



# **NORTHWEST TERRITORIES LEGISLATIVE ASSEMBLY**

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**The Honourable Tony Whitford, Speaker**

# Legislative Assembly of the Northwest Territories

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(Mackenzie Delta)

### Mr. Leon Lafferty

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**YELLOWKNIFE, NORTHWEST TERRITORIES**

**Friday, October 25, 2002**

**Members Present**

Honourable Roger Allen, Honourable Jim Antoine, Mr. Bell, Mr. Braden, Mr. Delorey, Mr. Dent, Mrs. Groenewegen, Honourable Joe Handley, Honourable Stephen Kakfwi, Mr. Krutko, Mr. Lafferty, Ms. Lee, Mr. McLeod, Honourable Michael Miltenberger, Nr. Nitah, Honourable Jake Ootes, Mr. Roland, Honourable Vince Steen, Honourable Tony Whitford.

**ITEM 1: PRAYER**

-- Prayer

**SPEAKER (Hon. Tony Whitford):** Thank you, Ms. Lee. Item 2, Ministers' statements. Item 3, Members' statements. The honourable Member for Range Lake, Ms. Lee.

**ITEM 3: MEMBERS' STATEMENTS**

**Member's Statement on Lack of Resources in the Legal Aid Office**

**MS. LEE:** Thank you, Mr. Speaker. Mr. Speaker, today I would like to discuss and inform this House about an issue that keeps being brought up to my attention by my constituents, and it has to do with the lack of resources in our legal aid office.

Mr. Speaker, it appears that with the under-funded resources we have with the legal aid, a lot of people in need of legal help are without a lawyer, and when they do finally get one after a prolonged period of waiting, they do not seem to get enough time with the lawyer, so it takes a very long time for them to have their case heard and processed and obtain a decision. Once the decision is reached, the battle continues on with respect to enforcing the decision. Many of these cases are child support cases where many single parents, usually women, are having to do everything they can and make numerous phone calls and write letters to make sure that the office is doing what is required to enforce those decisions.

Mr. Speaker, I have many many calls in this regard and these under-funded resources have some of them to lose some of the payments or money that is available to the opposing spouse that they could have had on behalf of their children. I believe that this is an issue I brought up many many times before in this House. The lack of resources in this office is a serious concern and it is really having an effect on the families and mothers with children who really need the money every month to support them.

Mr. Speaker, I have asked this question before in this House to the Minister and I ask that Minister again, and I will ask later today, to see what can be done to better resource this office so that those in need of legal aid help can achieve them in a speedy manner and that they get the necessary support they need. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:** Thank you, Ms. Lee. Item 3, Members' statements. The honourable Member for Mackenzie Delta, Mr. Krutko.

**Member's Statement on Ineffectiveness of the Affirmative Action Policy**

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, I rise today with regard to an individual who I have been talking to with respect to the whole affirmative action policy that we have in place in this government. This individual has worked for this government for many years yet, Mr. Speaker, she has not seen any movement in regard to enhancing her abilities to move up the ladder and be able to succeed in her career path to be able to take on the challenges of the different areas of responsibility in this government.

Mr. Speaker, the affirmative action policy that we have in place is to ensure that we have a make-up of the government that reflects the population of the Northwest Territories.

Mr. Speaker, I think that this government the has to take on a more important role of enhancing the people we do have working for the Government of the Northwest Territories to ensure that they do succeed in enhancing themselves to move on in the government and move up the ladder, instead of seeing them sitting at the bottom of the wage scale, being the administrative staff and not taking on the responsibility of senior management, middle management, and ensuring that we do not continue the cycle of dependency on southern Canada. We have to develop our human resources within the government and the people that decided to make a career in this government.

Yet, Mr. Speaker, a lot of employees in this government are frustrated to the point of applying for jobs time and time again and being turned down, saying you are either not qualified or the structure of the advertisement of those positions in such a way that you need practically a university degree, or a bachelor of science or what not in different areas.

I think as a government, we have to do more to develop the human resources that we have within our government, but also ensure that we make a career for those people who have made a decision to come work for this government. I think for First Nations people, the whole idea of the affirmative action policy was to do such by way of making sure that this government allows those opportunities to be offered to First Nations people in the Northwest Territories, to really have a role to play in this government, especially where you look at management, senior management, where the big dollars are being made. Yet they continue to be filled from people from southern Canada.

Mr. Speaker, I will be asking the Minister questions on this matter later.

**MR. SPEAKER:** Thank you, Mr. Krutko. Item 3, Members' statements. The honourable Member for Deh Cho, Mr. McLeod.

### **Member's Statement on Attendance at the Tenth Annual Dream Catchers Conference**

**MR. MCLEOD:** Thank you, Mr. Speaker. Mr. Speaker, I want to make some general comments about the Deh Cho today, especially towards the youth in my riding. Last week, as I announced in the House, last weekend I attended a Dream Catchers Conference in Edmonton. I was very impressed with the whole conference. It was very well-attended. We had several hundred youth from the Northwest Territories, many different types of workshops and presentations and events happening, and I wanted to commend all of the youth, especially the youth from my riding of the Hay River Reserve, Fort Providence and the youth that we have in the leadership program. They were all well-behaved and were eager participants in all of the events.

I happened to take part and ended up chaperoning for one of the groups and attended the youth dance. I cannot say I did any dancing. I was waiting for a song that I recognized. However, none played for the full four hours that I was there.

I am hoping next year that we will see more people take part, especially the leaders from the North and my colleagues here. I encourage them to come. It is a great time.

This time of the year is also a time for our students in the North and the students in post-secondary institutions, they are all taking mid-term exams. They are all studying hard. I wanted to wish them well and encourage them to stick to their books. I know it is very difficult in our smaller communities to be in the higher classes. However, I encourage them to do their best.

I was talking to an elder the other day and he was indicating that all the challenges and all the different things that are facing our youth, the list is growing. We have AIDS, we have all kinds of diseases. He was saying we should include a lack of education as a part of one, because you cannot, in this day and age, make a healthy living without a good education.

Today I also want to recognize the two pages that we have with us. We have from Kakisa, two hard-working young gentlemen. Dennis Chico and Jeremy Simba. They have been with us all week and will be leaving today. I want to thank them for doing a good job. Also, their chaperone, Elaine Simba.

I also want to welcome two new constituents who were just born in the last couple of days, Kelly Leechman and Gerard Compton.

-- Applause

**MR. SPEAKER:** Sorry, Mr. McLeod, your time wasn't up, but you have hit already three subjects in the one statement. The Chair sort of recognizes the pages as a learning experience, but when we start hitting new constituents...Mr. McLeod, if you wish to continue your member's statement, you need unanimous consent.

**MR. MCLEOD:** Mr. Speaker, I seek unanimous consent to conclude my statement.

**MR. SPEAKER:** Thank you. The honourable Member is seeking unanimous consent to conclude his Member's statement on the first subject. Are there any nays? There are no nays, Mr. McLeod, you may continue.

**MR. MCLEOD:** Thank you, Mr. Speaker. My comments were on the youth of the Deh Cho. I want to conclude by reminding the people of this House that we need to invest in our youth. Our youth are our biggest resource. I want to encourage this government to do more in terms of setting up more northern conferences where we can get our youth together and have similar types of activities as the Dream Catchers. We can have our own home-grown northern conference. We also are hearing some of our youth centres are having difficulties, and some communities do not even have them. We need to pay some attention to that.

Also, we should be...we have a Minister of Youth. Maybe we should be giving him a cheque-book so he can do some activities and financial...thank you.

-- Applause

**MR. SPEAKER:** Thank you, Mr. McLeod. Item 3, Members' statements. The honourable Member for Inuvik Twin Lakes, Mr. Allen.

### **Member's Statement on Old Tyme Family Fiddle Dance**

**HON. ROGER ALLEN:** Thank you, Mr. Speaker. It is customary for the Gwich'in and Inuvialuit people of my riding to celebrate special occasions with a feast and dance. We find that this period in our Assembly is no better time than to kick up our heel and toe. This evening, Mr. Speaker, our people will be hosting an old time family dance, fiddle dance at the N'dilo gym.

Our group of friends will be importing the Delta Good Time Band from Inuvik to play the many tunes that were introduced to us by traders, trappers, and those who were invited into our northern homeland. We dealt with many types of those dances, which will be performed by many ethnicities throughout the Northwest Territories tonight.

Mr. Speaker, on behalf of the organizers, we would like to invite all Members of this Assembly, family and friends of yours, to come and join us. The potluck dinner will commence around 7:00 p.m. with a dance beginning at 9:00 p.m. and it will end at 2:00 a.m.

Mr. Speaker, it is important to extend our gratitude to the sponsors. I would like to thank First Air, Julia Mott, Gwich'in Tribal Council president, Fred Carmicheal, Super 8 Motel, and especially our colleague from Hay River South, who will be sponsoring the youth jigging contest.

Therefore, Mr. Speaker, I look forward to seeing you all at the gala tonight. Please feel welcome to come. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Allen. Item 3, Members' statements. The honourable Member for Hay River South, Mrs. Groenewegen.

### **Member's Statement on Tribute to Heroic Hay River Constituents**

**MRS. GROENEWEGEN:** Thank you, Mr. Speaker. Mr. Speaker, today I would just like to pay a quick tribute to three Hay River South constituents for the heroic actions taken on

board an Air Canada flight bound for Calgary on Wednesday afternoon of this week. Brian Stewart and his sons, Chad and Travis, were returning from a trip to Frankfurt, Germany. During their flight, about one hour out of Calgary, a man aboard the aircraft lost his senses and began to attack another passenger, striking the other passenger in the face and holding his hands around the other passenger's neck, screaming and yelling.

Apparently, when a person snaps like this, they can have incredible strength, and it took eight passengers and flight crew to subdue this man. But Brian, Chad and Travis Stewart led the group of passengers who apprehended the attacker. They struggled in the area of the seat and the aisle, using seatbelts to constrain him.

Mr. Speaker, this is the type of incident that many people fear will happen in flight, and there is a subtle feeling that something could go wrong, some kind of disturbance and the situation could get out of control, especially in light of what happened on September 11<sup>th</sup>.

Mr. Speaker, thanks to Brian, Chad and Travis Stewart and the other people like them that are willing to risk their personal safety to protect those around them, even strangers on the airplane, this flight terminated in Calgary safely.

I would like today to just honour their bravery and their courage for rising to defend someone in need of help and join Hay River residents in congratulating these three men for their heroic actions, and also, Mr. Speaker, I know that their grandfather, the Honourable Don Stewart, former Speaker and Member of this House, would have been very proud of their actions and that is just the kind of people that the Stewarts are. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:** Thank you, Mrs. Groenewegen. Item 3, Members' statements. Any further Member's statements? The honourable Member for Nahendeh, Mr. Antoine.

#### **Member's Statement on Tribute to Fort Simpson's Political Leadership**

**HON. JIM ANTOINE:** Mahsi, Mr. Speaker. Mr. Speaker, I have been trying to speak on behalf of some of the communities I represent. Today, Mr. Speaker, I would like to speak about the largest community in my constituency, which is the community that I represent, Fort Simpson, or Liidlii Kue.

Mr. Speaker, Liidlii Kue is at the confluence of the Liard and Mackenzie Rivers and it is a historical community. This community has seen many changes over the years and, Mr. Speaker, Fort Simpson is my home community as well. However, as a Dene I grew up about 30 kilometres up the Mackenzie River at a place called...(inaudible)...or Rabbit Skin. Whenever we used to go to town we always were very excited in anticipation of going to Fort Simpson.

Today, Mr. Speaker, Fort Simpson is the hub of much of the Deh Cho region. There are very busy people there. They are in the middle of negotiations on the Deh Cho process, and as well the community is very busy in anticipation of a pipeline and oil and gas exploration.

Today I would like to recognize the men and women who have put their names forward to be leaders in the community. First of

all on September 3<sup>rd</sup> the Metis local had an election and Randy Sibbeston has become the president of the Metis Local 52, along with Danny Peterson, Doris Erasmus, Cheryl Sibbeston, Jonas Lafferty, Denise Alger and Murray Sibbeston. I would like to congratulate them for putting their names forward to serve their people.

I would also like to recognize the leadership of the Liidlii Kue First Nation with Chief Rita Cli, Gerald Antoine, Ernest Cazon, Ron Hardisty, Kevin Menicosh, Keyina Norwegian, Hazel Tanchi and Isiah Tsetso. As well, Mr. Speaker, the mayor and some of the village councillors are planning to come here next week and they represent the community here very well. Tom Wilson as the mayor, Bob Hanna is deputy mayor, Betty Hardisty, Dieter Cazon, Shone Whelly, Kirby Groat, Duncan Cameron and Andrew Goule.

Mr. Speaker, with this kind of leadership in our communities we have to work with them here as the Legislature, and as every community that we travel to has good leadership I just wanted to recognize those people in my constituency today. Mahsi. Thank you.

-- Applause

**MR. SPEAKER:** Mahsi, Mr. Antoine. Item 3, Members' statements. No further Members' statements. Item 4, returns to oral questions. Item 5, recognition of visitors in the gallery. The honourable Member for Hay River North, Mr. Delorey.

#### **ITEM 5: RECOGNITION OF VISITORS IN THE GALLERY**

**MR. DELOREY:** Thank you, Mr. Speaker. Mr. Speaker, today I would like to recognize two very special individuals, Ms. Jenna Hordal and Mr. Matthew Davies. These two individuals have been with us all week as pages in the House and have done a terrific job, very well behaved kids and it has been my pleasure to have them here as Pages. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Delorey. Item 5, recognition of visitors in the gallery. The honourable Member for Weledeh, Mr. Handley.

**HON. JOE HANDLEY:** Mr. Speaker, I am pleased to recognize Major Karen Hoelt from the Salvation Army and a good constituent of mine. Thank you.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Handley. Item 5, recognition of visitors in the gallery. The honourable Member for Range Lake, Ms. Lee.

**MS. LEE:** Thank you, Mr. Speaker. I would also like to recognize someone in the gallery who has been desperately waiting for us to deal with social issues; a well known social activist, Major Karen Hoelt. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:** Welcome to the gallery. Any further recognitions in the visitors gallery. Item 6, oral questions. The honourable Member for Range Lake, Ms. Lee.

**ITEM 6: ORAL QUESTIONS****Question 405-14(5): Lack of Legal Aid Resources**

**MS. LEE:** Thank you, Mr. Speaker. I do have a question today for the Minister of Justice with regard to the legal aid program. Mr. Speaker, as I indicated in my Member's statement there is definitely a lack of resources being put into this program, and it has been an ongoing problem for many many years. It appears that I am getting an increasing number of calls from people who are having a problem getting a legal aid lawyer and when they do get them they do not get them for enough hours to get their work done, so their issue gets delayed and delayed and delayed. In most cases it is the low income families who are seeking spousal or child support.

Mr. Speaker, I would like to ask the Minister what the department is doing with regard to this issue. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Ms. Lee. The honourable Minister responsible for the Department of Justice, Mr. Allen.

**Return to Question 405-14(5): Lack of Legal Aid Resources**

**HON. ROGER ALLEN:** Thank you, Mr. Speaker. We are attempting to eradicate many of the shortfalls. As you are aware, there are legal aid plans in serious financial difficulty across Canada. It is a nation-wide problem. Territory-wide we have met with the federal Minister of Justice, the Honourable Martin Cauchon, on October 16<sup>th</sup> to convey the problems and concerns that because we are a small northern jurisdiction we do have other problems that are so different from the rest of Canada. That was conveyed to the federal Minister. He acknowledged that so we will continue to see how we may be able to improve the level of legal aid services in the Northwest Territories. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Ms. Lee.

**Supplementary to Question 405-14(5): Lack of Legal Aid Resources**

**MS. LEE:** Thank you, Mr. Speaker. Mr. Speaker, I appreciate that all the Minister of this government convey to the federal Minister about some of their predicaments, but I do believe there is a responsibility on the Ministers of this House as well. I would like to ask the Minister what is he doing specifically other than talking to the federal Minister about increasing the resources available in this program? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Ms. Lee. The honourable Minister responsible for the Department of Justice, Mr. Allen.

**Further Return to Question 405-14(5): Lack of Legal Aid Resources**

**HON. ROGER ALLEN:** Thank you, Mr. Speaker. Specific to certain areas of legal aid, we are trying to reduce the backlog in family law cases. We are planning to introduce more collaborative law rather than litigation to resolve disputes and reconsideration of family law tariffs. We are sending a call letter to the private bar to assist with the backlog. Mr. Speaker, we are attempting to find methods to deal with some of the key questions that the Member raises. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Ms. Lee.

**Supplementary to Question 405-14(5): Lack of Legal Aid Resources**

**MS. LEE:** Thank you, Mr. Speaker. Given the answer of the Minister, I do not think there is any disagreement that there is a problem with the lack of resources and the people who need the legal services are not getting them, or not getting them on time. I want to know if the Minister is aware of any legal liability that the government might have for those who suffer loss as a result of the untimeliness of their cases being heard or not resolved. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Ms. Lee. The honourable Minister responsible for the Department of Justice, Mr. Allen.

**Further Return to Question 405-14(5): Lack of Legal Aid Resources**

**HON. ROGER ALLEN:** Thank you, Mr. Speaker. I hope I can provide a legitimate answer by saying that we are trying to attract legal aid lawyers to deal with some of the outstanding issues and hopefully that will help to assist those who are in the greatest need throughout this process. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Minister. Final supplementary, Ms. Lee.

**Supplementary to Question 405-14(5): Lack of Legal Aid Resources**

**MS. LEE:** Thank you, Mr. Speaker. There are many aspects to this question, but one of the things is that when the people go to this office they are not getting the answers even. They are not getting their calls returned or e-mail inquiries as to what is happening with their cases responded to. I would think that the least the department can do is to talk to the people about where they are with their applications and so on. Would the Minister direct his officials to look after that? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Ms. Lee. The honourable Minister responsible for the Department of Justice, Mr. Allen.

**Further Return to Question 405-14(5): Lack of Legal Aid Resources**

**HON. ROGER ALLEN:** Thank you, Mr. Speaker. Yes we are attempting to find solutions. Again the process we are employing here is that we have been in communication with the Legal Services Board, working jointly from the departmental perspective with the Legal Services Board to see if we can find methodologies to correct some of the inefficiencies and where we have identified problems in trying to attract legal aid lawyers to work on cases longer. Hopefully that will be able to resolve some of these questions. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Item 6, oral questions. The honourable Member for Mackenzie Delta, Mr. Krutko.



**Question 406-14(5): Employment Advancement Through Affirmative Action**

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, my question is for the Minister responsible for personnel, Mr. Handley, and is with regard to my Member's statement with respect to indigenous native women trying to find employment in this government; and also being promoted, enhanced and allowing them to take on government positions.

I would like to ask the Minister exactly what are we doing to ensure that we do not by-pass the affirmative action policy, especially when it comes to indigenous native women and also women in general?

**Return to Question 406-14(5): Employment Advancement Through Affirmative Action**

**HON. JOE HANDLEY:** Thank you, Mr. Speaker. The government has undertaken a number of measures in the last three years to ensure that we have people ready to take on jobs. This goes beyond advertising and letting them know there is an affirmative action policy. We are now working on a number of these, and they include things like the internship program. We have made it easier in the nursing field to get into mentoring, and there are a whole host of summer students and so on.

One of the main things we have done, though, is we are working on a new program for staffing appeals, so people do not get the job they are looking for and having a more responsive way than what we currently have for people to be able to appeal a position that they wanted to have. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. Krutko.

**Supplementary to Question 406-14(5): Employment Advancement Through Affirmative Action**

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, I would like to ask the Minister, is there a way of tracking exactly how many non-indigenous aboriginal employees have been hired over priority one employees in regard to ensuring that we do have a system in place to ensure when we look at different departments, to ensure that these policies are carried out throughout the government? Is there anything in place to monitor how many people are being hired in different sectors and exactly what status they are?

**MR. SPEAKER:** Thank you, Mr. Krutko. The honourable Minister responsible for the Financial Management Board, Mr. Handley.

**Further Return to Question 406-14(5): Employment Advancement Through Affirmative Action**

**MR. SPEAKER:** Mr. Speaker, as part of the business plan process, each department is asked to provide fairly detailed affirmative action statistics in terms of who they hired and which positions, whether it is management or whether it is a position in the staff somewhere, so all of those statistics are done regularly as part of the business planning process. We report on it regularly as part of results reporting. If the Member wants something more beyond that, then we would have to look at the amount of time it would take to do it. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. Krutko.

**Supplementary to Question 406-14(5): Employment Advancement Through Affirmative Action**

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, the whole issue of affirmative action employment opportunities should be scrutinized carefully through the whole Government of the Northwest Territories, regardless of where the hiring has taken place. I believe that the practices that are in place are not adhering to the present policy, so what is the government doing to ensure that this scrutiny takes place?

**MR. SPEAKER:** Thank you, Mr. Krutko. The honourable Minister responsible for the Financial Management Board, Mr. Handley.

**Further Return to Question 406-14(5): Employment Advancement Through Affirmative Action**

**HON. JOE HANDLEY:** Mr. Speaker, as I said, we do, as part of the business planning process, ask departments to provide pretty detailed information on their hiring practices for that year. As well, we also ask each one to have a human resources planning process in place, so that they can make sure that they have a plan of how they are going to improve their statistics. This includes training on the job and so on.

I think the process is there. It is in the business planning process. If Members wanted to have more detail on a particular region or a particular department and want to do it through some other method, we would be open to looking at how we could facilitate that. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Final supplementary, Mr. Krutko.

**Supplementary to Question 406-14(5): Employment Advancement Through Affirmative Action**

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, as we all know, the present policy is not working. As a government, we realize there are problems with regard to how it is being handled and managed, and yet, Mr. Speaker, we hear from the Minister basically saying "We will continue to give you statistics." I would like to ask the Minister, exactly what are we going to ensure the policy is working in regard to how it was supposedly implemented to ensure that indigenous women in this government have a fair opportunity to enhance this government? What are we doing to change that?

**MR. SPEAKER:** Thank you, Mr. Krutko. The honourable Minister responsible for the Financial Management Board, Mr. Handley.

**Further Return to Question 406-14(5): Employment Advancement Through Affirmative Action**

**HON. JOE HANDLEY:** Mr. Speaker, we do regularly give our staff in the regions and headquarters and so on, updates on what the expectations are on hiring practices, so if...I take the Member's suggestion that we have to be more thorough on that and we are prepared to do that to make sure the system works.

I will talk with my staff to make sure that we are following up, not just on having the right policies, but making sure that the right policies are being implemented.

I think in the regions, the practices may vary somewhat, depending on people's experience, people's interpretations, and we have to be continually updating what we are doing and updating our training and professional development for staff in this area. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Item 6, oral questions. The honourable Member for Deh Cho, Mr. McLeod.

**Question 407-14(5): Negotiated Contract for Air Tanker Services**

**MR. MCLEOD:** Thank you, Mr. Speaker. I would like to ask a question to the Minister of RWED regarding the sole-source contract that has been discussed on several occasions in this House. It is not something I made comment on earlier. I do not have any companies in my riding that can handle a water bomber contract. However, I have listened to the Minister indicate and tell us that there is no one else in the North who can handle a water bomber contract. In all likelihood, if a contract went out to public tender, that it would go to probably a joint venture with an outfit from the south.

I would like to know, because I have been receiving correspondence from different companies in the North that indicate that they can handle it. I would like to know if he could tell me, was there an evaluation or an assessment done that allowed them to come to this conclusion that there is nobody else in the Northwest Territories that can handle it? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. McLeod. The honourable Minister responsible for the Department of Resources, Wildlife and Economic Development, Mr. Antoine.

**Return to Question 407-14(5): Negotiated Contract for Air Tanker Services**

**HON. JIM ANTOINE:** Thank you, Mr. Speaker. Mr. Speaker, the whole water tanker initiative by this government started quite a few years ago. Our experience prior to trying to support northern people to get the capacity up to do this work, we were paying a lot of dollars to have these services provided from a southern company in the past. Once the work that was done to try to determine exactly how the type of services that are going to be provided up here, it started about ten years ago, seven years ago when Buffalo Airways was awarded this contract, there was a lot of work done prior to that and at that time. Since that time, when we were looking at how we can approach what we are going to do here, there has been a lot of work done. An analysis has been done on how things were done in the past to get it to this point in time to raise these arguments. I have discussed this with the department on a number of occasions and went with this direction because of the different work that has been done in the past to develop these arguments. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. McLeod.

**Supplementary to Question 407-14(5): Negotiated Contract for Air Tanker Services**

**MR. MCLEOD:** Thank you, Mr. Speaker. I do not know if I heard the Minister indicate to me that there was an analysis of what companies in the North had the capacity to bid on the water bomber contract. I do not believe you can just do a phone call kind of survey. Nobody is going to have a water bomber sitting on their tarmac waiting for a contract. However, if the contract was available in the form of public tender, I am sure they would have got it.

I would like to ask the Minister if he could tell me then if Buffalo Airways had water bombers when they bid on the contract seven years ago, or did they buy them after the fact?

**MR. SPEAKER:** Thank you, Mr. McLeod. The honourable Minister responsible for the Department of Resources, Wildlife and Economic Development, Mr. Antoine.

**Further Return to Question 407-14(5): Negotiated Contract for Air Tanker Services**

**HON. JIM ANTOINE:** Thank you, Mr. Speaker. Mr. Speaker, I have to ask the department exactly what happened seven to ten years ago when this was being developed, but my understanding is that they did have the planes, but they just had to put some tanks on them to make them into water bombers. That is my understanding. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. McLeod.

**Supplementary to Question 407-14(5): Negotiated Contract for Air Tanker Services**

**MR. MCLEOD:** Mr. Speaker, I would have expected the Minister to have those answers before he decided to go to a sole-source contract. He should know the history of how the contracts were awarded initially and he should know what was done to make sure that everybody was on a fair playing field.

I would like to know if this Minister could tell us how he could justify that we have to contract or tender out the smallest of aircraft contracts, even down to \$1,000 but yet we can sole source a \$30 million contract? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. McLeod. The honourable Minister responsible for the Department of Resources, Wildlife and Economic Development, Mr. Antoine.

**Return to Question 407-14(5): Negotiated Contract for Air Tanker Services**

**HON. JIM ANTOINE:** Thank you, Mr. Speaker. Mr. Speaker, I have made these arguments here in the House already and based on northern contractors and the socio-economic benefits that we could get out of doing this approach, I have also said that we have not concluded our negotiations with Buffalo and that there are options that we could probably pursue.

I understand that this is where we are going, I have not received the latest from what is going on in the department except that things have been put on hold right now, trying to determine how we are going to proceed from here. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Item 6, oral questions. The honourable Member for Range Lake, Ms. Lee.

**Question 408-14(5): GNWT Fiscal Update**

**MS. LEE:** Thank you, Mr. Speaker. Mr. Speaker, we have heard in the media that this government may be facing some fiscal difficulties in the coming months. The Minister has been quoted as saying that our deficit picture is not looking so well. However, I do not think that we have heard anything formal in this House in that regard. Could the Minister indicate when we might be able to hear that in this House? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Ms. Lee. For the benefit of the Chair, would you please indicate who you are directing this too?

**MS. LEE:** Thank you, Mr. Speaker. My question on the fiscal picture of the government was directed to the Minister of Finance. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Ms. Lee. The honourable Minister responsible for the Department of Finance, Mr. Handley.

**Return to Question 408-14(5): GNWT Fiscal Update**

**HON. JOE HANDLEY:** Mr. Speaker, I did give AOC an update on our fiscal situation. I also offered to do some further explanation and description of what steps we would be taking to take it to AOC first before we make a statement in the House. I have had some discussions with the chair on that one, so as soon as we do that I will bring it here if the committee agrees. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Item 6, oral questions. The honourable Member for the Deh Cho, Mr. McLeod.

**Question 409-14(5): Assistance for Small Business Development**

**MR. MCLEOD:** Thank you, Mr. Speaker. I want to go back to a statement I made the other day regarding ammonium nitrate. In my statement I indicated that I was quite pleased to see that this matter was being resolved and a lot of the stakeholders had come together in order to make this happen.

Throughout this whole process the community has indicated to me that some of the government personnel have identified the potential economic opportunity. So I would like to ask the Minister of Resources, Wildlife and Economic Development if he could tell me, through all his programs, through all the programs available to the residents of the Northwest Territories if there is an avenue to have Members of his staff work with the community to develop the opportunities that are identified? Thank you.

**MR. SPEAKER:** Thank you, Mr. McLeod. The honourable Minister responsible for the Department of Resources, Wildlife and Economic Development, Mr. Antoine.

**Return to Question 409-14(5): Assistance for Small Business Development**

**HON. JIM ANTOINE:** Thank you, Mr. Speaker. Mr. Speaker, we have the programs in the Business Development Fund that

provides business start up costs to different companies and I see community development corporations as such as a business entity. We have that avenue open and available to pursue in that regard.

As well, there are programs there through Resources, Wildlife and Economic Development, through the Business Development Fund as well as the Business Credit Corporation and the Northwest Territories Community Development Corporation and there is even Community Futures in the regions that provide funding.

As a business entity, if they pursue a specific business venture, we provide support in terms of doing business plans and in some cases fund some of these specific projects in terms of grants. There are other financial assistance programs there through these different bodies that I mentioned. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. McLeod.

**Supplementary to Question 409-14(5): Assistance for Small Business Development**

**MR. MCLEOD:** Thank you, Mr. Speaker. I would like to ask the Minister if he can tell me, I understand that there are funding programs through BDF and BCC and a number of others that the Minister has indicated that can fund community development corporations, but in this case it is more of a government body or a community council. Is there money available to them to do feasibility studies and that kind of leg work that needs to be done to identify the potential of a project? Thank you.

**MR. SPEAKER:** Thank you, Mr. McLeod. The honourable Minister responsible for the Department of Resources, Wildlife and Economic Development, Mr. Antoine.

**Further Return to Question 409-14(5): Assistance for Small Business Development**

**HON. JIM ANTOINE:** Thank you, Mr. Speaker. Mr. Speaker, I think there are different values. I know that in some cases with the band councils and Metis locals, we have assisted them so I do not see any difference between a community council getting that kind of assistance as well. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. McLeod.

**Supplementary to Question 409-14(5): Assistance for Small Business Development**

**MR. MCLEOD:** Thank you, Mr. Speaker. I would like to ask a final question to the Minister of Resources, Wildlife and Economic Development, if he will instruct his department to do some follow up regarding this issue with Enterprise and the ammonium nitrate and the potential economic opportunity.?Thank you.

**MR. SPEAKER:** Thank you, Mr. McLeod. The honourable Minister responsible for the Department of Resources, Wildlife and Economic Development, Mr. Antoine.

**Further Return to Question 409-14(5): Assistance for Small Business Development**

**HON. JIM ANTOINE:** Thank you, Mr. Speaker. Mr. Speaker, I will instruct the department to work with the community of Enterprise on this. Thank you.

**MR. SPEAKER:** Thank you. Item 6, oral questions. The honourable Member for Inuvik Boot Lake, Mr. Roland.

**Question 410-14(5): Question of the Premier's Resignation**

**MR. ROLAND:** Thank you, Mr. Speaker. Mr. Speaker, my question will be directed to the Premier. My question would be, is the Premier going to resign as a result of the findings of Tabled Document 64-14(5)? Thank you.

**MR. SPEAKER:** Thank you, Mr. Roland. I am going to rule that question out of order. It is a matter that is before a standing committee. Item 6, oral questions. The honourable Member for Range Lake, Ms. Lee.

**Question 411-14(5): Response to Petition Regarding the Pupil-Teacher Ratio**

**MS. LEE:** Thank you, Mr. Speaker. Mr. Speaker, my question is for the Minister of Education, Culture and Employment and it is in regard to the petition that I tabled in the House on June 18<sup>th</sup>. Mr. Speaker, I was happy to receive a very quick response from the Minister to the petitions. It was less than a month later. The only thing is that the answer given to a very serious petition signed by a lot of parents and teachers and concerned people in my riding about the class size was responded in a manner that really disappointed those who petitioned and the parents and teachers who held a forum on class size where they wanted to explain the situation of crowded classes in our local school systems.

The answer basically says that the law is the way it is and we cannot change the law and you just kind of have to accept that. I just thought it was a very inconsiderate answer. I would like to ask the Minister, why did he not give any more consideration to this very serious petition? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Ms. Lee. The honourable Minister responsible for the Department of Education, Culture and Employment, Mr. Ootes.

**Return to Question 411-14(5): Response to Petition Regarding the Pupil-Teacher Ratio**

**HON. JAKE OOTES:** Thank you, Mr. Speaker. The question and the petition by the residents is a very serious issue, there is no question about that and we do take the residents concerns with a great deal of seriousness and thought. The issue that is before us is the question of going to schools, class size, rather than the PTR being administered on the Territory as a whole, Mr. Speaker.

It is the Territory as a whole that has been put forward through policy and legislation. As we know, we have signed a memorandum of understanding with the Teachers Federation and that memorandum indicated that we would reduce the pupil-teacher ratio in the territory from 18:1 to 16:1 over a four year period. That memorandum of understanding indicated that it would be on a territory-wide basis, Mr. Speaker. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Ms. Lee.

**Supplementary to Question 411-14(5): Response to Petition Regarding the Pupil-Teacher Ratio**

**MS. LEE:** Thank you, Mr. Speaker. Mr. Speaker, I understand what the PT ratio is. What I am saying and what this petition is saying is that the PT ratio as it is stated is not working. In reality this PT ratio keeps having crowded schools. I also understand what the law says and I do not need the Minister to repeat the law for me. In fact, the response to the petition says that. It says that regulation is the way it is because the law...

**MR. SPEAKER:** Ms. Lee. I was distracted by several Members carrying on conversations immediately behind you. Would you be able to repeat your question, and I ask Members to please respect the persons trying to get questions, important questions, across to the Minister. Ms. Lee.

**MS. LEE:** Thank you, Mr. Speaker. Mr. Speaker, my point is that I understand the PT ratio and I want the Minister to understand that the PT ratio is not working, that it is still creating crowded classrooms in Yellowknife. I understand what the law says. That is the whole point of this petition. The petition is, we want you to change the law. Does the Minister not agree that if enough people, a lot of people, sign a petition saying please Minister look at it, should he not look at it?

**MR. SPEAKER:** Thank you, Ms. Lee. The honourable Minister responsible for the Department of Education, Culture and Employment, Mr. Ootes.

**Further Return to Question 411-14(5): Response to Petition Regarding the Pupil-Teacher Ratio**

**HON. JAKE OOTES:** Thank you, Mr. Speaker. Mr. Speaker, I beg to differ with the Member that it is not working. Across the territory we have increased the number of teachers in the classrooms and that has had an effect, Mr. Speaker. As I said, we have increased the number of teachers and we have gone in a pupil-teacher ratio from 18:1 across the territory to 16:1. Is it an issue that can be addressed? That is a policy issue. The original intent of the whole policy is being followed, Mr. Speaker. We are reducing the number of students in a classroom. There may be certain classes that are larger than 18:1. I understand that, but the school boards have a lot of opportunity here to address those particular issues. It is not just at a territorial level, it is also school boards where we fund the school boards to address issues and to be able to look at the size of classrooms and to change the make-up of classrooms. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Ms. Lee.

**Supplementary to Question 411-14(5): Response to Petition Regarding the Pupil-Teacher Ratio**

**MS. LEE:** Thank you, Mr. Speaker. I have another Minister telling me that the facts that he has says something different than what the people on the street are saying. I would put to the Minister that it would be hard to find any class that is at 18:1. Most classes are at 30:1. Would the Minister not look at this issue and revisit his policy. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Ms. Lee. The honourable Minister responsible for the Department of Education, Culture and Employment, Mr. Ootes.

**Further Return to Question 411-14(5): Response to Petition Regarding the Pupil-Teacher Ratio**

**HON. JAKE OOTES:** Thank you, Mr. Speaker. Mr. Speaker, this is a policy issue. We set out several years ago to reduce the pupil-teacher ratio, and we have done that. We have gone from 18:1 to 16:1, and there is no doubt that it is having a tremendous effect across the Territory. This is an equity issue as well for the smaller schools and the smaller jurisdictions, Mr. Speaker, and it was the intent to distribute across the Territory on an equitable basis. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Final supplementary, Ms. Lee.

**Supplementary to Question 411-14(5): Response to Petition Regarding the Pupil-Teacher Ratio**

**MS. LEE:** Thank you, Mr. Speaker. Do I hear from him that he is going to disregard all of the letters in that petition and all the people who are telling him that class sizes are too big? Is that his answer? Thank you.

**MR. SPEAKER:** Thank you, Ms. Lee. The honourable Minister responsible for the Department of Education, Culture and Employment, Mr. Ootes.

**Further Return to Question 411-14(5): Response to Petition Regarding the Pupil-Teacher Ratio**

**HON. JAKE OOTES:** Mr. Speaker, I am not disregarding the petition. We have explained why we have the system that we do. We have poured in \$30 million, Mr. Speaker, over the last four years throughout the Territory in order to be equitable across the Territory. We have done it on the basis of reducing the pupil-teacher ratio across the Territory. We have done it on the basis of ensuring that student support is done across the Territory on an equitable basis. I think that is a good policy, Mr. Speaker. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Item 6, oral questions. Are there any further oral questions? Item 7, written questions. Item 8, returns to written questions. Item 9, replies to the opening address. Item 10, petitions. The honourable Member for Mackenzie Delta.

**ITEM 10: PETITIONS**

**Petition 3-14(5): Hunting Restrictions on NWT Highway Corridors**

**MR. KRUTKO:** Thank you, Mr. Speaker. I would like to present a petition dealing with the matter of hunting restrictions in NWT highway corridors. Mr. Speaker, the petition contains 20 signatures of Fort McPherson residents and, Mr. Speaker, the petition required that until the NWT Wildlife Act is enacted all hunting restrictions, including those in effect on NWT highways, remain unchanged and that no new hunting restrictions be introduced. Thank you.

**MR. SPEAKER:** Thank you, Mr. Krutko. Any further petitions? Item 11, reports of standing and special committees. The honourable Member for Frame Lake, Mr. Dent.

**ITEM 11: REPORTS OF STANDING AND SPECIAL COMMITTEES**

**Committee Report 11-14(5): Report on the Review of Tabled Document 64-14(5): Report to the Legislative Assembly of the Northwest Territories on Termination Compensation to Two Senior Officials by the Auditor General of Canada**

**MR. DENT:** Thank you, Mr. Speaker. Mr. Speaker, I would like to present the report on the Auditor General's Report on Termination Compensation to Two Senior Officials.

Mr. Speaker, the Standing Committee on Accountability and Oversight wishes to report on its review of the Auditor General's Report to the Legislative Assembly of the Northwest Territories on Termination Compensation to Two Senior Officials. The report was tabled in this Assembly and referred to the committee on October 23rd, 2002.

Mr. Speaker, this report represents the views of the majority of the committee. Appended hereto are the minority reports of two Members.

Members requested this special audit in March of this year because they were not satisfied that all of the information surrounding the circumstances of the termination agreements of the former principal secretary to Cabinet and chief of staff was being made available to them.

The committee has considered the report, and met with the Auditor General to discuss it further in a public meeting on October 24, 2002. The transcript from that meeting is attached as an appendix to this report. The committee agrees with the Auditor General's findings. The audit has confirmed that the terms of the termination agreements were without justification. The staff of the Auditor General have confirmed that those terms were set in place at the direction of the Premier.

Mr. Speaker, the committee recommends that the Legislative Assembly accept the Auditor General's conclusion that the government did not handle the matter reasonably and with prudence.

The committee further recommends that in light of these findings the Premier submit his resignation forthwith as Premier and Member of the Executive Council.

Mr. Speaker, that concludes the report of the Standing Committee on Accountability and Oversight.

Mr. Speaker, I move, seconded by the honourable Member for Inuvik Boot Lake, that Committee Report 11-14(5) be received by the Assembly and moved into committee of the whole for consideration. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Dent. We have a motion on the floor. The motion is in order. To the motion. The House is ready for the question. All those in favour, please signify. Thank you. All those opposed? Thank you. The motion is carried. Committee Report 11-14(5)... The honourable Member for Frame Lake, Mr. Dent.

**MR. DENT:** Thank you, Mr. Speaker. Mr. Speaker, I seek unanimous consent to waive Rule 93(4) to have Committee Report 11-14(5) moved into committee of the whole for today. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Dent. Thank you. The honourable Member is seeking unanimous consent to waive Rule 93(4). Are there any nays? There are no nays. You have consent. Report 11-14(5) is now moved into committee of the whole for today. Item 11, reports of standing and special committees. Item 12, reports of committee on the review of bills. Item 13, tabling of documents. Item 14, notices of motion. The honourable Member for North Slave, Mr. Lafferty.

#### ITEM 14: NOTICES OF MOTION

##### **Motion 15-14(5): Request for Special Audit by the Auditor General of Canada on the North Slave Correctional Centre**

**MR. LAFFERTY:** Thank you, Mr. Speaker. I give notice that on Monday, October 28, 2002, I will move the following motion; I move, seconded by the honourable Member for Mackenzie Delta, that this Legislative Assembly request the Auditor General of Canada to undertake a special audit into all aspects and approvals of the processes and decisions that led to the significant cost overruns of the North Slave Correctional Centre; and further, that the Auditor General investigate and consider any other factors in her opinion she feels relevant; and furthermore, that all employees and officials actively cooperate with the Auditor General in providing all appropriate documents, papers, and information; and furthermore, that the government inform its contractors of the nature and purpose of the special audit; and furthermore, that the Auditor General is requested to complete this special audit as soon as practicable and provide a report to the Legislative Assembly.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Lafferty. Item 14, notices of motion. Item 15, notices of motion for first reading of bills. Item 16, motions. The honourable Member for Frame Lake, Mr. Dent.

#### ITEM 16: MOTIONS

##### **Motion 14-14(5): Review of the Operation and Accountabilities of the Committee Structure and System (Carried)**

**MR. DENT:** Thank you, Mr. Speaker. Mr. Speaker,

WHEREAS Section 44 of the Legislative Assembly and Executive Council Act and the Rules provide for the establishment of Standing and Special Committees to aid and advise the Legislative Assembly as they consider necessary;

AND WHEREAS the committee system in any democratic structure is an essential process in holding the executive branch of government accountable;

AND WHEREAS the committee system is necessary to facilitate the business of the House in a timely manner;

AND WHEREAS the committee system has to take into account reporting relationships with the Executive Council;

AND WHEREAS the committee system must provide access by the public to its deliberations and reviews;

AND WHEREAS the committee system must be efficient and effective;

AND WHEREAS the current committee structure has a relatively long history in the Northwest Territories and continues to evolve;

AND WHEREAS it is important that the current committee system continue to ensure accountability of the actions of government and also be accountable for their actions;

AND WHEREAS the current committee system should be reviewed to ensure that it is meeting the needs of the Legislative Assembly;

NOW THEREFORE I MOVE, seconded by the honourable Member for Inuvik Boot Lake, that the Standing Committee on Rules and Procedures undertake a review of the operation and accountabilities of the committee structure and system;

AND FURTHER that the Standing Committee provide a report to the Legislative Assembly no later than June 30, 2003.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Dent. We have a motion on the floor. The motion is in order. To the motion. Question has been called. All those in favour, please signify. Thank you. All those opposed? Thank you. The motion is carried. Item 16, motions. Item 17, first reading of bills. Item 18, second reading of bills. Item 19, consideration in committee of the whole of bills and other matters; Tabled Document 35-14(5), Bill 1, Bill 22, Bill 26, Committee Report 10-14(5) and Committee Report 11-14(5), with Mr. Krutko in the chair.

#### ITEM 19: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS AND OTHER MATTERS

**CHAIRMAN (Mr. Krutko):** I would like to call committee of the whole to order. We have several items to deal with; Tabled Document 35-14(5), Bill 1, Bill 22, Bill 26, Committee Report 10-14(5) and Committee Report 11-14(5). What is the wish of the committee? Mr. Dent.

**MR. DENT:** Mr. Chairman, I would like to recommend the committee consider first of all Committee Report 11-14(5). Should we conclude that matter, that we then turn to Bill 26, then followed by Bill 1 and Committee Report 10, should we get that far. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Krutko):** Does the committee agree?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Krutko):** We will take a short adjournment and we will begin with Committee Report 11-14(5).

-- Break

**CHAIRMAN (Mr. Krutko):** I would like to call the committee of the whole back to order. We will deal with Committee Report 11-14(5). At this time I would like to ask the chair of the committee for general comments. Mr. Dent.

**MR. DENT:** Thank you, Mr. Chairman. Mr. Chairman, after everybody has had a chance to make general comments we will then be proposing the committee's recommendations in the form of motions.

Mr. Chairman, I do have some general comments on a personal basis on the report before us. Mr. Chairman, as politicians we all have heard, especially in the North, about the fiduciary responsibility of the federal government to aboriginal peoples. That speaks to a trust relationship.

Mr. Chairman, in this setting we too all have a fiduciary responsibility to the public, our constituents. We have a trust relationship with the public, that, Mr. Chairman, extends particularly to the management of public funds.

Mr. Chairman, the public is tired of hearing about politicians who award their friends with lucrative contracts. To most people, that is what this situation looks like. Mr. Chairman, the Auditor General looked at a number of termination contracts. None had the out-of-ordinary terms that are found in contracts like the termination contract for Ms. Sorensen. Mr. Chairman, even Mr. Bayly's contract is significantly different. In fact it is not significantly different from what would be standard government policy or what was set out in the terms of his employment contract.

What we have heard, Mr. Chairman, is that the Premier directed that these lucrative provisions be put in. We know that he signed off on them. Mr. Chairman, interestingly enough on March 11<sup>th</sup>, Liz Snider, the secretary to Cabinet told this House that she could not sign off on Sorensen's contract because it was outside her authority, but she could and did sign off on Bayly's which was much closer to the terms of the employment contract which had been entered into less than two years earlier.

Mr. Chairman, we are now starting to hear in this House about fiscal difficulty. We are short of nurses and health care workers. I have not heard of any new money to attract those. We do not have enough money to undertake new initiatives, important new initiatives. We have heard a lot of talk about the social agenda but we have not seen any new money to implement the recommendations found in the social agenda. Yet we had an extra quarter of a million dollars to pay for termination payouts for the Premier's advisor.

I think this is also particularly galling in light of the performance bonuses. We are talking about two employees who are on their way out as a result of their inappropriate actions. In fact there were letters of reprimand on file and yet we are told that the Premier directed that they receive maximum performance pay. Mr. Chairman, to me that is not acceptable.

We are stewards of the public purse in government. We are leaders. We must set policy and once we set policy and practice, we have to, ourselves, set the standard by adhering to those practices and policies. I find it very interesting that in almost every other circumstance, and every other circumstance the Auditor General looked at, the terms and the policy appear to have been followed but this time they were not.

Mr. Chairman, this is the sort of event that causes citizens to lose respect for all politicians. I think it has to stop and it must not happen again. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Krutko):** General comments. Mr. Braden.

**MR. BRADEN:** Thank you, Mr. Chairman. I am one of two members of the committee who filed minority reports. I would appreciate the indulgence of committee to read that into the record and offer some comment.

Mr. Chairman, I wish to indicate my support for the Accountability and Oversight Committee's recommendation that the Legislative Assembly accept the report of the Auditor General. I believe that Sheila Fraser, Auditor General of Canada, and her staff did a thorough and a professional job of completing the mandate given her by this Assembly last March.

I was, like many others, dismayed with the number of unjustified variances in the compensation packages. I was equally dismayed with the Premier's wholly inappropriate involvement in the event.

I will not dwell on that, Mr. Chairman. The evidence in the body of the Auditor General's report are quite adequate and I am sure that my colleagues will also address their concerns on this issue.

I have filed a minority report, Mr. Chairman, because I want to indicate my disapproval of the committee's second recommendation and that is that Mr. Kakfwi resign as the Premier. I believe that his departure, as much as it might be warranted by his involvement in the termination fracas, would do the Northwest Territories more harm than good on much broader and more consequential issues at this time.

Mr. Chairman, agendas relating to devolution, pipeline and diamond development, provincial and external relations and self-government have advanced considerably through his leadership. We have not obtained many of the goals that we had hoped for when we sat on this in this Assembly. We are not there yet. But if we were to look at these areas we would see where indeed there is progress. We have built relationships, we have agendas and plans in front of us and believe that the Premier's involvement was key. I want to see him stay in there.

This is a difficult compromise for me to make at this relatively late point in our four-year mandate as the 14<sup>th</sup> Legislative Assembly. Mr. Chairman, I have asked what I believe really is a crucial question, if not the crucial question, that should always be before us, what will our situation be as the Northwest Territories when our mandate ends in October 2003, one year from now. I believe that it will be no better and may well be even less certain with a replacement leader.

Mr. Chairman, we have all been tested with these events, over almost a year now. It is part of the job that I am really attracted to, it is a part of the job that I fear the most when these ethical and moral issues come before me and really cause me to have to stretch what I believe is right and test it against what really should be done as opposed to what I may feel is the right thing to do.

In this debate I want to say that I have listened to and respect the views of my colleagues. I welcome the debate that we are going to have on this motion. I welcome the outcome, whatever it is going to be, that is seeing everyone have a chance to speak and have a chance to put their decision on record in public is at least that first level of accountability. Let's engage. Thank you, colleagues and thank you, Mr. Chairman.

**CHAIRMAN (Mr. Krutko):** General comments. Mr. Bell.

**MR. BELL:** Thank you, Mr. Chairman. Also, obviously Mr. Chairman I support the committee's report and recommendations. I think that after seeing this report of the Auditor General the things that I felt had probably happened

were confirmed. I will admit I was not surprised. We had a lot of indication of much of this behind closed doors yet we were unable to get the answers and responses to any of these questions in public because of the government's insistence and assertion that there were privacy issues that would come to bear here, therefore we needed to go to the Auditor General and uncover this and bring these issues forward so that they could see the light of day.

I think that the Auditor General in stating that further, "We found no justification for paying the significantly higher termination payments and benefits." I think that that is the issue that much of the public is concerned about. I have had people call me and say, "How can you arrange a termination payout and contract for one individual that does not conform to their employment contract?" It is unprecedented. This government has not done it before; paid huge amounts of money over and above what was warranted in the contract and then said to me "Surely to God some laws were broken."

I think that is the really concerning thing here, Mr. Chairman. No laws were broken. There is so much power concentrated in the office of our Premier that they have the ability to crumple up existing contracts and rewrite them. They only have to be willing to sign them. It is a huge responsibility, the job of Premier and Mr. Chairman, certainly not something that we take lightly. We have to put a great deal of faith and trust in that individual that they will use that power and that authority wisely.

I think the Auditor General has clearly shown us that this was not a prudent use of funds and it was only allowed to happen because it could, Mr. Chairman, not because it was justified.

I think the more we go through this and the more we dissect it, we realize that so much of it is about bad decisions everywhere. Were the bad decisions made by staff, or were they made by the Premier? Did the Premier receive bad advice on a number of occasions? I have no reason to doubt that. I continue to see what I believe to be bad advice coming forward to our government in dealing with this situation even now.

This agenda of deflecting the real issue and trying to refute and counter anything that the Auditor General has found and discovered in my mind makes no sense, and is exactly the political opposite of what we should be doing.

Mr. Chairman, if you look at the issue of anticipated liability, our government says we had to pay a whack of money over and above what was entitled in a contract because we felt that the former chief of staff might be able to sue us for wrongful dismissal. For some reason, we were not concerned about Mr. Bayly's ability to do that, just Ms. Sorensen's. This, Mr. Chairman, is despite the fact that we know the position was at-pleasure. The Auditor General refers to that as well, when she says "At-pleasure appointments are positions that may be terminated by the employer at any time, with or without cause," Mr. Chairman. Despite that, we saw fit to pay, in this one instance, a lot of money over and above what was entitled to that individual in the contract. Furthermore, we had no legal representation, nobody looking out for the public's best interests in these negotiations. It makes you wonder if our government thought that Ms. Sorensen's lawyer, who obviously did a very good job, was also looking out for the public interest. I think we can clearly see that there is no way to reconcile those two interests. If that is indeed what our government thought, it is embarrassing, Mr. Chairman.

If we look at the issue of performance pay, we know from listening to the Auditor General's staff yesterday that the Premier provided the direction to Ms. Snider to pay maximum performance pay to both Mr. Bayly and Ms. Sorensen, despite the fact that they had letters of reprimand on file. When we asked for clarification, the Auditor General's indication was that he was told that they had done a great job, but there were no specifics as to the objectives they had met or anything like this, no discussion of the criteria they had met in order to warrant, and this is important, maximum performance pay, Mr. Chairman.

I think the message that sends to the public of the Northwest Territories, and indeed all public servants, is certainly the wrong one. Clearly we do not consider criteria, never mind documentation. There is no way it could have ever been even considered, Mr. Chairman, if we are going to indicate that these two individuals deserved maximum performance pay.

So the fact that the termination contract was absolutely not linked to the employment contract in the former chief of staff's situation, is unprecedented. We have not seen this before in the Northwest Territories. Certainly the Auditor General did not uncover this in any of her research in looking at past contracts, and there was no indication from our staff to the Auditor General's office that this was something we normally do, because quite clearly, Mr. Chairman, this is something that we normally do not do.

I think I have also spoken to the fact that now, in the aftermath of this report, we continue to see bad decisions being made, and I think these ones are bad political decisions. We know that our government is out there trying to refute and counter just about everything that the Auditor General has found. Late in the game, after they had an indication of what was coming out in the Auditor General's report, they hustled together an internal legal opinion without even...the legal opinion was written without even seeing the Auditor General's report. There are all kinds of problems in it. It refers to clauses in Ms. Sorensen's contract that do not even exist, Mr. Chairman. I guess that is not surprising, given that not all of the information was present when this legal opinion was written.

It even goes so far as to refer and try to make the case for deputy minister benefits being paid in Ms. Sorensen's case. It indicates that for the purposes of her agreement, where it says deputy minister, we are talking about Ms. Sorensen. We know in the House, Mr. Chairman, clearly both the Premier and the Finance Minister have suggested that, and I am quoting now from October 31<sup>st</sup> Hansard, page 635. This is the Premier: "We also created a chief of staff position. The chief of staff position is in fact an executive assistant position that has additional responsibilities."

I mean, this legal opinion basically refutes what both our Premier and Finance Minister have said in Hansard. That was October 31, 2001, I believe. I just think that continually, we seem to make political indiscretions here that seem certainly not prudent.

We talk about net present values of paying Ms. Sorensen in a spread-out fashion as opposed to a lump sum and indicate that this probably saved us money. This is absolutely false, Mr. Chairman. The way we paid out this money, not only did it make us susceptible to further legal liability if there are disability issues, but it pays out additional benefits and allows



for more and more pension to be grossed up by extending the length of employment. There is no way that, if the proper information was provided to this person who wrote the legal opinion, they could ever have said that when you look at the time value of money, that this was a cheaper way to do it. You cannot just discount back to the present some future cash flows and ignore the ones you do not want to talk about, Mr. Chairman. That is just craziness. The fact that this was presented to Mr. Voytilla's office and still managed to make it out of that office is something that amazes me.

Mr. Chairman, I do have many, many concerns, I guess, as we go through the Auditor General's report. I think Mr. Braden has put it fairly succinctly, and I think we disagree on one point. He indicates that it is probably warranted for us to ask the Premier to step aside because of his involvement, but he feels it would be more detrimental to us going forward to have a change of Premier. I agree with Mr. Braden, except to say that I think if we do not have a change of Premier, we will be mired in this discussion and conflict for some time to come, and absolutely be stuck and not able to carry on and go forward and achieve the good things we need to. Thank you.

**CHAIRMAN (Mr. Krutko):** We are dealing with Committee Report 11-14(5). General comments. Mr. Nitah. Mr. Kakfwi.

**HON. STEPHEN KAKFWI:** Mr. Chairman, at some point or other, before I am convicted, I would like to get a chance to account for myself, so the Members have an opportunity to hear from my side. That has been totally absent. I think this Legislature is for accountability. Before you convict me, I want to be heard. I am disappointed in Mr. Bell, because yesterday, he assured me he would be prepared to wait and see what I had to say before he passed judgment. I see that he has failed to keep that...

**CHAIRMAN (Mr. Krutko):** Excuse me, Mr. Kakfwi. We are dealing with a committee report that is before the House. Every Member has a right to comment on the report in regard to general comments. By raising your hand, you will be recognized on the list.

-- Interjection

Well, there is a long list here with Members who have shown an interest by raising their hand. I ask Members who would like to speak, could you please raise your hand? General comments. Mr. Nitah.

**MR. NITAH:** Thank you, Mr. Chairman. Mr. Chairman, I am in support of the committee recommendations and the committee report. Mr. Chairman, this is not something new we are dealing with here. We have debated this issue in the House on more than one occasion. It started about this time last year. Questions were asked of Mr. Kakfwi in the House and the answers came back. The answers were not satisfactory. As a result, the Auditor General was involved. Her findings are clear and factual.

Mr. Chairman, the credibility of this government is shaking at the core. According to the Auditor General employment contracts and policies were circumvented, and a strong indication through factual findings is that the employment contracts that were held by both Mr. Bayly and Ms. Sorensen were there to protect the government and employee.

Clearly the employment contract of Ms. Sorensen stated that she would receive so many dollars based on her years of service. Whatever she got she has to take and she has to leave within a certain amount of time. That employment contract was totally ignored.

A termination agreement was negotiated where she was substantially overpaid through manoeuvring such as extending her employment contract so that she could qualify for maximum benefits, maximum. According to the Auditor General, a quarter of a million dollars that she should not have received from this government, she got.

If we refute paying her, Mr. Chairman, she could go and get a lawyer to protect her interests, paid by this government. In her employment contract that clause was not there. This is an unprecedented clause. We have an employment contract that protected the interests of this government and the people of the Northwest Territories, yet that contract was thrown out and replaced with a termination agreement that forced this government to pay her more money than she deserved. Yet if we refute that, we have to pay her legal fees.

Clearly there is a conflict of interest here. The Premier is there to represent the people of the Northwest Territories and to represent this House. Yet he chose to ignore a contract that protected the people of the Northwest Territories, and protected the government and this House, by agreeing to a different contract that put the people of the Northwest Territories, the Government of the Northwest Territories and this House in harm's way.

I have questioned many times the impartiality of the Premier. This just puts another nail in the coffin of my belief there, Mr. Chairman. Mr. Braden once said in this House that you cannot fix the problem with the same thinking that created the problem. A quote from Einstein, a very smart man.

Mr. Chairman, the argument used that we need Mr. Kakfwi for the continuation and stability, I do not think that is the case. I think if we allow this government to continue the way it is, knowing that this kind of fiasco happens on too many occasions, the credibility of this government will be shaken so that nobody will listen to any request from the Government of the Northwest Territories.

Can we trust somebody that would rather give what appears to be a friend protection and extra money that was not deserved, to go down to Ottawa on our behalf and ask for devolution dollars and devolution of management responsibility for programs and services? I do not think that that person would be received very well by the federal government, whose own agency... (the other Joe's office which is a very credible office).. clearly stated that rules were ignored and existing employment contracts were not respected.

Mr. Chairman, there are a lot of people who are qualified to lead this government, this House and out there. If the argument used is that we need the Premier because of his experience, I believe there are other people in this House that could do that job. We have to bring credibility back here to this government. It is an ethical thing. We cannot sit here and slap a person on the wrist when they have broken rules and procedures.

When I sit here and I am thinking about this, I am reminded of an elderly couple in Lutsel'e who were having an addition being put on their house, but the addition was so small that the

construction had to be stopped. Because the scope of work had changed, the contractor wanted more money. They put up plastic to cover the outside of the house because they were squabbling over what seemed like a very small amount of dollars compared to the \$250,000 that was given outright to an individual.

Where are our priorities here, Mr. Chairman? This elderly couple sat in that house all summer and into the fall with power bills going through the roof because they were keeping the heat up because there was very good ventilation resulting from the construction of the addition. Yet the Housing Corporation was squabbling with a contractor over what seemed like a \$60,000 thing, Mr. Chairman, and this couple had to suffer. Those are my constituents. There are many many people in the Northwest Territories that need programs and services from this government and we cannot deliver because we simply do not have the financial resources.

We know we are going to see a \$104 million deficit. No wonder, Mr. Chairman. We are giving away money that is unjustified and government practices that are not prudent. We cannot lead by that kind of an example. We have to bring credibility back to this House and we have to take care of the loose ends that allowed this to happen, Mr. Chairman, but that is another time. We cannot allow the Premier to continue with these kinds of practices. The foundation of this government has been shaken to its core. The highest member of this government has shaken that credibility core.

How many civil servants, how many government employees can expect to get that kind of severance package? Our employees are asking, what do I have to do to get those kinds of dollars? We have to bring credibility back to this House, Mr. Chairman, and I support this report and its recommendations wholeheartedly. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Krutko):** General comments. Mr. Roland.

**MR. ROLAND:** Thank you, Mr. Chairman. Mr. Chairman, the Premier stated earlier that he would like an opportunity to speak to the report, and before I make my comments I would gladly let the Premier take my spot so that we can hear some of his comments, and then I would like to be put on the list so that I could speak to them.

**CHAIRMAN (Mr. Krutko):** Are you making a recommendation, Mr. Roland?

**MR. ROLAND:** Thank you, Mr. Chairman. Yes I would recommend to the committee here that Premier Kakfwi be given his time allotment to speak to the report in his own defence, I guess, and then I would like to then continue with the list that you have there. Thank you.

**MR. KRUTKO:** Does the committee agree?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Krutko):** At this time I will recognize Mr. Kakfwi, then Mr. Roland, Ms. Lee and Mr. Delorey. Mr. Kakfwi.

**HON. STEPHEN KAKFWI:** Thank you, Mr. Chairman. I would like to thank Mr. Roland for his generous offer, and I am very happy to take it. I apologize to Members for my remarks earlier. I can tell you that I have a very strong and sincere desire for this Legislature to look credible and to be accountable. I guess

recently, we do not appear that way to the public. I know that people are wondering why we are still embroiled and submerged in this debate that started so long ago, because of license plates -- innocuous enough -- and the fact that a lawyer forgot to strike out a name as a board of director during legal filing.

The cost to this Legislature and to the people of the North has been immeasurable. The consequences of it I believe are going to be felt across this country, not only in the Northwest Territories.

In a recent Supreme Court ruling John Vertes handed down -- and it is tabled in this House -- speaks to the fact that we make mistakes and that we have to account for it. These two things are connected, for me.

There are a number of issues that I need to speak to. The first one, of course, I will speak to is the Auditor General's report. The report is, the report that we take seriously, the Auditor General had her staff come here, do interviews, go through files, and they accepted certain documentation and others they said were not relevant. They have a way of doing things that, as they say themselves, is black and white.

I accept that the recommendations, or the conclusions of the recommendation, of the Auditor General and find this government to have not followed their policies. I look back on what we have done and I ask the staff, could we have done some things differently? On the years of service, for instance, that is the understanding that every deputy minister in this government has, that they will get one month for every year of service, not the number of years they were a deputy minister, but the total number of years they served this government. Previous packages to deputy ministers who left this government had that. There were deputy ministers who left with 25 months, just based on the years of service.

So while the Auditor General says that this is totally unacceptable and outside the policy, it is my understanding that what we are asking is, can we take that out because the Auditor General says it is not in our policy? Deputy ministers, senior managers, people who serve at pleasure do not have the protection of unions. And it is true, Mr. Bell, that they serve at pleasure. Every one of these deputy ministers can be given a days notice, two minutes notice and say you are gone. We have to show some cause for it, that is true.

What the Auditor General did not accept is that in the case of Lynda Sorensen, the Cabinet eliminated her job while she was still employed by us. The reason the Auditor General does not accept that is because there is no record of decision. So the proper documentation was not there. As far as they are concerned, her job was not eliminated.

So we do not have trouble with what the Auditor General says. Of course we can get rid of people at pleasure. We have to pay, but we can get rid of them. That is true. It is a different set of circumstances when you do away with somebody's job while they are in it, and then later also say a Minister has said they will not work with you anymore, so we have a problem.

So not only was her job done away with, but she was also forced into her resignation. I tell you that not to refute the Auditor General's report, but certainly because she says and her staff says "We deal in black and white things. No record of

decision -- we do not accept it. As far as we are concerned, the chief of staff position still exists."

But in this Legislature, I announced to you that Cabinet had decided that the chief of staff was going to be done away with and I announced it. It was a fact. It is no longer on organization charts. This is what we have done.

Looking back, as you know, we had a motion of confidence. This Legislature went to extreme lengths to deal with an issue. We dealt with it. The day after that, we had a threat of a Minister resigning, in my view, if this was not dealt with. So I was forced to deal with it. The choice was clear. The staff person went, the Minister stayed. The instructions were do it and do it quickly.

You know, what political motive do you have to try to continue saying or wanting to believe that I was involved in it? The Auditor General says I was not involved in it. There is no evidence to support that fact. Politically, if you want to believe it, that is something else and you should say that, that somehow we just believe you did something wrong. We just cannot prove it. That is okay to say that but say it.

All I can tell you is that was the instruction; do it and do it quickly. In retrospect, I should have said just get it done and take a week, two weeks, but we wanted conclusion. That was the political situation in which I dealt with it and the staff dealt with it. The Auditor General is totally oblivious to that because she is dealing with things in hindsight. She was not there. She did not go through the things I had went through. She did not deal with the stuff that the staff dealt with. It is hindsight.

There is a question about the additional pay, the additional months that were added on to what we gave her because of her years of service. As I understand it, we gave her one month for every year of service, as we have done with every other deputy minister who has ever served this government, and we are going to probably do, either because it is our policy or because the courts will force us to, because the contracts we have signed with them will force us to.

Cabinet has said we take the Auditor General's report seriously, therefore we are prepared to work with you. You are very concerned about the fact that there are allegations we did not follow our policies, that we are too generous, because concerns about the performance appraisal, which I will address shortly. We want to address that.

We made a decision yesterday. We offered it to you. We said let us meet so we can convey that.

Mr. Chairman...

**CHAIRMAN (Mr. Krutko):** Mr. Kakfwi, your time has expired. The procedure is that every Member has ten minutes to speak under general comments to the committee report that is in front of us. Mr. Kakfwi.

**HON. STEPHEN KAKFWI:** Mr. Chairman, can I ask for the support of the Members to conclude my statements, please?

**CHAIRMAN (Mr. Krutko):** Does the committee agree to allow the Premier to conclude his statement?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Krutko):** Agreed. Mr. Kakfwi, you can conclude your statement.

**HON. STEPHEN KAKFWI:** Thank you. On the issue of merit pay, merit pay is done by myself and for deputy ministers it is done by Liz Snider as secretary to Cabinet. She brings the recommendations to me. We discuss them and we give them. Nobody else does that. All the deputy ministers are done by myself and Ms. Snider. For the principal secretary and the chief of staff, they work for Cabinet; I do that. I discuss it with Liz Snider, secretary to Cabinet, and we look at the performance of all the deputy ministers, all the senior managers in government and that is how it is done.

I have said in this House before, so you can at least accept that I am not saying it just because I want to now, I have always held Mr. Bayly in the highest esteem, and so have you. He is hard working, he is a man of integrity who admitted a mistake.

Lynda Sorensen, hard working, a long record in government in the public service without any blemish, none whatsoever. She put long hours in. Her work was exemplary.

Both of these individuals worked together as a team. High stress, long hours and they performed their job extremely well. We gave other deputy ministers maximum performance merit pay because they also performed outstanding work. So when you put it all together they were a group of senior managers that we felt did exemplary work. Some were considered very well, some perhaps did not deliver as well as they could have, so they were not rated the same.

We had an order from the Special Committee on Conflict Process that we were not to talk about this issue or do anything that might be construed to interfere with the deliberations and the issues before this committee. We could not talk about it, could not take it into consideration, so set that aside.

Having said that, it is true. The issue was there. I discussed the taping incident with my staff and I said in this Legislature that it was my idea to issue the letters of reprimand. I issued them because I thought this is important to acknowledge that there was a concern there. How far could I go? I could not ask them about it, I could not talk about it because the committee said, "Don't talk about it." Joe could not talk to me about many things. I could not talk to the staff, I could not talk to you.

There was this difficulty that was created. The staff acknowledged that it happened. They made their regrets. I accept that, but I could not put the consideration and say, "Look, I have..." and then go contrary to the committee and say, "Because of what happened in this and that, I am not going to give you what I think you deserve." I could not do that. That is where the performance pay is. That is why it is there.

It is not because I am friends with John and friends with Lynda. It is because they performed a job at a level compared to the best and highest performing DMs we had at that time. That is how I considered it.

For the letter of reprimand, the staff said they did not think it was warranted, and certainly because we could not talk about it, what could we do? I just said, "Look, they admitted it. They admitted a mistake was made." To this day I still believe that Lynda did not see the taping because if she had, she would have seen me.

So, that is what we had. It is important for me to tell you how I saw that at that time, and that is how I see it. Responsibility was taken, it was done. The committee was going to deal with it. The committee has said as far as they are concerned she did something seriously wrong and so that is what happened.

This Legislature accepted the recommendations of the committee. We now find the Supreme Court to say that committee made some serious mistakes. We are not talking about that yet, but we should because it is connected.

It is true that we should account for ourselves and I appreciate the fact that Members have allowed me to do that. It is important, before you draw your conclusions as I said earlier, to decide to convict me and to restore integrity and dignity to this Legislature, we have to follow due process. There has to be some process that we take.

We have to be fair to our employees. That is a legal duty we have. We have a legal duty to do that. I look back on what happened and ask myself, would I have done something different? I must tell you, sure. Maybe I should have approached the performance appraisal differently with John and with Lynda.

I acknowledge that I could have done that differently. There is the issue of the policies that we have. Were they followed? The Auditor General says we did not. Okay. As a Cabinet we said, "Let's sit down and look at it and see. What is the practice we want when we have termination packages? What are the policies and let's review them." Prepare to fix, if we want to build something constructive out of this, we are prepared to do that.

I acknowledge we did it quickly and I acknowledge I would have done it differently. We could have said just give her a month for every year of service, but that is it. Let her take us to court. I could have done that. Would that have been more acceptable to you? We would have gone to court. She might have got one additional month, she might have got 12 months. We do not know that. What we know is that we would have spent an estimate of at least \$50,000 in the courts on our side alone. If we lost, which we thought we would lose because we eliminated her job from her, that we would lose. The courts are absolutely clear on that. When you do away with somebody's job when they are still in it, they take you to court and they win every time.

Mr. Chairman, can I continue?

**CHAIRMAN (Mr. Krutko):** Mr. Kakfwi, I did allow you ample time to conclude. You had 20 minutes. To be fair to the other Members, I do have quite a few other Members on the list who would like to speak to this matter. At this time, I would like to move on. Next on my list is Mr. Roland.

**MR. ROLAND:** Thank you, Mr. Chairman. Mr. Chairman, I had asked that we would allow the Premier to speak to the issue as he had requested. I was hopeful that he might be able to shed something new onto the report, or something that was not in the report or lacking.

Mr. Chairman, I must go back to what we see in the report. There has been no further information provided that would refute the findings of this report. As we have heard Members speak around this House about the credibility of government,

Mr. Chairman, I must say when we first came here, we took an oath of office. We took an oath of office to perform our duties to the best of our abilities. Not only that, we were made very aware that we must not only keep the law but we must be seen to keep the law.

Mr. Chairman, the report puts out, in very plain, clear language, that we, as Members of this House, were concerned about when the supplementary appropriation bill came through here. We felt that we were not getting the responses that were required to bring this matter to conclusion. A motion went through this House, a majority of Members, to have this done. This is now done and it brings out very clearly the facts. The facts are not disputed. Senior staff were given an opportunity to refute the facts and that was not done.

Mr. Chairman, the report, as I said, is very clear. Some may find it difficult to mark things down in black and white. I do not think that should be a concern of us. I think we should try to make everything black and white so the people of the Northwest Territories know where we stand as the Government of the Northwest Territories. Let's not mix the colours and come up with grey and say, well, what if somehow, some way we will make it happen.

I am going to try to be civil about this, Mr. Chairman, about what we found in this report. I am very concerned, as I was when this thing first occurred. The Premier stated that it has been...some people are asking why are we still embroiled in this. I remember making a statement in this House, a fact that this could have concluded very early in the process by a couple of quick words, humble words, of apology to the people for the conduct of this government. But that was not taken in.

I am even more concerned with the facts, what the Premier stated in his comments. I will want to review that in unedited Hansard, because he seems to be contradicting what has been said in the past in this House.

Mr. Speaker, this report states about the level of pay of one of the individuals -- two individuals, but one specifically of such an excess overpayment, and at what level they should have been paid. For months and months we were told in this House that that was in fact not a deputy minister position, but an executive assistant position. If that is the case, then the findings of the report are accurate, and it is past the 11<sup>th</sup> hour, Mr. Chairman -- not the 11<sup>th</sup> hour, but past the 11<sup>th</sup> hour, past midnight, in the darkness of night, I guess one can say, the fact that a letter went back to the Auditor General to say, "Wait a second, you misinterpreted. Here's a couple of clauses that should have been read." Now we are hearing in this House that in fact, that was a deputy minister position.

It further adds to my very serious concern of the credibility of this government.

Once again, there is no refuting of the facts here. Once again, in the Auditor General's report, as part of the report, appendices were clauses from the termination agreements of the employee contracts that were initially signed. When we asked the Auditor General in our meeting if it was normal when a termination negotiation took place that there was substantial change from the termination agreement in those contracts, we were told no, that this instance, it was highly unusual. Now, there is opportunity and Members are saying, "Well, let's fix

this. Let's put in some rules and regulations. Let's make a new policy and tighten this up. We will not do this again."

Mr. Chairman, the simple matter of fact is policies that were in place were not adhered to -- I repeat, were not adhered to. So putting a new policy or regulation in place, what does that do? Does that fix the situation? No, it does not fix the situation. It does not bring back into the light our concerns that this government has done things that were not appropriate, that went outside the bounds.

In the report, we were told that the chief of staff position was not in fact done away with because there is no decision. They were just pointed out that, well, we were told the chief of staff position did not show up in the next business plan organization chart. Would that be because maybe that position did not legally exist to begin with, as I questioned in this House? It did not fall into the Public Service Act? Maybe that's how simple it was to get rid of it. It just showed up, it can just disappear.

Mr. Chairman, we have power in this House, and a lot of responsibility comes with that power. Ultimate authority comes to this House for the laws that we tell citizens, rich and poor, that they have to follow.

Mr. Chairman, we have to follow the responsibility of those laws by showing that we will adhere to our own rules and regulations, that we will follow the rules of the land we put in place. To try and stand up in this House to say that this is just a minor slip-up, that we can fix it with some paperwork and more writing, in grey ink, that we will fix the rest of this country, this Northwest Territories. We would fall far short of the expectations of good government, Mr. Chairman. And I go back and remind Members that when we came into this House, when we were sworn in, we swore to do the job to the best of our abilities, to follow the rules. We are all aware that not only are we to follow the letter of the law, we are to be seen to follow the letter of the law, Mr. Chairman.

I must say that for somebody who has had as much experience in this setting, as a Member of the Legislative Assembly, as a Member of the Executive Council since he became a Member of this government many years ago, that that still seems not to be able to register from what I have heard today. It is not registering.

That is very concerning to me, that the actions that were taken were still not considered to be bad. It is clear in this report. We finally got it received in this House, the information that we could not get from the Members opposite. I am very concerned that now as a government we are going to condone the actions by saying, wait a second we have a year left, let's hold on to the ship here. I ask Members, is there a ship to hold on to? I would rather say that we do not have enough bailing cans to bail this thing out so we can stay afloat. If we are not willing to take the challenge to show the people of the Northwest Territories that there is good government here, that we are willing to stand up and represent them, rich and poor.

I say, Mr. Chairman, that my interest when we started this was on the conduct of accountable government. By this report it only confirms my concerns with accountable government and the lack of. I say that we had better be willing to act on this. We had better be willing to show the people of the Northwest Territories that we are here to do a job and a credible job. We hear about what happens if someone goes to Ottawa to go for money, or what does happen when we stand there and behave

like a third world country and say, we do not care about our laws, we're going to do our thing anyway. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Krutko):** I would just like to remind the Members that they may speak more than once on this issue that is before us, but to be fair to all the other Members I would like to allow for all Members to have an opportunity to speak, and I will recognize you at the next round of discussions. I am not trying to exclude debate, but I would just like to be fair to all Members. I have Ms. Lee next on the list.

**MS. LEE:** Thank you, Mr. Chairman, I am not sure if I can follow up on these seasoned orators here. I guess I made my job more difficult by writing my minority report because I do not want to read the report into the record, but I am not sure if I do not how it could be put into the record because the minority report is not read in the same time as the majority report because that is the rule. Perhaps I could just go over my stances on this, and there are so many other issues pertaining to this, Mr. Chairman.

Mr. Chairman, my position is that I read the majority report and considered all of the information coming out of the committee proceedings, and I must respectfully disagree with the majority report. My concerns, Mr. Chairman, had to do with regard to procedural and substantive issues. Mr. Chairman, as we are well aware the report, which I will be calling the Auditor General's report from here on, was only tabled two days ago and we had very few days to consider it. Although we had the chance to meet with the Auditor General and her officials, we have not had the opportunity until this forum to hear the other side of the story as it relates to the Auditor General's report.

Mr. Chairman, I believe that this is important since there are some significant differences between the position of the GNWT and the Auditor General. I believe that there is a question of fairness here too because I think we have advised by no other authority than the courts and just out of common standard, that when we are accusing someone of having done something terribly wrong our first response should be that we should give them a chance to explain themselves. I think that we expect that as a person and we expect that as a parent. Our children would probably ask for an opportunity to explain themselves if we say that they have done something wrong. We would expect that as a public person too.

I know that we do things that not everyone agrees with, and certainly that is very common in our job, but I am sure that all of us say to whoever has a claim against us to say, let me give my side of the story. Based on the process we have followed in a very short period of time I do not believe that we have done that.

Mr. Chairman, as to the majority report I do not have problems with the first and second paragraphs, but I did mention some of the things that I did not agree with on paragraph three and that has to do with the original motion of this House that sent the report to the Auditor General in the first place back in March. At the time I voted against the motion and I did for the reasons that are the same as the ones I have today about the fact that there was a need to have the special audit done on this.

Mr. Chairman, my point is that number one from the information given by the officials who were called in as witnesses during the committee of the whole debate I had no reason to question their claim that they accepted that normal practice and

procedures were followed with regard to the negotiation of the separation agreements. I am not saying that things could not have been done better, but based on what I heard from the senior officials of the government who appeared before us in this House, it seemed reasonable to me that they followed the practices and procedures that they normally followed.

Mr. Chairman, secondly and more importantly, at the time when this motion was being debated to take it to special audit of the Auditor General we were cautioned repeatedly by the Minister responsible for the Public Service, the Honourable Joe Handley, that this government had a contractual obligation to respect the confidentiality provision of the separation agreements in question of both Ms. Sorensen and Mr. Bayly. We were communicated about this in writing, verbally and repeatedly. I felt that as a legislator I must respect that obligation as well.

Mr. Chairman, this might be a good time to point out the fact that we have a Supreme Court decision that has come down to us not too long ago -- just a few days ago -- that makes it very clear that this Legislature is not above the law. If we have a law that governs us and we set laws that govern others, they apply to us as well and we cannot willy-nilly ignore those laws.

This relates to my third point which was my concern that what we are doing here may breach the privacy concerns of those people involved. I accept that we had varied advice and opinions in this regard. However, as an elected official it was my prerogative to make a judgment, and I chose to honour this obligation. I believed then, and I believe now, that there is a real potential issue with the privacy rights of these employees.

Mr. Chairman, I am only on to the second page of my minority report and it is very clear to me that I am not going to read all that into the record, but I think that is really really crucial for us to know that when we are talking about this debate we are talking about real people. We are talking about senior officials an senior officials are at pleasure. Every deputy minister that walks into our government to work for us knows that they could be gone tomorrow, and that is what is meant by at pleasure. But does that mean that their career, their personal reputation and their integrity could be tarnished and mud thrown around them, especially when they do not have an opportunity to answer to that?

As politicians we choose to be here. We have a presence in this House. We have a seat here. We can defend ourselves. We have all sorts of means to do that, but our senior officials do not. So at pleasure does not mean that a politician, a group of politicians or even a Legislature wakes up the next morning and says, we do not like what you are doing, we do not like your political agenda or we do not like for whatever reason. Perhaps we do have the power to say, you have to go, but it doesn't mean that they can go without any redress to...

-- Break in Recording

**MR. DELOREY:** ...do we want to start a full-blown debate on this issue again? Start bringing in a whole bunch of witnesses, getting another bunch of opinions? I do not think it is in our best interest to do that. I certainly do not want to do it. I think it is in the best interest of this government and the people of the North to try to get this thing behind us and do what we have to do.

Mr. Chairman, the bottom line is very simple. I do not think we are left with a lot of options. When I made my decision to support, not support, if I have to vote, not vote, my choice will be made on a very simple thing. It will be made on, do I support how this money was expended or do I not? I cannot truthfully go back to my constituents and say that I support the way this money was expended. To me, I think that is the question that I have to answer and answer very truthfully.

I feel that I owe it to my constituents to be truthful, to be honest with myself and I am sure when I go back to my riding, and I am going this weekend, that I will hear from the ones, many more and I have already heard from some of them, Mr. Chairman, but I will hear from a lot more I am sure when I go back to Hay River and I have no problem going back and facing them and answering questions and telling them that I did it believing that my set of values, my set of principles were taken into consideration and their views were taken into consideration as well. I base my choice on those.

I think there was a comment made that we choose to be here. We may choose to run for election, but we do not choose to be here beyond that. Our constituents choose whether we are going to be here or not. I think that if I am going to be here in the future it will be up to my constituents to decide that.

I promise my constituents right now that I will continue to make decisions based on what I think is right and in their best interests. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Krutko):** Next on my list I have Mr. Allen.

**HON. ROGER ALLEN:** Thank you, Mr. Chairman. To myself, it is not a question of whether I continue to support the Premier or not. I think it is important for me to convey very important messages that I have been receiving from my home riding of Inuvik Twin Lakes.

Mr. Chairman, I too assume moral responsibility as an elected Member to this Assembly, as well I do not put myself above my colleagues in this House who elected me as a Minister. The challenge for me, Mr. Chairman, is the level of advisement we received throughout the process. That concerns me and especially concerns my constituency.

The fact that the money issue raises great concerns, the fact that we put these people ahead of the very small people who are disadvantaged, that concerns me as an Ordinary MLA representing the riding of Inuvik Twin Lakes that has a very high population who still rely on a subsistence economy as well as many who are on income support and in public housing.

I also have the business community that is vibrant that relies on industry which I need to protect as well. The integrity of my riding is important. This issue has raised many concerns throughout and I am saying that we need to look at an ongoing commitment from all of us to help the Northwest Territories prosper in my own riding or their riding.

I feel compelled to respond while I continue to hear that there is a need to protect the integrity of one person who has caused so much grief and so much concern to all of us. It is inordinate for us to defend and continue to defend under our legislation when we know that there was ill-advisement throughout the process. I cannot directly say that I can be accountable

because I was never privy to the information until most recently.

My constituents are continuing to raise a very important point to me. I must be honest with them and represent them under my oath of allegiance to this Assembly and I must let them know today through this process that I was not made aware of what had transpired in the period of time we had taken to debate this.

As I said earlier, it is very important, as other Members have, to discuss in this House today what we feel is morally right and morally wrong. I think when the issue comes to severance and whether it was done in accordance with proper policies and procedures, I have been indentured to ensure that we need to make these changes to reflect better government. The accountability aspect I will not speak to too lengthily because personally as I said earlier, I was not privy to a lot of the detail until recently when it was disclosed through the public process.

It harms me as a Member of this Assembly that we continually debate amongst ourselves what is morally right and morally wrong. I think we have spent a lot of time, a lot of effort trying to make things better for our people and yes, we always have shortcomings. We have a poor fiscal position, unfortunately, that we tend not to deal with. We tend to deal with more, to me, issues that would normally... in this case, this report.

I feel that under our mandates we do have to address critical questions and time consumed on this report takes away from our ability to deal with those issues that are very important to our people. I feel somewhat betrayed when we stand in the House or stand up in meetings and pray that we work for those who are underprivileged. I must say as a Member of this Assembly I feel privileged to represent my riding of Inuvik Twin Lakes and also work and represent the people of the Northwest Territories in the small communities of Kakisa, Trout Lake, or in the board room in Ottawa.

That is one privilege we have as elected Members that we can always cherish and will continue to do so. Again, my main concern is putting people, who are in need, at a disadvantage. I want to convey to my fellow colleagues here in this House that is why I assumed this role, it is a challenge.

Hopefully if those Members in the House that feel we need a new leader or we need to continue with our current leader, that is certainly something that I will sit here and evaluate as the debate continues. With that, Mr. Chairman, I thank you.

**CHAIRMAN (Mr. Krutko):** Next on my list I have Mr. Lafferty.

**MR. LAFFERTY:** Thank you, Mr. Chairman. As Members this morning, we received a joint letter from one region requesting that all MLAs take this opportunity to concentrate their energies and focus their work and debate on economic and social issues facing the people of the Northwest Territories rather than get sidetracked by petty issues, personal agendas and the politics of negativism.

We are sure that all citizens of the Northwest Territories will agree that too much debate and resources have been wasted by personal ambitions and agendas. Mr. Chairman, leaders ask this government as MLAs and Cabinet to work together. This is a good idea, but it does not work if only the MLAs want to do it and Premier and Cabinet disregard the established policies and procedures.

I agree with your statement that we must not let personal agendas and ambition override the services and commitment to the people. They rightly say that too much is at stake. I agree that we need to focus on economic and social issues. Our focus is taken away from these issues when we see large sums of money going to bureaucrats with no justification.

A question that needs to be asked is, do our constituents support this kind of activity? The activity of the Premier giving the public money to his staff that do not deserve it, when we see that our needs in our communities, but are told that there is no money available for programs and services.

Mr. Chairman, last October, when the Premier's staff were let go and reprimanded, I publicly stated my support for the Premier, as I had thought he would clean up his office. I realize now nothing has been cleaned up.

We are finding through the report that these two individuals are still employees of the government. Although they provide no services, they are still drawing a wage. This issue is not only a financial mess, but it is an ethical disaster.

Mr. Chairman, the Premier knowingly gave direction and signed a new termination agreement that was against government policies. As elected Members, we are accountable to the public, our voters. We must ensure that decisions that we make are in the best interest of the people of the Northwest Territories.

Mr. Chairman, because of the Premier's actions, I am in support of all of the committee's recommendations. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Lafferty. The Chair will recognize Mr. Krutko.

**MR. KRUTKO:** Thank you, Mr. Chairman. Mr. Chairman, I for one believe that we do have a responsibility to the residents of the Northwest Territories and to the people of the Northwest Territories to offer good governance. Mr. Speaker, we have rules and procedures in regard to acts, legislation, policies that we have developed from time to time. This is the House responsibility of developing laws and directions and programs to be carried out on behalf of the people of the Northwest Territories.

Yet, Mr. Speaker, in this House, no one is above the law. I for one feel that we were misled. We were basically told certain things happened, which after the Auditor General's report clearly stipulates a lot of things that we assumed in the debate that we had in this House did not really happen.

Mr. Chairman, the thing that really gets me in the Auditor General's report is knowing that there were contractual agreements in place at the time of these dismissals, and those contracts were not considered in making the decision to compensate. Instead, as a government, we go out of our way to re-enact or re-establish new contracts that exceed the old contracts to the tune of some \$400,000 and some \$250,000. Realistically, the old contract only allowed for compensation up to \$133,000. Yet we exceed that amount by doubling the compensation that the individual is required.

What really burns me in regard to what happens with this issue is the question of trust. It was clearly stated in this House when we had this debate, the Premier clearly stated that I was not involved in any way in regard to the negotiations of the

contracts for the two individuals. But it clearly states from the record when a question was asked by Mr. Dent to Mr. Papineau, "Yes, we did inquire as to the justification to the maximum performance pay, taking into consideration that there were letters of reprimand on file. We were told that they were given direction to pay maximum performance pay. Further clarification was that they had done a great job. But in specific, as to the objectives that they had to meet for doing such a great job, therefore, that was the...(inaudible)...for performance."

But no where were they able to find the evaluation that was done to determine the performance pay-out. There was no evaluation.

I am moving down a little further after a question asked by Mr. Dent. Was there any indication of who provided that direction? Mr. Papineau states: "The Premier provided the direction to Ms. Snider to pay maximum performance pay-out." It is in the Hansard, which clearly states to me that the Premier was directly involved in negotiations of these contracts.

For myself, I did have trust in the Premier, but today, I have lost that trust, knowing that he stood up in this House clearly stating he was not involved in any of these negotiations. Period.

I for one find it awfully hard to sit here going through a process that we went through during the 13<sup>th</sup> Assembly. At that point, the removal of a Premier will tar every one of us in this House and we, as elected Members to this House, have a responsibility to ensure that good governance and that the rules and regulations and policy that we establish in this House is carried out to its fullest.

Lately, we have seen how Cabinet can reinvent rules to defer or move away from polices. We have heard of pulling out of contract negotiations by deleting policies that allow for economic benefits to the Northwest Territories by way of business incentive policies. We find ways of intervening \$30 million contracts without going to public tender by way of negotiated contracts, which it clearly stipulates in the negotiated contract policy, that Members of the Legislative Assembly affected by a contract have to be consulted and given the opportunity to support such an initiative.

These policies are there to ensure that as a government we have communications at all levels, and that to ensure, because of being on Cabinet, that does not give you the right to override policies and procedures that we have in place in this government.

I find it awfully alarming to realize that going through compensation packages that were identified that I agree we should compensate people for contracts we have with them by way of employment contracts. For me, that contract is binding. I agree that we should have paid Ms. Sorensen and Mr. Bayly what they had coming to them, but when we see the amounts that are in the report, which totally excludes contracts that were made by the parties in regard to employment contracts, and practically tear up those contracts, rewrite a new contract to enormous amounts of dollars paid out by way of compensation that was not supposed to be received.

Yet, Mr. Chairman, we have a lot of employees in this government who are shaking their heads today, wondering what do I have to do to get a golden handshake?

This sets a bad, bad precedent. As a government who is responsible for protecting the public purse and ensuring that we have fair agreements for employees, but to go out of our way to basically give lucrative contracts to our personal friends is uncalled for.

I for one fully support the report of the Auditor General and the recommendations as put forth by committee, because for myself, as a Member of this Legislative Assembly, I have been misled in regard to what we were told in this House.

I voted to support the Premier the last round because I was under the understanding that the answers we were receiving by the staff and the Minister of Finance along with the Premier were accurate. What we find through this report and the findings of the Auditor General, we were misled. Using another word, lied to.

I for one would like to state for the record that I am offended to have been taken "to the cleaners" by a process that was one-sided, was not thorough in giving us the answers we were asking for and not giving us information relative to the case in front of us today.

With that, I support the committee report. I support the Auditor General's report and thank her for finally letting us see the light of day as we have been kept in the dark for so long.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Krutko. The Chair would just like to remind Members to refrain from making any allegations. The Chair will recognize Mr. Handley.

**HON. JOE HANDLEY:** Thank you, Mr. Chairman. Mr. Chairman, I am not going to talk about the details of what happened over the last year and who is responsible for what. I do not want to debate the Auditor General's report. I think most people have as much information as they are willing to take in and have come to their conclusions based on that information.

As I sit here listening, the question to me is following through with your motion to ask for the Premier's resignation. What does that do to government?

Like you, I put in three years here, not because I like to fight and argue and make accusations and so on, but because I want to do something. I want to do something for people that we represent. I will tell you that I have done the best I can and I will continue to do the best I can. I am not perfect, as many of you have told me, many many times, I am not perfect by any stretch, but I will tell you, I do everything I can for those people that we represent.

As we sit here today, it is pretty comfortable in here. There are people out there who probably slept last night on a floor or a chesterfield and there are babies that are taken away from their mothers. We become fairly distant from those things and we spend a lot of our time, and some would say waste a lot of our time in here, poking at each other, making accusations. That is not getting us anywhere near to what we said we were going to do when we all campaigned last time and made promises and so on.

People need housing. There are people sleeping in tents. Community infrastructure is falling apart. People need training. They cannot qualify for the jobs that are out there. There are aboriginal leaders who have said, "I don't think this government



represents us." Sometimes I have to say that what we do in here probably adds more doubt to that.

There are a lot of important issues in front of us over the next year that we should be focused on. The pipeline is moving ahead. We have diamond mines moving ahead. On the economic side there is a lot of opportunity but we are not spending our time on that.

Devolution and resource revenue sharing has to happen if we are ever going to develop an economy and a political system in the North that recognizes the unique interests of our people. We are spending far too much time on this kind of thing. It is important to be accountable, absolutely. I have no doubt in my mind at all. It is important not to waste money. It is important to make the right decisions and to make them as efficiently and as effectively as possible. That is all of our jobs.

This last year has been hard. We should not have had to spend all this time we have in the last year bickering with each other, the conflict process, with payouts to people, all of that stuff did not have to happen, but it happened because we made it happen.

So where do we go from here? I think we have to look at what our options are. If you really feel that the one option is to have the Premier's head on a platter, and that is going to solve all the problems and we can have a good healthy government for the last year then I suppose we have to go there. I am not sure it is that easy. The immediate thing that goes through my mind is, okay, we do that then who is next?

-- Laughter

We heard a lot said last week. A couple of people were asking for my resignation and I do not take that as a laughing matter, I have to say, I do not. I do not joke about anybody's resignation.

This week we have heard a lot of accusations toward Mr. Steen. I do not take that lightly either. I think we are trying to run a good government but I really do have to ask, who is next then? Do we really have a better government if we do not have Mr. Kakfwi as Premier? Does that somehow straighten out these perceptions of misspending or whatever it is? I am not sure. That is one possibility.

The other one is, well maybe we should have a leadership review of the whole Cabinet, but I immediately dismiss that in my mind because it is too late for that. We should have had that last year. Maybe that is something in the next government we have to do, or whoever is there has to do, because we cannot have this going on all the time, hanging over our heads, while we are trying to do our jobs.

So, it is too late. We cannot back up a year and say let's give ourselves two more years to straighten this out. We only have a year left and I really believe it is too late for a leadership review.

I have to go to the next option in my mind and say, okay, I am not convinced that taking out the Premier is really going to resolve the problems we face. Have we gotten to the point where we are so dysfunctional that maybe we should just dissolve this government and call an election? Is that where we are at? If that is where we are at and you really feel we cannot carry out the mandate that the people gave us, that we have

reached this point, then maybe that is the best thing we have to do.

I am certainly not going to make a motion to do that today, but I tell you, that has certainly crossed my mind a lot and I think we should all think seriously about what it is we are doing here.

I will tell you I do not believe that taking out the Premier is going to somehow straighten out all the wrongs in the past and have us have a good, effective government over the year that is left in our mandate.

I really think that if you believe it has gotten this bad then let's make a fresh start. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Handley. Mr. McLeod.

**MR. MCLEOD:** Thank you, Mr. Chairman. Mr. Chairman, it feels that we have been here in this situation too many times now. I want to apologize to the committee, I was not able to attend the committee meeting yesterday, I had to attend a community meeting in Fort Providence so I was not able to participate in that discussion with the committee and neither was I able to get back in time to put my comments into this committee report, so I should not be viewed as part of this discussion in this report.

I have a lot of concerns over this issue. I have thought about it quite a bit. I do agree that the Auditor General's report is pretty straightforward. It is pretty hard to contest a lot of the comments in there. It is really disappointing to see that Cabinet and their advisors did not follow the agreements that were laid out and some of the interpretation of the policy, I cannot support.

At any rate, there were a lot of infractions that happened, which was wrong. We all agree that it was wrong. However, I wanted committee to hear both sides of the story, and I had requested, when I was here yesterday, to the committee that we have some witnesses come forward so that we can hear the other side of the story -- we can hear from the Premier, we can hear from the staff and other Ministers. However, there was no interest to do so.

As an elected Member, it is my job to make decisions on behalf of my riding. Right now, as a result of this conflict of interest review and all of the incidents that have transpired over the years, we are spending up to \$2 million now, and it really bothers me. Nobody has asked me for approval to spend that kind of money, yet it is being done. We have to ask ourselves, how did this happen? How do these things continue to grow and how do we...it seems like a never-ending exercise that we are in here. Is it because we received poor advice? I do not know, but certainly it is because we have a process that allows for it. For me, there are only two routes to follow here. Either we ask for a review and do corrections to the policy so that this does not happen again, or we shut this government down.

It is really difficult for me to consider stopping and trying to run for another election, or even changing the whole Cabinet or the Premier, because I have worked hard over the last three years to learn the system, to put some initiatives in place for my riding. We do not have a lot. I cannot afford... I do not have million dollar jails, or multi-million dollar jails or hospitals in my riding. All I can count on are initiatives that I have initiated in my riding and hoping that it is going to bear fruit.

We are getting close on a number of things. It is really important for me to listen to some of the chiefs that have contacted us, like Charlie Furlong and James Firth, that ask us to stay focused on the big-ticket items.

I, like everybody else here, am embarrassed by the number of incidents that have happened, where we are all labelled and painted by the same brush. Many times, more often than not, some of us do not have and have never been asked for any comments or have never been consulted on a lot of decisions. We just have to live with them.

I certainly am concerned. I am glad the Premier took the time to give us an explanation and try to justify what has happened. I do not agree with all of the Premier's explanation. However, I feel that everyone is allowed to make mistakes. Over the last three years, I am sure, more than once, for every Minister across that room, I would have liked to fire them, but we have to have an understanding that we can work together.

I am totally convinced that our Premier is very hard-working and did not go in there with the intention of pulling the wool over our eyes. It was a mistake. I am not going to support the recommendation to request his resignation. At this point, I cannot do it. Those are my comments. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. McLeod. The Chair has reached the end of his list of people who have...I am going to give each Member a chance to speak before I start calling Members a second time. Mrs. Groenewegen, you have not spoken yet. Mrs. Groenewegen.

**MRS. GROENEWEGEN:** Thank you, Mr. Chairman. I am going to speak without notes here. Actually, when I came back down to the House, I was not going to speak at all, but I did have a statement and a speech ready for this proceeding here today, but I cannot make that speech now after listening to the Premier's comments.

The Auditor General's report is not defensible. I sent a note to the Premier this morning and asked him not to try to defend what has happened. Just be quiet and let those of us who supported him come to his defence. In spite of all of the things that have happened, you know, he has some very good attributes, which could perhaps supersede some of the things that have gone on.

I was recently in Calgary with him. I listened to him speak to a group of business people on oil and gas. I mean, this man has a lot of very good, unique qualities in leading this government, but, you know, once again today, in his defence of everything that happened, I got to be called a liar yet once again in public. I had to put up with that when I was in Cabinet. You know, I mean, there is just a limit, I suppose, to what I can take.

I mean, I guess there is a lot more, because I am so involved in all of the things that have transpired in the last year, there is probably a lot more for me in some ways to what is contained in this report than there is for some of the rest of you.

So I do not really know what to do, but like I said, I was prepared to come in here today and say that in spite of the Auditor General's report, which is not defensible. Like, why try to defend yourself against the Auditor General's report? I mean, what is in the report is true. So why waste your breath trying to say, you know, it is not? We accept the report, but are

there other circumstances? Are there other circumstances that in spite of what happened, in spite of the representations made in this House and in spite of everything that has happened, that would cause us to still put our confidence in this person as Premier? That's what I was going to speak to.

We talk about judgment and lack of judgment, good judgment, bad judgment. We are all humans. We all make mistakes, you know? Mr. McLeod said we could have fired everybody over there on any given day, you know. Any of us have made mistakes.

Anyway, Mr. Chairman, I do not know what I am going to do in terms of this particular recommendation, but I will tell you, I am some disappointed in the Premier's comments this morning. You know, maybe it is time. I thought he could sit for an hour or two hours and hear respectfully what the Members on this side of the House had to say.

I had to sit for months and listen to what everybody said. I never came to my own defence once, and I still to this day have not told everything that happened, and I will tell you why. I want to protect the integrity of the Cabinet, the Premier's office, and mostly the Premier.

Somebody said I like dysfunctional relationships, I must like abusive relationships. Oh no, I do not, but loyalty has its limits, Mr. Chairman, and I am not sure what I am going to do. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mrs. Groenewegen. Mr. Antoine.

**HON. JIM ANTOINE:** Mahsi, Mr. Chairman. Mr. Chairman, as a Member of the Legislative Assembly, of this Legislature, I have the opportunity to also enter and say a few things about this topic that we are debating right now, the Auditor General's report to the Legislative Assembly of the Northwest Territories on the termination compensation for two senior officials, as well as the Standing Committee on Accountability and Oversight's report.

The Auditor General has made her report that there are some problems in how the termination of John Bayly and Lynda Sorensen took place. As a member of Cabinet, I take the responsibility for being involved in the decision to approve the compensation and benefit package. People that know what happens in Cabinet know that decisions of this nature are managed by our officials, and we depend on our officials for their expertise and knowledge of how to carry out the policies of our government. As Ministers we take what is put forward to us and we ask the questions and we approved the package. I take responsibility for my involvement in that.

I just want to say that I have previous knowledge in the last government as the previous Premier taking over from a situation such as this where I had to be involved in the termination of a previous official, the principal secretary, and upon seeing the type of package of benefits that we offered to our very senior officials it is very generous. I think the only way I view this recommendation here is by the suggestions and findings of the Auditor General that we have been too generous.

I know what Members have said about glossing it over, but I do not intend to. I know that it is very serious. The specifics of

what can we do about it so that this does not happen again. We have to learn from this issue, but the issue I want to talk about of learning is the way we do the benefits packages to our senior officials. I think what the Auditor General is saying is that there was room here for changes, and through the discussion and negotiations, arrangements were made that were far too generous than what was intended to be. I think that is an area where I would like to focus. We have many deputy ministers, assistant deputy ministers and presidents of the different agencies we have -- even our political staff here as executive are also in that category. What it says here to me is that we have to look at it and we should do something about it.

A year ago, according to the report, was when this Legislative Assembly asked the Auditor General to make this report. Like everybody else here, we have been going through this for a long time. As the Member for Deh Cho mentioned, we are paying \$2 million already. I think it is \$2 million plus, and if you look at the Conflict of Interest Commissioner's court case of Judge Vertes it makes mention that it is not over yet. There will be extra costs that we are going to incur because of what has happened here in this House. We are not finished this whole debate yet, but we should try to find some way to put it to rest.

I welcome the debate here today and the two recommendations that the Standing Committee on Accountability and Oversight have made. I agree with the first recommendation that this Legislative Assembly accept the Auditor General's conclusion that this government did not handle the matter reasonably and with prudence. I accept that. However, I cannot accept the second recommendation that the Premier submit his resignation as Premier and member of the Executive Council. I have to support the Premier.

Some of the statements that have already been made here in this House with regard to the length of this debate and what we are doing as a government and as a Legislative Assembly and what the people in our communities expect us to do on their behalf, certainly we have to look at how we expend the dollars. There are instances in this Legislature when I have been grilled over some of the actions I intend to take and I hope to correct those before this session ends. However, this is how we should do things, learn from each other and get direction from each other on how to do things better on behalf of our people. I intend to do that in this House.

I do not think that the best move is to remove the Premier. I think that with respect to the work we are doing collectively that would disrupt some of the main issues that we are working on. With the length of time we have left in this House -- next November 28<sup>th</sup> I believe will be the next election -- we have probably maybe six months of real work to do before people go to the polls. My honourable colleague, Joe, is talking about maybe having it happen sooner. That has also crossed my mind. What are we going to do here if this is so bad? Can we start all over again or can we not move ahead? I think today if this motion asking the Premier comes up I think I welcome that motion and perhaps, whichever way it goes, we could move on from there. At this point in time I still support Steve Kakfwi as Premier of the Northwest Territories. Mahsi cho.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Antoine. Is there anyone else who has not spoken yet that would like to speak? Mr. Ootes.

**HON. JAKE OOTES:** Thank you, Mr. Chairman. This is an extremely important issue before us that is of great concern to the Members and to all of us, to Cabinet and Members, and staff as well. I think no doubt many staff are out there watching this particular debate wondering what the result of it might be. I came into the Legislature seven years ago, like we all do with the intention of providing the best of service that we can to the people. I think I have found out from personal experience that we all spend an inordinate amount of time on our job. It is certainly not a job where we get a lot of free time for ourselves. Personal relationships are quite often strained because of the time devotion we have to put to it and because of the stresses that we are under sometimes. All I believe with the intent of service for the public.

I certainly can vouch for most Members here that I observe that really and truly have the best in mind for the public. I think we all are working hard to that very end. There are a lot of issues out there, a tremendous amount, Mr. Chairman, and I can certainly relate to that in my own portfolio with the many many areas that we get calls on on a daily basis and that we try to resolve. Can we resolve them all? No and not because we do not want to, but sometimes because we do have to have policies and processes in place and because quite often the issues are because of restrictions that are financial.

These things have a tendency, Mr. Chairman, to become very dominate in all of our lives. In the course of it sometimes mistakes are made. I think that the mistake was made a year and a half ago, out of all innocence of someone having overlooked an issue. From there, it just catapulted on and continued on to where we are today. It has consumed a lot of time, consumed a lot of thought, a lot of thinking and a lot of concern and a lot of money to where we are today.

To me, I think we owe it to the public to move on. I respect the fact that this is an extremely important issue and we need to resolve the process by which we deal with these issues. We need to resolve how we handle issues like termination of senior staff and other staff.

I guess we could all look at this and probably come up with different perspectives as we have done today. The bottom line comes down to saying to ourselves, how do we move forward and move forward with service to the people?

It is my feeling that the Premier has served the Territory extremely well. I think that he devotes an incredible amount of time to his position and an incredible amount of devotion. I do not believe that it would serve the Territory to replace the Premier. The question becomes, what is next? Do we go through this again at some point?

I think that the difficulties in handling this situation have been well put forward and I think it is important for us to say, well, that is understandable. In my opinion it is definitely a situation where we need to address the issue of looking at how we handle certain processes. There is no question about that. Do we take the drastic step of removing the Premier? I cannot support that, Mr. Chairman.

We are not through the whole issue of dealing with outstanding issues in this matter even yet because of the court finding with respect to the Conflict Commissioner. We may find ourselves there with further expenditures. Was that done maliciously? No, it was done with some honourable intentions, however

mistakes were made in the process. I think we should all recognize that mistakes are made along the way.

Mr. Chairman, I believe that it is in the best interest of the people of the Northwest Territories to say, let's move on. We have a lot of issues to deal with over the next year. We have all dedicated ourselves to ensure that we work hard and address the issues. There are opportunities there for us, Mr. Chairman, tremendous opportunities, but we need to remain collective in our approach with good cohesion. I do not believe that the replacement of the Premier is going to result in a cohesive House to move forward. I believe that the Premier has the ability to lead us. He is a strong leader, he is a good leader, a person with good intentions and to me he needs to stay in that position.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Ootes. The next Member on my list is Mr. Steen, but before I go to Mr. Steen I would like to pass on a message from Mr. Steen. I would like to welcome Mr. Eddie Dillon in the gallery, mayor of Tuktoyaktuk.

-- Applause

The Chair will recognize Mr. Steen.

**HON. VINCE STEEN:** Thank you, Mr. Chairman. Mr. Chairman, like others in the Assembly here, I am disappointed that we have to spend time discussing these types of issues rather than dealing with the business at hand.

I do agree that we should permit the time that we spend on these issues if possible, but on the other hand we have to deal with what the circumstances call for. In this case, this is an ongoing issue that has been two years in the making now, and there are still things falling here.

I think that the recommendations of the committee have to be taken seriously. They have taken on a job that I am sure they did not really want, but out of necessity they had to do. I do recognize the fact that the recommendations do not include the removal of the full Cabinet, even though it could be said that we were part of the decision, because we were part of the decision. We did approve the funding before it went to the supplementary in this House. We were part of that decision, all of us. It was a Cabinet decision.

If Cabinet is supposed to stick together and show solidarity in situations like this, it is very, very difficult because we all have to start examining whether we were misled or if we have lost our trust in our leaders. It really becomes a hard decision to make. On the other hand, we have to take into consideration the fact that the people out there or the people we represent have a hard time realizing the amount of money we could spend on our salaries and benefits to our employees, even though these people are no longer employed with us.

There is no doubt that people out there are wondering what they could have done with that type of money. The amount of things they could accomplish in their communities or for their programs, and I do agree with the Members across the hall here that we do not have that kind of money to throw away. As a matter of fact I heard comments not long ago where Ethel Blondin-Andrew passed on a comment from Ottawa that the federal government believes we have enough money, we just do not handle it right. We have to take comments like that very seriously. What we do here has an effect all the way to Ottawa.

This type of decision, I do not believe, should be made in one or two hours. I see the clock is running out, it will be 2:00 soon and time to shut it down. I think that is good because I think that we should come back to this on Monday. I think this item should be set aside and we come back to it Monday for a decision.

Myself, I know that I have questions in my mind on whether to accept the full report of the committee. However, I do not think I am going to accomplish much at this point by removing our Premier. I think even calling a full election is not going to resolve the problems at home.

The people want us to do something. They do not want to spend money electing us back and forth, all of our time spent on ourselves rather than on them. So I really think we should think about putting this thing off until Monday and see if we cannot get some other work done and then come back to this thing after we have had a couple of night's sleep on it.

We are asking our Premier to step down. We should give him time to think about it. Myself, I am not prepared to vote right now. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Steen. The Chair will recognize Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. I will keep my comments brief. There is a considerable amount of irony in this situation in my case, in my mind, since I was a Regular Member when a lot of the circumstances and events that have unfolded, I was on the other side of the House as a Regular Member raising concerns. Today, I find myself on Cabinet and having to deal with what will hopefully be the final chapter of this process.

I do not think, having listened to the discussion, that there is any question that there is an acceptance of the Auditor General's report, and that for me, I know that things happened that should not have happened, that there were decisions made, as the Premier indicated, that in hindsight, if he could do it over again, he would probably take a different approach.

The issue is the one of what is an acceptable consequence, and the committee has come out with a very clear position -- that they want the Premier to resign.

The Premier has indicated that we are ready and we have to respond to the report of the Auditor General, and we have to take a look at how we have done business.

For me, as a member of Cabinet, based on our discussions, the consequence of demanding the resignation of the Premier at this juncture as a member of Cabinet is not one that I will support. I will take the consequences of that with my constituents and probably with the Members of the House that are in favour of that particular recommendation. By my count, the split is very, very close.

Mr. Chairman, I called home the other day to see how my mother was doing, because my wife was travelling and I wanted to just check in. Immediately after my hello, I was given a severe tongue-lashing by my mother for the government wasting money. I know that is a sentiment we have heard expressed across the land here. She said I was still her son

and welcome to come back, but we have to do better. I think that is an acknowledgement that we have all made here.

Mr. Speaker, I tend to agree with Mr. Steen, that this is a very, very significant even we have had, the initial general comments, and we are asked to make some very, very significant decisions. It is 20 to two. For me, as a member of Cabinet, I have indicated my position, but I think it would do us all well to take the weekend. Those of us who have the good fortune to be able to go to our families, our communities, to do that, and let's come back on Monday and conclude this particular situation, and then the rest of the business of this House that is before us, before the end of session next week. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Is there anyone else who has not spoken yet who would like to speak? I will go to Ms. Lee.

**MS. LEE:** Thank you, Mr. Chairman. I think that the question of whether we continue with this or not, I would like to ask Mr. Kakfwi's opinion on that. I do not know. I guess it is the will of the House, but I do not have a... I do not know... anyway, this is a very confusing thing.

Let me just say something about what I want to say with this. I have listened very carefully to statements being made here. I think that there are some very sobering reflections and important points being made. Mr. Chairman, we have a really, really difficult system within which we try to govern. There are days when I wake up in the morning and wonder why I chose to do this and struggle every day with many of the issues that we deal with, and how we deal with issues in this House.

Mr. Chairman, I do not think there is any doubt that we have a very dysfunctional system of government here. I am not attributing that to anyone, but I do not know how a government can function when a government basically goes into a mandate question every year. We have had this since the beginning of this Assembly. I do not know how, when the representative of this government goes down to Washington or Ottawa, or dealing with self-government issues, you know, many of the issues -- does our government really have the mandate to make representation on our behalf on very important issues of the day? For example, and you know, I think everyone would agree that we have been so consumed by issues like this in this House for the last three years that, you know, we have not had a really deep discussion about what do we do about health care in the Territories? You know, there is a lot of division between small communities and big communities on that issue.

When the Power Corporation situation happened, I got, you know, a lot of calls saying we as a collective are not able and we are not making decisions on the big issues of the day. We have not really had any real serious issues here in a very, very long time.

As indicated by other Members, this conflict process has cost a lot of money, a lot of time and really crowded the agenda. You know, there is enough blame to go around everywhere. I remember talking to the media after the Auditor General's report came out. I feel like this government, well, we all are, as a Member of this government is walking around with two black eyes. We have a decision from the Supreme Court telling us what we have done wrong as a Legislature. We have an Auditor General's report telling us what we have done wrong.

I think, before the next election, I would like to see us have a serious discussion about what kind of government we have. I was recently at a conference talking about parliamentary systems. I walked away from that thinking that I like a lot of aspects of this government. As an individual Member, I have so much more privilege and power and ability to do some things here. But what that means is that it does not take a lot for one Member or a group of Members to seriously affect the agenda, and that is a good thing in many ways. But it has to come with the right checks and balances.

I think we have a very serious question here of dealing with how could we govern if every issue becomes a question of confidence in government. I am not saying that these are not. I am not saying that I am not at all questioning any Members who feel that strongly about that, but in the big scheme of things, in the very big scheme of things, you know, why is it that the very serious fiscal situation we have or the very serious health questions we have do not become the focus of the debate in this House, but something else takes on that role. And who decides what is the most important issue of the day?

If I could, and if anybody was willing to listen, I think every time we have to look at a system where every time we have a question rising here about the confidence in government, we have to be prepared to go to a general election. I mean, taking out a Premier here because all 11 of us have a vote, it is not just about Stephen Kakfwi and it is not just about Sandy Lee. It is not about anybody here personally. It is about the institution we have, it is about the government that we have for the people.

Taking out the Premier here means taking out the government. The fact that it is only limited to the limitations or potentials of our own persons, it may be too much. It could be coloured by the issues of the day for however strongly we feel about it, we may be wrong on that.

Yet we have this coming each time. I went to my website and I have a collection of speeches there, and I have made numerous speeches about stability of government or confidence in the Premier or my privilege to speak, all the issues that pertain to this institution and this government structure. This always happens each fall. It happened almost to the day last October, it happened almost to the day in October 2000 and I think that there is more to it than all of us combined there. I think we have to reflect on the system of government that we have and we have a responsibility as a whole as an elected Legislature and Member of the Legislature that governs this Territory that we have to really look at what we have here and how dysfunctional it is and how we could make it better.

I do not think there is any doubt that there is a lot of money being spent and a lot more being spent that need not be spent that way, whether it is by the process in the House or the separation packages we have been paying out or any of the court decisions or court imposed settlements that we may have to take. There is a cost to that.

The cost that we cannot determine right now is how is -- I remember last time when the Premier had to face a confidence question here, he was crisscrossing the whole globe, pushing for a pipeline agenda. I remember it was very close to the day and I was thinking, well how does he walk in and meet with the officials in Washington or Ottawa when everybody back home is asking for his head?

You know really, we could ask for his head on anything as long as enough of us on this side agree to it. I think there has to be more to that. There has to be more than just the numbers in this House to ask for his head and that connecting thing is what the people out there think.

Do people out there really want us to do that? Do people out there really want to make sure that these separation agreements in here, termination agreements are dealt with, or do they want his head? I guess some do. Then we have to think about the bigger picture of, where do we go from there? I cannot imagine anybody wanting to take the office of Premier, anybody, for one year. What could he or she manage in the next year?

Removal of the Cabinet? You know we do this so often because we can do it and there are no repercussions on this side of the House for saying so, really. I do not think I have made it clear there but I have laid out my position in my minority report, I still have questions and concerns about some of the findings of the Auditor General's report in terms of the way it does not follow with the government position and as Mr. McLeod stated, we had two days to do this. I do not feel we gave enough time to it.

I do not believe that the removal of the Premier is the answer to anything. I do believe that he is a good leader and we have to judge him in totality. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Ms. Lee. Mr. Braden.

**MR. BRADEN:** Thank you, Mr. Chairman. We have had a couple of very sincere pleas for some time to reflect on this, perhaps gather in the views of our constituents or the people whose opinions we value on this. It is tempting, I guess, to seek the votes that we are anticipating on the committee motions and have at least a couple of those decisions made today. I am just deliberating here, Mr. Chairman, whether to make a motion that we extend hours to conclude consideration of this item or to let the clock run out and we come back and revisit this on Monday.

I have a general sense that I think people would appreciate the time, so I am not going to make that motion. Another Member will, of course, with the concurrence of the Chair, but I would like to use a couple more minutes. I will not run down all of my time to reflect, Mr. Chairman, on some of Mr. Handley's remarks.

He has voiced I think quite clearly and plainly the option that is always before a Legislative Assembly and that is to shut down or conclude its mandate and go to the polls. Indeed that is an option that has been at the backs of just about everybody's mind here. I want to thank Mr. Handley for bringing it forward.

If we get into this and decide that the best thing for this Legislative Assembly, the 14<sup>th</sup> Legislative Assembly, is to fold our tent and go back to our constituents, perhaps here is some timing that we should look at.

I am looking, Mr. Chairman, at the federal political agenda. I suggested that if we shut this Assembly down now, what would we have? A caretaker government here for three or four months. I think it would take and should take that long for us to actually go to the polls. So potentially we see an election in February of 2003. It will take us three months to get a mandate.

This is consensus government, so our next Assembly will not be up and running until the late spring of 2003.

I think we can anticipate, Mr. Chairman, that Ottawa and the decision-making capacity at the federal government will shut down next summer in anticipation of the federal Liberal leadership convention in November. The leader will take office in February of 2004 and how many months is it from there that that new leader is going to be ready to take action on decisions and projects and initiatives from the Northwest Territories?

I would suggest that we are really looking at about 18 months from now before our new government and the new regime in Ottawa would be able to get back to business and in the meantime I propose, or I say again as I did earlier, that we have agendas now that we can continue to move on. I would urge that is what we do.

Mr. Chairman, I just wanted to offer that reflection on I think the position we would be putting ourselves in in relation to Ottawa. So much of what we need depends on getting the attention down there and we do not have much time left before that clock is going to overtake ours. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Braden. The Chair recognizes Mr. Roland.

**MR. ROLAND:** Thank you, Mr. Chairman. I do not know what to say. I am absolutely astounded as to what I am hearing in this House. Justification of two wrongs make a right. Let's continue. We have done wrong. We recognize that, but let's continue and it will be right. We will make it right. We will put another rule on the floor for the government to follow.

We seem to have forgotten that it is those rules that we are not following. I must say that Mr. Braden's attempts at being a philosopher are pretty good, laying down all the possibilities of why we should or should not do something.

Mr. Chairman, we have a responsibility as Members of the 14<sup>th</sup> Legislative Assembly to follow our own rules. It is amazing that somebody would stay up and say, let's not call into question the integrity and authority of the Premier, but hey let's all fall on our swords and go down that path together. Well if the will is not in this House to act on its own laws then I think we have no other possible duty but to resign our positions as the 14<sup>th</sup> Assembly and go immediately out to the polls because we have shown that we have no credibility. We cannot manage our own government. We are not following our own rules, but we have done it in a way that is peaceful. We will peacefully go about doing our activities, not following the rules we have set out before us. The rules we questioned if they were being followed when we asked the Auditor General to do her report.

But I hear justification from Members of this Assembly to say, whoa now is not the time, and do not be worried I am not interested in running for the premiership. I will wait for the appropriate time, maybe after re-election. So do not be nervous there. What I am here for is accountability, something I have stood up and talked about in this House time and time again. This is not a new issue, Mr. Chairman, we have Members saying give us more time. We need to think about this. We need to delve into it and find out what is for real or not.

Have we forgotten why this audit was asked for? It was because we were not given the information in this House. In

this House we are also supposed to maintain integrity standing tall, but what I have seen embarrasses me. It embarrasses me to call myself a Member of the 14<sup>th</sup> Assembly. How quick we are to forget what oaths we took.

Tell me what is really happening down in Ottawa that we need to maintain today. The NUHRD strategy, \$230 million. The Premier stood up in this House and said \$3.9 million down payment hallelujah. We looked at the other strategy for another \$130 million and what were we told we were going to get from that -- maybe \$20 million and we have to match the funding. We have oil companies writing to us now to tell us that if our stance as a government on Kyoto does not change or if we are not going to try to look at something else, that will affect development in the Northwest Territories. Tell me what we have here people. We have a growing debt. The rosy glasses that we wore when we first came into this Assembly have started turning darker.

I know that Members have made their positions clear and there are a number of Members -- and I must say that I will call them honourable Members because they have said in speaking to the report how they agree with it and its findings and the recommendations that the committee has made. Personal agendas aside, we have an oath. We have to follow the laws that we set for ourselves. How can we expect that our staff and the people of the Northwest Territories will follow the laws we set if we cannot even stand up and say that we are following our own rules?

Mr. Chairman, let me say just to remind some of the Members here that when we came in here and when we took that oath we stated that: "I will not act nor condone others in acting in ways which exploit, slander or discriminate against others. I will not, nor condone others, in acting in ways which are dishonest. or which exploit positions of privilege for personal gain."

Mr. Chairman, this report states that we did not follow the rules. In as much as the Premier wants to state that he had no involvement in this, we can look at records, on the record, where staff of the Auditor General stated that Mr. Kakfwi directed his staff to give maximum benefits to the staff that were released. We thought they were released, but we find out now that they will be fully employed and qualify for all benefits until January 2004, beyond our mandate. Is that good government? Is that credibility? Those of you who are worried about going to meetings and other places and our credibility by questioning ourselves in this manner, I question the credibility we would have if we let this slide, if we accept the actions of what happened.

Each and every one of us will have to account for our work here. We do it every time we go to the polls. Maybe we should do it a little earlier since nobody here seems to want to take up the fact that we have to act within our own laws. Where is your credibility? Where is our dignity? We pray in this House every day for the dignity and aspirations of those whom we serve. Where is that now? It seems to me like we are pushing for self preservation at all costs.

These are sharp words, Mr. Chairman, words I was not prepared to say today, but I must say now.

**CHAIRMAN (Mr. Delorey):** Mr. Roland, the Chair is going to recognize the clock. We will rise and report progress.

**MR. SPEAKER:** The House will come back to order. May I have the report of the committee of the whole. The honourable Member for Hay River North, Mr. Delorey.

#### ITEM 20: REPORT OF THE COMMITTEE OF THE WHOLE

**MR. DELOREY:** Mr. Speaker, your committee has been considering Committee Report 11-14(5) and would like to report progress. Mr. Speaker, I move that the report of the committee of the whole be concurred with.

**MR. SPEAKER:** Thank you. Do we have a seconder for the motion? Thank you. The honourable Member for Tu Nedhe, Mr. Nitah, seconds the motion. The motion is in order. To the motion.

**SOME HON. MEMBERS:** Question.

**MR. SPEAKER:** Question has been called. All those in favour, please signify. Thank you. All those opposed. The motion is carried. Item 21, third reading of bills. Third reading of bills. Mr. Clerk, orders of the day.

#### ITEM 22: ORDERS OF THE DAY

**CLERK OF THE HOUSE (Mr. Hamilton):** Mr. Speaker, meeting of the Standing Committee on Accountability and Oversight at adjournment today. On Sunday at 3:00 p.m. there will be a meeting of the Special Committee on Non-Tax Based Community Affairs. On Monday morning at 9:00 a.m. of the Standing Committee on Accountability and Oversight.

Orders of the day for Monday, October 28, 2002:

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Recognition of Visitors in the Gallery
6. Oral Questions
7. Written Questions
8. Returns to Written Questions
9. Replies to Opening Address
10. Petitions
11. Reports of Standing and Special Committees
12. Reports of Committees on the Review of Bills

13. Tabling of Documents
14. Notices of Motion
15. Notices of Motions for First Reading of Bills
16. Motions
  - Motion 15-14(5): Request for Special Audit by the Auditor General of Canada on the North Slave Correctional Centre
17. First Reading of Bills
  - Bill 20, Legal Registries Statutes Amendment Act
  - Bill 28, An Act to Amend the Workers' Compensation Act, No. 2
18. Second Reading of Bills
19. Consideration in Committee of the Whole of Bills and Other Matters
  - TD 35-14(5) Social Agenda: A Draft for People of the NWT
  - Bill 1, Human Rights Act
  - Bill 22, An Act to Amend the Child and Family Services Act
  - Bill 26, Supplementary Appropriation Act, No. 2, 2002-2003
  - CR 10-14(5), Report of the Standing Committee on Social Programs on Bill 1, Human Rights Act
  - CR 11-14(5), Report on the Review of Tabled Document 64-14(5): Report to the Legislative Assembly of the Northwest Territories on Termination and Compensation to Two Senior Officials by the Auditor General of Canada
20. Report of Committee of the Whole
21. Third Reading of Bills
22. Orders of the Day

**MR. SPEAKER:** Thank you, Mr. Clerk. Accordingly this House will stand adjourned until October 28<sup>th</sup> at 1:30 p.m. Do not forget to set the clocks back this weekend.

-- ADJOURNMENT