay; his mother, 90-year-old Florence Larocque; his children, Kento, Shawna, and Savanna. I am going to try some nicknames of these siblings, Mr. Speaker. His siblings were Wally, Terri, Annie, Dawna, Allan, known as "Stinky," James "Lovey," Frank, Vernon "Sweet," George "Snuckie," Darryl "Levie," Elaine "Fatso," Melvin "Ugly man," Jack "Arsenic," Roy "Bucklow," Archie "Smokey," Clifford "Blue," Therese, Brian "Garbage," and Henry.

Mr. Speaker, William Larocque also had a nickname, and he was known as "Jay." He was born on January 29, 1954. He was 64 years old when he passed away on August 15, 2018. Jay was predeceased by his mother, Harriet (Mcswain) Mercredi, and his father, Stan "The Man" Larocque, and his brother, Allan.

Mr. Speaker, Jay is survived by his wife, Gibby; his children, Janice, Michelle, Nancy, Russel, and Brendan; his siblings, Martha Mercredi, Ruth McCullough, Lloyd Willy, James "Ugly Man" Larocque, Larry "Buckler" Larocque, Gord Mcswain, and William Mcswain, better known as "Willy."

Mr. Speaker, Sunshine was a well-liked man, known to everyone across the Northwest Territories. He has been a friend of mine. He was a mine for 50 years, and I never heard one single person say anything negative about him.

Jay Larocque was much the same, Mr. Speaker. In fact, at his funeral, I spoke to Jay's mother-in-law, Mrs. Hamilton. After the church, she came up to me, and she said, "I had no idea how many friends Jay had."

Mr. Speaker, both of these were wonderful people. The NWT has truly lost great individuals in Sunshine and Jay. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Our condolences to the family, as well, and the community. Members' statements. Item 4, returns to oral questions. Item 5, recognition of visitors in the gallery. Member for Nunakput.

Recognition of Visitors in the Gallery

MR. NAKIMAYAK: Thank you, Mr. Speaker. Mr. Speaker, I would like to recognize Rita and Joe Banksland. Rita is originally from Ulukhaktok, and lives in Yellowknife now; my high school buddy, Ryan Yakeleya is up there, as well, too; again, the Mayor of Paulatuk, Ray Gruben; and also my beautiful wife, Yvonne, who is sitting in the gallery. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Recognition of visitors in the gallery. Member for Nahendeh.

MR. THOMPSON: Mr. Speaker, I would like to recognize two constituents of mine: first, Gladys Norwegian, Grand Chief for the Dehcho Nation; and Emma Amundson, who is on the board of directors for the Native Women's Association. Welcome and thank you very much for attending.

MR. SPEAKER: Masi. Recognition of visitors in the gallery. Member for Range Lake.

HON. CAROLINE COCHRANE: Thank you, Mr. Speaker. Mr. Speaker, I have a list of people I would like to recognize today. I would like to recognize Mr. Fraser Oliver and David Murphy from the Northwest Territories Teacher's Association. Thank you for being here.

The Native Women's Association, we have from the board of directors Ms. Liza Piper, the president; Mabel Brown; Rita Banksland; Cheryl Voytilla; Karen Caesar; Emma Amundson; Angela McKay; Jane Weyallon; Therese Villeneuve. From the staff of the Native Women's Association, we have Jennie Turner; Rachel Tambour-Zoe; Marie Speakman; Tina Hawker; Delilah Turner; Cheryl Moore; Sandra Cumming; and Rita Wray.

I would like to also take a moment to welcome another woman in leadership, Ms. Gladys Norwegian. I am honoured to have you here. Of course, I could not forget my nephew. Garrett Cochrane is in the gallery today. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Recognition of visitors in the gallery. Member for Kam Lake.

MR. TESTART: Thank you, Mr. Speaker. I would like to recognize two members of the Kam Lake constituency: Mr. Todd Parsons, president of the Union of Northern Workers and Kam Lake constituent; and Mr. Fraser Oliver, Kam Lake constituent and member of the NWT Teacher's Association. Thank you for being here today.

I would also like to recognize Mr. Dave Ramsay, the former Member for Kam Lake, and Mr. Garrett Cochrane, the former CA for the Member for Kam Lake. Thank you.

MR. SPEAKER: Masi. Recognition of visitors in the gallery. Member for Yellowknife North.

MR. VANTHUYNE: Thank you, Mr. Speaker. Mr. Speaker, today, I would like to recognize some constituents from the riding of Yellowknife North: the man of many hats, of course, Mr. Tony Whitford. I would like to recognize, Yakub Adam, Frank Walsh, and Dave Ramsay. Welcome to the House and thank you for being here.

MR. SPEAKER: Masi. Recognition of visitors in the gallery. Member for Tu Nedhe-

Wiilideh.

MR. BEAULIEU: Thank you, Mr. Speaker. I, too, would like to recognize a couple of constituents of mine. My understanding is that Shirley Tsetta might be here from Ndilo. Angela McKay, I would like to recognize Angela. She is from Fort Resolution. I would like to also recognize Terry Villeneuve. Terry is a respected elder from my home community and mother of the former Member from Tu Nedhe, Bobby Villeneuve. Thank you.

MR. SPEAKER: Masi. Recognition of visitors in the gallery. Member for Deh Cho.

MR. NADLI: Thank you, Mr. Speaker. Mr. Speaker, I, too, would like to recognize Gladys Norwegian, the Grand Chief of the Dehcho First Nations. I understand Gladys is from Tthets'ek'ehdeli or Jean Marie River. I would like to welcome her to the House today. Mahsi.

MR. SPEAKER: Masi. Recognition of visitors in the gallery. Member for Yellowknife South.

HON. BOB MCLEOD: Mr. Speaker, I am pleased to recognize a constituent of Yellowknife South, Gayla Thunstrom.

MR. SPEAKER: Masi. Recognition of visitors in the gallery. Member for Hay River North.

MR. SIMPSON: Thank you, Mr. Speaker. I haven't been able to find her, but I have been told that resident of Hay River, Jaylene Delorme-Buggins, is in the gallery. Once again, she is here with the Native Women's Association and, I believe, just recently back from a trip to South America with other Aboriginal youth. She does a lot of good things for the youth. I want to welcome her to the Assembly. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Recognition of visitors in the gallery. Member for Mackenzie Delta.

MR. BLAKE: Thank you, Mr. Speaker. Mr. Speaker, I would also like to recognize Mabel Brown, originally from Aklavik; also, my high school friend, Ryan Yakeleya; also, long-standing mayor of Paulatuk, Ray Gruben; also, Merven Gruben from Tuktoyaktuk, the mayor; also, former MLA and Minister and good friend, Dave Ramsay. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Recognition of visitors in the gallery. [Translation] I would like to recognize visitors from my community, Jane Weyallon. Welcome to the Assembly. [Translation ends] Also with us, Kelly Clarke, who is the mother of Tyson Clarke, one of the pages here. Welcome to our Assembly. Masi.

I would like to thank all of you for joining us here today. It is always great to have an audience as part of our proceedings. Masi. Recognition of visitors in the gallery. Member for Sahtu.

MR. MCNEELY: Masi, Mr. Speaker. I, too, would like to recognize three ladies from the Sahtu: Yvonne Nakimayak, Marie Speakman, and my cousin, Karen Caesar. Masi.

MR. SPEAKER: Masi. Recognition of visitors in the gallery. Member for Hay River South.

HON. WALLY SCHUMANN: Thank you, Mr. Speaker. I would like to recognize Jake Heron, chief negotiator for the Metis Nation. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Recognition of visitors in the gallery. Masi. Item 6, acknowledgments. Item 7, oral questions. Member for Yellowknife Centre.

Oral Questions

QUESTION 481-18(3): CHILDCARE AGREEMENT

MS. GREEN: Mahsi, Mr. Speaker. My questions are for the Minister of Education, Culture and Employment. Can the Minister explain to us how spending the bulk of the federal contribution to childcare on professional development will make services more available and more affordable? Mahsi.

MR. SPEAKER: Masi. Minister of Education, Culture and Employment.

HON. CAROLINE COCHRANE: Thank you, Mr. Speaker. Providing professional development for daycare staff or for people who are looking into getting into the field is part of the solution to making childcare more affordable and more accessible. If we don't have qualified staff to provide the services, it is not accessible. We had people in childcare centres who don't have the qualifications. We are trying to improve them.

Our children are our most valuable resource. We need to provide the support so that they get the quality programming. We are providing the two-year early childhood development. It is going to be a diploma program. We are providing, with the federal government, up to 30 scholarships for people to get into that field. It is part of the answer. It is not the whole answer. Thank you, Mr. Speaker.

MS. GREEN: Thank you to the Minister for that response. Can the Minister please tell us how she's going to make childcare more accessible and more affordable?

HON. CAROLINE COCHRANE: I have to give credit where credit was due. It was under the guidance of the previous Minister of Education, who did a great job actually increasing the amounts that are paying for subsidies to childcare centres to actually provide services for children. That was a great move on his part. I really recognize that, and congratulate him very much.

The other thing we are doing is that in the Member's speech. We have 11 communities that don't even have childcare centres. Research says early intervention is the key. Out of those 11 communities, we are working diligently. We are trying to get as many of them as possible to actually open up a childcare centre, some kind of early childhood support for their children. We have made a little bit of progress. We are working right now. Out of those 11 only, we are working with Norman Wells and Enterprise, and we are hoping that they will have centres coming in within a short while. We know that we still have nine more communities after that to go, but they are totally on my radar, and I am trying my best, Mr. Speaker to try to support those communities so that they can

have early intervention programming for their children.

MS. GREEN: I would like to ask the Minister why the mandate tracker says the commitment to creating an action plan on affordable and accessible daycare is fulfilled when we have a 100-person waiting list here in the Yellowknife daycare, and a month of daycare costs almost two weeks of minimum wages?

HON. CAROLINE COCHRANE: Earlier I had said, I need to give credit where credit is due, and I also have to take responsibility where responsibility is due. I did see that as it was fulfilled, and I am not okay with that. We are actually adjusting that. We will have a more complete plan.

MR. SPEAKER: Oral questions. Member for Yellowknife Centre.

MS. GREEN: That is welcome news, Mr. Speaker. I am looking forward to additional detail. In the meantime, I'm wondering when the Minister is planning to share the plan that's part of the Canada-NWT bilateral agreement, along with the information that substantiates the professional development being funded with the Standing Committee on Social Development? Thank you.

HON. CAROLINE COCHRANE: I didn't know, actually. I had made the assumption, a wrongful assumption, it looks like, that that was already shared with standing committee, so I will make a commitment that we will share that with standing committee at the earliest convenience. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Oral questions. Member for Nahendeh.

QUESTION 482-18(3):
MUNICIPAL FUNDING GAP

MR. THOMPSON: Thank you, Mr. Speaker. Mr. Speaker, earlier today I did a Member's statement on the funding gap for municipal governments. My questions will be for the Minister of Municipal and Community Affairs. Can the Minister advise us what amount of the annual funding gap at the beginning of this Assembly, what is the gap? Thank you, Mr. Speaker.

MR. SPEAKER: Minister of Municipal and Community Affairs.

HON. ALFRED MOSES: Thank you, Mr. Speaker, and I appreciate the Member's concern, and I appreciate his statement. This is a concern that we've been working on and trying to address. We have been working with the NWT Association of Communities to the Member's question. At the beginning of the 18th Legislative Assembly, the funding gap was approximately \$39 million; 15 in operations and maintenance, and water and waste combined; and an additional of about \$23 million in capital. For the current fiscal year, the funding gap is about 4.5 in O and M, and 4.8 in water and waste, including new costs identified for solid waste management. Thank you, Mr. Speaker.

MR. THOMPSON: I appreciate the answer from the Minister, and I appreciate the department's work with the NWT's Association of Municipalities. Can the Minister advise what the department has done to close the gap over the last three years?

HON. ALFRED MOSES: We have seen some increments in the capital funding since about 2014. MACA has been successful, though, in reducing the gap in operations and maintenance funding and environmental service funding by almost about 50 percent.

On the capital side of things, we have seen a significant funding investment through the federal infrastructure programs that has helped us mitigate the gap over the short period of time. We are running some of those projects out to the municipalities over the next year.

One initiative that MACA has started and implemented is an asset management strategy, and we are working with all the communities to develop that and look at ways we can maximize the useful life of their public infrastructure, and not increase the pressure on capital funding moving forward so we can actually stretch our dollar in working with our municipal governments.

MR. THOMPSON: I greatly appreciate the Minister's answer to that, and I'm very excited about the department working on their asset management, getting a longer life out of our facilities, and making sure they work better. I applaud the department for doing that. Has the department done any calculations or projections to determine the cumulative shortfall of the funding gap since 2016, and what is the amount of funding gap right now?

HON. ALFRED MOSES: To date, the department has not done any analysis on the cumulative shortfall. MACA continues to move forward on an ongoing basis to improve the ways that we do fund communities. As I mentioned, since 2014 we have seen a slight increase in the amount of funding that we do get. We do have to work within a GNWT fiscal framework, but we continue to look at ways we can try to lobby for more funds. Working with the federal government is one way that we've done it. Looking at some of their programs to help us offset some of the costs in our municipal governments, and we'll continue to work with our partners, in particular the NWT Association of Communities, to find ways that we can look at closing this gap, or at least making an impact on that.

MR. SPEAKER: Oral questions. Member for Nahendeh.

MR. THOMPSON: Thank you, Mr. Speaker. Thank you very much for the Minister for providing that information. I understand the fiscal realities of the Northwest Territories, and I understand that, but we're talking about our municipal government. I would hope that the government would start looking at trying to close that gap even quicker. Will the Minister commit to tabling the department's strategy to fulfill the mandate commitment of 4.55 at the next sitting of this Assembly in February? Thank you, Mr. Speaker.

HON. ALFRED MOSES: I appreciate the Member does recognize our fiscal situation here within the GNWT, and as we go through our operations budgets as well as our capital budgets, we have to compete against things such as schools, health centres, roads, other types of infrastructure. Then you have to look at all the program services that we provide to residents of the Northwest Territories. We are working diligently with the NWT Association of Communities as well as our municipal government and our leaders across the Northwest Territories to address the concern that the Member has

brought forward. It is, as all Members know it is, a tough way to make decisions in this House sometimes, but I will make a commitment that I will table the strategy in the winter session and make sure that we do share it with our stakeholders so that everyone is aware of the strategy that we are looking at moving forward to address the concern that the Member has brought up. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Member for Kam Lake.

QUESTION 483-18(3):
UNION OF NORTHERN WORKERS AND GOVERNMENT OF THE NORTHWEST
TERRITORIES NEGOTIATIONS

MR. TESTART: Thank you, Mr. Speaker. Mr. Speaker, I'm hoping to ask the Minister of Finance some questions around the collective bargaining to put some fears at rest in the community. The looming threat of strike is something nobody wants to hear. Other honourable colleagues have raised this issue, and we know that the mediation has ceased. When does the Minister anticipate the release of the mediator's report? Thank you, Mr. Speaker.

MR. SPEAKER: Minister of Finance.

HON. ROBERT MCLEOD: Thank you, Mr. Speaker. Mr. Speaker, we are soon in the process of talking with U and W, and the doors are always open for further talks. I will say no more than that. Take the question as notice. Thank you.

MR. SPEAKER: The question has been taken as notice. Oral questions. Member for Frame Lake.

QUESTION 484-18(3):
TOURISM REGULATION

MR. O'REILLY: Merci, Monsieur le President. My questions are for the Minister of Industry, Tourism and Investment; and my apologies, well, I can't.

MR. SPEAKER: Well, you can still raise your question. The Premier is here.

MR. O'REILLY: Mahsi, Mr. Speaker. My questions are for the Minister of Industry, Tourism and Investment. I apologize, I did not give him much of a heads-up. Today I catalogued a number of concerns with the quality of the tourism products being offered and this government's ability to regulate the industry for the protection of tourists and our product reputation. Could the Minister briefly explain how the tourism licensing system operates and what consequences there are for persons operating without licensing? Mahsi, Mr. Speaker.

MR. SPEAKER: Masi. The Honourable Premier.

HON. BOB MCLEOD: Thank you, Mr. Speaker. You cannot manage what you cannot count. Our licensing system allows us to know how many people are delivering tourism services, what they are, and what time of year their products are being delivered. It can help us measure growth, identify gaps, and guide our planning and investment. We also have legislation that determines which areas of tourism require licences.

MR. O'REILLY: Recent years have seen an explosion of tourism, and I believe the Minister talked about that in his statement earlier today, and a lot of this is related to aurora viewing. Can the Minister give us some idea in the growth in the number of Yellowknife operators and licences in recent years?

HON. BOB MCLEOD: This year, we have 151 tourism licence holders in the Northwest Territories. Last year, we had 147 tourism licence holders. Five years ago, we had 109 tourism licence holders.

MR. O'REILLY: I would like to thank the Premier for those numbers. So, a very significant growth, almost 50 percent it looks like. According to all indicators, the volume of visitors and the tourism operators will continue to grow. This raises some issues for me and other residents of the NWT around the adequacy and suitability of the measures that we use to regulate, inspect, and enforce our tourism licensing. In light of the issues that I raised earlier today and that are out in the media, what evaluation and possible legislative changes are needed to ensure we have the right tools in place to meet these challenges?

HON. BOB MCLEOD: I have been involved with the Department of ITI. In fact, I was the Minister, I think, for the first year of this government. We do not see this as a systemic problem, and I am not convinced that it is today. We are more interested in growing our industry and its capacity than we are in pursuing discipline, especially if there is apparently opportunity to turn it into growth. If we want to change this approach, it would require changes to the Tourism Act, and I would expect that it would have to be done in the next Assembly.

MR. SPEAKER: Masi. Oral questions. Member for Frame Lake.

MR. O'REILLY: Merci, Monsieur le President. I think I differ with the Premier's assessment of the state of the industry and our capacity to regulate it. My statement also mentioned the inadequacy of consumer protection laws. Here, tourism officers of course cannot sit around and read to see what kind of advertising and services are out there. It's important that we have a vigorous system to receive and investigate complaints and provide restitution where appropriate, and that includes, of course, the ability for tourists to hear back about complaints, even while they are here, in town. So can the Minister explain how our tourism-complaint system works and whether it's adequate as currently operates?

HON. BOB MCLEOD: As the Member knows, the Department of Municipal and Community Affairs deals with consumer protection, so we work closely with MACA but primarily in areas of licensing accommodations in communities. In the area of enforcement, we work much more closely with the Department of Infrastructure and the City of Yellowknife and even the RCMP. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Oral questions. Member for Nunakput.

QUESTION 485-18(3):
MOULD IN HOUSING UNITS IN NUNAKPUT

MR. NAKIMAYAK: Thank you, Mr. Speaker. Mr. Speaker, earlier, I spoke of mould in

new construction and mould in the Northwest Territories, and my questions are for the Minister of Housing. Mr. Speaker, to date, what kind of public information initiatives has the Housing Corporation delivered to educate residents on mould prevention and remediation? Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Minister responsible for the Northwest Territories Housing Corporation.

HON. ALFRED MOSES: Thank you, Mr. Speaker. Mr. Speaker, I think education, client education, in terms of public housing is key in preventing such things as mould, also with our repair programs. Specifically speaking about the mould issue, we have incorporated mould-prevention information with our STEP home maintenance and repair course as well as provided information on our website, and I encourage anyone who might be experiencing any kind of mould issues just to take a look on our NWT Housing Corporation website. They have got a lot of information on there to help assist in terms of prevention as well as cleaning and how to prevent it from happening. Any of our public-housing tenants who are experiencing mould in the small communities, I also encourage them to contact their local housing organizations. We are also working with homeowners to address some of the issues that they have. So NWT Housing Corporation have been very strong educators in terms of how to address the issue around mould, and we will continue to work with our tenants as well as even our homeowners in our communities.

MR. NAKIMAYAK: I appreciate the response. It's good that the LHOs also do outreach in the communities where people do not have access to the Internet. Mr. Speaker, when the Housing Corporation builds new units, how are these units built with moisture management and mould prevention in mind?

HON. ALFRED MOSES: Mr. Speaker, the NWT Housing Corporation installs moisture-resistant drywall in bathrooms to reduce the chances of mould. Proper use and maintenance of ventilation systems by tenants and homeowners also helps to prevent mould formation. We evaluate new products for potential use in new construction when we are building new units in the communities, and keeping in mind you need northern considerations, such as transportation costs and installation. We also work with our partners. As the Member knows, the Inuvialuit Regional Corporation has been a big partner in terms of building new units up in the Beaufort Delta region. They have installed heating, ventilation, and air conditioning, so HVAC, equipment in the units, and they are helping address some of these issues. They are more modern. They are more energy efficient, and hopefully will be easier to maintain as we move forward.

MR. NAKIMAYAK: I appreciate the response. Mr. Speaker, it's good, and I would like to encourage the Northwest Territories Housing Corporation on better construction methods and also more culturally appropriate housing for people who live on subsistence harvesting. Mr. Speaker, if residents are living in a Housing Corporation unit with mould problems, what steps can they take to see the issue diagnosed and addressed?

HON. ALFRED MOSES: Mr. Speaker, as I mentioned, first and foremost, I would encourage any tenants who might feel that they are experiencing mould to contact their

LHOs. The LHOs also do annual inspections for things such as mould and try to address it before it gets out of hand, I guess you can say, or gets too large to manage. The NWT Housing Corporation can also perform air-quality testing to see if there are mould spores in the air, and we also conduct preventative maintenance on units, like I mentioned, on an annual basis. So we are doing things in the communities. We are doing things in our public housing units to prevent this. As I mentioned, anybody that needs any information on that, needs to become educated, we have a lot of information on our website. If you don't have connection to the website, I encourage you to go in and see your local housing officer in your communities. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Oral questions. Item 8, written questions. Member for Frame Lake.

Written Questions

WRITTEN QUESTION 14-18(3):

NON-RENEWABLE RESOURCE PRODUCTION AND ROYALTIES

MR. O'REILLY: Merci, Monsieur le President. Non-renewable resource production and royalties. My questions are for the Minister of Finance, who has responsibility for the collection and reporting of revenues.

Data on commodity production values and amounts of royalties collected for non-renewable resource commodities do not fully disclose details of sources. On a calendar year basis for the years 1999 to 2017, can the Minister provide:

1. The annual values of production of individual commodities for all those non-renewable commodities upon which royalties are levied; and
2. The amount of royalties collected for each individual commodity?

Mahsi, Mr. Speaker.

MR. SPEAKER: Masi. Written questions. Colleagues, I would like to draw your attention to the visitors in the gallery. With us, Jim Antoine. He is a former Member, former Minister, former Premier. Welcome to our Assembly. Masi.

Item 9, returns to written questions. Item 10, replies to Commissioner's opening address. Item 11, petitions. Item 12, reports of standing and special committees. Item 13, reports of committees on the review of bills. Item 14, tabling of documents. Minister of Infrastructure.

Tabling of Documents

TABLED DOCUMENT 281-18(3):

COMMUNITY ACCESS PROGRAM 2017-2018 RESULTS REPORT

TABLED DOCUMENT 282-18(3):

FOLLOW-UP LETTER FOR ORAL QUESTION 370-18(3): MACKENZIE VALLEY
HIGHWAY ENVIRONMENTAL ASSESSMENT

HON. WALLY SCHUMANN: Thank you. Mr. Speaker, I wish to table the following two documents entitled "Community Access Program 2017-2018 Results Report," and "Follow-up Letter for Oral Question 370-18(3): Mackenzie Valley Highway Environmental Assessment." Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Tabling of documents. Minister responsible for Northwest Territories Power Corporation.

TABLED DOCUMENT 283-18(3):
NORTHWEST TERRITORIES HYDRO CORPORATION AND NORTHWEST
TERRITORIES POWER CORPORATION ANNUAL REPORT 2017-2018

HON. ROBERT MCLEOD: Thank you, Mr. Speaker. I wish to table the follow document entitled "Northwest Territories Hydro Corporation and Northwest Territories Power Corporation Annual Report 2017-2018." Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Tabling of documents. Minister of Education, Culture and Employment.

TABLED DOCUMENT 284-18(3):
GNWT CULTURE AND HERITAGE ACTION PLAN - STRONG CULTURES, STRONG
TERRITORY, 2019-2022

TABLED DOCUMENT 285-18(3):
2017-2018 ANNUAL REPORT STATUS OF WOMEN COUNCIL OF THE
NORTHWEST TERRITORIES

HON. CAROLINE COCHRANE: Mr. Speaker, I wish to table the following document entitled "GNWT Culture and Heritage Action Plan Strong Cultures, Strong Communities, Strong Territory, 2019-2022" and pursuant to Section 13(2) of the Status of Women Council Act, I wish to table the 2017-2018 Annual Report Status of Women Council of the Northwest Territories. Thank you, Mr. Speaker.

TABLED DOCUMENT 286-18(3):
NORTHWEST TERRITORIES HUMAN RIGHTS COMMISSION ANNUAL REPORT
2017-2018

MR. SPEAKER: Masi. Tabling of documents. Pursuant to Section 21 of the Human Rights Act, I wish to table the Northwest Territories Human Rights Commission Annual Report 2017-2018.

Item 15, notices of motion. Item 16, notices of motion for first reading of bills. Item 17, motions. Minister of Finance.

Motions

MOTION 22-18(3):
COORDINATED CANNABIS TAXATION AGREEMENT, CARRIED

HON. ROBERT MCLEOD: Thank you, Mr. Speaker. Mr. Speaker:

WHEREAS the federal Cannabis Act to legalize and regulate cannabis in Canada received royal assent on June 21, 2018, and cannabis for non-medicinal purposes became available for legal retail sale in Canada on October 17, 2018;

AND WHEREAS the Legislative Assembly of the Northwest Territories has enacted the Cannabis Legalization and Regulation of Implementation Act, which includes as Schedule A in the Cannabis Products Act that provides authority to establish measures to control sale and distribution of cannabis for non-medicinal purposes;

AND WHEREAS the federal government is implementing and coordinating cannabis taxation framework that was agreed upon in principle by federal, provincial, and territorial Finance Ministers in December 2017 and that was formulized by the Government of the Northwest Territories with the signing of the coordinated Cannabis Taxation Agreement with Canada;

AND WHEREAS, as a condition of a coordinated cannabis taxation agreement, the Government of the Northwest Territories must confirm its support for the Government of Canada to levy an excised tax on cannabis on behalf of the Government of the Northwest Territories to receive 75 percent of the federal Cannabis Excise Tax duties levied on cannabis sales in the Northwest Territories;

NOW THEREFORE I move, seconded by the honourable Member for Great Slave, that the Government of the Northwest Territories should agree to receive revenues from an excise duty in respect of the Northwest Territories as imposed as part of the federally legislated Cannabis Excise Tax. Thank you, Mr. Speaker. I would request a recorded vote.

MR. SPEAKER: Masi. The Member is requesting a recorded vote. The motion is in order. To the motion.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question has been called. All those in favour, please stand.

RECORDED VOTE

CLERK OF THE HOUSE (Mr. Mercer): The Member for Inuvik Twin Lakes, the Member for Hay River South, the Member for Thebacha, the Member for Hay River North, the Member for Mackenzie Delta, the Member for Sahtu, the Member for Yellowknife North, the Member for Kam Lake, the Member for Tu Nedhe-Wiilideh, the Member for Nahendeh, the Member for Frame Lake, the Member for Yellowknife Centre, the Member for Deh Cho, the Member for Nunakput, the Member for Inuvik Boot Lake, the Member for Range Lake, the Member for Great Slave, the Member for Yellowknife South.

MR. SPEAKER: Masi. All those opposed, please stand. All those abstaining, please stand. The results of the recorded vote: 18 in favour, zero opposed, zero abstentions. Motion carried.

---Carried

MR. SPEAKER: Colleagues, at this time, I would request a short break.

---SHORT RECESS

MR. SPEAKER: Colleagues, we left off from the first motion. We are onto the second motion. Motions. Member for Kam Lake.

MOTION 23-18(3):

REVOCAION OF THE APPOINTMENT OF THE HONOURABLE MEMBER FOR HAY RIVER SOUTH, DEFEATED

MR. TESTART: Thank you, Mr. Speaker.

WHEREAS pursuant to section 61(1) of the Legislative Assembly and Executive Council Act, the Legislative Assembly recommends to the Commissioner the appointment of Members to the Executive Council Act. The Legislative Assembly recommends to the Commissioner the appointment of Members of the Executive Council;

AND WHEREAS pursuant to section 61(2) of the Legislative Assembly and Executive Council Act, the persons appointment to hold office during the pleasure of the Legislative Assembly;

AND WHEREAS the Assembly pursuant to these powers have chosen the honourable Member for Hay River South to sit as a Member of the Executive Council;

NOW THEREFORE I MOVE, seconded by the honourable Member for Deh Cho, that this Assembly formally revoke the pleasure of the Assembly from the appointment of the honourable Member for Hay River South as a Member of the Executive Council;

AND FURTHER, that this Assembly recommend that a Member be chosen to be a Member of the Executive Council.

Thank you, Mr. Speaker, and I would like to request a recorded vote.

MR. SPEAKER: Masi. The Member requested a recorded vote. The motion is in order. To the motion. Member for Kam Lake.

MR. TESTART: Thank you, Mr. Speaker. It brings me no great pleasure in bringing forward this motion to revoke the appointment of the honourable Member for Hay River South. As a Regular Member, I work regularly with the Members on this side of the House to work on issues of mutual concern to our constituents to find resolution to the leadership of the Members of Cabinet and their respective portfolios.

This is a difficult issue for me to speak to today. A problem of being a representative in a territory as small as large is that many take personal what is a fundamental requirement of our duties as Members, which is to ensure that each Minister in this House upholds and is bound by the principle, a ministerial responsibility. The idea that, in a responsible government, all organizations are the responsibility of a Minister, and a Minister is accountable to his or her elected colleagues in the legislature.

This principle exists to protect the anonymity of the public service, of the departments under the Minister's purview, but it also ensures the accountability of the actions or inactions of departments to the public. In short, ministerial accountability exists to maintain good governance. It brings me no joy to rise and on the question of holding our honourable colleagues to account; accountability for the actions or inactions of their departments, agencies, or files. Rather, it is our necessary duty as elected representatives for the preservation of the principles of this legislature and the aspirations laid out in the principles of consensus government.

Under consensus government, we are unique in that the power is granted to the whole House itself over the appointment of Minister and over holding them ultimately accountable to the public interest. This is what we were elect to do. Some do feel that the disruption of activities normally associated with our roles in this House is merely political grandstanding or worse, scapegoating.

Given our small population, it is easy for people to get personally invested in the goings on of their friends and neighbours, thinking that Members of this House are merely making personal attacks on Members of their community, which there is only a desire for political gain in pursuit of a witch hunt.

Before I get too far into my statement, I wish to reiterate an earlier point: if any motion to remove a Member of Cabinet is successful today, I will not accept stepping into a ministerial position and I will not stand for election to the Cabinet. I know there has been much speculation and whispered hearsay to that effect. I felt I needed to get my response on the record.

Ultimately, having this discussion on the public record is how we, as a legislative body, ensure that government is best representing all peoples of our territory, and ensuring that the public will and the public good are maintained and in the forefront of our thought.

The honourable Minister in question has provided answers to our questions, provided briefings to our committees, and arranged meetings in his office to hear these concerns. However, it has become apparent to me and other honourable Members that there is only so far this Minister is willing to go in order to address our concerns. When disagreement emerges, a hard line is drawn by the Minister with no room for compromise and all further discussions taken on a contemptuous tone. This has played out in many forums and question periods during committee hearings and in recommendations to legislative proposals and policy initiatives. This unwillingness to engage is often combined with dismissive responses and a bellicose attitude that undermines the principles of this legislature, laid out in our guiding principles and conventions, inspired by the open, honest, and full communications anticipated in a healing circle, a concept upon this institution is inspired.

Ultimately, having this discussion on the public record is how we will move forward.

Mr. Speaker, matters of confidence are difficult and highly contentious. The most serious issue of the performance of this particular Minister is the ongoing management of Marine Transportation Services or MTS under the Minister's infrastructure portfolio.

The highly publicized failure of MTS to completely resupply deliveries to Arctic communities, communities most vulnerable to the lack of essential supplies, has raised concerns among all Members of the House. These concerns are not only due to the thought of some of our residents being isolated without needed goods and fuel, as the winter begins, not to mention businesses in these regions that will miss out on thousands of dollars of economic opportunity, but also because of the millions of dollars this is costing taxpayers, this corrective action is taken to complete these deliveries by more costly means.

When questioned on the handling of this instance, the Minister in the House side-swiped answers, referring back to his private sector experiences as a business owner. Yes, as a business owner, one must be aware of fiscal responsibility. One must also be concerned about the ability to deliver on what has been contractually agreed upon. This House, unlike a business, does not just get to pick and choose who we serve. In business, if you fail a client, you are merely likely to just lose their business in the future. In government, when we fail our people, there are long-term consequences. Might I remind the House that winter is not coming; it is already upon us.

Mr. Speaker, at no point the Minister has stood up, taken personal responsibility for this failure, nor has he apologized to the residents who missed out on these crucial deliveries; nor to those who will not see their shipments until the ice thaws come to the spring. Instead, he has insisted that the faults were due to unavoidable series of coincidences, and he is not to blame. In fact, to quote from Hansard from October 23rd, the Minister's response to his management of the situation was to say, "I'm not going to sit here and take it, that saying this was an error of our department."

If I understood the implications correctly, the Minister does not feel that he or the department must take into account foreseeable variables, such as changing seasons, the changing state from water to ice. These are all predictable occurrences in the north, Mr. Speaker. I need not remind you. The buck does not stop at the department. If it does not stop at the Minister, who does it stop with?

I believe the counterpoint is being paid that the buck only stops every few years during an election. How does this give confidence to Northerners? How is this example of responsive and responsible government?

If the Minister doesn't like the questions of our constituents, how does he feel when they are deprived of essential supplies and vehicles for an entire season? Are they just supposed to sit there and take it? Are they supposed to feed, clothe, and heat themselves with his best of intentions? The refusal of a Minister to accept responsibilities for the actions of his or her department is inconsistent with the principles of responsible government.

In this Chamber, in our system of consensus, Minister are accountable for their departments; not public servants, not departmental officials. In this matter, the Minister has refused even a simple apology for a grievous error in the management of MTS.

Since the acquisition of MTS, the department has prioritized private cargo deliveries over community resupply. Communities are getting the short end of the stick. The

Minister has made excuses, but the truth of the matter is that MTS had ample opportunity to resupply Paulatuk and the other communities in Nunavut, but chose to put a higher value revenue opportunity presented by private contracts above the needs of Northerners.

I say this, Mr. Speaker, knowing full well that the Minister has denied this suggestion; the management decisions were behind the failure to resupply Arctic communities. I will provide both the Minister's excuses and the facts I have learned since looking further into this incident.

On October 17th, the Minister was first questioned in the House on the performance of the GNWT's marine transportation services. In response to questions from the honourable Member for Nunakput, the Minister said, "This isn't an error. This is a situation that happened because of unfortunate ice that came down. I have been on TV. I have been interviewed a number of times around this issue."

Later on October 23rd, the Minister repeated his refusal to accept that the failure of Arctic resupply was due to the management of MTS, stating in response to questions again from the honourable Member for Nunakput, "The Member keeps calling this an error and he keeps trying to blame MTS, and that is not the case." The Minister has relied on three reasons for the failure to resupply Arctic communities. I will use his words from Hansard on the Committee of the Whole review of Minister's Statement 103-18(3): "High water knocked all the buoys out. The delivery of fuel to the Hay River terminal that didn't need spec that delayed the scheduling to all communities again and multi-year sea ice that came down."

I consider the Minister's three stated reasons for this incident carefully. I did my own research using ship schedules contained on NORDREG, the Coast Guard Arctic marine tracking system, along with consulting with private sector marine operators, who can be considered experts in the Arctic resupply.

I'm not arguing that the three factors the Minister is relying on to defend his performance were not present and did not play a factor in preventing shipping, but it only occurred when MTS had run out of time to complete its community resupply operations because it had become preoccupied with chasing private contracts in Alaska and the Sabina gold mine in Nunavut, putting business interests above the needs of everyday people.

What I'm saying plainly, Mr. Speaker, is that the Minister put the fiscal needs of the GNWT above the essential resupply of Arctic communities, which is and has always been the principal goal of the government's purchase of MTS. The Minister has clearly stated in the House and on the public record that as many as five ships were delivering freight all over the place, and has denied suggestions that the delivery to Sabina gold and other private customers did not affect the deliveries to the communities.

I want to be clear and present the facts to show quite the opposite. In reviewing the arrivals and departures of the MTS vessels, only two ships, the Kileoviak (ph) and Edgar Kotokak, were assigned to Arctic trips, not including private charters that were covering the areas of resupply. The Edgar Kotokak was sent to service a private contract to pick up a power plant in Prudhoe Bay in Alaska, and then it was supposed to

do the Cambridge Bay to go up to resupply. The ship did not get back to Tuktoyaktuk until September 25th, taking so long to do the Alaska work that they were too late to resupply Cambridge Bay and Ulukhaktok, again, putting income generation above the needs of every day Northerners.

Meanwhile, the Kileoviak(ph) was deployed on a shipping run to Bathurst Inlet in Kitikmeot and service the needs of the Sabina gold mine and silver mine. This was before the vessel did its first trip to Sachs Harbour in Ulukhaktok. At the time, the second trip to Sachs Harbour, Ulukhaktok, and Paulatuk was supposed to start on October 1st, it was too late. If MTS had followed their original schedule that they published in the spring of this year, they would have finished all of their community deliveries. All deliveries were planned to be completed by the end of August. Instead, new contracts were added to increase government revenues at the expense of small communities in the NWT and Nunavut.

Compare this to the private charter, Investigator, that left Tuktoyaktuk in the same sailing season on September 20th on its final trip to the TMAC mine that completed that delivery successfully, without any delays caused by sea ice. It's clear that MTS had a very large delivery window, and this costly error cannot be blamed solely on environmental factors. The failure was caused by poor planning and a pursuit of private-sector contracts. This is especially troubling as the Minister has told this House that a private business could not have done any better and would have left our communities worse off.

Mr. Speaker, in actuality, a private charter was more than able to resupply their customers on time, without issue, in the month of September. The bottom line is, if MTS had concentrated on community deliveries instead of doing all this commercial work, the department could have completed the deliveries to our communities. The Members of this House have supported the GNWT's efforts through MTS to ensure the communities get their deliveries, but, in his zeal and fervour for the GNWT to enter into the private shipping market, the Minister has dramatically affected the ability of MTS to do its job in essential resupply. This has occurred in both years, 2017 and 2018, and again MTS has been pursuing these contracts under the government's watch, putting the needs of outside interests above the needs of our own residents.

This concern has been brought forward to the Minister's attention. He is well aware it exists, and he has defended his approach at every opportunity, sharply rebuking any suggestions that the choice to prioritize revenues over people is the wrong approach. On this point, Mr. Speaker, the Minister and I cannot be farther apart. When discussing the role of public government, it seems at all times the Minister may have forgotten what his title is in another portfolio, the Minister of Industry, Tourism and Investment, not chief executive officer of a for-profit corporation. The House's focus should be on the peoples of the NWT and on securing a future for the territories, not in pursuing revenue-generating schemes.

The Minister has blamed bad fuel as one of the factors in delaying shipping. Unfortunately, this occurrence is all too common in Arctic resupply operations, and the department should have made sure the fuel was on-spec when it was purchased because you only get one chance at resupply in the challenging weather conditions

present in an Arctic environment. With the Minister's experience as a businessman, one would assume that, before deliveries were signed off on, steps were taken to ensure the delivery met expected standard, that this was the right product and it was required for the shipments. Not just the residents but businesses are without their supplies, crippling some businesses to deliver their products and services to market, leaving remote northern communities out in the cold. These explanations are an all-too-common rule of thumb in the private-sector shipping business.

I would be remiss not to quote the Minister from Hansard when asked about the risks of Arctic shipping on October 24th. He stated, "If I lived in the High Arctic, I'd realize there are substantial risks to getting my freight in." Mr. Speaker, the Minister was well aware of the tight timelines for resupply and the need to get fuel purchases right from the start. There can be no excuses for this as it's clear the Minister knew the risks. Poor planning or a lack of concern are not enough to justify this issue concerning fuel nor suggesting to Northerners in remote communities that it's their fault and that they should have known better when they chose to stay in their communities. This is contrary to so much of what we in the House are working for: strong, stable northern communities.

The Minister's tone and hard-line attitudes to these issues are saddening and very concerning to me and other Members of this House. Though the concerns of the residents of affected communities are driving the issue, the cost to airlift the missed deliveries is a concern to taxpayers everywhere in the Northwest Territories. Millions of dollars have had to be spent to send these missed goods by aircraft. While these costs are being paid out of two government revolving funds and will not impact the government's budget directly, they are additional and unnecessary, that directly affect the performance of these funds in question. As a business owner, I wonder if a cost-benefit analysis was completed prior to the prioritization of private ventures over the needs of the public. I wonder if profits made from private deliveries outweigh the costs associated with airlifting some supplies and the unknown-as-of-yet costs associated with freight which cannot be airlifted and will spend the winter in the government's possession.

Mr. Speaker, when this government decided to purchase MTS, it was through a special warrant. They did not come before this House for approval by its Members. This action was met with no small amount of concern by Regular Members, but, ultimately, we all decided to support the move to ensure essential community resupply could be maintained. The willingness of Members to support the government on MTS continued when the Standing Committee on Economic Development and Environment agreed to fast-track the bill to establish the MTS revolving fund that was allowed to bypass the normal 120-day review period by standing committee normally required of legislation. Part of this expediency was an agreement that all Members of this House would be involved in the future operations of MTS and the eventual governance model that would be implemented to run the operations. We have seen little willingness from the Minister responsible to work with Members on both operational and governance issues subject to MTS.

MTS is not a public institution subject to public insight. It is a part of the Department of Infrastructure, and Members have raised these concerns. The honourable Member for

Nunakput, the honourable Member for Hay River North, they have both raised these concerns, and they have brought numerous complaints from clients, and even MTS employees, forward to the Minister. Again, these concerns have fallen on deaf ears and been met with dismissive rebukes. I, along with the honourable Member for Yellowknife North, the honourable Member for Frame Lake, and the honourable Member for Nunakput, again have again implored the Minister to take action to sever MTS from the Department of Infrastructure and transform it into a Crown corporation or special operating agency. These concerns are supported by an independent consultant's report. They have been dismissed sharply by the Minister. It seems to me there is much confusion on the part of the Minister. Maybe he is used to accounting only to shareholders, toeing a corporate line, forgetting that, in a public institution, we must be concerned with the good of all stakeholders and the public need, not solely the bottom line.

Regular Members have shown their commitment to working with Cabinet and the Minister on MTS through our acceptance of the special warrant and our consent to rush the revolving fund legislation, but we have little to show for it in return, Mr. Speaker. The focus of MTS on private contracts and the pursuit of profits over people are reflected solely by the actions of the Minister in question. He has never denied this is the case and refused to ensure the focus of MTS is focused squarely on essential supply and the people of the Northwest Territories. That is why this issue is so important to the Members of this House, and that is the main reason we have brought forward a revocation motion as a result.

Mr. Speaker, there are other issues regarding the Minister's performance. Unfortunately, the suffocating cloud of secrecy that surrounds our work as Members of this House prevents me from clearly demonstrating many of the serious concerns Regular Members have relied on in their support for this motion. The public has been kept from the full range of facts that surround the Minister's performance, and the Minister is all too happy to distort the issue of his performance in his portfolios to a partisan conflict between opposing camps of MLAs, a "he said-she said" divide motivated by personal ambition and political gamesmanship. These are arguments repeated all too frequently when these matters of confidence are brought forward, and those arguments could not be farther from the truth.

In secret meetings behind closed doors, the Minister has repeatedly refused to accept the recommendations of standing committees to improve GNWT policies, laws, and legislative proposals. Often, his reply to these concerns and the suggestions of Members is to say, "Not as long as I am Minister," almost as if he is goading Members to take action against an intransigent Minister who has demonstrated time and time again an unwillingness to collaborate with all Members to better serve the interests of Northerners brought forward by Regular Members who represent 31 of 33 communities, Mr. Speaker. This confrontational tone must be answered, and the Minister must be held to account.

Ministers are solely responsible to the questions of their departments in the House and to take responsibility for their departments' deficiencies. Sometimes, this can be accomplished through an apology and a commitment to do better. Other times, more

direct and decisive action is needed.

Mr. Speaker, I am supporting this motion for revocation for the reasons I have laid out. I have done my best efforts to ensure that my position on the Minister's performance is clear and that this motion supports the interests of Northerners and ensuring they have a government that is accountable to its failures as much as it is entitled to its successes. This is not a partisan issue. These are questions fundamental to the duties and principles we swore to uphold. This is a statement of fact. I ask that the honourable Members of this House give full consideration to the decision that is being asked of them today in support of our consensus system and in support of ministerial accountability. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. To the motion. Member for Deh Cho.

MR. NADLI: Mahsi, Mr. Speaker. Mr. Speaker, I rise in support of this motion. I second the motion because I believe that our leadership and decision making could have been exercised in ensuring our remote communities were supplied with goods during the past summer barging season. I felt like our communities, left out in the cold and isolated, in terms of operational oversight and communication on this file. As a Regular MLA, I did not get assurances that everything possible was being done to transport goods to communities that rely on barge services. Now, I know that corporate profit trump resupply in remote communities.

In addition, I was not informed of the progress or issues along the way, and it became a debacle. For those reasons, I will stand in support of this motion. Mahsi.

MR. SPEAKER: Masi. To the motion. Member for Hay River North.

MR. SIMPSON: Thank you, Mr. Speaker. Mr. Speaker, in this Assembly, it's a fool's errand to try and remove a Minister. As the Premier stated in this House just a few weeks ago, "he who pays the bills, plays the tune," and we all know that Cabinet controls the cheque book. That's not how consensus government is supposed to work, but that's how it works. That's why no Ministers have yet been removed, and it's the reason that during the budget deliberations, Regular Members are relegated to fighting over scraps instead of addressing large, fundamental issues. The style of governance perpetrated by Cabinet is why we find ourselves in this situation today, and the reason why I would be shocked to see any changes to the status quo come from this exercise. However, the situation is before us, so I will try to make the most of it.

As you can imagine, this motion has put me in a difficult position. The Minister at issue is not only from the same community as me, but is the first Hay River MLA to serve on Cabinet in a very long time. Beyond that, I owe him a personal debt of gratitude because I would not be a Member of this Assembly if it were not for him. Mr. Speaker, you can appreciate that this is not a decision that I take lightly, and regardless of the outcome, I will continue to work with the Member to advance the interests of Hay River.

That being said, Mr. Speaker, the people of this territory, including my constituents demand that we hold this government and this Minister accountable. Since Cabinet is unwilling or incapable of ensuring the accountability of its own Members, it falls to us. I have no choice but to support the motion.

The issue that precipitated the situation was the failure of MTS to fulfill its contractual obligations to deliver goods to multiple communities. On its own, the failure would not have warranted a revocation motion, however, the Minister's handling of the situation followed a pattern of behaviour that is contemptuous to the residents of the NWT, and out of line with the principles of consensus government.

The Minister has repeatedly stated that no mistakes were made, and that a series of issues beyond the control of MTS caused the delay. He has also said that there are lessons to be learned, and that they are creating an emergency contingency plan for next year. If nothing went wrong, what is there to learn? If creating an emergency contingency plan will avoid the situation in the future, then doesn't not having such a plan this year constitute a mistake? This non-mistake is costing taxpayers millions of dollars, but no one is taking responsibility, and neither the Minister nor the Premier is holding anyone accountable, and the public is expected to just swallow it. The Minister's department got in over its head, and is bailing itself out with public funds. I promise you that he would not extend the same courtesy to a private business. In fact, his department is continuously nickel and diming local employers, often to the benefit of southern companies and to the detriment of Northerners. This hypocrisy and lack of accountability cannot continue unabated.

However, the Minister obviously does not agree, and Cabinet is fine with doing business in this way. Earlier this week, the Minister commented to a news outlet that he works hard and sees no reason why he should lose his job. He does work hard, Mr. Speaker. I can attest to that, but I'm not here to hand out participation ribbons for hard work. I'm here to keep the government accountable. The fact that he doesn't understand why he's in this position is a prime example of why he's in this position.

As I alluded to earlier, Mr. Speaker, the failure to deliver goods while a major issue onto itself is not the sole reason that this motion was brought forward, but it was the straw that broke the camel's back.

Time and time again, the Minister has demonstrated that he does not grasp or does not care to abide by the principles of consensus government, and treats engagement with standing committees and Regular Members as a box to be checked, and not an opportunity to collaborate. Just look at how every discussion about government procurement has unfolded on the floor of this House. Half a dozen Members have raised it as a concern, and in his speech for the Premiership, the Premier noted it as an issue that needs to be addressed. Yet, every time we raise our constituents' concerns about this issue, the Minister tells us that the business community is not concerned with the government's procurement practices. We stand here and tell him that we've heard concerns, and he responds by essentially telling us, we haven't heard concerns. What conclusions can we draw from this bizarre, ongoing denial? I'm not sure whether the Minister honestly believes that we just stand up here and lie, or if it's a way to ignore our concerns.

Procurement is just one example. We've all heard a Member ask the Minister to consider an option, and him respond by proclaiming, "Not as long as I'm Minister."

I admit that, when our goals are aligned, the Minister is open to working with Regular

Members; however, if our opinions are at odds with his, there is little, if any, room to work together.

I believe that much of the problem is that the Minister has never served as a Regular Member. Throughout the year, often for weeks on end, the Regular Members sit together in a room and discuss the concerns of our constituents, and how to address the issues facing the territory. Cabinet Ministers, on the other hand, spend most of their time with senior bureaucrats, and it's my impression that, if they're not vigilant, they will grow to become more concerned with management than with governance. The Minister has developed a narrow, bureaucratic mindset, and appears to be more concerned with the GNWT than the people of the NWT. We have enough bureaucrats, Mr. Speaker. We need leaders.

Mr. Speaker, I don't like this situation. I wished we didn't have to do it. I wanted to let the Minister know that this is not personal. If it was personal, I'd throw my full support behind him.

I am supporting this motion because I believe it's what right for Hay River and for the NWT, and because I hope that this will be the wake-up call the Minister needs. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. I'd like to remind people in the gallery, the public, that we have a few Members still who need to speak, and refrain from making noise because it is distracting to this House. Out of respect, please, thank you. To the motion. Member for Nahendeh.

MR. THOMPSON: Thank you, Mr. Speaker. Mr. Speaker, I stand today in support of this motion. My support doesn't come from a personal grievance, but I have to stand up for the people of the Northwest Territories. I know that a debate like this will risk becoming a painful, combative experience, but I am confident that this Assembly can raise above that to make the best possible decisions in the Northwest Territories.

What do I want to see come from this debate? I am looking for accountability. I want to see respect toward this side of the House and questions answered. I want residents' concerns to be heard and looked at Members' ideas and suggestions on important issues should be considered in the spirit of consensus government.

The failure of Marine Transportation System to deliver the full load of goods ordered for the coastal communities will have a very serious impact on the residents and businesses. Air freight costs will run into millions of dollars. I've been told today, \$3.4 million. I believe this situation was avoidable. I want the Minister to say, "This happened on my watch. I take full responsibility." I'm looking for an apology to the coastal communities.

It worries me for our future when I see so many contracts going to southern companies for infrastructure projects without enough attention to jobs, northern businesses, and benefits to our residents. These decisions have a rippling effect in our communities and government services. Without work, people have to go on income support. Our youth and their education are impacted. This needs to be changed, but not to the detriment of the northern businesses and families.

As I prepared for today's debate, I considered the action of past Assemblies and past Members. I looked at the leaders who came before us and the precedents they set. In 1992, the then Member for Yellowknife South resigned from the Executive Council. When he made his statement in the House, he took ownership of the problems facing his department. He spoke of his responsibility to his constituents, and his recognition that he could not carry out his duties as Minister without the full support of other Members. I would like to quote from Hansard for that date, December 1, 1992. The Minister said, "I believe in good government and clean politics. I'm going to walk it and talk it with no compromises."

Those words, I think, we should all live by. Those words I want all Members to reflect on as we vote on this decision. Mr. Speaker, as we move forward, it's about ownership, it's about what we do for the residents, and if Ministers over there are our leaders, they're the ones we've put in those seats. However, we've seen this issue we've seen a number of issues that other colleagues talked about, and we need to move forward, and we need to respect the dignity of the residents of the Northwest Territories. For that, I will support the motion. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. To the motion, Member for Yellowknife North.

MR. VANTHUYNE: Thank you, Mr. Speaker. Mr. Speaker, clearly, it's not pleasant to be here speaking on this revocation motion today. It's clear that my colleagues have serious concerns about the performance of the Minister in question. It's a serious matter to bring a motion like this to the floor of the Assembly, but it's one of the few ways that Members on this side can call the public's attention to how serious the issue is and the question that it raises about the Minister's performance and the accountability of his respective departments.

However, while I experienced the concerns my colleagues shared today, I have to say that I still have the confidence in this Minister. Over the past three years, I have had many occasions to work with this Minister. The Minister has been forthcoming and collaborative in working with me. As the MLA for Yellowknife North, I have frequently raised questions of general concern and public safety on the Ingraham Trail and the Niven to downtown stretch of Highway 4. The Minister in both his capacities as Minister of ITI and of Infrastructure has addressed my concerns and provided answers to my constituents, and always in an efficient and effective manner.

Although I am very respectful of my Regular Member colleagues' positions, and their valid reasons for this motion, the Minister has not lost my confidence, and, therefore, I will be voting in opposition to the motion. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. To the motion, Member for Sahtu.

MR. MCNEELY: Thank you, Mr. Speaker. I, too, feel saddened that we have come to this situation on siding one of our 19 Members in this House. This institution is led by the elected officials to best serve the residents of the Northwest Territories. In this part of Canada, we truly have many challenges, challenges faced by addictions, remoteness, isolation. Those are fundamental principles that are really facing the communities' endeavours to progress.

I had the opportunity in one of my positions in the 1970s to work for NTCL, a Crown corporation, later becoming a private corporation, and now a public corporation. Since then, I've experienced harsh conditions in the Arctic coastal communities having not been there, but knowing people who did, and explaining those harsh conditions which create barriers in front of the ships.

However, we are back to the issues at hand before us today, led by issues that are in question. As I reflect as a first-time MLA into this institution, operating underneath a consensus government style, I've learned to respect each and every individual in this House for the simple fact that they do work hard. I've seen it; I've witnessed it. My predecessor, I have often wondered, what did they do outside of the televised sessions. I've seen that first-hand through participation. The determination of other 19 MLA in this diversified, culturally-traditional environment should be respected, and I do respect the other 18 Members on the fundamental issue that you have chosen to represent people that really matter in your respective area. Again, as a first-time MLA, I've seen how Cabinet operates, family members themselves, limitations to the access of their families because duty calls first, and they serve those duties respectfully. Those duties can be seen by the images and the presentations they deliver when talking about the progression of our government, in Ottawa, more specifically.

More specifically, again, to the Indigenous partnerships that we are trying to engage in developing and build on the strengths of trust.

Through consultation with the people that I represent and what I've seen, we in the Sahtu will stand behind this Minister. Thank you very much.

MR. SPEAKER: Masi. To the motion. Member for Mackenzie Delta.

MR. BLAKE: Thank you, Mr. Speaker. Mr. Speaker, to this motion, I cannot support it after also speaking with my leadership in my riding. They feel that it's better to work with the Minister in any portfolio. You know, to get what we need in our ridings, we always have to work with one another, whoever the Ministers are, and at this point in this Assembly, we don't feel it's right to replace the Ministers. Say, if we were to replace one of the Ministers today, it would take anybody at least six months to nine months to get familiar with that portfolio. We're less than a year away from our next election, and we'd really waste a lot of time, especially in the portfolio the Member for Hay River South is facing that has many portfolios.

Sure, we don't always get the answers that we want on this side, and the other thing is, just because we're the majority on any side, we can't be controlling what Cabinet is doing all the time. In my riding, we don't always get what we want to get in our budgets, but we try our best to work with the Ministers.

I know that sometimes when we ask questions we always joke around with one another. Yes, sometimes it does upset us when the Ministers laugh, but we always do the same, especially after you keep bringing up different things through statements. How many times have I brought up Willow River? The Minister knows that file very well, and, sure, he might get a chuckle in there every once in a while when I bring it up.

To be serious, it does upset us once in a while when Ministers do that, but we all have

to work together here, and I don't think it's right, just because we're a majority, to take out one of these Ministers with less than a year to go.

Mr. Speaker, in the early part of July, I had a feeling we were going to be in this situation because I live in Tsiigehtchic on the Mackenzie River and I saw buoys floating by the communities. So, of course, I was wondering to myself: how long will it take to get these buoys back in place? With updates from the Minister, it took 10 days to two weeks to get these buoys back in place. So of course that's going to have some effect on the barging system.

The other thing was: we had an extremely cool summer up in the Beaufort Delta. Of course, that is going to have an impact on the weather, you know, with ice conditions. The other thing is: I know it cost so far a little over \$3 million, but it could have been worse. You know, if we didn't fulfill those other contracts -- just today, we had a briefing with the Minister. It could have been worse. It could have been in the \$20 to \$30 million range.

You know, I am not defending the department, but I am sure in the communities, like, I haven't spoken to any of my friends in those communities. I am sure this also created some employment. I mean, we haven't looked at that fact yet. You know, as we move forward, Mr. Speaker, I am sure we will get that information. For today, I cannot support this motion. Thank you.

MR. SPEAKER: Masi. To the motion. Member for Frame Lake.

MR. O'REILLY: Merci, Monsieur le President. I have tried very carefully to choose my words here today. I take the issue of removal of a Cabinet Minister very seriously.

There is nothing personal in how I have arrived at my decision on the two Ministers up for review. This is about getting results for NWT residents and whether we have the right team in place for doing this for the remainder of our term. I personally like the Minister under discussion. I believe he brings valuable experience to this Assembly and has made a valuable contribution. However, I must assess his progress objectively on mandate items and handling of several important files.

I supported the purchase of the NTCL assets and the formation of Marine Transportation Services. This was a necessary step to ensure that we can continue to resupply our communities for a reasonable cost. I have no problem with MTS competing for private shipping contracts to ensure an efficient use of our assets. That should drive down shipping costs for our communities. What I do have issues with is the lack of involvement of Regular MLAs in developing a long-term approach to MTS and accountability and transparency around MTS. I disagreed with the way the MTS revolving fund was fast-tracked, and decisions that any surpluses not be used for environmental remediation.

At the same time, I also have concerns about the way Cabinet continues to use appropriations for expenditures that should be rightfully assigned to the revolving fund and how large capital items are amortized over very long periods of time. Reporting to the public and MLAs definitely needs to be improved, and the recent shipping failure to coastal communities is a prime example of poor communications. I heard about

problems through the media. I asked the Minister for clarification and had to wait days for a response. I don't think we are out of the woods yet, especially with very significant airlift costs yet to be assigned to at least two revolving funds without an overall plan for now and into the future.

I have worked very hard to convince the Minister that we need real economic diversification for the NWT that includes much greater investment in tourism. The Northern Frontier Visitors' Centre was in my riding. If the funds now being spent on that building had been invested even 18 months ago, I am convinced we would still have a functioning centre here in Yellowknife. I just don't understand why we spend more on a visitors' centre in Dawson, Yukon, than we do in our capital city.

I have openly criticized the overwhelming focus of the Minister on large infrastructure projects, roads to resources, and the lack of social infrastructure investments and submissions to the federal government, particularly in the areas of housing, tourism, culture, and building the knowledge and conservation economies. Roads scaled to our capacity to retain benefits and in areas with fewer serious impacts can provide economic development opportunities. However, the relentless pursuit of large projects such as the Slave Geological Province Road and Taltson expansion have not received adequate analysis and have precluded any serious efforts at diversification.

I am deeply disturbed by the so-called Resources and Energy Development Information, REDI, initiative that is more about promotion of resource development than about providing balanced information and tools to enable citizen participation in resource development decisions. It also includes the use of educational materials in our schools that are about promotion of mining rather than giving our students balanced information and skills to make informed decisions.

The Minister has also refused to carry out any kind of review of onshore hydraulic fracturing, even though it is part of our mandate and while our government has agreed to a science-based, life-cycle impact assessment review of offshore development.

The most serious issue with the leadership of the Minister, in my view, is the failure to undertake any review of the resource revenues that we now can control following devolution. Such a review was promised when I asked questions early on during the life of this Assembly and was even within the scope of the issues to be addressed in the Mineral Resources Act.

While billions of dollars of resources are extracted here each year, revenues to our government have been described by an international expert as paltry and our management as "one of the world's most charitable fiscal regimes for the mining sector." We need to start acting in the public interest and ensure there is a fair return for this one-time natural capital. I have recommended an independent review to the Minister on numerous occasions, but he has refused to do this during the life of this Assembly. I believe that refusing to even look at the idea in the face of learned evidence challenging the adequacy of our revenue regime is an instance of stubborn refusal on the part of this Minister, for which I hold him accountable.

If we are going to have a Minister who is responsible for both promoting and regulating

resource development, we need that Minister to take a balanced approach where the public interest is put before the interests of the private sector. I want mining, too, as much as anybody else, but we must do a much better job at retaining the benefits and doing it in a sustainable way. We have failed to evolve after the devolve and truly demonstrate we can responsibly manage our resources.

Mr. Speaker, for all these reasons, I cannot support the Minister continuing in his current role. Mahsi, Mr. Speaker.

MR. SPEAKER: Masi. To the motion. Member for Yellowknife Centre.

MS. GREEN: Mahsi, Mr. Speaker. Mr. Speaker, with the information that I now have, I am satisfied the Minister has managed an effective solution to the stranded cargo for the High Arctic, which will not increase the expense to customers. Further, he has taken steps to be better prepared in the future by stockpiling fuel in the Arctic communities. Therefore, I will be voting against this motion.

MR. SPEAKER: Masi. To the motion. Member for Tu Nedhe-Wiilideh.

MR. BEAULIEU: Marsi cho, Mr. Speaker. Mr. Speaker, I rise today in favour of this motion. I believe that there have been mistakes made in the delivery of goods to the High Arctic communities. Initially, when NTCL was purchased by this government, I was surprised. I believe it happened around Christmas a couple years ago. I was surprised that NTCL was purchased and then, further on, surprised that MTS was created out of NTCL.

At that point, I thought, well, I guess it would be a positive thing since NTCL may not be able to continue operations, but I also felt that, with our growing debt, I thought it would difficult for our government to buy all these things, considering that we often hear on small initiatives that we need, in our small communities, for employment.

Little initiatives like small roads, access roads, and things like that, docks, these are little items that we had requested in the communities. Often, I am not able to get it through the budgetary process. I think a Member has indicated that we ask for things and that our small items are often refused, while it was easy for the Cabinet to purchase NTCL and put it into operation.

I also know that some of the equipment that was purchased from NTCL was likely grandfathered and not something that we would be able to bring in new into the system at that point. We bought a lot of equipment like that that would probably not be usable the next time the regulations are upgraded or even maybe beyond use now. For that reason, I know that the federal government is supporting our government to buy new barges.

I thought that the shipment of the items into the High Arctic communities, I felt that was a mistake because I thought that then it happened so many times. This happened so many times by a company that was in the business of doing it and knew how to do it. They were successful in delivering the items into the communities.

We, on the other hand, had only the second opportunity this year, this summer, to be able to deliver the materials. At this point, we have essentially a 50 percent failure rate

on delivering things to the High Arctic communities. Even that is, you know, there are a lot of factors involved in that. The solution, and what kind of got to me, I know that flying everything in would be expensive, but as another Member said, maybe there's a way. There are some costs offset and it may not be as expensive as possible.

The refusal for this Minister to actually listen to solutions was what kind of made me wonder if he was serious about trying to solve the issue or was just insisting on defending himself, or saying, "No, it's not my fault, so there's no reason for me to come up with a solution." You know, I had the question and I asked the Minister: how about a regional operation out of Inuvik as an example? An example, I thought that just pretty well all of the Mackenzie Valley communities could be serviced by winter road right up to Fort Good Hope. Then when you get to Tsiigehtchic, an all-season road and all-season road to Inuvik, all-season road to Tuktoyaktuk. The only other community on this side of the Northwest Territories that needed to have barge service is Lutselk'e. Lutselk'e, I believe, gets one, maybe two barges, but mostly one barge per year handles that community. I thought a small scaled-down operation in Hay River and then a smaller operation out of Inuvik to address the Arctic communities who had no other options. Lutselk'e and the Arctic communities that didn't get their items this year on a barge have no option except the barge.

The government spends a lot of money building winter roads. All of the Sahtu, all of the Tlicho communities are all winter road communities, and they don't barge in there, but they manage without a barge. I thought that a nice solution might be to set something up in Inuvik and then out of Inuvik to be able to barge out of there and have a small regional operation there. One in Hay River seemed like a good solution for me. I felt that it would also be a lower cost to the Marine Transportation Services. I guess there was the private business that that company was after, or the department was after that, you know, wanted to continue to barge out of Hay River all the way into the Inuvik communities.

I felt that the Minister could have listened and at least maybe given us a response to say, "Yes, I will look into it." That would have been essentially all that would have satisfied me, the idea of looking into it, the idea of having a small scaled-down operation in two locations and still run by the government and not compete against a private business of other people, needed items and private items. See, the items they could get a private shipper to bring the stuff to them.

Our reason for backing MTS was to provide a service to our citizens, citizens in the Northwest Territories at the best economic possibility, but the Minister indicated to me in the House here that wouldn't happen as long as he was still Minister.

For that reason, we are here today because we felt like we needed to find some sort of solution to the issues that were created. Thank you very much, Mr. Speaker.

MR. SPEAKER: Masi. To the motion. Member for Nunakput.

MR. NAKIMAYAK: Thank you, Mr. Speaker. Mr. Speaker, a lot of this has stemmed from the issues in, you know, the delivery to Paulatuk, Ulukhaktok got some of their goods. Paulatuk didn't receive a lot. A lot of my pressures on my colleagues and mainly

to the Minister is coming from my constituents. I have had some difficulties working with the Minister on some of the issues. I'm sure one of the reasons might be they didn't have answers at the time. However, I believe that, you know, in this Assembly, we are all equals. What separates one side of the floor to the other is our roles as Regular Members and as well as our roles as Ministers and Premier.

Mr. Speaker, I believe, you know, when issues come like this, the Premier himself should, as well, too, look at his Cabinet and say, "Well, how can we make this better?" How do we make a system like this better where we have this many Ministers on this side and we have, there are a lot of portfolios that are actually very, very humungous in departments within the GNWT, and some that may need to be restructured so that they can be managed more effectively for the residents of the territory? At the end of the day, sometimes money loss or goods not delivered has social impacts on the people who depend on it; on, you know, receiving their snowmobiles, their vehicles, their quads, their boats, and all the things like that that give them the opportunity to go out and harvest. As well, maybe even take on contracts within the GNWT or the programs that are around the Northwest Territories.

I would like for the Premier to take a hard look at that. Mr. Speaker, I believe looking at that and restructuring the, you know, the current structure that it is right now. What seems to be failing is why we are right here right now.

Mr. Speaker, I won't take up too much time of everyone's here. This afternoon, right after the briefing, the leadership from my region actually came into my office and they said, "This is how you are going to vote and this is what you need to do to work with the Minister and Cabinet and the Regular MLAs." You know, I vote on behalf of my constituents who I represent, and I believe that's fair business.

Mr. Speaker, I didn't bring too many notes, but I believe that, you know, the current Minister and the other Minister who is in question today, I believe that we need to really work together to get things done. A lot of the times, we are the ones doing a lot of the groundwork with our constituents, you know, with the regions. The Minister, I think they need to be more open. I think that's where the Premier can give us better access to his Ministers, so that we are more effective in the work that we do. It takes teamwork to work together. It doesn't take one or two people. It doesn't take the Premier or it doesn't take the MTS Minister to get something done. It actually takes teamwork to plan. Sometimes, they have the expertise within their departments. We have the expertise on the ground. That's where we can actually work together and collaborate, and actually, you know, maybe even cooperate together. Sometimes, this is one of the reasons why we are here is a lack of cooperation on both sides and lack of accessibility to the Minister, and sometimes the Premier. I think we need to really structure this government, you know, going into the next year.

Mr. Speaker, I believe that I can make a good MTS Minister out of the MLA from Hay River South by working together and ensuring that we don't lose this last year and actually plan to ensure that we are strategic in accessing and looking at funds, federal funds. You know, we talk about sovereignty in the North. We talk about ports. We know that we are a long ways away from a deep sea port. That doesn't mean that we can't start now.

What we need to do is be forward thinking. Right now, we are looking back. Okay. How do we fix this? Let's use that, bring it forward and ensure that the Minister has everything that he has to work with to make a better plan.

I know there were multiple errors on this operation that brought us to where we are today. I think that's what we need to focus on and pinpoint those and really, really focus on how we can improve those and make them stronger, you know. Rather than firing, I think we can make a really good person out of them and really good team player and even a leader of a department. You know, we could actually really do that. I believe that we have that here in us today and looking forward.

We have a year left in this Assembly. I believe that, you know, after having a chat with the leadership from Nunakput, they were like, "Well, what are we going to lose? What's lost?" They are the ones who have a lot of knowledge on the ground, too. They have projects that are ongoing with the government as well as with the federal government, and as well outside of the country. I think we need to really, really sit back and look at this day and say, "Well, you know what? Let's make this better for everybody else."

I looked at this motion this morning. I was like, "You know what? Hey, I'm going to go for this," but now I'm like, "Well, after listening to my constituents, I believe that, you know what? What my job will be for the next, you know, the next two quarters is to ensure that the Minister is accountable and ensure that the Minister is working with the people from Nunakput to make a better plan for MTS. Not just for MTS, but being strategic about how we supply the northern part of the territory."

Mr. Speaker, Canada is so vast and wide. The Northwest Territories are vast as well, too; north and south. There is a system here on Great Slave Lake which is good, which is in the Minister's riding. There is also the Mackenzie River, which supplies the northern part of the territory.

Mr. Speaker, what if there is a drought one year and they cannot get the barges from Hay River down the Mackenzie River to the port in Inuvik or to the port in Tuktoyaktuk? We can have them as a logistical point. I believe I'm about logistics. I think we need to look at all of those hard and look at this mistake, which costs right now maybe \$3.4 million, but what we know, it might up to five by the time you pay all of the subcontractors. I believe that the Minister has it in him to come to us and start to work with us. He serves our people all the time.

Mr. Speaker, he spends a lot of time with the leadership in our region as well, too. I believe that what we need to look at is the GNWT or Cabinet working more closely with Indigenous governments as well, too. There are oil and gas possibilities in my region. You know what, I have heard that some of those talks went awry, but also we need to look at the cost of living in the territory and really focusing on that. Not so much on the bottom line of the Government of the Northwest Territories, but the social impacts that it has for our residents.

Mr. Speaker, I'm not going to support this motion, just because I believe that I can work with the Minister. The Minister, I hope, is more and more willing to spend time with Regular Members, especially when he travels to Ottawa.

Sometimes, there are projects in some parts of the territory that are in Regular MLAs' regions. I think that the Ministers need to look at that and work together more closely, as well as with our mayors, as well as our Indigenous leaders. We really need to restructure how we work together, because right now, two week ago, I was upset. I was saying that, you know, Cabinet has become living in a cocoon. They are not really working outside of anything, but now we are sitting here. I believe this is our time to open them up and start to work together more and more closely. We all have our faults. We all have our strengths, but that doesn't mean that we don't work together. We are someone strong. We help where there is a weakness. I think that is how we need to kind of look forward together.

Mr. Speaker, even yourself as a Speaker of the House, you see that. You have been here a long time. I believe that we have a chance to work together. I am not demanding, but I am requesting that the Minister work more closely with Regular MLAs, so that we can be more effective for the people of the Northwest Territories. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. To the motion. Member for Hay River South.

HON. WALLY SCHUMANN: Thank you, Mr. Speaker. Thank you for the opportunity to speak to this motion of revocation today.

The first thing I want to get out there on the record is, you know, we have a democracy system here, and I believe it. The question I was asked by a number of people is: why? I said there is a process in place that allows Members of this Legislative Assembly to bring a motion like this forward to have this discussion. That is what we have done today.

Every Member has spoken on this issue across the floor. They have all voiced their opinion. They have all mentioned who they are going to vote for. This motion of revocation has brought up a bunch of issues today on the floor of the House; not just about what is happening at MTS.

MTS, I could stand here and defend it all day long as I have had in the House and where I have in the press. I encourage everybody in this Assembly today to go to the public briefing that will be posted by the Legislative Assembly. It clearly lays out everything that has everything and everything we plan on doing, so I am not going to get into that debate.

On the other side of it, the Members have also brought other issues forward of concern with not just myself, but with this Assembly and this Cabinet going forward. That is what this Assembly is for. It is here for the people of the Northwest Territories to have those public debates back and forth to come to some kind of consensus. Consensus doesn't mean everyone has to agree on it, to where we are going to take this government and our policies and legislations, and that is what we are doing.

Not everyone is going to be happy. To be in this business, you have to have thick skin, and I mean thick skin. Even to stand here today to defend myself, you have to be able to handle that.

I believe this Assembly is working hard for the people of the Northwest Territories. One of the greatest things that I think that has happened in this Assembly is the Premier clearly laid out that we had to go out and visit as many people as we can. I can stand here with true honesty and say I have been to all 33 communities in this Northwest Territories.

We have had an open and public process. We have had open public appearances by Cabinet with residents of the Northwest Territories in many communities. We get feedback on a regular basis. We have just had an economic summit with all the leaders of the Northwest Territories. We are continually reaching out. Collaboration is what this government is built on. We will continue to do that, but like I said, you have to have thick skin.

This is consensus. Not everyone in this room has to agree on a decision. I stand behind the decisions that I have made. Maybe they don't make everyone happy in this House, but I believe I get all the accurate information and make a decision based on what is presented in front of me. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. To the motion. Member for Yellowknife South.

HON. ROBERT MCLEOD: Mr. Speaker, in December of 2015, through a territorial leadership committee, all 19 Members voted to select a Premier in Cabinet. During the mid-term review, I said that the whole of Cabinet is greater on the sum of its parts, Mr. Speaker. As a Cabinet, we challenge each other to perform to a high standard for the people of the Northwest Territories. We are able to put our political and philosophical differences aside to focus on what is best for the people, regardless of what we may believe personally.

Regular Members have a similar role, and have also worked to keep Cabinet accountable for their decisions. Accountability and democracy are inseparable. The people who elect us to exercise power on their behalf place enormous faith in each one of us. Collectively and individually, we need to earn and maintain that trust by submitting our decisions and actions to the judgment of the people we serve openly and transparently.

Every four years, the people of the Northwest Territories have the opportunity to directly convey their judgment about our actions in a territorial election. This is accountability at its most immediate and direct. There is nothing like facing an angry voter on the campaign trail to remind you who is boss and how hard we need to work to earn and maintain the trust our constituents place in us.

Accountability between elections is no less direct and no less real. As a government, we are accountable to the people in the Northwest Territories through their elected representatives in this House. Every time we are asked a question, we are being asked to account for our decisions and actions. Every time our budgets and plans for implementing them are examined and debated in committee or in this House, we are being asked to account for our decisions and actions. Every time government legislation is introduced for debate and disposition by this House, we are being asked to account for our decisions and actions.

At almost any moment on every day that this House sits, Regular Members have ample opportunity and the tools to hold Ministers to account for living up to the expectations of the Assembly and the people who elected us, including the ability to remove anyone one of us from Cabinet at any time. Accountability needs to be about more than personality, Mr. Speaker. Accountability is about keeping our promises. For the 18th Assembly, our mandate is our promise to the people of this territory.

I believe Minister Schumann has been doing a good job and should remain as Minister. Minister Schumann has worked hard to fulfill the mandate commitments his departments are responsible for, including critical commitments to bring federal investment to the Northwest Territories and grow and diversify the economy to create a strong future for our residents. He has also led planning work to transform our energy system so that we can reduce our reliance on diesel in our communities, reduce our greenhouse gas emissions, and address the high costs of living residents face.

Minister Schumann has also been one of the most effective advocates for the Northwest Territories and his people as a Minister. During this Assembly, he has helped deliver hundreds of millions in federal investment to our territory and secure close to \$1 billion in federal funding, including over \$115 million for road construction projects, like the Canyon Creek access road, Wrigley to Mount Gaudet access road, and Great Bear River Bridge, as well as funding for environmental and planning studies for the Mackenzie Valley Highway, a long-standing priority and one of our mandate commitments. He recently announced the federal investment of \$23 million under the Low Carbon Economy Leadership Fund with Minister McKenna. This money will support energy efficiency retrofits, renewable energy, and carbon sequestration through forestry regeneration. He has also secured a \$19.5 million investment in marine infrastructure improvements and almost \$800,000 towards phase 2 of the transportation monitoring program to study the effects of climate change on permafrost and transportation infrastructure.

In the life of this government, he has also worked to secure a total of almost \$13 billion in federal investment in economic development for the territory through the Canadian Northern Economic Development Agency and programs like Growing Forward 2 and the strategic investments in northern economic development.

Minister Schumann, like each Member of Cabinet, has brought valuable strengths to the collective whole. He is a strong and decisive leader who makes the decisions in the best interests of this territory, based on strong principles. He takes his job seriously and works hard for our residents, Mr. Speaker, and Cabinet will be voting against this motion. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. To the motion. I will allow the mover to make quick closing comments on the motion.

MR. TESTART: Thank you, Mr. Speaker, and thank you to all of the honourable Members of this House for weighing in with their thoughts on this and on what is by its very nature a divisive issue but a conversation that we must have from time to time.

I wanted to address some of the thoughts and comments that were made here and one

that members of the public have also been talking about keep coming back to. It's this notion that now is not the right time for a Minister to be removed from the privilege of serving on the Executive Council because there is only one year left. Well, Mr. Speaker, the mid-term review people said, "We can't do it now. There's only two years left." When do we remove Ministers in a consensus government, after six months? What is the window? Because that is not in our protocols.

When there is a significant issue and a significant crisis of confidence in a Minister's performance, that's when the motion comes forward. Every Minister on that side has just spoken or, sorry, the Premier has spoken about the hard-working nature of his Cabinet. I can certainly stand up and speak to the hard-working nature of my colleagues over here. There are many files and pieces of legislation that we work on, that we tend to know more of the intricate details than the Minister sponsoring the bill or the Minister bringing forth the proposal because that is our job, to scrutinize and to hold to account. Anyone, anyone who is elected by their constituents, by voters, is capable of taking a seat on the other side of the House, so I reject the notion that there is a time-bound requirement and that elections are the only proper time to allow for a Minister's performance to be judged.

It's part of our system of government. It's part of responsible government, which is a founding principle of consensus, and it dismays me that the issue at play here, which is a clear, factual performance issue that the Members have talked to, and, more importantly, how it was handled. Still, I half expected an apology today or at least a recognition of contrition around how this has been handled, and still nothing. We have a guarantee that things are on track. Millions and billions of dollars the federal government has put in their budget are flowing into the Northwest Territories.

These are real issues that still remain unaddressed, and I hope that this motion is a wake-up call as my honourable friend from Hay River North said, that this is a wake-up call, that eventually this will hit the floor, and, even if these motions do not pass, they are taking time away from the rest of the business of the House because they need to be heard. They need to be brought forward so our constituents can have their concerns raised around accountability, and Ministers who continue to refuse to answer questions, to dismiss the concerns that are brought up time and time again as we sit in this House year after year, that this will be the inevitable consequence. Even if that motion does not fail, it must be heard. Accountability is demanded of us in our roles, and I still stand in support of this. Mr. Speaker, again I request a recorded vote so the record will show who else stands in support of this motion. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. Member has requested a recorded vote. All those in support of the motion, please stand.

RECORDED VOTE

CLERK OF THE HOUSE (Mr. Mercer): The Member for Kam Lake, the Member for Tu Nedhe-Wiilideh, the Member for Nahendeh, the Member for Frame Lake, the Member for Deh Cho, the Member for Hay River North.

MR. SPEAKER: All those opposed, please stand.

CLERK OF THE HOUSE (MR. MERCER): The Member for Yellowknife Centre, the Member for Nunakput, the Member for Inuvik Boot Lake, the Member for Range Lake, the Member for Great Slave, the Member for Yellowknife South, the Member for Inuvik Twin Lakes, the Member for Hay River South, the Member for Thebacha, the Member for Mackenzie Delta, the Member for Sahtu, the Member for Yellowknife North.

MR. SPEAKER: Masi. All those abstaining, please stand. The results of the recorded vote: 6 in favour, 12 opposed, zero abstentions. The motion is defeated.

---Defeated

Motions. Member for Nahendeh.

MOTION 24-18(3):
 REVOCATION OF APPOINTMENT OF THE HONOURABLE MEMBER FOR GREAT
 SLAVE TO THE EXECUTIVE COUNCIL,
 DEFEATED

MR. THOMPSON: Thank you, Mr. Speaker.

WHEREAS pursuant to Section 61.(1) of the Legislative Assembly and Executive Council Act, the Legislative Assembly recommends to the Commissioner the appointment of Members of the Executive Council;

AND WHEREAS pursuant to Section 61 .(2) of the Legislative Assembly and Executive Council Act, the persons appointed hold office during the pleasure of the Legislative Assembly;

AND WHEREAS the Assembly, pursuant to these powers, has chosen the honourable Member for Great Slave to sit as a Member of the Executive Council;

NOW THEREFORE I MOVE, seconded by the honourable Member for Yellowknife North, that this Assembly formally revokes the pleasure of the Assembly from the appointment of the honourable Member for Great Slave as a Member of the Executive Council;

AND FURTHER, that this Assembly recommends that a Member be chosen to be a Member of the Executive Council. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. The motion is in order. To the motion. Member for Nahendeh.

MR. THOMPSON: Thank you, Mr. Speaker. This is a serious matter before us today, and I do not approach it lightly. Since we became colleagues in the 18th Assembly, the Member for Great Slave has been responsive and supportive to me as an MLA. I have been able to work with him on concerns for my constituents at all hours of the day, and I greatly appreciate that as well as the good work that he has done for his own constituents. By its very nature, the Standing Committee on Social Development, which I chair, works very closely with the Member in his roles as the Minister of Health and Social Services. Last year, we even travelled together, exploring ways to improve addiction treatment in the NWT.

However, this is not about a personal relationship with the Member. The recent report

from the office of the Auditor General, or the OAG, has revealed terrible truths about the treatment of children and young people who are under the care of the government. Even more troubling, these problems are not new. Where the Department of Health and Social Services should have been making strides since the OAG 2014 report, performance had increased lately or increased largely worsened. It is clear that the status quo is not working.

Standing up to move this motion today is difficult, Mr. Speaker. It's not personal, but it's not something I enjoy, but something from the report really stuck with me. OAG wrote that, when Child and Family Services intervenes on a child's behalf, especially when a child is taken into care, the department "becomes in essence the parent." Think about that for a minute. This is an awesome responsibility. We need to do it justice.

This motion is not about what we are hearing from our residents. It's about the needs of our most vulnerable people, and it is about what's good for the territories. It's about accountability for this government's legal responsibilities. Mr. Speaker, the OAG findings were devastating. Being respectful of time, I will let just a handful speak for themselves.

A young person went missing; staff could not figure out who was responsible for finding them.

In 95 percent of the files reviewed, the children are Indigenous, meaning Indigenous children are disproportionately affected by performance failures.

Children were placed under permanent guardianship agreements without screening. One of these children was later assaulted and has been removed to another home, and again without screening. These findings are so serious that the auditors interrupted their work to notify the department.

A new tool was introduced to guide decision making on children in care, but the experts who designed it disagreed with one in every two decisions NWT staff made. Staff turnover and chronic understaffing have disrupted long-term planning and contribute to burnout, and the employees are doing their best.

An assistant director was appointed to improve accountability after the 2014 audit; they weren't trained, weren't adequately supervised, and in some cases, didn't even have access to the Child and Family Services information system.

In considering the motion before us today, what we have to confront is that the problem in putting NWT children in care, at least at risk, are problems within the department itself. We know from the OAG reports that the department committed to make critical changes to Children and Family Services, and that these changes were not made. I have also heard from residents and from fellow Members that, despite major changes to the Child and Family Services Act, the legislation isn't what we need it to be, and it needs more work to properly suit northern communities.

All this says to me is that the chain of accountability is broken. Regular Members have repeatedly showed that they are interested in this work. The Standing Committee on Social Development has pursued performance issues in Child and Family Services for the past two years. Why weren't we made aware of the seriousness of these issues until

the OAG issued its report?

Back in 2017 when the committee pushed for more information about internal auditing, we found that the department struggled with a broken audit tool. We were told that the data was unusable. New action plans and new systems followed, but we didn't see meaningful change. An annual report for Child and Family Services provided limited information.

Now, the most recent report calls for "further analysis to determine the issues that are leading to the lack of compliance." With respect, the Office of the Auditor General of Canada has already done that analysis. The time for analysis has long passed. What we need now is leadership, action, and the immediate dedication and resources; not further studies, and not more action plans. In fact, less talk, more action is exactly what committee recommended 21 months ago, and yet here we are today.

Another area of Health and Social Services' portfolio also comes into play. For example, the OAG reports that 80 percent of the reviewed files pointed to drugs and alcohol issues as the risk factor; and that domestic violence for children at risk at 50 percent of the files reviewed. This tells me that, to help NWT children in care, we need targeted support to deal with addictions and to reduce violence against women and children. Most of these files are that. Most of these files also fall under the Minister's stewardship.

This is my challenge. This is a source of Regular Members and residents' frustration. We are just not seeing meaningful progress on these incredible important files. I know that several of my colleagues have planned to speak on this motion, so I will wrap up my remarks by acknowledging that this is a complex and difficult file and a heavy responsibility for a Member to carry, but, Mr. Speaker, that simply highlights how serious this action is needed. That's what I want this motion to convey. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. To the motion. Member for Yellowknife North.

MR. VANTHUYNE: Mr. Speaker, clearly, this is not a happy day nor a happy debate for anyone here. When you become an MLA, you never envision calling any of your fellow Members' conduct into question, much less your friend's conduct.

Yes, the Minister in question, I consider a friend, and I know he is a friend to all of us in this House. However, I believe that this is a very important motion, and we must engage in this debate with courage and conviction. Like others, I was deeply concerned to hear the Auditor General's report on Child and Family Services last week. I have heard from a number of constituents who are equally concerned. Some are very angry, Mr. Speaker. Sadly, the children and families who find themselves in the care of the Department of Health and Social Services are often the most defenceless and exposed people in our society.

Out of all of our citizens, it is these people who require and deserve the best service, care, and protection that our system can offer. Yet, the opposite has happened. The most vulnerable of us have fallen through the cracks, and the cracks themselves have grown wider and deeper. It's absolutely unacceptable for this to have happened, Mr. Speaker, and since it has, we have to now insist on the highest level of accountability

from the Minister and his department, and that leads us to today's motion and debate.

I've said many times, Mr. Speaker, that I support building critical infrastructure for our territory. I will support measures to bolster our economy, create wealth, and allow our communities to grow, but I will not ever, Mr. Speaker, invest in bricks and mortar over investment in our people. Now, it's clear that our people have fallen by the wayside.

Many people have been referring to the 2014 Audit of Child and Family Services which found many of the same problems that still exist, but I'd like to go back further, Mr. Speaker. The responsibility for health was devolved to the GNWT from 1982 to 1988. Like many things that came to us from the federal government, the devolved healthcare system was a product of old colonial times. The act has been amended more than a dozen times since, but those changes, obviously, haven't brought our system into the 21st century.

Today's debate convinces me of that. Surely, the laws on our books should reflect the Indigenous character of our population and reflect the conclusions of the Truth and Reconciliation Commission, but that has never happened. Instead, most of what we've heard from the Minister for years has been about the new Regional Wellness Board, the super board with its super powers that's going to fix all the problems, Mr. Speaker, but org charts and job descriptions don't mean much to kids in trouble, so we fail to overhaul antiquated laws, to recognize our Indigenous state. We have failed to take seriously the need to move toward reconciliation and self-determination. The fact is, this government's laws don't recognize the social and cultural reality of our citizens. What was needed was less time with org charts, and more time with real children and real families.

Mr. Speaker, for additional context on where I am coming from, when the community of Deline was negotiating its self-government agreement, the GNWT wanted to devolve our existing childcare system to the community. Here's our system. Do it this way, and over time, we will grant you full authority to manage it on your own. Essentially, Deline said, no way. We don't care for our children that way. We won't swoop in and pluck a child away from here. We look after our children as a community. Surely, that should have been a lesson for this government.

After the grim results of the Child and Family Services audit in 2014, we were told by this Minister that heads were going to roll, that the highest level of accountability would be executed, but obviously no heads have rolled and no accountability was taken because four years later, circumstances have not changed. Actually, I stand corrected, Mr. Speaker. They have changed for the worse.

Now, in 2018, the Auditor General says that all the responsibility for making changes was offloaded onto social workers without resources to solve the problem. There were no new social workers, no funding for more social workers, and no new training to implement new processes. Mr. Speaker, that's a complete and utter failure. Instead, the top priority of our Ministers when they started this term was to cut \$150 million in spending. No matter what it takes, we must get our fiscal house in order, was the repeated message to the public. No wonder we have lost sight of human needs out there, Mr. Speaker.

If our government machine is so big and expansive, if our laws are out of date, if we're focused on cutting spending while people and families are suffering, then it's time for a fundamental shift. Accountability has been the catch phrase of the whole 18th Assembly, yet it seems there is little interest in it. Maybe it's not surprising that, three years later, things haven't gotten better. In fact, Mr. Speaker, I hope the Minister responsible for accountability and transparency will actually analyze this situation as a case study and help the government learn lessons from this unacceptable failure.

Now, we're speaking to a motion to revoke a Minister's appointment because he has lost the confidence of the Members of the House. Just introducing such a motion is a serious step and one that Members on this side of the House do not take lightly. Like many things we do in this Chamber, removing the Minister probably won't have much direct impact on vulnerable children and families who need our help. Mr. Speaker, it saddens me to say, but as we speak, children are at serious risk.

This motion to remove the Minister is about accountability. The Minister has accepted the Auditor General's report, but in my view, not the responsibility that goes with it. Without taking responsibility, there's no accountability, and there is too little will to really help the children in this government's care.

Again, it is a sad state of affairs. Mr. Speaker, Regular Members have resorted to a revocation motion today because all other efforts have failed to bring about desperately needed change. We have tried working with the Minister to make sure the Auditor General's past recommendations were followed. Standing committee have had meetings after meetings on strategies, and frameworks, and business plans, and Members have raised these issues time and time again.

We are taking this action today because we will not accept putting children's lives at risk due to the negligence of this government. The Minister needs to hear this message loud and clear, and so does the public.

Perhaps the voices of the people added to our Regular Members will light the fire of change to protect children in our government's care. Whether or not our vote allows the Minister to keep his job, he must take full responsibility for his department's wrongdoing and inaction, not to us in this House or to his colleagues in Cabinet; he must make a public apology to the children, families, and foster families who are struggling through a broken system, and not allow it to break down even further under his watch. He must also make the department accountable, not in the government boardrooms, but in the classrooms, kitchens, and living rooms, where people actually live their lives.

As the recent audit makes clear, the children, the most innocent, vulnerable, and precious among us, will remain at risk until the promised changes are made. That must be the Minister's next job, or the next Minister's job. He or she must not rest until it's done.

Mr. Speaker, my comments and position today are on behalf of those whose voices have not been heard. I will be voting in support of the motion. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. To the motion, Member for Sahtu.

MR. MCNEELY: Thank you, Mr. Speaker. My earlier presentation or statement is relatively the same. I have experienced the improvements of social services in my riding. I've engaged in phone calls to the department after hours, on weekends, to remedy situations of critical concern to the family. They were always answered, and in all of the cases, a resolution in favour of my request was always there. It was comforting to know the system, although it may need improvements like anything else, was there to support me.

An example of child welfare would be an example I've seen in one of the communities that I represent. In the remote, smaller communities, lots of challenges, lots of problems, disturbing family, social services removed the children from that unstable environment but kept the children in the cultural environment of their community; not like residential school, which took them out of the community. They remained in their community to see and hear the traditions of family, uncles, and supporting ones.

I will make my presentation short. As I mentioned in the previous motion, I did consult on both motions with our leadership from the Sahtu, and I feel comfortable in saying, Mr. Speaker, in this position, I've seen unbelievable socially related, disturbing issues, both here in the medical centre and at the home community medical centre. Things that I didn't believe existed, but in this public life, we serve everybody in the community, despite the fact that they voted for you or against you. I've learned to accept representing everybody, even though we encounter previous difficulties in situations of differences. In short, I work with all my colleagues on both sides of the House, but I work for the residents of the Sahtu. All of Cabinet, both Ministers in question, have done nothing wrong, but rather good for the people that I serve.

In consultation and collaboration with leadership, we have many challenges out there. We have such a short time remaining, as previous speakers have mentioned. I don't feel like going down that road. I want to face the solutions knowing the fact that we've got trust and a working relationship to put our heads and departments together to resolve those problems, problems that I've seen. As I mentioned earlier, I don't want to go there and expose what is actually happening, things that we, I think, in most cases, have seen in representing small communities.

I represent five communities, all uniquely diverse with positive and negative things which come with a community of remoteness and isolation.

I'm sorry that I didn't mention this to the earlier motion, but I thank the Minister from Hay River South for all the contributions and how he has supported our community and our region of the Sahtu. Again, I thank that Minister.

I can't support this motion for the reasons being, as I mentioned, we have to move ahead, collaboratively, jointly, building relations, facing those challenges head on. We have limitations, we have physical limitations operating in a high area that creates extra burden to the judgment that we need to solve those resolutions. It can be said in the old saying, 'Together we rise, alone we fall.' Masi.

MR. SPEAKER: Masi. To the motion, Member for Kam Lake.

MR. TESTART: Thank you, Mr. Speaker. I stand in support of this motion because I

believe the Department of Health and Social Services has made mistakes, mistakes that have adversely affected all NWT residents and have cost this government dearly. The GNWT's credibility as the guardian of children has been severely questioned by our citizens, and public confidence in the administration of these programs and services is practically non-existent.

Fortunately, the first steps to remedying this mistake are easy. It is the steps we take after this motion that will be more challenging.

In our system of consensus government, it is not the department that is accountable for these mistakes; it is the Minister who stands responsible for the performance of the departments under his portfolio. This failure of the government to provide adequate protection to the children in its care is so serious and has been known for so long that someone must be held accountable for this. In our system of government, that person is the Minister responsible.

The subjects of the Auditor General's report are children, children under the care of the government. These children are already living in high-risk situations, which is why they are under care to begin with. Let me be clear, Mr. Speaker, yes, this motion is about holding the Minister responsible, but we must not lose sight of those who are directly affected. They are living, breathing children, and family members. They are the ones who are affected the most, not the Minister in question, not me, not any other Member of this House or public official in the Northwest Territories. This is about children. We must not forget that, as this motion arises from the mismanagement of the care of our children.

Our job as elected Members is to do more than ask questions and make statements. Our job is to take action to ensure that those with power in our society are held to account for their actions and the performance of the exercise of that power.

Moving forward, I want to remind Members of this House, as well as the public at large, that the last time a vote of non-confidence was successful in this legislature, it came because a Cabinet Minister made several disrespectful comments and followed them up with a threatening hand gesture. I worry that some Members might forget that those most affected by the inaction of a Minister, especially in the matter that we are speaking of right now, are not Members of this House and do not have the same privileges we do to hold a Minister to account, and youth at risks ought to have someone speaking up for them to address this systemic and long-standing crisis.

The questions and observations I encourage all Members to reflect upon as I go through the remainder of my statement are as follows: who is the Minister ultimately accountable to? This Assembly, the public, Cabinet, the Premier? Does or should the timing of the next election have any real bearing on the House's duty to hold the Minister to account? Should elections be the only time Members are truly held accountable? Has the Minister accepted that the buck stops with him? If not, who? In what circumstances does the buck stop getting passed around? Good intentions, Mr. Speaker, do not provide these children with any solace, nor does it work to make them safe or work to help ensure they are healthy and that their families are able to break the cycle borne out of some of the most; a reflection of the most terrible policies of

colonization, residential schools.

I am disheartened at the state of our democracy if the best defense for the Minister responsible for this alarming failure of government is that he is a hard worker and he means well. Well, that sort of "better the devil you know" mentality is at the core of what is eroding responsible government.

Mr. Speaker, Cabinet has the right to design and implement policies, programs, and regulations. They aren't required to request the House's approval to do so, and aren't even required to share that with the Members of this side of the House if they don't wish to. Fortunately, most programs, policies, and regulation changes won't adversely affect residents of the NWT. Bringing them into the legislature approval debate isn't always going to be necessary. In fact, it could be considered a waste of time in many situations, Mr. Speaker. In this case, this is not one of those situations.

Yes, from time to time, these types of failures of management can be significant. It has major ramifications for the GNWT and the NWT as a whole. I believe that the moments of failures of management currently in question fall into this crisis category.

When assessing or reassessing policies, programs, and regulations that will have consequences for our people, Ministers ought to be expected to demonstrate a standard of care, which involves actively engaging Regular Members and other stakeholders who may be affected by this new information. It does not mean that the Minister should sit on the results of an internal audit for a period of months before they are brought forward for consideration by the rest of the House.

Mr. Speaker, the first time the Standing Committee on Social Development, which reviewed this file, was made aware of it was by press release shortly after the Auditor General's report came out. The severity of the situation was well-known internally to government and kept from those who are actively working together to make consensus government work on behalf of the residents of the Northwest Territories.

Mr. Speaker, for the government to meet its fiduciary obligations on behalf of Indigenous people to serve the interest of Dene, Inuvialuit, and Metis, as well as other peoples and residents of the Northwest Territories, a significant amount of information and facts are required in order for Regular Members to make responsible and informed decisions. The accessibility of information is required to plan and ensure that past mistakes are not repeated, perpetuated, shrugged off, or swept under the rug.

Unfortunately, it's clear that, in this case, the government felt more comfortable taking the easy route out, hoping that, as tradition and as status quo, this matter would be forgotten in a few weeks and all would be well, given enough time until the next election.

Does the committee and the Members of this House understand the ramifications of maintaining the status quo in a culture of inaction towards ministerial accountability? Do we fully comprehend the consequences and costs as we continue to fail to protect the health and safety of children in the GNWT's care?

Many Members of this Assembly, including myself, are fully aware of the uphill battle we engage in all too frequently with select Ministers, having to continually ask for open

dialogue and forthcoming information on files with such potentially sweeping and long-term consequences.

I ask: does the Minister in question believe the children in his department's care are well-served by the laissez-faire attitude which has plagued this file from Assembly to Assembly? How much will it cost the NWT when these children become adults? To them and to their communities, to the GNWT, and to all people of the Northwest Territories?

Does the Minister comprehend the scale of this repetition of failures and the echoes of a dark chapter of our shared history? The terror and neglect faced by Indigenous people to the policies of colonization in residential schools? In fact, we have another Minister who won't accept personal responsibilities or even apologize to the people of the Northwest Territories for these systemic and unacceptable issues that have occurred under his mandate. I don't believe the plans were actioned with the care and attention they needed and deserved.

How can we as Members and how can members of the public feel confident that this government has demonstrated a reasonable standard of care or due diligence if the Minister can't answer these types of important questions when they are put to him before the House? Or at least return with a complete and uncensored information to the House in a timely fashion and to the Members of this House, who are working on behalf of their constituents?

Mr. Speaker, here is what should have happened. It's clear this government needs to do something to help the children in its care. It's clear this is not an easy file with a simple solution. It's clear these problems continue to reoccur. It's clear that the Minister should have consulted with all Members of the House and given a thorough and complete report on the matter. A secret, unrecorded meeting would have been better than a press release. Again, I ask how this public institution, this democratic institution, can properly function if those outside Cabinet are kept in the dark?

The department has researched this issue. The Office of the Auditor General has audited this issue twice, Mr. Speaker. The Child Welfare League of Canada in the year 2000 recommended the department develop a caseload study, which is still incomplete. Again, in 2014, the same Child Welfare League was commissioned to do a workload management study to help identify what resources were required to deliver Child and Family Services. The Minister has had five years to act on these recommendations, but now they have a plan.

Mr. Speaker, too little too late. If the information had been shared openly with MLAs and affected children actually contacted and effectively followed up by the GNWT, then this Assembly might have been willing to find innovative solutions to this perpetual cycle of abuse and the failure to our minors. The Standing Committee on Social Development could have followed the footsteps of its predecessor committee from the 16th Assembly and reviewed Child and Family Services to work with the Minister on bringing meaningful solutions to these persistent failures to protect children in the government's care. Instead, the department compromised the best interests of children under its care due to limited resources, outdated legislation, and poorly implemented management

tools.

Mr. Speaker, the Minister must be responsible, for there is no one else who can be. Rest assured that the credibility of this government in the eyes of the public are fed up when they hear another instance where government-sanctioned institutions failed to meet the basic rights of Indigenous children. The Minister did not prepare a comprehensive brief and consultation with Regular Members, neither when the department conducted its internal audit from five years ago, nor in 2018 with the most recent OAG audit has been made public.

The failure of this case, the failure of Health and Safety deserves to be shamed, and that is without question.

Mr. Speaker, it's clear from the impassionate and emotional responses from a member of the public that this is not a situation that can be seen as a mere complicated situation that requires complex solutions and limited resources. There needs to be more done, especially considering the nature of this issue coming forward again under the same Minister's watch, a Minister who is widely seen as very hard working, as very confident in his portfolios and has personal and intimate knowledge of this file.

That is what brings us here today. There is outrage from the citizens in the Northwest Territories that these problems persist and there seems to be no way forward. In fact, things are worse today. We must take action to hold the government to account so the message is set clear to the entire system of the GNWT that, when failures of this magnitude continue to go unchecked, there are political consequences to the people at the top. That should encourage everyone, every one of us, to work diligently to ensure that they never happen again, that they are not swept under the rug, and a culture of silence does not persist around those who are most vulnerable in the government's care. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. To the motion. Member for Frame Lake.

MR. O'REILLY: Merci, Monsieur le President. As I said earlier, I have tried to choose my words very carefully. I take the issue of removal of a Cabinet Minister very seriously.

While I personally like the Minister and often agree with him, this motion is about leadership and priorities. I have no doubt that this Minister works very, very hard in managing one of the largest and most important departments. The Minister has led some very important initiatives, and I give him full credit for the accomplishments that he will no doubt raise. I also find the Minister to be very receptive and responsive to the numerous constituent issues I have raised with him.

When all of us were fresh and new, we outlined our priorities. My three were reducing the cost of living; getting our resource management house in order, which is largely what I talked about in my last statement on the previous motion; and healthy communities, with a focus on children and housing. I want to stress my stated priority on children.

I sat in on the briefing done by the Office of the Auditor General on Child and Family Services last week. I was expecting to hear that we had made some progress, even if it

was minor, on improving these areas. Mr. Speaker, I have sat through a lot of briefings over the last three years, but to say this one was disturbing would be an understatement. I am not going to repeat the audit findings here, but I just don't accept that we could have failed our children and families so badly. How could things possibly get worse in four years, under the same high-energy Minister?

While I have heard some explanations from the Minister, and he has plans now in place for improvements, what I haven't heard, and what some of my constituents haven't heard, is some ownership and responsibility, and perhaps most importantly, an apology. We have collectively failed the most vulnerable people in our society, and for that, I am truly sorry. I am also willing to learn and to take action.

I have thought long and hard about how and why we have ended up in this situation and what needs to be done if the ultimate objective is to improve our services and supports for children and families. We don't want to lose any more of our staff who work in these difficult and challenging services. They, too, need and deserve our support.

I accept that the Minister has said that the right plans, systems, and resources are in place or about to be put in place to allow us to start to head in the right direction. If so, then the question is whether a change in Ministers would make any difference. I have no doubts about the passion of the current Minister on Child and Family Services and the other challenges within his department, but the path for improvement seems to be set in motion no matter who is at the helm.

I don't blame the Minister for where we got with Child and Family Services. This motion is not about blame, but leadership and priorities. I believe that more resources, energy, and focus can and should have been devoted to Child and Family Services. For example, supplementary appropriations to carry out the much-needed overall needs assessment or more staff and training. I have no doubt and have seen that this Minister is not shy and has the ability to extract funds from the Financial Management Board with good business cases. However, I don't understand why this wasn't done sooner with Child and Family Services.

In my view, this all boils down to the priorities of Cabinet as a whole. I have openly disagreed with Cabinet's priorities from the very beginning of this Assembly. Clearly, the focus of Cabinet has been on its fiscal strategy above all else, at the expense of the needs of our residents, including our children and families most in need. The focus on managing expenses, cutting programs and services to fund infrastructure, large projects, departmental amalgamations, and a looming labour dispute with an unfair wage offer have created a distraction from the real and immediate needs of our residents. This difference in priorities has sapped enormous amounts of our time and energy in this Assembly. It has created a huge gulf between Regular MLAs and Cabinet and strained consensus government to the breaking point.

As I support this motion, it is not about the performance of the Minister. He is good and perhaps our best Minister. My vote is about leadership and priorities. Leadership is about taking responsibility, and that includes making apologies. I have raised the issue of priorities, and in my view, Cabinet's priorities are not my priorities and have not brought the attention or focus that we need on Child and Family Services, economic

diversification, housing, climate change, and the other pressing needs of our residents. I believe that our best chance at resetting Cabinet's priorities, and that includes greater attention and focus on improving Child and Family Services, is by supporting this motion. Mahsi, Mr. Speaker.

MR. SPEAKER: Masi. To the motion. Member for Tu Nedhe-Wiilideh.

MR. BEAULIEU: Marsi cho, Mr. Speaker. Mr. Speaker, I truly understand the difficulties of Child and Family Services. I have been involved with the Minister on this file for a long, long time. The Minister and I have travelled together on the Standing Committee on Social Programs. In 2009, we developed a report that I think set the pattern for what should be done for Child and Family Services, and I also understand how difficult it would be to carry out those responsibilities.

My issue is the fact that that Member is not listening to the Members on this side. When I say that, I say that for a reason. I am from a small community. I think everybody knows that in here because I talk about that almost every day. I represent small communities, although I live in Yellowknife. I also represent the two communities that are here in Yellowknife, the two Indigenous communities, and I often speak about things that maybe people over there are not really understanding why I am talking about them.

I often speak about homecare and how I am asking this Minister to put a lot of money into homecare. For what reason? To keep elders in their homes. Why? So that elders in the communities can help the families. They are seen as important members of families, Aboriginal families, Indigenous families. I talk about homecare. There is no connection made. We will put money in. Some money goes in. Meanwhile, we are still building these huge long-term care facilities that are going to warehouse our elders. I want to keep them at home so that they can help the families.

Sometimes in our Indigenous communities, the only income in the whole family, and people from small communities know that, is the pension, and they take that away. The elder goes into long-term care. It makes that family basically reliant on income support. It is very difficult to raise children on income support, very difficult to provide the necessities on income support. We need family units in our communities.

I talk about alcohol. I talk about alcohol a lot here and how we need to put programs in place in small communities to stop alcoholism. Alcohol is destroying our communities, and the people who feel that the most, Mr. Speaker, are the ones who can't do anything about it, because they are just little kids. They can't do anything about that. Who can do something about that are the adults, and who can work on that is this department. We need to work on that so that we could help the children, so that we don't get this kind of report again. I recognize that some of the stuff that this Minister is trying to do is positive, is exactly what the small communities want, but they can't have it, because of alcohol. What we need to do is we need to prevent. We need to work on prevention.

We just heard a report a couple of months ago about how our hospital here has hospitalization of people because of alcoholism at six times the national average. It is no wonder that things are getting worse in the communities, and children are worse off. It is because we are not working with the people to prevent some of these things from

happening. If we could keep the family together, and we could prevent the families from going deep into alcohol, if we could hire the people, if we could have homecare workers in the small communities, working with the adults, keeping the elders in the community and having jobs and providing for their families, then we are not going to have to collect the kids and send them to a home.

When I speak, I am speaking almost as an expert, because I represent Aboriginal communities. That is what I do. My communities are 95 percent Aboriginal; Indigenous, if we use that term. Those are the people who have their children in care. Our people have children in care. It is not people who have high incomes. It is not people who sit there in big homes. They are the ones who have the kids stay with them. They are the ones who are available.

We have talked. I know that the Minister's desire was to have the families stay in their own communities with their own families. The actions to make that happen were not there. I don't know. I feel like not making the connection. What I am asking for all the time in the House are jobs, homecare spending, early childhood development, alcohol treatment, alcohol work, trying to follow a plan. We developed a plan called Healing Voices where a committee of people travelled all over the Northwest Territories and talked to people. They asked the people, "How do we resolve this issue?" and they came up with 70-some-odd recommendations and presented to this department.

I don't think things have improved. If we believe the reports, I think things have gotten worse. I see that there is a little more work in the communities, but we need to have a lot of work in the communities. We need to be able to put people to work so they can take care of their own kids. I often use the term "All boats shall rise." That is because when you have pumped money into small communities, it will have a positive impact on the regions, which will have a positive impact on our capital city.

"All boats shall rise" basically means that everybody is going to benefit from it, and the people who can't defend themselves, cannot help themselves, will get help because they will have adults who love them, who are going to be there for them, and they are the ones who are going to be resolving this issue. It is going to take the people to resolve the issue and listening to the people and having individuals like the government, this Minister to listen to people go into the communities and help families stay together so that we don't have this.

These are horrible numbers. We hear that there are more children in foster care now in Canada than there were children in residential school at the height of residential school. Residential school destroyed a society of people right across this whole country. We are bringing people in.

I have asked the Minister before. I said, "Let's check the incomes of the people on foster care. Let's find out. Are they in poverty? Are they too poor to have kids? Is that what it is? Is that why everybody is in care?" I think it is. Let's check the people who are in institutions. Let's check the correction facilities to find out if they are former foster kids. I think they are.

Nothing is going to change. This next group is coming in. The next group is going to be

the same way. Kids who get taken away from their homes, get taken away from their families think they are not loved. Once somebody feels that they are not loved, then they don't care about society and they become institutionalized. That is where we are headed. That is what we are trying to prevent.

We are doing this as a drastic action. Mr. Abernethy is a wonderful person and a good Minister. This is drastic action because it requires drastic measures. This is a drastic measure because we are in drastic times with our children. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. To the motion. Member for Hay River North.

MR. SIMPSON: Thank you, Mr. Speaker. Mr. Speaker, I am pretty even keeled, and I don't make decisions based on emotion. The visceral reaction that I have to the wilful neglect and disgraceful mismanagement of a system that was meant to protect vulnerable children means I couldn't look myself in the mirror if I didn't support this motion. Shame on those who don't. I don't know how they'll sleep at night. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. To the motion. Member for Deh Cho.

MR. NADLI: Thank you, Mr. Speaker. Mr. Speaker, I rise in support of this motion. I will keep my statement very brief. The Health and Social Services Department, Child and Family Services, was audited in 2014 by the Auditor General of Canada and then again this month in 2018.

Mr. Speaker, what the 2018 Report on Child and Family Services stated is very clear. Changes or improvements were not made in the protection and care of children since the last report. The Minister of Health and Social Services and his department failed to address the fundamental issues of addressing the need for changes.

Mr. Speaker, if a family member's child or even my child was removed from me and taken to a strange home, bounced around here and there, was further traumatized and hurt again rather than protecting and nurturing that child, then I have to speak. Therefore, I support the motion of revocation of the Minister of Health and Social Services. Mahsi.

MR. SPEAKER: Masi. To the motion. Member for Mackenzie Delta.

MR. BLAKE: Thank you, Mr. Speaker. Mr. Speaker, to the motion, I cannot support this motion. Yes, our first reaction is to get rid of the Minister. Mr. Speaker, moving forward, it seems like every time -- you know, I have dealt with the Minister many times. He has helped in a lot of situations with my constituents. We are in a crisis, Mr. Speaker. We can't blame solely the department. You know, it is very challenging. Many people here don't understand it because they don't come from a small community.

Mr. Speaker, in our small communities, we lack capacity. Even for taking over children, whether it is our own family, a lot of people aren't in that situation to take on more children. Not only that, they have to pass a criminal records check.

Mr. Speaker, it has been brought up in our committee that that is what we are struggling with. We have a lack of foster parents in our communities. You know, we can't force

people to do that. We have to encourage them. We have to give them the resources. We can't force them, Mr. Speaker.

I think the Minister gets the idea that we have to put more focus on this. I know there has been a big turnover in his department. I think that they now have the resources to see this through.

Mr. Speaker, I know it is very challenging with this department that is so huge. It is the biggest department we have in this government. Maybe one thing we need to look at is whether we divide these two departments, have one department of health and one as social services. They have been amalgamated since 1995. Maybe we have to ask ourselves the question: is it working for our territory, for our children? We haven't looked at that.

Mr. Speaker, as we move forward, you know, there are many changes that we have to do in this department. I know the department has been struggling since we began our 18th Assembly with the recruitment of more doctors and nurses in our territory, which they have done.

It is pretty clear that we need to focus on our children. There is a lack of social workers. I believe strongly that what we need to do is bring back our social work program with Aurora College. It is pretty clear we don't have the capacity in this field right now, and we need more because I have seen in my riding, you know, the stress that our social workers face.

You know, many people may think that they enjoy taking children away from families, but to the fact, it is in the best interest of the child. We hear clearly in our committee that it is tough, but like I said, we need to encourage more families in our communities to be foster parents. We all want our children to stay within our communities. Mr. Speaker, I believe that, throughout the rest of our term, that is something that we need to work towards. Thank you, Mr. Speaker, and I won't be supporting this motion.

MR. SPEAKER: Masi. To the motion. Member for Yellowknife Centre.

MS. GREEN: Thank you, Mr. Speaker. Mr. Speaker, when the Auditor General's report on Child and Family Services arrived last week, it ignited a fire that had been smouldering for years. With an average of a thousand, one thousand, children in care at any given time over the last 10 years, almost everyone in the NWT has a connection to the child welfare system, and that includes me. All of them have an opinion of how well it is working or, as the Auditor General told us last week, not working. I welcome the conversations that this report has forced us to have.

Mr. Speaker, it is always worth repeating that the Auditor General reports on whether a department is following its own legislation. It is not a report card; it is not a job evaluation. It is an assessment not of what is going right, but what is going wrong.

Mr. Speaker, the Auditor General concluded that there is a lot going wrong. As I said last week, Child and Family Services is failing children in care; not just failing them, but sometimes putting them at risk of even greater harm than the circumstances that brought them into care in the first place. Investigations into reports of children in unsafe

situations are behind. Mandatory interviews with children and parents aren't happening. Homes for children are not screened. Children whose parents are unable to care for them are the most vulnerable people in our society, and too many times they are not getting the care that they need. For me, these findings are profoundly upsetting.

Mr. Speaker, the audit results came as a shock to me, but the Minister said that they weren't a shock to him. He said that they confirmed internal audit results that he received in May. These results were not shared with the Standing Committee on Social Development. Why not? The committee has been briefed by the Minister about previous audit results. We didn't ask, and he didn't tell. This is a serious oversight.

Once the Auditor General's report came out, the Minister didn't take responsibility for the findings or apologize, as he should have done, but rather, he said that his department has already started taking action to fix the issues identified by both audits. The details are sketchy, but two points stand out for me. The first is that asking social workers to do more paperwork by involving them in more reporting to the department is not what I want to see or what the Auditor General suggests. The Auditor found that social workers are already burdened by paperwork and reporting. More of the same will further diminish the limited time available to work with clients. The Auditor General made it clear that social workers need more time to work with children and their families, not less.

A second point that stands out for me is an issue that has been identified as a problem as far back as the year 2000. It was repeated by the standing committee reviewing the Child and Family Services Act in 2010 and repeated again by the Auditor General in 2014. The Department of Health and Social Services must perform a detailed assessment of the financial and human resources to deliver the Child and Family Services mandated by the act.

The Minister, the very same Health and Social Services Minister, said the department would contract the Child Welfare League of Canada to conduct a workload study as the first step in assessing the human resource requirements of Child and Family Services. The report was supposed to be delivered in March 2015. I don't know whether the report was completed or what it said, but the Auditor General has again recommended that the Minister assess the financial and human resources to deliver Child and Family Services.

As I said in my statement last week, until this work is done, we won't know why the Tlicho Community Services Agency has half as many child protection workers as Yellowknife when the size of their caseload is similar.

Mr. Speaker, the Minister has said that he is going to step up the recruitment and retention of social workers, hire more workers in anticipation of the approval of the next operations and maintenance budget, double fill staff positions, and create eligibility lists. Presumably, this could have been started, and announced, when he received the undisclosed report back in May. All of this hiring and budgeting is great news, but where is the caseload study or research that shows how many positions are needed and how they should be focused? More importantly, why has it taken so long to get to this point?

Further on this point, where are the social workers going to come from? There are

graduates of the Aurora College Social Work Diploma Program working in NWT communities now. More are needed, along with social workers who have degrees. The Minister has said little to nothing in support of retaining the Social Work Program and expanding it into a degree program. That must change. Replacing northern social workers with southern social workers is not likely to be helpful or result in better retention.

I have a sinking feeling that the answer has to do with this government's wrong-headed approach to budgeting, making cuts in the first two years of this assembly to fatten the surplus and thus increase the budget for building roads. The fact that needs of children and families have played second fiddle to constructing a road to a gravel pit galls me. I don't know how hard the Minister worked to change this focus, but the fact that he didn't win is now a ball and chain around his ankle, and a major reason that we are having this debate today. All of Cabinet must stand indicted in this motion.

Mr. Speaker, in spite of being short-changed of resources in this Assembly, the Minister and his staff have made headway on the goals set out in the Building Stronger Families action plan. Legislation has been amended to eliminate the gap in services for youth who are 16 to 19 years old. The new structured decision-making tool has been introduced and provides guidance on issues that relate to child abuse versus those that stem from neglect. The old information management system has been replaced. An effective tool is now in place for annual compliance audits.

Mr. Speaker, these are significant changes, and they needed to happen, but they have required social workers to spend extra time training, and even more training is needed, according to the Auditor General. As a friend of mine said recently, "There is no amount of training that will help if you are overwhelmed." The remedy is more staff and smaller caseloads so that people are less likely to quit and can function more effectively.

In the rapidly changing and high stress environment of social work, and child protection in particular, there are times that social workers haven't had enough time to meet all of their clients' needs, or at least that is how I understand the Auditor General's findings. I have no doubt that they are as distressed by this situation as I am. Some people may say the Minister hasn't done enough, while others say that he has done too much in too short a time. As another friend of mine said, "The action plan has fixed the system, but it has not fixed the kids."

Mr. Speaker, I want to turn now to the big picture. The Child and Family Services Act represents an institutional, western perspective on caring for children when their parents are unable to do so. It represents a nuclear family, middle class ideal, where enforcing standards, limiting liability, and avoiding risk are fundamental principles. It does not adequately account for the population it serves, most often Indigenous children and families with large extended families, who are rooted in small communities with a strong sense of culture and identity.

Mr. Speaker, in her 2010 report on the NWT, child advocate Cindy Blackstock found that the overrepresentation of children in care is "fuelled by neglect, which, in turn, is driven by poverty, poor housing, and substance misuse, as well as domestic violence. Abuse reports do not account for the dramatic overrepresentation of Aboriginal children

in care in the NWT."

The Minister and his staff have tried to address this resourcing disparity with tools that support families to care for children within their homes. This is a tangible response to the neglect Ms. Blackstock addressed in her report, but we as a society have a long way to go before low incomes, overcrowded housing, and food insecurity aren't the background of most child protection issues.

Even better than these tools would be to create a preventative or proactive response to families that are struggling. Create an integrated case management approach to family well-being where community-based social workers join teachers, elders, and families in figuring out how to help them before their needs bring them to the attention of authorities.

The enormity of kids in care is the result of wrong-headed priorities. What Cabinet doesn't get, or doesn't care about, and what this Minister has apparently been unable to budge them on, is the need for resources to ease our social pain, as the precursor to successful engagement in the economy.

Mr. Speaker, there is no question that the priority needs to be keeping families together in their own communities if at all possible. Separating families, sending children to other homes and other communities isolates them, and diminishes their sense of culture and identity. The goal here is to prevent the child welfare system from inflicting the same harm that the residential schools did.

Senator Murray Sinclair, the chairman of the Truth and Reconciliation Commission, told a conference last week that if the child welfare system existed in its current form, he would have been apprehended and cut off from his extended family and community. His grandparents' house didn't have running water or electricity, and both food and wood were sometimes in short supply. He looks back with gratitude for his grandparents' love despite the compromises on physical comfort they had to make. When I read his remarks, I thought about how few foster homes there are in some communities. Would they even pass a standard screening? Sometimes the department's approaches to help don't fit clients' needs, and this is a systemic rather than human resources failure.

Mr. Speaker, yesterday, the Minister of Health and Social Services talked about the new buzzword in health, cultural safety. While I don't care for the term, it is an important concept. Government has acknowledged that, as a result of colonization, residential schools, and cultural bias, the health system hasn't been a place of healing for Indigenous people. The Minister said, "Our commitment to cultural safety recognizes that Indigenous clients should not have to adapt to our system, but rather, it is the responsibility of the system to change and transform to meet the needs of clients." This system transformation needs to take place within Child and Family Services as well, and for the very same reasons.

Mr. Speaker, a lot of what I have been talking about here today goes to general issues, spanning ministries and showing the deprivation of budget resources that are instead being spent on roads and other infrastructure. These are not to be parked with one minister. I think the Minister of Health and Social Services understands the challenges

that I have outlined. I think he has made a start on making necessary changes. I don't see any benefit to removing him at this point in our mandate. With the year remaining, I want him to make good on his promise to analyze caseloads and staff offices appropriately. I want him to focus on outcomes for children rather than inputs for management, and I want to see him create a two-year action plan to address the Auditor General's recommendations. I believe he is capable of doing this work, and so I will be voting against the motion to remove him from Cabinet. Mahsi.

MR. SPEAKER: Masi. To the motion. Member for Nunakput.

MR. NAKIMAYAK: Thank you, Mr. Speaker. Mr. Speaker, like my colleagues, there is frustration from the southern part of the territory, right to the northern part of the territory, and as well, Mr. Speaker, probably, between the Northwest Territories and the Government of Canada as well, too, when it comes to taking children and care out of the territory. Like Jordan's Principle, we have a federal government and we have the territorial government, but whatever government it may be, it might be a self-government, I'm fighting over who is going to pay the bill for the children while those children suffer and struggle in hospitals and in care around the country.

Mr. Speaker, that is something that we need to work on with the federal government. That is something within the territory that we don't have that much control over, but the Minister and his staff and the department have control over maybe working out with the federal government. The Premier has that power as well, too.

Mr. Speaker, Jordan's Principle is something that affects all of us, being in a territory where the majority of the people are Indigenous people, eight different languages and so forth. It is loud and clear that our needs for ourselves, our children, and the rate of suicides, and the rate of homicides in the territory are rising. I think we need to take a look as to why these are all happening, and how can we work that out to help the cause so that our people live a better quality of life. Mr. Speaker, we are missing all of those pieces in this big system we call the Health and Social Services.

Like some of my colleagues, I believe the system is too massive for one Minister to take on alone. I think, as earlier mentioned, some Ministers take on too much of a workload that they cannot focus, and one of my colleagues mentioned that some Regular MLAs know more about some of the policies than actual the Ministers do in their departments. We are willing to change that. That's true, Mr. Speaker. I get answers from Ministers, "Oh, my god. Geez, I could have asked myself that last week and come up with a better answer." I'm not pointing fingers. I'm just saying that in the reality, in the workplace that we work right here, it's true. Some of us are charged with looking at things that we are passionate about. We don't know everything, but the things that we are passionate about, we can take on and make a difference that way. I think that's how we need to kind of focus and realign our strengths as we move forward.

Mr. Speaker, we need to unify and demand a systemic change internally within the Legislative Assembly, because right now it is not working. It might be working for the departments. It might be working for departmental staff, but it's not serving the people of the Northwest Territories, and those are the children in care that we are talking about right now, Mr. Speaker. There is too much red tape in management and the policies. I

remember hearing that some time ago when issues came up, there were more policies put in place, and that is just more jargon and more hoops for people who need to jump through. In a sense, it affects the government's bottom line because, at the end of the day, they're not spending as much but they're keeping up with what they can. For me, that's a lack of capacity, Mr. Speaker.

If we struggle from a lack of capacity, we need to find it elsewhere. We need to ensure that we give the Minister and the Premier and our staff and ourselves the right tools to do that, and I think we're not doing that right now. We might be on our way to doing it but, Mr. Speaker, I think we have a long way to go. It's definitely going to pass this Assembly, like we pass the next Assembly until we get a handle on things, but we need to start moving faster. Every day, I believe I heard that every day or 24 hours, there's \$1.3 million spent on help in the Northwest Territories, and we look at our population, Mr. Speaker: is that enough, or do we need to increase that? Or do we need to aim our dollars better to ensure that it's going to the right people? Right now, we're caught up on salaries, and the system, I believe, and I've said this in the past, it's more suited to work around the healthcare professionals rather than the people who actually need the healthcare at times. Mr. Speaker, I encourage that within this arena right here.

Mr. Speaker, I come from an organization in the Inuvialuit Region. We are working on self-government. We are working with the departments to build capacity within everything that we do as Inuvialuit, and I'm sure other Indigenous governments are doing that across the territory. I think we need to utilize this time to revamp how things are working for our children, and use our next leadership forum, and invite the Indigenous leaders around the territory to help us develop the mandate for the next government of the Northwest Territories, because right now, it's not working. We are overloaded with mandate items that each and every one of us bring back from our regions, but how do we make those work together? It's not one size fits all. It needs to be specific for each region.

Mr. Speaker, my question is to myself. I'm sitting here listening to everything. Will a new Minister take over the current Minister's priorities as they move forward? Recently, we had a Cabinet shuffle and, Mr. Speaker, I can tell you that no, they didn't, actually. When certain Ministers swapped portfolios, they didn't take over the priorities of the current Minister or the government that set it in place, which is this arena right here. To me, that's an issue. We need to focus on that. We need to ensure that, when we do changes like this, whether it is a Cabinet shuffle or something within the department, I think we all need to work together on. That is where we get lost.

Sometimes, when we get lost, everything falls through the cracks and usually it's the children who are in care, you know. It's our friends and relatives who are in custody, or even elders who are in elders' homes right now, where in the Northwest Territories, some regions don't have the capacity to house elders who need the care.

Mr. Speaker, the moral of my story is, as such a massive department, what we need to do here is look at how we can improve it. Like what I said earlier, the leadership from my region came to my office this afternoon. We talked and they asked me to work with this Minister. There was a time when I was upset because I felt that, you know, after reading the report and looking at some of the items and some of the things that have

come out of it, it is frustrating. How do we work with the Minister so that he can work with us? It's not that, Mr. Speaker. It's that we need to work together regardless of if we want to or not.

This past couple of weeks during this session has been a long one. It has been a tough one, but today, you know, I'm not going to support the motion, Mr. Speaker, because I do believe that we need to work together. There is so much to do within this year until next fall that we have to put our heads together, Mr. Speaker. This is more like a whipping for somebody to say, "Hey, you know what? You need to work with us." That, to me, that is exactly what that is today. I believe that is what we need to do.

Otherwise, if we don't do that, shame on all of us here, you know. We see these two Ministers who have been put on the spotlight today, or for the past few days. I think what we need to do is help the both of them, so they can help all the regions in the Northwest Territories. However we get there, Mr. Speaker, whatever it takes, however we get there, let's do what we need to.

Mr. Speaker, I won't support this motion today. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. To the motion. Member for Yellowknife South.

HON. BOB MCLEOD: Mr. Speaker, our guiding principles for consensus government recognizes that a healthy tension between Cabinet and Regular Members is normal, Mr. Speaker. That is evident today. Our debates have not been without their disagreements.

As leaders, we will often be called upon to make difficult decisions; decisions where the path forward is not always clear. There are many priorities and many demands, many things that we want to do for our people. Managing the complex challenges and demands our government faces is a key part of every Minister's job, and there is not always going to be agreement over how that is done or the decisions that are made. I believe Minister Abernethy is doing a good job of facing the many complicated issues and challenges involved in delivering Health and Social Services to all 44,000 Northwest Territories residents in all 33 communities.

The methods for addressing a Minister's performance issues in the consensus system are well-known. As is the tradition in the consensus system, Cabinet works together to make decisions on behalf of residents and carry out the responsibilities that we are each responsible for.

As Premier, I am responsible for providing leadership and management of Cabinet, and I speak frequently with all my Ministers about the work that they are doing. If Members have concerns about how a Minister is performing, they may speak directly to the Minister to raise those concerns. If they feel there are still concerns after speaking with the Minister, Members can always come and speak to me directly. Our process convention also gives Members the option of asking for a fireside chat with me to speak as a group about issues they are concerned about.

I do not believe that action to revoke Minister Abernethy's appointment is warranted. He is an experienced leader in his second term as a Minister and has performed well in several portfolios.

The recent audit of the Child and Family Services System is concerning, but I am satisfied the Minister is taking this issue seriously and has a plan for addressing the concerns raised by the Auditor General. The department has been engaged with the Office of the Auditor General for several months during the development of this audit. They have examined the issues raised by the Auditor General carefully and in detail to develop a management response that is part of the audit report.

The management response lays out how the department will fix the problems identified by the Auditor General. I encourage Members to do their due diligence and hear from the department in detail about the actions they have taken and will continue to take to ensure that children are safe. I understand that Committee has set a meeting for December 12 to review the Auditor General's report with the department. I expect this will be a good opportunity for Members and the public to hear in great depth how the Minister and his department are taking action on this file.

The first audit found that the Northwest Territories' Child and Family Services system needed a complete overhaul, and this Minister undertook those changes recommended by the Office of the Auditor General. The Government of the Northwest Territories responded with Building Stronger Families, a comprehensive response to bring about foundational change in a system according to the Office of the Auditor General's recommendations.

Under Building Stronger Families, the Government of Northwest Territories has taken the time to bring a new legislation and procedures to completely change the orientation of the system from one that apprehended kids to one that is also focused on prevention and providing better supports to families. This is exactly the kind of shift and focus that Minister Jane Philpott has been talking about nationally, in which we have been among the first jurisdiction as to formally implement.

Take a look at other provinces and territories. Children in care is a national issue that we are challenged to address. The department has invested \$5 million into putting the systems in place to respond to the 2014 Office of the Auditor General and Building Stronger Families plan. This includes support for the structured decision-making tools and the development of a new information system called Matrix. They will also be requesting resources through the next budgeting cycle to hire more staff.

We have made systemic change to the foundation that require staff to do work in a fundamentally different way. They are the right changes, focused on keeping kids in the communities and in their cultures, but implementing those changes has been challenging for front-line workers in the system.

The department has been monitoring its implementation of the system, including doing its own internal audits, that was telling them the same things the Auditor General learned. They have already brought in changes to ensure they are monitoring the system more closely, more frequently, and are directing systems to hear from front-line workers on implementing challenges on the ground. They have made management changes, are focusing on increased training and support for front-line workers, and are planning to increase the number of workers.

These are all steps that will help the Government of the Northwest Territories ensure it has a high-performing Child and Family Services System that puts the safety of the Northwest Territories' children first.

Cabinet has heard clearly from Members about their frustrations and their concerns. I intend to take what I have heard to heart. We can always do better as Ministers. As Premier, I am committed to doing whatever I can to live up to our residents' expectations on the provision of good government, and so are all the Members of Cabinet.

Mr. Speaker, Cabinet will be voting against this motion. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. To the motion. Member for Great Slave.

HON. GLEN ABERNETHY: Thank you for the opportunity to speak to this motion.

During the speeches today and comments made by Members of this Assembly over the last couple of weeks, it appears that some Members don't believe that I am committed to the CFS file.

Mr. Speaker, I want to ensure Members that this is not the case. I am 100 percent committed to make the necessary systemic and principal changes to Child and Family Services that will move it from a system of apprehension to one focused on prevention, while at the same time protecting children at risk from harm.

During the 16th Assembly, I participated in a review of the Child and Family Services in the Northwest Territories. During that review, I travelled to every region and virtually every community to meet with residents, former CFS clients, families, as well as children at risk. It was an incredibly difficult tour, Mr. Speaker, and at every stop, we heard some of the most horrific stories of how the CFS System had torn apart families, ignored culture, and caused harm. These stories and visits had a profound impact on me, and I made a commitment to the people that I met that I would work hard to change the system. I have done that, and I will still keep doing that. In fact, I will continue to fight to improve this system, whether I am a Minister, a Member, and even after I leave this Assembly and enter the non-political life.

Mr. Speaker, I was proud when the committee came forward in 2010 with the 73 recommendations to improve our system here in the Northwest Territories. In 2011, I was re-elected and honoured to be selected as a Member of Executive Council. In 2013, the Premier announced the Cabinet shuffle, and I did something that nobody does. I asked for Health and Social Services. This is an area that I am incredibly passionate about and feel like I could make a positive difference on this file for the people of the Northwest Territories. On October 2013, I did become the Minister of Health and Social Services.

At pretty much my very first meeting, I asked the then-deputy Minister an important question: where are we with the 73 recommendations? The answer was nowhere. It wasn't a priority. Mr. Speaker, this made me incredibly unhappy, and I felt like the work that we had done had fallen on deaf ears. I immediately directed the department to start putting together a plan to address all of the recommendations. The end result is Building

Stronger Families.

While doing the foundational work on Building Stronger Families, the CFS system was also being audited by the Auditor General of Canada. The timing of the Auditor General's audit, in my mind, was good, and we saw the findings, although, at the time, hard to hear, as helpful, and we were able to incorporate their 11 recommendations into the plan for the future of the Child and Family Services system.

In October 2014, Building Stronger Families was released as a five-year action plan to move us forward, and we are currently in year four of that rollout. I still strongly believe that Building Stronger Families is the right plan and that prevention-based system is the right thing to do. As a note, I have always been very clear that the first three or four years would have to be focused on building the foundation necessary to bring about change.

Also, as a note, the TRC report and its recommendations were released in June 2015. We were very happy that the recommendations in the TRC report related specifically to child welfare, which is consistent with the direction outlined in Building Stronger Families. It validated our hard work and reconfirmed the message that we heard from residents throughout the Northwest Territories.

Since the 2014 audit, many things have happened. In 2014, the Auditor General said that we needed to improve accountability, so we appointed and trained assistant directors in each region and made them accountable for Child and Family Services.

We were told to establish compliance audits and learn from them, so we did, and we are.

We were asked to report annually to the Legislative Assembly on the state of Child and Family Services, and we have done so for the past five years.

The Auditor General said that we needed to tools to assess longer-term risks to children, so we introduced structured decision-making tools. The use of the structured decision-making tools is allowing us to become more strength-based and more family-oriented.

We were told to improve training, so we revised core training for child protection workers and introduced mandatory supervisor training, and in 2014, staff had access to about 10 training days. Now, staff participates up to 90 training days in communities as well as in classes.

We were told to update our standards and procedures manual. In 2015, the whole manual was rewritten, which included over 200 standards, forms, and tools that are being used to review and update, and they were introduced as part of the new standards.

We were told to develop a process to improve information sharing, so we created a monthly teleconference and annual meeting where key staff can share challenges and best practices, and we have extended that to all staff.

While the OAG made it clear that some of these changes introduced should have been

implemented better, and, for the record, we agree, this audit neither reran the full audit from 2014 or passed negative judgement on what we have done. It is unfortunate, because these actions are the actions that form the key foundation pieces that make all of the profound changes that we need to happen possible.

Mr. Speaker, this brings us to where we are today. However, before I start discussing where we are today, I want to take an opportunity to apologize to the families and the children who have asked us to do better. We are going in the right direction, but we have not made the progress that I know you wanted to see. As a system, we will redouble our efforts and make Building Stronger Families a reality for you and for your families.

Mr. Speaker, the 2018 Auditor General's report on Child and Family Services was gut-wrenching for us all. I was deeply disappointed and concerned when I saw the OAG conclusion that there were areas where we were worse, specifically that we haven't managed risk as well as we should have.

Mr. Speaker, every person working on Child and Family Services, including me, wants to do everything possible to make sure that we are meeting our key responsibilities for the protection and well-being of children, young people, and families. The question that preoccupies me, and I know it is on the minds of all of our staff, is: are kids safe? I talked to our people on the frontlines, and I know how incredibly hard they work and that they are committed to making sure that our children are safe. It is our job to support them to do this, and we need to do it better.

The OAG report is a critical part of helping us do it better, and I thank them for their incredible work. Looking back at the 2014 Auditor General's report, we did implement every recommendation that we received, and through our Building Stronger Families plan, we brought in massive changes to the system, and we did this to provide better support to families and vulnerable children, who we serve.

I remain convinced that we are doing the right things, but it is equally clear that good intentions, ambitious plans, and hard work can only carry us so far. Where we have fallen short as a system is how we implement change, and I want to be clear, while the 2008 report does not find fault with the direction and intention of our actions, it clearly shows that we need more focus on how we are embedding quality practices into our organizational structure and that we need to improve our staff capacity and engagement to ensure that the massive changes we have been undertaking are sustained and lead to improved services.

This report has clearly validated that the system needed a better approach to resourcing, managing, and structuring and sustaining a massive change that we have embarked upon. We have been doing the right things, but we haven't focused enough in the right way.

Mr. Speaker, my department has accepted every recommendation in the OAG report, and we have provided a detailed response, which I encourage everybody to read, which moves us beyond simply saying, "We agree," and demonstrates the tangible actions that we have started and will continue. As you have already heard me say, the OAG

findings aligned with our internal audit findings in key areas that we have been working on since May to implement actions to address these findings.

Mr. Speaker, we did not wait for the OAG to take action. I would like to share with you actions that my department has already taken and has planned to take moving forward.

Our 2016-2017 internal audits and executive summary, which I shared with Members of the Standing Committee on Social Development in April 2017, identified quality issues where we needed to take actions and improvements. I saw the letter again today. We sent it in 2017. I heard Members saying that they didn't see it, so we have to figure out where it is and why they didn't see it, because I sent it. Based on those audits, and the ongoing work with the Auditor General, we put together a quality improvement plan.

So what have we done? As a system, we have been moving together to develop and act on this quality improvement plan. Much has been done over the past six months. We established a system-wide coordinating team to develop and implement actions to address high-risk quality issues.

We strengthened the assistant directors' forum to enhance their capacity and role clarity and oversight over the entire system.

Using the Matrix system, which was implemented late in 2017, we have implemented a process of quality reviews in areas where risk has been identified as highest by the OAG. A quality review provides real-time information to frontline staff and management about the performance of regions and key indicators. Starting four months ago, these reviews are now provided on a monthly basis, and I look forward to sharing those with committee as we go through the review in December.

We have established a robust training team of four staff dedicated to improving clinical training of staff, and trainers are located throughout the territories. To address the issues with supervision, a clinical supervision model has already been finalized, and training is being planned and will be completed by the end of December. We have improved our out-of-territory treatment approach by redesigning work flow, building a database, and preparing agreements for all 40 clients in out-of-territory care.

Just for clarity, 20 of the children in out-of-territory care are actually with their parents. They are living with their parents in the south. The other 20 are in facilities where we have checked, and there are clear guidelines. Those clear guidelines exist should a child go AWOL. We have established a specialized caseload for foster care as a territorial approach and now have identified positions in each region and department. Four of these seven positions are filled.

We reviewed all 22 guardianship cases, and I can assure the honourable Members that, in each case, our staff with delegated authority worked with the support of legal counsel to enable family Members or other agreed-upon caregivers to assume interim or full guardianship under the Children's Law Act. All agreements were with full parental support. All agreements engaged legal counsel for the director and the parents, and in most cases, the children's lawyer. I can assure Members that these children were placed with known and trusted caregivers.

Mr. Speaker, I have just given you a list of some of what we have done to address the issues of the OAG report, but I know what you're most interested in is what we haven't done and why. What we have done hasn't been enough.

Mr. Speaker, some of my colleagues have asked why I didn't share these issues sooner, and I've been clear and honest with colleagues and the public regarding issues facing our system. In April of this year, I shared with the Standing Committee on Social Programs a report summarizing the findings of the 2016-2017 audit process within CFIS, and I recently said in this Assembly and tabled the director's report and clearly described some of our shortcomings and talked about areas that we clearly need to make some improvement.

I also advised colleagues and the public that we have much work left to do here in this House and in committee while reviewing our business plans. Our updated audit approach is about continuous quality improvement and building on the strength to develop a better system.

We haven't done a comparative audit, like the OAG, because we haven't had a baseline due to the newness of our internal audit process. Thus, we have not produced reports that would identify our performance at different points in time. That said, the department is working on an approach to public reporting of key indicators that will be more clear and more transparent.

Mr. Speaker, I know that all Members are aware that the OAG process is very protected and very regimented. All staff have been engaged in the review in the early drafts of the findings and recommendations. We are bound by confidentiality. I was, of course, aware of the key findings in the department's planning, but I would have been breaching the confidence of the OAG to disclose any details of their findings, and it could have been seen as a breach or an attempt to upend the OAG by providing significant details of our own audit that were clearly aligned with that of the OAG. Mr. Speaker, it's frustrating, I know. I hear the Members, but I respect the processes that we are bound by here, and I will honour them.

Many of you ask me: why didn't I seek resources? Mr. Speaker, we invested over \$5 million in new resources to support improvements in Child and Family Services, and this was the total cost of implementing the structured decision making and Matrix. As a Minister, I took advice that the implementation of these systems would have positive impact on the workloads of staff and would change the nature of the workflow. For this reason, the opinion I received was that we should wait until full implementation. That means getting SMD Matrix in place so that we would be in a better position to do diligent and appropriate workload analysis, and that we could then use them to identify the resources that we truly need. At the time, it seemed logical, and I felt like the appropriate balance of doing the right thing would be prudent and responsible.

However, earlier this year, based on feedback from the department staff and staff from Health and Social Services, I became incredibly uncomfortable with this approach and directed the department to prepare a submission for business planning to seek new resources for more frontline staff.

The department drawing on the Child Welfare League of Canada Report and Caseloads Standards from the Child Welfare League of America completed a caseload review. While it isn't our convention to speak of matters in business planning process as colleagues, colleagues know we are seeking new resources in this important area and are proposing increases through budgetary processes for the next fiscal year. With the benefit of hindsight and finding of the OAG report, I obviously wish that we'd ask for resources to support frontline caregivers much sooner, and I'm deeply frustrated that the information I needed to provide the realization and provide direction was not available sooner.

Mr. Speaker, I saw a problem with our approach, and I took action. Mr. Speaker, in addition to the actions we have taken, there is much more work that needs to be done, and we will be compiling a focused two-year action plan to improve quality quickly. These action plans will be discussed in detail during the meeting with the Standing Committee on Government Operations in December following our well-established processes for reviewing and responding to OAG reports here in this Legislative Assembly. For the sake of time, I won't go into detail now.

Mr. Speaker, since the release of the audit, I have tried to openly share with Members what has been done and tackle head-on some of the concerns I have heard from colleagues in the hallway. Unfortunately, Mr. Speaker, CUPE is not always the best way to get detailed information out. There are processes in dealing with the OAG audits, and I feel that we must refocus and get back to the established processes. This is the process the legislature designated to ensure Members have the opportunity to learn more, ask important questions, provide valuable insight, feedback, and make recommendations that will help shape the improvements that we collectively make in this area.

I look forward to your thoughts and recommendations through that important and well-established process, and I want to be clear, this essential work and the OAG's report is critical to making a stronger system.

This has been truly a gut-wrenching experience for all involved, but as leader, it is my job to tackle it head-on, not take a back seat; own it; and ensure that we learn from the experience and move forward and build our foundation we have put in place over the four years to do better. As Minister, I am completely invested in improving Child and Family Services in the Northwest Territories and to lead this system through quality improvement journey that we started since 2014 and are currently strengthening.

We are in the fourth year of a five-year action plan which will now need to be modified. We know Matrix system change does not occur as an event. It's a process that takes time, focus, periodic stock-taking, and course correction. This audit is a call to action, and it shows us where we need to tighten up.

Mr. Speaker, late last week, Senator Murray Sinclair said that "residential school monster now lives in the child welfare system in Canada," and I completely agree with him. That is consistent with what we heard during our review of the Child and Family Services system in 2010. It is why we brought forward the Building Stronger Families. This is why we are focusing on families and prevention. It's the right thing to do.

Without question, we need to do better as we continue to roll out the new innovative model. Mr. Speaker, I work hard with respect to Standing Committee on Social Programs. Together, we have been able to make a number of positive changes on files that we've worked on together to benefit all Northerners. They know that I'm open, approachable, willing to work with them, and am able to find compromise and solutions for the benefit of residents of the Northwest Territories. Touring the massive Child and Family Services system has proven incredibly difficult, but together, and all together and with the help of this very heartbreaking audit, we can make a stronger Child and Family Services system in the Northwest Territories together that meets the needs of children and families.

Mr. Speaker, the system will never be without risk, but we need to work harder to mitigate risk that exists. This is what the Auditor General told us. I hope that Members are willing to continue to work with me as Minister for the last 11 months of this term so that we don't lose momentum and can make this happen.

In closing, I would like to once again apologize to the children and families who asked us to do better, and reconfirm my commitment to redouble our efforts to make Building Stronger Families a reality for you and your families. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. By the authority given to me as Speaker by Motion 7-18(3), I hereby authorize the House to sit beyond the daily hour of adjournment to consider the businesses before the House.

To the motion. I will allow the mover to make their closing comments.

MR. THOMPSON: Thank you, Mr. Speaker. I have to give credit to the Minister. That's leadership. He stood up, took responsibility, and apologized to the children and the families that have been affected. I thank the Minister for that. My problem, though, is we still did not put resources to it. We are going to wait until next year to start this, so that's another six months that Cabinet has to wait because they should be bringing a supp to the floor and saying, "Hey, we need to put some money to this. We need to hire more people, more social workers there."

I know it's great that we are doing it next term or next year. That is great, but it doesn't deal with the issue now. I put it onto Cabinet. The Minister couldn't do a good enough job to get it there, but this is a crisis. We need to find issues and find money. The Cabinet has to wear that if they don't bring a supp and they wait for the business plans to go through 2019-2020. At the end of the day, it's about the youth. I appreciate the Minister for being so passionate and carrying and that.

At this point in time, Mr. Speaker, I'd like to have a recorded vote. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. The Member has requested a record vote. The motion is on the floor. All those in favour, please stand.

RECORDED VOTE

DEPUTY CLERK OF THE HOUSE: The Member for Nahendeh, the Member for Frame

Lake, the Member for Deh Cho, the Member for Hay River North, the Member for Yellowknife North, the Member for Kam Lake, the Member for Tu Nedhe-Wiilideh.

MR. SPEAKER: Masi. All those opposed, please stand.

CLERK OF THE HOUSE (Mr. Mercer): The Member for Yellowknife Centre, the Member for Nunakput, the Member for Inuvik Boot Lake, the Member for Range Lake, the Member for Great Slave, the Member for Yellowknife South, the Member for Inuvik Twin Lakes, the Member for Hay River South, the Member for Thebacha, the Member for Mackenzie Delta, the Member for Sahtu.

MR. SPEAKER: Masi. All those abstaining, please stand. The results of the recorded votes: seven in favour, 11 against, zero abstention. The motion is defeated.

---Defeated

Motions. Item 18, first reading of bills. Minister for Municipal and Community Affairs.

First Reading of Bills

BILL 31: NORTHWEST TERRITORIES 9-1-1 ACT

HON. ALFRED MOSES: Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the honourable Member for Range Lake, that Bill 31, Northwest Territories 9-1-1 Act, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. The motion is in order. The motion is non-debatable. All those in favour? All those opposed? The motion is carried.

---Carried

Masi. Bill 31 has had its first reading. First reading of bills. Minister of Health and Social Services.

BILL 32: NATUROPATHIC PROFESSION STATUTES AMENDMENT ACT

HON. GLEN ABERNETHY: Mr. Speaker, I move, seconded by the honourable Member for Range Lake, that Bill 32, Naturopathic Profession Statutes Amendment Act, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER: Masi. The motion is in order. The motion is non-debatable. All those in favour? All those opposed? The motion is carried.

---Carried

Masi. Bill 32 has had its first reading. First reading of bills. Item 19, second reading of bills. Minister of Justice.

Second Reading of Bills

BILL 30: AN ACT TO AMEND THE HUMAN RIGHTS ACT

HON. LOUIS SEBERT: Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the honourable Member for Hay River South, that Bill 30, An Act to Amend the Human Rights Act, be read for the second time. This bill amends the Human Rights Act to:

- consolidate the office of the Human Rights Commission and the office of the Director of Human Rights into a single agency, the Human Rights Commission;
- clarify the public interest mandate of the commission;
- provide that restorative principles are to be applied to human rights protections and processes in the Northwest Territories;
- provide for the carriage of complaints by the commission, in recognition of its public interest mandate;
- add gender expression as a prohibited ground of discrimination; and
- adjust terminology in the French version relating to gender identity.

Thank you, Mr. Speaker.

MR. SPEAKER: Masi. The motion is in order to the principle of the bill.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Masi. Bill 30 has had its second reading. Member for Nahendeh.

MR. THOMPSON: Thank you, Mr. Speaker. Mr. Speaker, I seek unanimous consent to waive rule 89(3) and have Bill 30, An Act to Amend the Human Rights Act, referred to the Standing Committee on Government Operations. Thank you, Mr. Speaker.

---Unanimous consent granted

MR. SPEAKER: Masi. Second reading of bills. Item 20, consideration in Committee of the Whole of bills and other matters: Bill 20, Ombudsperson Act; Committee Report 10-18(3), Standing Committee on Government Operations Report on the Review of Bill 20: Ombudsperson Act; Minister's Statement 19-18(3), Aurora College Foundational Review Process; Minister's Statement 103-18(3), Marine Transportation Services, with Member for Hay River North in the chair.

Consideration in Committee of the Whole of Bills and Other Matters

CHAIRPERSON (Mr. Simpson): I now call Committee of the Whole to order. What is

the wish of committee? Mr. Testart.

MR. TESTART: Thank you, Mr. Chair. Committee would like to consider Committee Report 10-18(3), Report on the Review of Bill 20: Ombudsperson Act, and Bill 20, Ombudsperson Act. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. Testart. Does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mr. Simpson): Thank you, committee. First, a brief recess.

---SHORT RECESS

CHAIRPERSON (Mr. Simpson): I will call Committee of the Whole back to order. Committee, the first document that we have agreed to consider is Committee Report 10-18(3), Standing Committee on Government Operations Report on the Review of Bill 20, the Ombudsperson Act. I will go to the chair of the Standing Committee on Government Operations for opening comments. Mr. Testart.

MR. TESTART: Thank you, Mr. Chair. Yesterday the Standing Committee on Government Operations reported on its review of Bill 20 as a substantive report. That report was read into the record, and I am happy to answer any questions that Members of this committee have on that report, but otherwise, I will have the record speak for itself. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. Testart. I will open the floor to general comments on the report. Just so everyone is aware, the committee report contains recommendations. Generally, those recommendations are moved as motions by the chair of the committee. Mr. Testart.

COMMITTEE MOTION 83-18(3):

COMMITTEE REPORT 10-18(3): STANDING COMMITTEE ON GOVERNMENT
OPERATIONS REPORT ON THE REVIEW OF BILL 20: OMBUDSPERSON ACT -
PUBLIC AWARENESS CAMPAIGN FOR OPENING OF THE OFFICE OF THE
OMBUD, CARRIED

MR. TESTART: Thank you, Mr. Chair. I move that this Assembly recommends that the Minister responsible for Public Engagement and Transparency work closely with the Office of the Clerk of the Legislative Assembly and the newly appointed Ombud to ensure the timely development and launch of a robust public awareness campaign to support the opening of the Office of the Ombud and increase residents' understanding of services the office provides and how to access them. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. Testart. There is a motion on the floor. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Mr. Simpson): Question has been called. All those in favour? All those opposed?

---Carried

Mr. Testart.

COMMITTEE MOTION 84-18(3):

COMMITTEE REPORT 10-18(3): STANDING COMMITTEE ON GOVERNMENT OPERATIONS REPORT ON THE REVIEW OF BILL 20: OMBUDSPERSON ACT - INVESTIGATIONS BY THE OMBUD OF TLICHO COMMUNITY SERVICES AGENCY, CARRIED

MR. TESTART: Thank you, Mr. Chair. I move that this Assembly recommends that the Minister responsible for Public Engagement and Transparency work closely with the Office of the Clerk of the Legislative Assembly and the newly appointed Ombud to ensure that appropriate procedures are established to advise the Tlicho government of any investigations by the Ombud of the Tlicho Community Services Agency and for the provision of the Ombud's report to the Tlicho government. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. Testart. There is a motion on the floor. The motion is in order. To the motion. Minister Sebert.

HON. LOUIS SEBERT: Thank you, Mr. Chair. We will be abstaining from this motion, but taking the motion as advice to Cabinet. Thanks.

CHAIRPERSON (Mr. Simpson): Thank you, Minister. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Mr. Simpson): Question has been called. All those in favour? All those opposed?

---Carried

Committee, do we agree that we have concluded consideration of Committee Report 10-18(3), Report on the Review of Bill 20, Ombudsperson Act?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mr. Simpson): Thank you, committee. This concludes our consideration of Committee Report 10-18(3). Next, we have agreed to consider Bill 20, Ombud Act. I will ask the Minister responsible for the bill to introduce it. Minister Sebert.

HON. LOUIS SEBERT: Thank you, Mr. Chair. I am here today to introduce Bill 20, Ombud Act.

I would like to thank the Standing Committee on Government Operations for their review of Bill 20 and for the constructive feedback that they have provided. A number of motions were made in standing committee, and I am pleased that the bill has improved as a result.

This bill represents a longstanding priority for Members of the Legislative Assembly, as well as the government's general commitment to enhancing transparency and accountability.

An Ombud serves as a check on government, monitoring its treatment of citizens and promoting accountability in public administration. Specifically, an Ombud investigates whether the administrative decisions, recommendations, actions, or omissions of government authorities in relation to citizens are improper, based on principles of administrative fairness.

An Ombud is independent. As an Officer of the Legislative Assembly, they have the freedom to offer honest criticism to the institutions that they investigate.

An Ombud is impartial. They are advocates for fairness. They are not advocates or agents for any party to a dispute.

Investigations by an Ombud are confidential. The information collected by the Ombud will not be subject to disclosure under our access to information laws, and the Ombud cannot be compelled to provide information in proceedings of a judicial nature.

Further, Ombud investigations require a credible review process. The bill sets out what the Ombud can investigate and provides the Ombud with wide powers of investigation.

The Ombud's powers also include the discretion to resolve matters informally, the authority to make findings and develop recommendations to resolve unfairness and improve administrative practices, and the ability to report matters to the Premier, Legislative Assembly, and the public.

I would be pleased to answer any questions that Members may have regarding Bill 20.

CHAIRPERSON (Mr. Simpson): Thank you, Minister. I will now turn to the chair of the Standing Committee on Government Operations, which considered the bill, for opening comments. Mr. Testart.

MR. TESTART: Thank you, Mr. Speaker. Mr. Chair, the Standing Committee on Government Operations is pleased to speak to Bill 20, the Ombud Act.

It began its consultations after the bill was given second reading. The committee wrote to invite input from a broad array of stakeholders and organizations in the Northwest Territories, such as municipal governments, chambers of commerce, non-governmental organizations, and professional societies. Committee also wrote to Indigenous governments in the NWT to seek their input, and in particular, to canvas their interest in accessing the services of the Ombud on a cost-sharing basis in a manner similar to that provided for the Yukon Ombudsman Act.

The committee held seven public hearings on Bill 20 in Inuvik, Norman Wells, Fort Resolution, Hay River, Behchoko, Ndilo, and Yellowknife. As well, committee received eight written submissions on the bill from the Yellowknife Chamber of Commerce, the Tlicho government and K'atlodeeche First Nation, former MLA Ms. Wendy Bisaro, Mr. Collin Baile, the NWT Seniors' Society, the NWT Branch of the Canadian Bar Association, and the City of Yellowknife.

On behalf of committee, I would to thank the communities who welcomed us on our travels and everyone who provided input on Bill 20.

The clause-by-clause review was held on October 25, 2018. At this meeting, committee

moved 18 separate motions to amend Bill 20. Fifteen were carried with concurrence from the Minister, and three were defeated with no concurrence from the Minister.

Mr. Chair, the committee members intend to move some of these amendments in this Committee of the Whole clause-by-clause review. However, it has come to our attention that one of the amendments proposed during the committee's review to add a preamble to the bill is not in order with commonly accepted legislative process in rules and procedures. I will quote from Erskine and May, "If the bill is without a preamble [as it the case with Bill 20] the committee may not introduce one as an amendment." Therefore, one of the amendments that we were considering tonight will not be proceeded with, and the other amendments that were introduced at the committee stage will be brought forward by myself or other Members during this review.

With that, individual Members may have additional comment, but otherwise, I look forward to our debate on this important piece of legislation. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. Testart. I understand there are witnesses that the Minister would like brought into the Chamber. Sergeant-at-Arms, please escort the witnesses into the Chamber. Minister, you may take your seat at the table. Minister, would you please introduce your witnesses for the record.

HON. LOUIS SEBERT: Yes, thank you, Mr. Chair. To my left is Mike Reddy, legislative counsel; to my right is Charlene Doolittle, deputy secretary to Cabinet; and to her right is Allison Anderson, Cabinet policy advisor. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Welcome to the witnesses. I will now open the floor to general comments on Bill 20. Seeing none, we will proceed to a clause-by-clause review of the bill. Does committee agree that we consider the clauses in groups?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mr. Simpson): Thank you, committee. We will defer the bill number entitlement until after consideration of the clauses. There are 46 clauses in the bill and one schedule. Please turn to page 5 of the bill. I will call out the clauses. If committee is in agreement, please respond accordingly.

---Clauses 1 through 14 inclusive approved

CHAIRPERSON (Mr. Simpson): Clause 15. Mr. Testart.

COMMITTEE MOTION 85-18(3):

BILL 20: OMBUD ACT – DELETING SUBCLAUSE 15(1) AND SUBSTITUTING THE FOLLOWING, DEFEATED

MR. TESTART: Mr. Chair, I move that Bill 20 be amended by deleting subclause 15(1) and substituting the following:

15.(1) The mandate of the Ombud is to investigate any decision, recommendation made, or any act done or omitted, by an authority or by any officer, employee, or member of an authority, in the exercise of any power or duty conferred on that person or body by any enactment, that

- (a) relates to a matter of administration or the implementation of a policy; and
- (b) aggrieves or may aggrieve any person or body of persons in the person's or its personal capacity.

Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. Testart. There is a motion on the floor. The motion has been distributed and is in order. To the motion, Mr. Testart.

MR. TESTART: Thank you, Mr. Chair. Mr. Chair, the Standing Committee on Government Operations developed this amendment based on its consultations and the feedback we received from the public that the mandate section of this bill was dense, overly legalistic, and difficult to understand. Standing committee set to work to make it more legible and to also clarify a certain point that was also raised by the public that government policy was not explicitly referenced in the act itself, whereas it is a long-standing component of what an Ombud can do in the execution of their duties. So this amendment makes the mandate of the Ombud more readable, it clarifies the roles, powers, and duties of the Ombud, and we believe strongly as a committee that this was the right way to improve the bill. The committee passed this amendment; it was not concurred with by the Minister, so we bring it forward to the attention of the Committee of the Whole in this setting now, and I would ask that my colleagues support it for the reasons I've stated. Thank you very much, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. Testart. To the motion, Mr. O'Reilly.

MR. O'REILLY: Thank you, Mr. Chair. I, too, will support this. I think it helps clarify the mandate of the Ombud. I also wanted to say that this issue was brought to the attention of the committee by more than one presenter. I attended the public hearing that was held here in Yellowknife, and I did review the submissions, so this is responding to the public comments that were received by the committee, as well. For the average person reading this, I think this will help clarify the understanding that they can take away from this bill. I urge everyone to separate this. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Minister Sebert.

HON. LOUIS SEBERT: Yes, thank you, Mr. Chair. I do appreciate the work that the committee has done with respect to this motion. However, we cannot support it for the reasons that I'll now provide.

Ombud legislation across Canada, subsection 15(1) currently provides that the Ombud's mandate is to investigate any decision or recommendation made or any other act done or not done by government that relates to a matter of administration. Although a matter of administration is not defined in the act, or in other Ombud legislation, a matter of administration could include any practice, procedure, action, or decision that government makes, as it implements or administers its laws and policies.

The court has defined it as conduct engaged in by governmental authorities in furtherance of government policy. However, the motion proposed to amend section 15(1) to provide that the mandate of the Ombud is to investigate any decision or recommendation made or any act done or not done by the government that relates to a

matter of administration or, or the implementation of a policy. That gives us some problem. Although the intention of Motion 5 may be to clarify the meaning of a matter of administration, we do not believe this motion accomplishes this by the right number.

For one, we are concerned that the inclusion of this additional phrase will confuse rather than clarify the Ombud's jurisdiction because a decision, recommendation, action, or omission made while implementing policies is an example of a matter of an administration. However, the motion as written, a decision, recommendation, action, or omission that relates to the implementation of a policy is not presented as an example of a matter of administration, but set as an alternative to a matter of administration.

The use of the word "or" appears to indicate that the phrase "implementation of a policy" is something different than a matter of administration. This means consideration must be given to the meaning of the term "policy" in the motion.

An Ombud is supposed to have jurisdiction in relation to administrative matters only, not political decision-making. Our concern is that the addition of the phrase "the implementation of a policy" may have the effect of expanding the Ombud's jurisdiction to include investigation of decision, recommendation, actions, or omissions made or taken in the implementation of public policy decisions.

For those reasons, we do not feel that we can support this motion. Cabinet will be opposing this motion. I'm sorry if I've misidentified it by number. Thank you.

CHAIRPERSON (Mr. Simpson): Thank you, Minister. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Mr. Simpson): Question has been called. All those in favour? Could people please put their hands up a little higher. All those opposed? The motion is defeated.

---Defeated

Minister Abernethy.

HON. GLEN ABERNETHY: Thank you, Mr. Chair. Mr. Chair, during this review of Bill 20, the standing committee on government operations identified concerns with the readability of subclause 15(1), the one that was just discussed. To improve readability of this provision, I would like to move a motion to amend Bill 20.

CHAIRPERSON (Mr. Simpson): Go right ahead.

HON. GLEN ABERNETHY: Thank you, Mr. Chair. I think some pinks have been provided. I will need my copy.

**COMMITTEE MOTION 86-15(3):
OMBUD ACT – DELETING SUBCLAUSE 15(1) AND SUBSTITUTING THE
FOLLOWING, DEFEATED**

Thank you, Mr. Chair. Mr. Chair, I move that Bill 20 be amended by deleting subclause 15(1) and substituting the following:

15.(1) The mandate of the Ombud is to investigate any decision or recommendation made, or any act done or omitted, by an authority or by any officer, employee, or member of an authority in the exercise of any power or duty conferred on that person or body by enactment, that

(a) relates to a matter of administration; and

(b) aggrieves or may aggrieve any person or body of persons in the person's or its personal capacity.

Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Minister. To the motion. Mr. Testart.

MR. TESTART: Mr. Chair, I move that the Chairman of the Committee of the Whole leave the chair. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Mr. Testart, could you please clarify? Would you like me to leave or would you like to report progress?

MR. TESTART: Mr. Chair, the motion is for the Chair to leave the chair, so yes, it would be to leave. No reporting of progress.

CHAIRPERSON (Mr. Simpson): There is a motion on the floor. Please give me a moment while I confer with the clerks. Committee, we will take a brief recess while this is sorted out. Thank you.

---SHORT RECESS

CHAIRPERSON (Mr. Simpson): Thank you, committee. I call Committee of the Whole back to order. Mr. Testart, your motion is out of order. There is no such motion referenced in the rules. We are still dealing with the motion put forward by Minister Abernethy. To the motion. Mr. Testart.

MR. TESTART: My apologies, Mr. Chair. I move the chair rise and report progress.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. Testart. There is a motion to report progress. The motion is in order and non-debatable. All those in favour, please raise your hands so I can see. All those opposed, please give me a show of hands. The vote is tied, so we will not report progress.

---Defeated

We will continue. To the motion. Minister Sebert.

HON. LOUIS SEBERT: Thank you. I believe that this motion improves the language that was originally in the act. It clarifies the issues that we were concerned about. For those reasons, I feel that the motion should be supported by all Members, but will be supported by Cabinet in any case.

As I said, there were issues that I raised with respect to the prior motion. We believe that this clarifies some of those issues. That is why we are supporting it. Thank you.

CHAIRPERSON (Mr. Simpson): Thank you, Minister. To the motion. I will put the

question to committee. All those in favour? All those opposed? We have another tie. The motion is defeated.

---Defeated

Clause 15. Does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mr. Simpson): Clause 16.

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mr. Simpson): Clause 17. Mr. O'Reilly.

MR. O'REILLY: Thanks, Mr. Chair. I would like to understand from the Minister what the intent of 17(3) is. Thanks, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Minister.

HON. LOUIS SEBERT: Thank you. Much of our legislation does involve limitations. Put another way, there is a Limitation of Actions Act which does limit the ability to commence legal actions. It's not that a limitation period, if I can put it that way, referring to the section is that unusual in our law. The point of most limitation actions, among other things, is that it pushes a claimant with a legitimate claim to pursue it with reasonable diligence. A defendant or respondent may lose evidence necessary to dispute the claim if too much time has gone by.

That is the reason for this type of section in this legislation. As I say, the Limitation Act imposes limitations for many types of legal actions. Thank you.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. O'Reilly.

MR. O'REILLY: Thanks, Mr. Chair. I thought the whole purpose here of this bill was to try to avoid going to court and that this officer would help investigate, or perhaps resolve, what complainants perceive to be unfair administrative conduct. This is not a legal process. I'm trying to understand the rationale for setting, or basically restricting, the mandate of the Ombud to only be able to look at conduct that comes in after the commencement of this act. This really would have a very severe consequence in terms of limiting the ability of our residents to access the Ombud. Can the Minister provide some comments? Thanks, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Minister.

HON. LOUIS SEBERT: Yes. As I mentioned earlier, it is not unusual to have limitations in proceedings. I know there has been a good deal of discussion back and forth with committee about this very section. I thought we were inching towards a compromise, but I will hear further from the Members. Thank you.

CHAIRPERSON (Mr. Simpson): Thank you, Minister. Mr. O'Reilly.

MR. O'REILLY: Thanks, Mr. Chair. Yes, I am interested in hearing more about this compromise, but the way this has been written, you know, this bill is coming forward a

year later than it should have under the mandate commitment. I think there are people out there expecting that they are going to be able to access the services that may be provided under this act.

Having this kind of restriction on the mandate of the Ombud is not helpful at all in terms of resolution of complaints that may come forward from our constituents. I have expressed this concern to the Minister. We are not even sure what the word "commencement" means in terms of the context of this bill; does it mean when the Ombud is appointed or when the legislation receives assent? I think there are some issues around that as well.

This is the bill that I really and probably will die on in terms of this bill. This is not good. We shouldn't have this kind of restriction on the mandate of the Ombud in the bill. The Ombud should have the ability to, and has discretion to, accept complaints. This matter of reaching back into time, that is something that the Ombud should be left with a discretion to do; to do that if necessary and make up his or her mind about whether there is a valid complaint. Putting in artificial restriction in here is not, I think, going to satisfy our residents. I don't think it's good drafting, and quite frankly, I think it's against open government and it's against transparency and public engagement, which this Minister stands for. Thanks, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Minister.

HON. GLEN ABERNETHY: Thank you, Mr. Chair. As I say, there has been a good deal of discussion back and forth. It seemed to us that it was necessary to choose some date and I would be interested in hearing from the Regular Members as to what date they think is reasonable. I thought we had had some discussions that were leading to an agreement with respect to that. Thank you.

CHAIRPERSON (Mr. Simpson): Thank you, Minister. Right now, Mr. O'Reilly has the floor. Mr. O'Reilly.

MR. O'REILLY: Thanks, Mr. Chair. I don't want to drag this out. I think there is a real difference of approach and opinion here about this matter.

This is not just coming from me as a Member. We heard this from members of the public. We heard it from the godmother to this bill, Ms. Bisaro. This is not good drafting. I don't think it is consistent with what I had hoped for coming out of this bill. It is not what the public has said to the standing committee, and I think that this should not be supported. Thanks, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Minister.

HON. ALFRED MOSES: In discussions with members of committee, I thought we had come to some agreement with respect to this section. As I say, it is not unusual in law that there are limitations. In fact, although it is not quite the same kind of limitation, even section 22(1) talks about complaints, and section 22(1)(a), which is not a hard limitation in the same way, but I think that some limitation on the Ombud going back is reasonable. Thanks.

CHAIRPERSON (Mr. Simpson): Thank you. Is there anything further from Mr. O'Reilly?

MR. O'REILLY: I think there may be a motion coming forward on this. The last point I want to make is that this kind of restriction on the mandate of the Ombud sends out all of the wrong signals to the public, and I think it will deter people from coming to this officer for trying to resolve their issues with our government. I just don't think it serves the public interest. Thanks, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. O'Reilly. Mr. Testart.

COMMITTEE MOTION 87-18(3):

BILL 20: OMBUD ACT - DELETING SUBCLAUSE 17(3) AND SUBSTITUTING THE FOLLOWING, CARRIED

MR. TESTART: Mr. Chair, I move that Bill 20 be amended by deleting subclause 17(3) and substituting the following:

(3) The Ombud may investigate any decision, recommendation, act, order, or omission within the Ombud's mandate that occurred no earlier than January 1, 2016. Thank you.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. Testart. There is a motion on the floor. Has the motion been distributed? The motion has been distributed. To the motion. Mr. Testart.

MR. TESTART: Thank you, Mr. Chair. I hope that this amendment can shed some light to the exchange that my honourable friends from Thebacha and Frame Lake just had.

The committee's initial motion was to remove any such temporal limitations on the Ombud's mandate. The Minister did not concur during the standing committee review. The committee has since worked with the Minister's office to try to find a compromise, understanding the government's concerns around wide backwards-looking powers of the Ombud.

A decision was reached that January 1, 2016, at the beginning of this government's mandate, was an appropriate limitation to the temporal jurisdiction of the Ombud. I am pleased to move this, as it represents collaboration between both sides to find common ground moving forward, and I encourage Members to support this amendment that will allow the Ombud a bit more flexibility to deal with historic cases or complaints that may come forward. Thank you.

CHAIRPERSON (Mr. Simpson): Thank you. To the motion. Mr. O'Reilly.

MR. O'REILLY: Thanks, Mr. Chair. I guess I would like to call on our law clerk to help me understand the effect of this clause. If an individual came forward to the Ombud, and the beginning of their journey, their concern about administrative issues, administrative conduct, started before January 1, 2016, would the Ombud have jurisdiction to look at that complaint? Thanks, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you. Mr. Clerk.

LAW CLERK OF THE HOUSE (Mr. Rutland): Thank you, Mr. Chair. It would depend on the specific decision, recommendation, act, order, or omission. An Ombud may determine that it is a continuing act or omission and therefore would look at that, or if it

is something that may happen on a repeated basis. While the conduct may have actually first started before a specific date, if that decision is made on an ongoing basis, that recommendation may be made on an ongoing basis, or an order, or even the failure to do something, could be interpreted as an ongoing conduct, that would ultimately be at the discretion of the Ombud.

If, for example, the head of authority felt that the specific act or decision was specifically before January 1, 2016, that would be a basis for saying to the Ombud that that is not within their jurisdiction, and ultimately, the Ombud could go on their own volition to the court to clarify that.

Otherwise, there is a lot of discretion given to the Ombud in looking at that. It would really depend on the specific fact situation.

CHAIRPERSON (Mr. Simpson): Thank you. Mr. O'Reilly.

MR. O'REILLY: Thanks, Mr. Chair. I appreciate the assistance of the law clerk. I still think that this is going to create some uncertainty and may lead to something being marched off to court, where the better solution is to just remove any temporal restriction on the mandate of the Ombud.

I am concerned that this will still act as a deterrent to individuals who wish to bring forward complaints. I guess I want to go on the public record as saying that, whoever the Ombud is, if this passes, I would encourage them to take the broadest possible interpretation of their mandate, that anything that has started after or even is a continuation of anything after January 1, 2016, that they would interpret their mandate very broadly and be able to investigate any acts or omissions or conduct, even if it happens before January 1, 2016.

The other thing I want to go on the public record, Mr. Chair, about is that I would request that the Ombud, whoever that person is in the future, document any cases that they feel that they don't have jurisdiction because of this hard deadline that could get inserted into the bill, so that future MLAs can see whether this is having an impact on the jurisdiction of the Ombud, and I want that sort of information to be recorded in their annual report.

I can't compel that. It is my suggestion. I want to draw attention to this, because I think it is poor public policy, but I want it documented in some way for future MLAs so that they can fix this problem. Thanks, Mr. Chair.

CHAIRPERSON (Mr. Simpson): To the motion. Minister Sebert.

HON. LOUIS SEBERT: Thank you, Mr. Chair. The date of January 1, 2016, seemed reasonable to us because it went back to certainly after we were elected and came to this House, and clearly, this is an issue that is important to the Assembly, which we have now brought forward. We thought that going back to that date is reasonable, because we thought that some date needed to be inserted. Again, we think that is a reasonable date.

I mentioned earlier section 22. Of course, the Ombud has certain discretion under that section, but we thought that this section, again, was reasonable and is a compromise,

not totally what we wanted, not totally what all Members wanted, but a reasonable compromise. For that reason, Cabinet will be supporting this. Thank you.

CHAIRPERSON (Mr. Simpson): Thank you. To the motion. Mr. Vanthuyne.

MR. VANTHUYNE: Thank you, Mr. Chairman. I appreciate the previous speakers on this particular motion. Similar to my colleague from Frame Lake, I share similar concerns.

It, to me, seems to be a little bit unbecoming of a government that is developing an Ombud's statutory office to begin with, because we recognize that there is a need, and yet, we are going to put ourselves in a position where we will limit and/or not even consider those needs until starting now. We are presenting a compromise that is going to go back a couple of years, but that is hardly going to make up for those whom may or will require the services of this office.

Let's be clear: the Ombud will have the discretion to decide on those cases or on those submissions that they feel fall within their abilities and their realm and their capacity to hear.

It is not to say that, if we put no limit on it, even if there was a whole lineup at the door of a bunch of people who had a bunch of cases that needed to be heard by the Ombud, that the Ombud would, in fact, listen to all of them. There would be some discretion on that. To develop an Ombud's office and then just start today with issues that might come forward as of right now, it is not acceptable.

I appreciate that we are trying to make a compromise here and there will be some in favour, but unfortunately, Mr. Chair, I won't find myself in favour of the motion. Thank you.

CHAIRPERSON (Mr. Simpson): Thank you. To the motion. Mr. Thompson.

MR. THOMPSON: Thank you, Mr. Chair. I guess my concern is: what is reasonable? You know, 10 percent, 5 percent, that is reasonable. Again, we are talking about people. They should have the right. I don't believe picking a number out of the air, January 1, 2016, is acceptable. We are talking about the residents of the Northwest Territories. Once this bill has passed, there shouldn't be a deadline to it. I will not be supporting this recommendation. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): To the motion. Minister Abernethy.

HON. GLEN ABERNETHY: Thank you, Mr. Chair. Mr. Chair, may I ask the law clerk a question?

CHAIRPERSON (Mr. Simpson): Yes, you may.

HON. GLEN ABERNETHY: Thank you, Mr. Chair. Mr. Chair, just for clarity and for the record, the clause we are talking about, what has occurred in other jurisdictions when they have moved forward with Ombud or Ombud-related legislation, just for the record?

CHAIRPERSON (Mr. Simpson): Thank you. The Law Clerk may not have that information, but I will pass it on to the clerk. Mr. Clerk.

LAW CLERK OF THE HOUSE (Mr. Rutland): Thank you, Mr. Chair. It is mixed in different jurisdictions. For example, in the province of British Columbia, there is a permissive clause that says that the Ombud may review any conduct prior to the commencement of this act. For example, in the Yukon, there is a similar clause to what is in the bill as drafted, which prohibits review of any conduct before the act. Then there are some that are just silent on the issue.

CHAIRPERSON (Mr. Simpson): Thank you. Minister Abernethy.

HON. GLEN ABERNETHY: With respect to the ones that are silent, what does that mean as far as individuals who wish to possibly pursue an administrative question prior to commencement or go-live date of the legislation? What does it mean for those silent jurisdictions? Do we know?

CHAIRPERSON (Mr. Simpson): Thank you. Mr. Clerk.

LAW CLERK OF THE HOUSE (Mr. Rutland): Thank you, Mr. Chair. It would really be a matter of interpretation in each jurisdiction. You would have to look at what the Interpretation Act in each jurisdiction says in terms of whether there is any general prohibitions or restrictions on when legislation comes into force.

Generally, when you are looking at placing a temporal jurisdiction and, for example, restriction saying you can't go back before a certain date, it is because it would be unfair to subject someone to a law that was not necessarily in effect at the time. For example, if you look at criminal law, it is the law that applied at the time because there are consequences to the action.

In something like this where there is not a punitive aspect to it, it could just be interpreted that if this was silent on temporal jurisdiction, there would be no restriction. Or someone may interpret it as, if it is silent, it is from the commencement date. It depends on how you interpret the Ombud's powers because the Ombud's powers only come into effect on the commencement of the act.

Everything they are doing is post the commencement of the act, so it is within their jurisdiction. The question would be whether someone would take issue with the fact of whether or not they could go beforehand.

CHAIRPERSON (Mr. Simpson): Thank you. Minister Abernethy.

HON. GLEN ABERNETHY: Just a final question. I am just trying to get some clarity on this for myself and for the record. Is the clerk aware of any precedent from jurisdictions where it was silent on how it was ultimately interpreted?

CHAIRPERSON (Mr. Simpson): Thank you. Mr. Clerk.

LAW CLERK OF THE HOUSE (Mr. Rutland): No, I am not.

CHAIRPERSON (Mr. Simpson): Thank you. Anything further from Minister Abernethy. There is nothing further from Minister Abernethy. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Mr. Simpson): Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

---Clauses 17 through 36 inclusive approved

CHAIRPERSON (Mr. Simpson): Clause 37. Mr. Testart.

COMMITTEE MOTION 88-13(3):
BILL 20: OMBUD ACT – AMENDED IN SUBCLAUSE 37(1),
CARRIED

MR. TESTART: Merci, Monsieur le president. [English translation not provided]

CHAIRPERSON (Mr. Simpson): Thank you, Mr. Testart. There is a motion on the floor. The motion is in order. To the motion.

SOME HON. MEMBERS: Question.

CHAIRPERSON (Mr. Simpson): Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Thank you. To clause 37 as amended.

SOME HON. MEMBERS: Agreed.

---Clauses 38 through 46 inclusive approved

CHAIRPERSON (Mr. Simpson): To the schedule.

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mr. Simpson): Committee, I will now turn to the bill number and title. Bill 20, Ombud Act. Does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mr. Simpson): Does committee agree that Bill 20 is now ready for third reading as amended and reprinted?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mr. Simpson): Thank you, committee. Bill 20 is now ready for third reading as amended and reprinted. Does committee agree this concludes our consideration of Bill 20?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mr. Simpson): Thank you, committee. Thank you to the witnesses. Sergeant-at-Arms, you may escort the witnesses from the Chamber. What is the wish of committee? Mr. Beaulieu.

MR. BEAULIEU: Mr. Chairman, I move that the chairman rise and report progress. Thank you, Mr. Chair.

CHAIRPERSON (Mr. Simpson): Thank you, Mr. Beaulieu. There is a motion to report progress. The motion is in order and non-debatable. All those in favour? All those opposed? The motion is carried.

---Carried

I will rise and report progress.

MR. SPEAKER: May I have the report, Member for Hay River North?

Report of Committee of the Whole

MR. SIMPSON: Mr. Speaker, your committee has been considering Committee Report 10-18(3), Report on the Review of Bill 20: Ombud Act, and Bill 20, Ombud Act, and would like to report progress with four motions adopted; and that Committee Report 10-18(3) is concluded; and that Bill 20 is ready for third reading as amended. Mr. Speaker, I move that the report of the Committee of the Whole be with.

MR. SPEAKER: Masi. Do I have a seconder? Member for Deh Cho. The motion is in order. All those in favour? All those opposed? The motion is carried.

---Carried

Masi. Item 22, third reading of bills. Minister of Municipal and Community Affairs.

Third Reading of Bills

BILL 18:

AN ACT TO AMEND THE CITIES, TOWNS AND VILLAGES ACT

HON. ALFRED MOSES: Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the honourable Member for Range Lake that Bill 18, An Act to Amend the Cities, Towns and Villages Act be read for the third time. Mr. Speaker, I request a recorded vote. Thank you.

MR. SPEAKER: Masi. The Member is requesting a recorded vote. The motion is in order. To the motion.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question has been called. All those in favour, please stand.

RECORDED VOTE

CLERK OF THE HOUSE (Mr. Mercer): The Member for Inuvik Boot Leg, the Member for Range Lake, the Member for Great Slave, the Member for Yellowknife South, the Member for Inuvik Twin Lakes, the Member for Hay River South, the Member for Thebacha, the Member for Mackenzie Delta, the Member for Sahtu, the Member for Yellowknife North, the Member for Kam Lake, the Member for Tu Nedhe-Wiilideh, the

Member for Nahendeh, the Member for Frame Lake, the Member for Yellowknife Centre, the Member for Deh Cho.

MR. SPEAKER: Masi. All those opposed, please stand. All those abstaining, please stand.

CLERK OF THE HOUSE (Mr. Mercer): The Member for Hay River North.

MR. SPEAKER: Masi. The results of the recorded vote: 16 in favour, zero opposed, one abstention. The motion is carried.

---Carried

Bill 18 has its third reading. Third reading of bills. Mr. Clerk, Orders of the day.

Orders of the Day

CLERK OF THE HOUSE (Mr. Mercer): Orders of the day for Thursday, November 1, 2018, at 1:30 p.m.:

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Recognition of Visitors in the Gallery
6. Acknowledgments
7. Oral Questions
8. Written Questions
9. Returns to Written Questions
10. Replies to the Commissioner's Opening Address
11. Petitions
12. Reports of Standing and Special Committees
13. Reports of Committees on the Review of Bills
14. Tabling of Documents
15. Notices of Motion
16. Notices of Motion for First Reading of Bills
17. Motions
 - Motion 25-18(3), Appointment of Chair to the Northwest Territories Honours Advisory Council

- Motion 26-18(3), Appointment to the Special Committee on Transition Matters
- Motion 27-18(3), Appointment to the Human Rights Adjudication Panel
- Motion 28-18(3), Establishment of a Special Committee to Increase the Representation of Women in the Legislative Assembly
- Motion 29-18(3), Appointment of Human Rights Commission Members
- Motion 30-18(3), Extended Adjournment of the House to February 5, 2019

18. First Reading of Bills

19. Second Reading of Bills

- Bill 31, Northwest Territories 9-1-1 Act
- Bill 32, Naturopathic Profession Statutes Amendment Act

20. Consideration in Committee of the Whole of Bills and Other Matters

- Minister's Statement 19-18(3), Aurora College Foundational Review Process
- Minister's Statement 103-18(3), Marine Transportation Services

21. Report of Committee of the Whole

22. Third Reading of Bills

- Bill 30, Ombud Act

23. Orders of the Day

MR. SPEAKER: Masi, Mr. Clerk. This House stands adjourned until Thursday, November 1, 2018, 1:30 p.m.

---ADJOURNMENT

The House adjourned at 7:33 p.m.