

**2010 REVIEW OF MEMBERS'
COMPENSATION AND BENEFITS**

**PRESENTED BY THE INDEPENDENT
COMMISSION TO REVIEW MEMBERS'
COMPENSATION AND BENEFITS**

MAY 5, 2010

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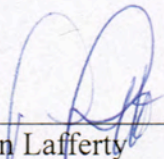
The Honourable Paul Delorey
Speaker of the NWT Legislative Assembly

Dear Mr. Speaker,

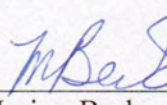
The Independent Commission to Review Members' Compensation and Benefits was established in September, 2009, pursuant to Section 35.1 of the *Legislative Assembly and Executive Council Act*, to review compensation and benefits provided to Members of the Legislative Assembly of the Northwest Territories.

We are pleased to inform you that we have completed our deliberations in these matters. In accordance with Section 35.1 (2) (b) of the *Legislative Assembly and Executive Council Act*, please accept our final report.

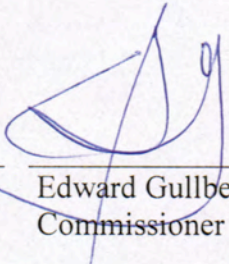
Sincerely,



Leon Lafferty
Commission Chair



Marion Berls
Commissioner



Edward Gullberg
Commissioner

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2010 REVIEW OF MEMBERS COMPENSATION AND BENEFITS

I THE COMMISSION

The 2009 Independent Commission to Review Members' Compensation and Benefits was appointed in September, 2009, by the Honourable Paul Delorey, Speaker of the NWT Legislative Assembly, on the recommendation of the Legislative Assembly's Board of Management. The Commission was tasked with undertaking a review of the indemnities, allowances, expenses and benefits provided to Members of the Legislative Assembly, as well as the procedures required to provide an acceptable level of public accountability.

The review is a statutory requirement of the *Legislative Assembly and Executive Council Act* which provides that such a review must be conducted during the life of every Assembly, within two years of a general election.

During the conduct of the Review, the Commission relied on the staff of the NWT Legislative Assembly to provide information, research and other support services. We would like to thank the Clerk of the Legislative Assembly, Mr. Tim Mercer, and his staff, particularly Principal Clerk, Operations, Ms. Gail Bennett, and Director, Corporate Services, Mr. Olin Lovely, for assisting the Commission with its work. We would also like to thank the Members of the NWT Cabinet, the MLAs and the members of the public who gave us their input. Finally, we would like to thank the original Chair of the Commission, Mr. Garth Malakoe, for his leadership during the first four months of our research and deliberations.

COMMISSION MEMBERS

The Commission Members are:

1. Leon Lafferty (Chair): Mr. Lafferty is self-employed and has been in small business since 1996. He has served as a member of the NWT Legislative Assembly for four years (1999-2003) and as chief of Behchoko and the Tlicho Government for four years (2005-2009).

2. Marion Berls: Ms. Berls has lived in the Northwest Territories for over 30 years, primarily in Fort Smith. She currently works for Wood Buffalo National Park in Fort Smith. She has also served as a town councilor in Fort Smith for nine years, including a year as deputy mayor.

3. Edward Gullberg: Mr. Gullberg was called to the bar in 1987 and has since practiced law in the Northwest Territories and Nunavut. Mr. Gullberg's areas of experience include: real estate transactions, incorporations, foreclosures, municipal issues, and acquisitions and sales of businesses.

The original Commissioners were Mr. Garth Malakoe (Chair), Mr. Leon Lafferty and Ms. Marion Berls. Mr. Malakoe resigned from the Commission in January, 2010, when he was appointed as a Judge of the Territorial Court. Mr. Gullberg was subsequently appointed to the Commission and Mr. Lafferty became Chair.

COMMISSION TERMS OF REFERENCE

The Commission shall:

- Review and assess the indemnities, additional indemnities, allowances, expenses and benefits provided to Members of the NWT Legislative Assembly to determine the adequacy and appropriateness of the amounts provided by way of:

Legislative Assembly and Executive Council Act
Indemnities, Allowances and Expense Regulations
Legislative Assembly Retiring Allowances Act

*Supplementary Retiring Allowances Act
Board of Management Policies; and
Ministerial Benefits Policies*

- Review and assess specific items referred to the Commission by the Board of Management;
- Review and assess the reporting requirements and procedures for Members' expenditures to determine the level of accountability acceptable to the public;
- Review any other matter that the Commission considers relevant respecting the compensation, allowances, and benefits provided to all Members;
- Provide to the Speaker a report setting out any recommendations for change that the Commission determines should be made to Members' indemnities, allowances, reimbursements, and other benefits.

The Commission was originally given until March 31, 2010 to submit its report to the Speaker. However, the deadline for the report was changed to May 5, 2010, following the resignation of Mr. Malakoe and the subsequent appointment of Mr. Gullberg.

GUIDING PRINCIPLES

(AS PROVIDED TO THE COMMISSION)

1. No Member should seek to serve in public office purely for financial gain. Although reasons may vary considerably, the underlying motivation for election must be to serve and improve the well-being of the people of the Northwest Territories.
2. The system of remuneration for Members of the Legislative Assembly must be transparent, open and easy to understand, while providing a high degree of accountability to the people they serve.
3. Remuneration packages, particularly with respect to living, travel and transportation costs, need to be sensitive to the regional differences in job-related

expenses in order to ensure these factors do not make it prohibitive for any Member to represent his/her constituents.

4. The requirement to be available and accountable 24 hours a day, seven days a week, coupled with the lack of job security associated with an election every four years, ensures that only certain individuals can consider running for public office. A position of such importance in our democratic system, with such wide-ranging responsibility, should be fairly compensated in order to attract qualified and committed individuals.

METHODOLOGY

To conduct this review, the Commission took the following steps:

1. Reviewed the indemnities, allowances, expenses and benefits that are currently provided to Members of the NWT Legislative Assembly.
2. Reviewed the particular questions referred to the Commission by the Board of Management.
3. Reviewed the work and recommendations of previous NWT Independent Commissions to Review Members' Compensation and Benefits.
4. Conducted a review of the indemnities, allowances, expenses and benefits provided to Members of legislative bodies in other Canadian jurisdictions and reviewed the work of similar commissions in other jurisdictions.
5. Obtained and reviewed information from NWT Legislative Assembly staff about issues that had arisen since the report of the 2005 Independent Commission to Review Members' Compensation and Benefits.
6. Conducted meetings with Members of the NWT Legislative Assembly.
7. Solicited input from members of the public through media advertising and on the Commission's website.

II THE NWT GOVERNMENT

The Northwest Territories has one of only two consensus governments in Canada. Unlike a party system where candidates run for office on a party platform, in a consensus system all candidates run as independents. The Legislative Assembly elects one MLA to serve as Speaker, one MLA to serve as Premier and six MLAs to serve as Ministers. The Premier and Ministers then form the Cabinet and take over responsibility for the overall management and direction of the government departments, corporations and agencies. Members of the Cabinet, however, remain accountable to the Legislative Assembly which has the authority to remove them from office.

Consensus government has been compared to a permanent minority government. The eleven MLAs who are not elected as Speaker or to Cabinet are known as regular MLAs. They outnumber the members of Cabinet in the Legislative Assembly and, in many ways, act like an unofficial opposition. Similar to party systems, the House has a question period where regular MLAs question and challenge the Ministers about the activities, policies and legislation of government departments and agencies. The House operates under the principle of majority rule so any bills or motions presented by Cabinet require the approval of at least three regular MLAs in order to become law.

The distribution of power in consensus government ensures that Ministers and regular MLAs work in co-operation to approve the legislation, policies, budgets etc. that comprise the business of government. Much of this “consensus building” takes place behind the scenes in Legislative Assembly committees and Caucus.

III JOB DESCRIPTION OF AN MLA

As a representative democracy, the Northwest Territories is divided into nineteen constituencies, each of which elects one Member to serve in the NWT Legislative Assembly. Once elected, Members of the Legislative Assembly are expected to serve the people of the Northwest Territories by voicing the concerns and interests of their constituents in the Assembly and by developing legislation, policies and

services for the well-being of residents of the Northwest Territories. This is done through participation in regular sessions of the Legislative Assembly, working on Legislative Assembly committees, attending public functions and meetings, and interacting with the people in their constituencies.

QUALIFICATIONS TO BE AN MLA

An MLA must be elected by the electorate in the constituency he/she represents in either a general election or a by-election (held mid-term to fill a vacancy created by the resignation or death of an MLA). To be nominated as a candidate for election, a person must be a Canadian citizen, be over the age of eighteen and have lived in the Northwest Territories for a year. While candidates are required to live in the NWT, they are not required to live in the constituency in which they are seeking election. He/she may not have been convicted of a corrupt practice in an election for seven years or convicted of an illegal practice for five years. He/she may not hold office as the Chief Electoral Officer and may not be a member of the Parliament of Canada or the Legislative Assembly of any Canadian Province. An individual may not run for MLA if he/she is in jail.

There are, however, no legislated job qualifications for the office of MLA. He/she is not required to speak any particular language or to have any educational or professional qualifications. It is entirely up to the voters to determine if an individual has the qualifications to be an MLA.

EMPLOYED BY THE PEOPLE

In a democracy, power is in the hands of the people (the electorate) and they exercise this power through the election of MLAs. Members of the Legislative Assembly are, therefore, accountable to their constituents who indicate their satisfaction with their performance in the next election. While the Government of the Northwest Territories provides allowances and remuneration to MLAs to allow them to fulfill the responsibilities and obligations of their office, MLAs are not

considered employees of the government. MLAs may be disciplined, suspended or expelled by the Legislative Assembly as a whole, but they can only be removed from office if they cease to fulfill one of the requirements to be a candidate, such as:

- If he/she is convicted of an illegal practice, or a corrupt practice in an election.
- If he/she goes to jail.
- If he/she ceases to reside in the Northwest Territories.
- If he/she becomes the Chief Electoral Officer of the NWT.
- If he/she becomes a Member of the Parliament of Canada or the Legislative Assembly of any other Canadian Province.

MLAs are vital to the functioning of a free and democratic society. They make laws and develop programs for the 42,000 people in the territory. Their decisions involve millions of dollars and affect the quality of life of people and the long-term success of the territory. They must always seek to balance competing interests.

Because MLAs are employed by, and work for, the people, both their public and private lives, and often those of their families, are under constant public scrutiny.

CODE OF CONDUCT

A Member of the Legislative Assembly is expected to follow a Code of Conduct which includes, among other things, provisions that an MLA should hear the voices of all the people, respect the traditions of the Northwest Territories when building new ways for the future; work for the common good; promote equality; respect the land and its inhabitants; and act with integrity, honesty, fairness and courtesy. MLAs are also expected to strike a balance between the concerns of their constituents and the good of the territory as a whole.

OTHER EMPLOYMENT

MLAs are expected to act with integrity, objectivity and impartiality in order to maintain public confidence in the Government of the Northwest Territories and the Legislative Assembly. They are prohibited through conflict of interest legislation

from conducting business activities in which they, or their families, may stand to gain from decisions they make, or information they may have as legislators.

Although MLAs who become Ministers may not engage in other occupations when they serve in the capacity of Minister, regular MLAs are free to engage in business activities that do not present a conflict.

While MLAs are permitted to engage in non-conflicting business activities, in practice maintaining another business is unrealistic. In the distant past, the job of an MLA was considered a part-time occupation that was carried out as a public service for little compensation. It was expected that the MLA would continue with his own business and employment while he/she served as an MLA. In today's complex world, the job of an MLA has become a full-time occupation.

MLAs are, therefore, expected to leave their customary occupations for the term (or terms) during which they serve as MLA. This interruption of work often results in a loss of pension and other benefits as well as opportunities for advancement. It may be difficult or impossible for them to resume their former occupations once their terms as MLAs have ended.

HOURS OF WORK

There is a great deal of public misconception about the hours that an MLA works. Constituents understand that the Members take part in the deliberations of the Legislative Assembly, but not everybody understands the number of hours MLAs spend in committee work, constituency work and other work for the Legislative Assembly.

While conceding that the number of session and committee days varies from year to year, we looked at the number of session and committee meeting days scheduled for 2010 to get an idea of the hours that an MLA works. In 2010, 48 session days and a total of 56 additional committee meeting days were scheduled, in addition to the committee meetings scheduled during session. (This is not to say that all MLAs will spend 56 days in committee meetings in 2010. MLAs only belong to certain committees and, although they are permitted to attend all committee meetings, they are only required to attend meetings of the committees to which they belong.) When the Legislature is in session, MLAs are occupied with meetings before and

after the sittings and session hours are often extended into evenings and weekends. There is a significant amount of preparatory work required and during sessions MLAs often work from early morning until well into the evening hours.

All Members are expected to attend Legislative Assembly sessions and committee meetings unless they are ill or occupied with other Legislative Assembly or constituency business. The Speaker keeps attendance records of all these meetings but does not have the authority to penalize MLAs, financially or otherwise, for non-attendance. There is a legislative requirement for the attendance records, including the Members' reasons for being absent, to be tabled in the Legislature once during each session. This record is also posted on the Legislative Assembly website.

It is more difficult to establish the amount of time an MLA spends on constituency work when he/she is not in session or attending committee meetings. This time is not documented and varies from one MLA to the next. They are expected to attend community events and often, to be available to their constituents on a 24-hour-a-day seven-day-a-week basis. A quick trip to the grocery store can turn into a half-hour venture for an MLA because he/she is approached by a constituent with a concern. The actual hours an MLA puts in are determined by his/her personal style, the constituency (MLAs representing more than one community spend more time in travel), the issues that arise in the constituency and in the territory as a whole during his/her term of office, and the expectations of his/her constituents. How well MLAs fulfill these expectations is strictly between them and their constituents.

LEGISLATIVE ASSEMBLY SESSIONS

Participation in the sessions of the Legislative Assembly is the most prominent part of an MLA's job. Indeed, this fulfills one of the principles of a democratic system of government: that the business of governing should be conducted in a public and transparent manner. The Legislative Assembly is required by law to hold a minimum of two sessions a year. In practice, the Assembly holds three sessions, of varying lengths, each year. Although sitting days are typically scheduled on weekday afternoons, they may extend into evenings and weekends. At the beginning of 2010, three sessions were scheduled: a 25-day session in February/March, an eight-day session in May and a 15-day session in

October/November for a total of 48 sitting days. The quorum for the Legislative Assembly is a majority of members.

COMMITTEES AND CAUCUS

While committee work is a staple of all modern legislatures, in the NWT's consensus system, committee work is particularly important. Committees are extensions of the House and exercise the duties delegated to them by the House. They can report their findings to the House only. It is in committees and Caucus that much of the hard work of building consensus takes place. Committees allow MLAs to discuss and study issues at length and in detail on a more informal basis than is possible in Legislative Assembly sessions.

There are three different kinds of Legislative Assembly committees:

1. The Committee of the Whole is the Assembly itself in a less formal gathering. It is presided over by a Chairperson instead of the Speaker and has more flexible rules to allow MLAs to publicly discuss bills and other House business in detail.

2. Standing Committees are permanent committees, comprised of regular MLAs, that are set up at the beginning of each Assembly. Standing Committees review government legislation, budgets and other matters of concern to government. They may meet with Ministers or representatives from government departments, meet *in camera* or conduct public hearings. Standing Committees in the 16th Assembly of the NWT include:

- Standing Committee of Priorities and Planning (all 11 regular MLAs are members)
- Standing Committee on Economic Development and Infrastructure (Five members; three alternate members)
- Standing Committee on Rules and Procedures (Five members; three alternate members)
- Standing Committee on Government Operations (Five members; two alternate members)
- Standing Committee on Social Programs (Five members; three alternate members)

3. Special Committees, comprised of a small number of regular MLAs, are set up to deal with specific matters that have not been assigned to Standing Committees. They are dissolved when their final report is presented to the House.

Each regular MLA is appointed to one or more committees. Committees must have a quorum of a majority of their members in order to conduct their business. Committees vary in their size and the amount of work required of their members. Some committees meet frequently while others meet less often, depending on their responsibilities.

In addition to membership on various committees, all Ministers and regular MLAs take part in Caucus. Caucus is a function of consensus government. It provides a forum where all MLAs, regardless of the position they hold, meet *in camera* to build consensus. The Caucus has regularly-scheduled meetings during session and meets when required at other times of the year.

Finally, Ministers and MLAs may also be appointed to the Board of Management which is chaired by the Speaker. This Board oversees the internal affairs of the Assembly and the Striking Committee, which is responsible for assigning membership to other committees.

TRAVEL TO CONDUCT BUSINESS AS AN MLA

In the course of their duties, MLAs may be required to travel either to NWT communities that are not in their ridings or to national or international locations. They may be asked to travel as members of committees to solicit public input into legislation or other matters. The NWT Legislative Assembly is a member of the Commonwealth Parliamentary Association and selected MLAs periodically travel to CPA meetings in different parts of the world. MLAs may also be asked by the Speaker to represent the Legislative Assembly at other national or international forums or may be asked to accompany Ministers to national or international conferences.

CONSTITUENCY WORK

One of the most important functions of MLAs in a representative democracy is to represent the interests of their constituents, both those who voted for them and

those who did not. Maintaining contact with constituents is, therefore, the bedrock of their work as MLAs. In addition to acting as legislators and political representatives, MLAs are routinely asked by their constituents to fill the roles of advocate, social worker, mediator and confidant. They are expected by their constituents to be available on a 24-hour basis, particularly in the smaller communities. People from small NWT communities who visit Yellowknife will often want to meet with their MLA while they are in the capital city if their MLA is in Yellowknife on Legislative Assembly business.

MLAS WHO REPRESENT CONSTITUENCIES OUTSIDE OF YELLOWKNIFE

Twelve out of the 19 constituencies are located outside of Yellowknife as follows:

Constituency	Communities
Deh Cho	Enterprise, Fort Providence, Hay River Reserve, Kakisa
Hay River North	Hay River
Hay River South	Hay River
Inuvik Boot Lake	Inuvik
Inuvik Twin Lakes	Inuvik
Mackenzie Delta	Aklavik, Fort McPherson, Tsiigehtchic
Monfwi	Behchoko, Gameti, Wekweeti, Wha Ti
Nahendeh	Fort Liard, Fort Simpson, Jean Marie River, Nahanni Butte, Trout Lake, Wrigley
Nunakput	Ulukhaktok, Paulatuk, Sachs Harbour, Tuktoyaktuk
Thebacha	Fort Smith
Sahtu	Colville Lake, Deline, Fort Good Hope, Norman Wells, Tulita
Tu Nedhe	Fort Resolution, Lutsel'ke

The constituencies that include more than one community are spread over a large geographic area. With the exception of Deh Cho communities, which are connected by the all-weather road system, communities rely on air travel for their contact with the outside world for much of the year. In order to maintain contact with their constituents, MLAs must visit the communities they represent on a regular basis. This can become a time-consuming and expensive part of the job for those MLAs who represent multi-community constituencies.

While there is no requirement for MLAs who represent constituencies outside of Yellowknife to live in Yellowknife, they spend considerable time in the capital city attending Legislative Assembly sessions and committee meetings. MLAs whose homes are in other NWT communities typically set up a second residence in Yellowknife. They spend many days away from their families and this can cause substantial stress to family and personal life.

SPEAKER OF THE HOUSE

At the beginning of every Assembly, MLAs elect one of their number to serve as Speaker of the House. The Speaker holds the position of highest authority in the Legislative Assembly and his/her role is pivotal to the orderly conduct of business in the House. He/she is responsible for presiding over the debates of the House in an impartial manner. The Speaker ensures the orderly flow of business in the Assembly by enforcing the rules of procedure which the Assembly has made for itself. In order to govern the House effectively, the Speaker must always be, and be seen as, impartial. While the Speaker maintains the responsibility of serving his/her constituents, he/she does not take part in debates and votes in the House, nor does he/she voice the concerns of his/her constituents in the House. He/she does not vote except in the case of a tie. The Speaker is not a member of the Committee of the Whole.

The Speaker is the head of the Legislative Assembly and is responsible for the services, staff and facilities directly related to the Legislative Assembly. He/she serves as the spokesperson for the Legislature and as the department head for the Legislative Assembly as a whole. The Speaker also serves as the Chair of the Board of Management, the corporate body which governs the internal affairs of the Legislature.

DEPUTY SPEAKER AND CHAIR OF COMMITTEE OF THE WHOLE

One MLA is appointed as Deputy Speaker by motion of the Legislative Assembly. The Deputy Speaker must be prepared to assume the duties of Speaker in the Speaker's absence. The Deputy Speaker also acts as Chair of Committee of the Whole.

COMMITTEE/CAUCUS CHAIR AND DEPUTY CHAIRS

Each Legislative Assembly committee elects an MLA to serve as Chair and an MLA to serve as Deputy Chair. The committee Chairs are responsible for running the meetings and for ensuring that all Members on the committee are fulfilling their obligations to that committee.

PREMIER

One MLA is elected by all the Members of the Legislative Assembly to serve as Premier. The Premier is the highest authority in government and the head of a multi-billion dollar state whose elected members make decisions that impact every facet of our lives. The Premier is responsible for the overall management and direction of Cabinet and the public service (government departments, corporations and agencies). The Premier assigns portfolios to Ministers and may also hold one or more departmental portfolios. The Premier's job is considered a full-time Yellowknife-based job and he/she is deemed to live in Yellowknife. If an MLA who does not live in Yellowknife becomes Premier, it is customary for him/her to relocate to Yellowknife. The Premier is accountable to the Legislative Assembly, which has the right to remove him from office.

At the same time as carrying out his/her responsibilities as Premier, the Premier maintains the responsibilities and obligations of an MLA to serve the constituents in his/her riding. He/she is challenged with separating the concerns of his/her constituents from his/her role as Premier.

MINISTERS

In addition to electing the Premier, the Legislative Assembly also elects six MLAs to serve as Ministers on the Executive Council (Cabinet). The position of Minister is the second-highest position in government. Ministers are responsible for the overall management and direction of the government departments, corporations and agencies in their portfolios. A Minister's job is considered a full-time, Yellowknife-based position and he/she is deemed to live in Yellowknife. If an MLA who does not live in Yellowknife becomes a Minister, it is customary for

him/her to relocate to Yellowknife. Ministers are accountable to the Legislative Assembly which has the right to remove them from office.

At the same time as carrying out their responsibilities as Ministers, they maintain the responsibilities and obligations of an MLA to serve the constituents in their ridings. They are tasked with separating the concerns of their constituents from their roles as Ministers of the government.

IV COMPENSATION, BENEFITS AND ALLOWANCES

NON-TAXABLE INDEMNITY

According to Section 15(4) of the *Northwest Territories Act* (Canada), the first \$1,000 of the Basic Indemnity is non-taxable. The Commission understands it is beyond the powers of the Government of the Northwest Territories to change federal legislation. However there is no rationale for a non-taxable indemnity of this nature. It is a historic anomaly that should be rectified. We concur with the previous (2005) Commission recommendation that the Government of the Northwest Territories should negotiate with the Federal Government to make the necessary amendments to remove this provision.

Recommendation No. 1: That steps be taken to repeal the provision in Section 15(4) of the Northwest Territories Act that the first \$1,000 of an MLA's Basic Indemnity is non-taxable.

BASIC INDEMNITY

The Basic Indemnity for Members of the NWT Legislative Assembly is \$94,331, the fourth highest in Canada. This amount is automatically adjusted each year by the percentage of increase or decrease in the Consumer Price Index.

There is a widely held conviction in our northern society that Members of the Legislative Assembly should be motivated to work for the common good, rather than by the prospect of earning a lot of money. Few issues raise the public ire as

much as the perception that Members are seeking only to feather their own nests, so to speak. At the same time, MLAs serve an important function in our public system of government. They may, at times, be expected to be available 24 hours a day, seven days a week. They often sacrifice benefits and advancement in their customary occupations in order to become Members of the Legislative Assembly. They deserve to be fairly compensated for their work.

The MLAs of the 16th Assembly appear to be satisfied with the amount of their Basic Indemnities. None of the Members who appeared before the Commission argued for an increase. Their predecessors, the Members of the 15th Assembly, rejected a recommendation from the 2005 Commission for a nine per cent increase.

The Commission has concluded that the Basic Indemnity represents the appropriate balance between the principles of public service and that of fair compensation. We do not recommend any changes to the Basic Indemnity.

ADDITIONAL INDEMNITIES

In addition to the Basic Indemnity, Members who are appointed as Speaker, Minister or committee Chair receive Additional Indemnities as follows.

- Speaker: \$41,059
- Premier: \$71,474
- Minister: \$50,487
- Deputy Speaker: \$6,643
- Deputy Chair of Committee of the Whole: \$3,986
- Chair of Standing Committee: \$5,886
- Chair of Special Committee: \$2,943
- Chair of Caucus: \$2,943

The indemnities are adjusted annually in accordance with changes in the Consumer Price Index.

Unlike the Basic Indemnity, which is one of the highest in the country, the Additional Indemnities for Speaker, Premier and Minister are in the mid to low

range when compared with other Canadian jurisdictions. Additional indemnities for Speaker in other jurisdictions range from a high of \$75,516 for the Parliament of Canada to a low of \$26,112 for the Legislative Assembly of the Yukon. Those for Premier range from \$157,731 for Canada to \$63,416 for Saskatchewan and those for Minister range from \$75,516 for Canada to \$36,557 for the Yukon.¹

With one notable exception, which we will address below, the Commission heard no concerns about the Additional Indemnities. As with the Basic Indemnity, we conclude that they reflect the proper balance between the principle of adequate compensation and the principle of public service.

The exception is the indemnity paid to the Chairs of Standing Committees. At present, each of the five Standing Committee Chairs receives an Additional Indemnity of \$5,886. It was, however, pointed out to the Commission that the workload for all Standing Committees is not equal and it is, therefore, unfair for all Standing Committee Chairs to receive the same Indemnity.

The number of committee meetings that have taken place from the beginning of the 16th Assembly in November, 2007, until January 15, 2010, is as follows:

STANDING COMMITTEE MEETINGS

Standing Committee Name	Meetings/ Days	2007 (Nov/Dec)	2008	2009	2010 (to Jan. 15)
Economic Development and Infrastructure	102/87	3	43	55	1
Rules and Procedures	14/14	1	7	6	0
Social Programs	74/71	1	37	35	1
Government Operations	70/68	2	39	28	1
Priorities and Planning	196/166	16	98	79	3

When considering the number of meetings held by each Standing Committee, it is apparent that the Rules and Procedures Committee has a significantly smaller workload than that of the other Standing Committees. The other anomaly is the Standing Committee on Priorities and Planning which holds nearly twice the number of meetings as the second-most active committee, the Standing Committee on Economic Development and Infrastructure.

¹ See APP-16/17 for jurisdictional comparison chart.

The number of meetings is not, however, the only determinant of the workload of the committees. It is also necessary to look at function and the preparatory work that is required outside of the committee meetings.

The three “envelope” Standing Committees, Social Programs, Economic Development and Infrastructure and Government Operations, are all tasked with reviewing business plans, budgets, bills etc of different government departments and agencies. Significant preparatory work outside the meeting times is required to conduct these reviews. The Standing Committee on Priorities and Planning, to which all regular MLAs belong, reviews issues that have government-wide implications, reviews Ministerial performance, and conducts sessional planning and strategy sessions. While it has, by far, the greatest number of meetings, many of these meetings are daily strategy meetings while the Legislative Assembly is in session and they do not require the same in-depth preparatory work as the meetings of the “envelope” committees. The workload of the three “envelope” committees and the Standing Committee on Priorities and Planning is close enough that we felt an adjustment in the Indemnities of the Chairs of these committees was not justifiable.

However, we found that the Standing Committee on Rules and Procedures was significantly different from the other committees in terms of workload. The Standing Committee on Rules and Procedures has the limited mandate of reviewing reports from the Chief Electoral Officer and the Conflict of Interest Commissioner and making recommendations about the implications of self-government agreements on the powers, structures and procedures of the Legislative Assembly. Because of the limited scope of responsibilities of this committee, the Commission concluded that it was not justifiable for the Chair of this committee to receive the same Indemnity as the Chairs of the other committees.

Recommendation No. 2: The Indemnity for the Chair of the Standing Committee on Rules and Procedures be reduced to the same amount as the Indemnity for a Chair of a Special Committee: \$2,943.

ABSENCES FROM COMMITTEE MEETINGS

Committee work is integral to the smooth operation of our government and the democratic process in the NWT. One of the concerns this Commission has heard repeatedly, as have past Commissions, is that some MLAs fail to take seriously their responsibilities as members of Standing Committees. MLAs miss meetings, stay only long enough to have their attendance recorded, or fail to do the homework required to participate effectively in the discussions. With only 11 regular MLAs, it is vital that each Member carries his/her share of the load. The abrogation of duties on the part of only one or two MLAs can impact the effectiveness of a committee and, therefore, the effectiveness of our government.

Prior to the 16th Assembly, there were provisions to penalize MLAs for missing meetings by deducting \$119 from a Member's Indemnity for every half-day missed without a reasonable explanation. But in a system where MLAs are responsible only to their constituents, neither the members of the Clerk's office who provide services to the committees nor committee Chairs felt comfortable disciplining MLAs. No MLA was ever fined for missing a meeting. Subsequently, the 2005 Commission recommended that the provisions for penalizing delinquent MLAs be rescinded and that, instead, regular attendance reports be tabled in the House and posted on the Internet.

To its credit, the Legislative Assembly adopted the 2005 recommendation. Summaries of Members' absences from committee meetings and sessions of the Legislature are now tabled in the House and posted on the Legislative Assembly's website.² However, the summaries are not prominently displayed on the website and, therefore, do not have the intended effect of keeping an MLA's constituents informed. In order to see the attendance reports, it is necessary to click on "House Business" and then "Tabled Documents." A constituent who doesn't know exactly where to look won't find them. We can't help but question how many people actually see these reports or are even aware of their existence.

The issue of some MLAs' absences from committee meetings and sessions of the Legislature is of great concern to MLAs and members of the public. This Commission gave serious consideration to reinstating financial penalties for missing meetings. Even though such penalties would be richly deserved if MLAs

² See APP-19 for 2009 for a summary of members' absences

abrogate their responsibilities by missing meetings without good reason, in view of the history of these efforts, we decided against those measures. MLAs' attendance reports should, however, be much more prominent than they are now. Constituents have a right to information on how their MLAs are performing and they should not have to go looking for it in an obscure place on the government website. In addition to more prominent placement on the government website, these reports should be published annually in a territory-wide newspaper.

Recommendation No. 3: That summaries of members' absences be prominently displayed on the Legislative Assembly's website immediately after each session and that a link be set up on the Government of the Northwest Territories home page to point to the reports.

Recommendation No. 4: That summaries of members' absences be published annually in a territory-wide newspaper.

NORTHERN ALLOWANCE

In addition to the Basic Indemnity, every Member of the NWT Legislative Assembly receives the Northern Allowance. The amount of the Allowance is tied to Article 41 of the Collective Agreement between the Government of the Northwest Territories and the Union of Northern Workers and is based on certain cost of living factors in the different communities of the Northwest Territories. The Allowance ranges from \$3,450 for those living in Yellowknife to \$24,270 for those who live in Ulukhaktok.³ The Allowance is not automatically adjusted in accordance with changes to the Consumer Price Index.

Because of the wide variance in the cost of living in the different communities of the NWT, we feel it is reasonable for MLAs to have a cost of living allowance in addition to their Basic Indemnities. The 2005 Commission noted that the Northern Allowance did not represent the true cost of living in different communities as it is based on the cost of travel and does not include the cost of housing. That Commission recommended that a new Cost of Living Allowance be developed for MLAs, a recommendation that was not accepted by the 15th Assembly. We agree, as the 2005 Commission pointed out, that the current Northern Allowance is flawed in its computation. We are also, however, mindful that developing an

³ See APP-25 for a schedule of Northern Allowances for each NWT community.

independently-calculated allowance is a complicated procedure that may not be the best use of taxpayers' dollars. We, therefore, do not recommend any change to the Northern Allowance for MLAs.

BENEFITS PACKAGE

MLAs receive a benefits package similar to that provided to the Government of the Northwest Territories Civil Service. The plan includes basic dental coverage and travel accident insurance and gives Members the option of participating in the Public Service Health Care Plan, the Public Service Management Insurance Plan and the Long Term Disability Plan. This type of coverage is now common in government and the private sector and, while it is generous, is not undeserved. We do not recommend any change to the Benefits Package for Members of the Legislative Assembly.

PENSION PLAN

The Legislative Assembly provides a contributory pension plan that is registered under the *Canada Income Tax Act* and is similar to that offered to the members of the civil service. Members contribute 6.5 percent of their pensionable income (all taxable income with the exception of the Northern Allowance). They have the right to receive benefits after four years of service or one full term of office. Members receive up to two percent of the average of their four best years' taxable income multiplied by the number of years of service to a maximum of 30 years. Members may collect this pension when they reach 60 years of age, or have 30 years of service or if the sum of their age plus their years of service equals 80.

Members also have access to an optional Supplementary Pension Plan which allows them to contribute an additional 2.5 percent of pensionable income and doubles their benefit.

The Commission was asked by the Board of Management to address a request that the age when MLAs can receive the pension without penalty be lowered from the current age of 60 to 55 and that the number of years of service required to become eligible for benefits be reduced from 30 years to 20 years. We could not find any precedents within Canada for provisions of this nature. The Pension Plan, as it stands, is exceedingly generous. It has, in fact, been the topic of public controversy

in the past because many members of the public believe that MLAs should not be able to earn pensions more generous than those of their constituents.

In addition, the pensionable age, established by the *Canada Income Tax Act*, for pensions registered under the Act is 60. We, therefore, do not recommend any changes to the Pension Plan for MLAs.

VACATION AND SICK PAY

Regular MLAs are not given vacation or sick pay. When an MLA becomes a Minister, however, he/she does receive those benefits. There is a perception that it is unfair to give these types of paid leave to Ministers while not granting the same privileges to MLAs.

MLAs are not considered employees of the Government of the Northwest Territories and sick and vacation pay are concepts of being employed. Paid vacation and sick leave is intended to compensate for lost wages when an employee misses work due to vacation or illness. MLAs do not receive wages, but indemnities, and these indemnities are paid whether they are on the job or not. Even if an MLA misses a committee meeting or fails to attend sittings of the Legislature, there is no financial loss. It does not, therefore, make sense for them to have vacation and sick pay in addition to their indemnities.

ALLOWANCE FOR EXPENSES

Every Member of the Legislative Assembly receives an annual non-taxable non-accountable allowance of \$6,797 for meals, local transportation and hospitality while discharging his/her duties as members in his/her home community/constituency. MLAs who do not live within commuting distance of Yellowknife receive an additional \$6,797 per year to cover meals, transportation and incidental expenses they incur while they are on business in Yellowknife, and household expenses associated with maintaining a second household in Yellowknife.

A non-taxable non-accountable allowance can be problematic. Members of the Legislative Assembly hold positions of public trust and are accountable for how taxpayers' money is spent. This type of allowance is neither accountable nor

transparent and is often perceived by members of the public as an unjustifiable slush fund. It is easy for an MLA to pocket this allowance without using it for its intended purpose and that begs the question of whether this should be regarded as part of an MLA's indemnity and taxed as income.

In the NWT, this allowance appears to have originated as a compensation for Members for out-of-pocket expenses when they were doing business on sessional and committee days in Yellowknife. Prior to the 16th Assembly, Yellowknife MLAs received \$6,586, an amount based on a per diem rate for 100 days. MLAs representing constituencies other than Yellowknife received \$10,179 which was based on per diems for 155 days in recognition that these MLAs often had to stay in Yellowknife over the weekend. The 2005 Commission noted that the Allowance was poorly defined and that many MLAs regarded it as part of their salaries. That Commission also noted that MLAs were regularly reimbursed for expenses that should have been covered by the Allowance. The Allowance was revised, upon the recommendation of the 2005 Commission, by establishing new rates and by clearly defining its intent. It also recommended that the Allowance be distributed separately from an MLA's regular indemnity to make it clear that this was an expense allowance and not part of the indemnity.

While non-taxable non-accountable allowances were once common across Canada, over the last few years it has been the trend to eliminate them because of concerns about accountability and transparency. Jurisdictions that have eliminated the allowances have regarded them as part of the Members' compensation and have given Members a corresponding increase in their indemnities. The Northwest Territories is now one of only four Canadian jurisdictions that still retains this type of allowance.

This Commission, like its counterparts across the country, has serious concerns about the advisability of a non-taxable non-accountable allowance. There is no doubt, however, that MLAs are routinely faced with having to pay incidental costs associated with their duties as Members of the Legislative Assembly. For example, they are expected to pay the bill for coffee or meals with their constituents or to buy tickets to support community events. MLAs who reside outside of Yellowknife must pay for transportation and household items to establish a second household while in Yellowknife on business. These MLAs may buy meals for their constituents while in Yellowknife or host meetings with constituents that fall outside the definition of a constituency meeting. Many of these types of expenses

are small and it is burdensome for both the MLA and the Legislative Assembly administrative staff to track them with receipts. We have concluded, therefore, that it is reasonable to continue this allowance.

The Commission was asked by the Legislative Assembly's Board of Management to consider whether MLAs who represent constituencies outside of Yellowknife, but who reside in Yellowknife, should receive the portion of the Allowance that is available for Members who do not live within commuting distance of the capital city. The intent of this additional Allowance is to reimburse the MLAs who live outside of Yellowknife for incidental expenses incurred while on business in Yellowknife away from their home community, and to defray the costs of setting up a second residence in Yellowknife. Regardless of the location of an MLA's constituency, if he/she resides in Yellowknife, he/she does not incur the costs for which this additional allowance is intended.

The Commission also received a number of requests to allocate as reimbursable expenses items that are intended to be covered by this Allowance. We would like to remind MLAs that this allowance is intended to cover expenses that are not reimbursable under another allowance, such as the Constituency Work Expense Allowance or the Sessional Travel entitlement. The very fact that we received requests of this nature leads us to believe that some MLAs still regard this allowance as part of their salaries. Following the report of the 2005 Commission, this allowance was issued separately from MLAs' regular indemnity payments and we would like to stress the importance of continuing to do this.

Recommendation No. 5: That the non-taxable non-accountable Allowance for Expenses continue to be paid separately from an MLA's indemnity so that MLAs do not make the mistake of regarding this Allowance as part of their indemnities.

TRANSITION ALLOWANCE

A Member of the Legislative Assembly who resigns his seat, does not stand for re-election or fails in his/her bid for re-election is entitled to a Transition Allowance equal to one-twelfth of his/her annual indemnity for each year of consecutive service to a maximum of one year's Basic Indemnity at the time of eligibility.

The intent of this Allowance is to ease a Member's transition back into his/her customary occupation or to a new career when he/she has completed serving as an

MLA. This Allowance recognizes that an individual's choice to serve the public by becoming a Member of the NWT Legislative Assembly entails an interruption of his/her career and may result in a loss of career opportunities, advancement and wage increments. In addition, re-entry into the regular workforce may be difficult after an absence of several years.

While a Transition Allowance is reasonable given the considerations outlined above, it becomes problematic if an MLA is collecting it at the same time as he/she is working for wages or providing consulting services for a fee, particularly if the employer or contracting agency is the Government of the Northwest Territories. The Commission considered a recommendation to discontinue the Transition Allowance as soon as the former Member obtained employment but decided against that because such a recommendation would abrogate the intent of the Allowance by discouraging a former Member from looking for work. Discontinuing the Transition Allowance before one year has expired would also reduce the compensation for the lost earning capacity that a former Member may experience as a result of interrupting his/her career in order to serve as an MLA.

However, there is nothing at this time to prohibit a former MLA from receiving the Transition Allowance while receiving payments from the MLA pension plan. In other Canadian jurisdictions, former Members are not allowed to collect a Transition Allowance, if they are receiving a pension from their service as an MLA. Presumably, former Members who are receiving pensions do not intend to transition back into the workforce. Since the primary purpose of this allowance is to ease this transition, the Commission is of the opinion that the Transition Allowance should not be available to former Members who are receiving the pension available to MLAs.

Recommendation No. 6: That the Transition Allowance paid to a former Member be discontinued as soon as he/she begins to collect a pension for his/her service as an MLA.

CAPITAL ACCOMMODATION ALLOWANCE

The Capital Accommodation Allowance is available to Members who do not live within commuting distance of Yellowknife. This Allowance, currently set at a maximum of \$29,500, reimburses Members for the actual cost of rental or hotel

accommodation, and associated living expenses, incurred while they are in the capital on Legislative Assembly business. An MLA spends an average of 100 days in Yellowknife for Legislative Assembly sessions, committee meetings and other business. While a Member can still choose hotel accommodation during these days, this Allowance gives Members the option to set up more permanent accommodation for their use while in the capital on business. Considering the amount of time a Member spends in Yellowknife, it is reasonable to provide this type of Allowance.

There were concerns expressed to the Commission that this Allowance was not adequate, given the high prices for rental accommodation in Yellowknife, and that Members have different requirements for accommodation depending on the size of their families. The Commission would like to point out that the accommodation covered by this Allowance is intended to be part-time accommodation for a Member while on business in Yellowknife. This is not meant to provide another family residence. Therefore the size of a Member's family should not be a factor in determining the amount of this Allowance.

The Capital Accommodation Allowance is only available to those Members who maintain a principal residence outside of Yellowknife. We are aware that it has been misused in the past by Members who did not have a principal residence outside the capital city. This kind of disrespect for public money should not be tolerated and we laud the Legislative Assembly's Board of Management for the stringent measures it has put in place to curtail this type of abuse.

SESSIONAL TRAVEL

A number of provisions exist to allow Members living outside of Yellowknife to visit with their families during committee meetings and sessions of the Legislative Assembly. During a sitting of the Legislative Assembly, each Member who lives outside of Yellowknife is entitled to be reimbursed for the cost of return transportation for the Member's spouse, or another person designated by the Member, between Yellowknife and the Member's home community. In addition, after an MLA has attended a session of the Legislative Assembly or meetings of an associated committee for eight consecutive days, the Member can either travel home or bring his/her spouse or other designated person to Yellowknife. Members living outside Yellowknife are also entitled to home travel or travel for a family member from the home community to Yellowknife five times a year.

These provisions recognize that one of the challenges of the job for an MLA representing a constituency outside of Yellowknife is the long separation from family members while he/she is in Yellowknife on business. Families are a base of support and lengthy separations from those he/she relies on for support can adversely affect an MLA's well-being and, as a result, his/her performance as an MLA. These travel allowances, while generous, are not out of line, considering the demands placed on MLAs.

The Board of Management referred a request to the Commission that the Sessional Travel provisions be expanded to allow Members to bring constituents to Yellowknife from communities other than the Members' home communities. We were also asked to consider allowing the entitlement to be used to bring in family members, such as children attending university, from places other than their home community. The intent of the Sessional Travel entitlement should be to maintain the family unit as it exists under normal circumstances when a Member is living in his/her home community. It is not intended to unite family members who don't live in the same community. Nor is it intended to facilitate visits of constituents to Yellowknife, an expense which could be covered by an MLA's non-accountable Allowance for Expenses.

Recommendation No. 7: That the intent of the Sessional Travel entitlement — to recreate the family unit as it exists under normal circumstances when a Member is living in his/her home community — be clarified in the Members' Handbook.

CONSTITUENCY WORK EXPENSE ALLOWANCE

The Constituency Work Expense Allowance is intended to cover expenses that are directly related to Members' responsibilities to represent their constituents. The Allowance is global, giving MLAs the ability to set their own budgets, within the parameters of allowable expenses established by the Legislative Assembly. Allowable expenses include constituency meetings, constituency travel, newsletters, promotional and special presentation items, wages for a constituency assistant, constituency offices and more. The amount of the Allowance varies from constituency to constituency, depending on the estimated costs in each constituency, ranging from \$75,000 a year for the Yellowknife ridings to \$89,000

for Nunakput.⁴ The amounts are adjusted annually to reflect changes in the Consumer Price Index.

The Commission has reviewed each facet of the Constituency Work Expense Allowance. The Allowance gives MLAs flexibility to make expenditures to suit the needs of their particular constituency but also sets parameters to ensure that the funds are spent appropriately. Each expenditure within this Allowance is either paid directly by the Legislative Assembly or, if paid by the Member, must be accounted for by receipts. We are satisfied that this upholds the principles of transparency and accountability. We were pleased to note that MLAs are staying within their constituency budgets. We would also like to commend the Members for decreasing their constituency allowances last year as part of an overall plan to cut back on government expenditures. This demonstrates commendable regard for the responsibilities and obligations of statesmanship.

Following is a discussion of the specific areas of concern that relate to the Constituency Work Expense Allowance.

PROMOTIONAL ITEMS AND GIFTS

Members are permitted to buy promotional items for distribution to their constituents. Items are restricted to mouse pads; calendars; refrigerator magnets; office note pads; beverage containers (coffee mugs, glasses, water bottles, thermos bottles); pens; key chains; hats; calculators; CD holders; tote bags and Christmas cards. The items must not cost more than \$30 each if they are manufactured within the NWT and \$20 each if they are manufactured outside of the NWT. All items must have at least one of the official symbols of the Legislative Assembly and the Member's contact information printed or embossed on the surface.

The Board of Management referred a request to the Commission to expand the list of allowable items. In addition, many MLAs showed concern, during interviews with this Commission, about this part of their Constituency Work Expense Allowance.

⁴ See APP-26 for a schedule of Constituency Expense Allowances per constituency

The issue of promotional items is a difficult one. To our understanding, the purpose of giving out promotional items is to provide a ready source of information about how to contact your MLA. If this is the goal, distributing these items can contribute to our representational democracy by strengthening the link between an MLA and his/her constituents. However, when these items become elaborate, or of too much practical value, the line between a communication tool and a gift becomes blurred, and MLAs open themselves to allegations that they are misusing public funds or, worse, that they are buying votes.

This is not to say it is always inappropriate for a Member to give gifts to his/her constituents. The Allowance permits for the presentation of Special Occasion items to constituents in recognition of significant occasions in their lives. There are, however, strict guidelines on the type of occasions that can be recognized. These items may not be worth more than \$150, they must be appropriate to the occasion and of no monetary value or practical purpose to the recipient. Similarly, the Allowance permits the expenditure of up to \$300 for a Presentation Item to commemorate a significant event, such as the opening of a school or other prominent building. When an MLA makes a presentation to a constituent or an organization to recognize a significant occasion, he/she is representing the government as a whole and adding ceremony and value to the celebration. We do not recommend any changes to the type and value of the Presentation and Special Occasion Items.

Promotional items, however, are not gifts and do not recognize any particular occasion or achievement. Their sole purpose is one of communication and if these items are going to be distributed, it must be done with integrity. We have been asked to add items such as knives, memory sticks, computer flash drives and others to the list but we do not feel that increases to the list of items will necessarily serve the purpose of communicating with constituents. In fact, the current guidelines on promotional items are too generous and the usefulness and attractiveness of these items has superseded their value as communication tools. It has also, in some cases, encouraged one-upmanship among MLAs. It would be preferable for MLAs to distribute smaller, less-expensive items that can be given to all of their constituents, rather than a select few. While we are not recommending any changes to the list of allowable items, we feel that the integrity of MLAs and the objective of improving communication between an MLA and his/her constituents would be better served by decreasing the permitted monetary value of these items.

Recommendation No. 8: That promotional items be restricted to mouse pads; calendars; refrigerator magnets; office note pads; beverage containers (coffee mugs, glasses, water bottles, thermos bottles); pens; key chains; hats; calculators; CD holders; tote bags and Christmas cards and that each item shall not exceed the value of \$20 per item if manufactured in the NWT and \$10 if manufactured outside of the NWT.

Recommendation No. 9: That the Board of Management reviews the list of permitted promotional items on an annual basis.

CONSTITUENCY MEETINGS/CONSTITUENCY TRAVEL EXPENSE

It was brought to the attention of the Commission that the Constituency Work Expense Allowance did not provide for an adequate number of meetings in multi-community constituencies. The budget calculations used to determine the amount of the Allowance provide for an annual expenditure of \$1500 for three meetings in each constituency, regardless of the number of communities in the riding. This means that an MLA representing a multi-community riding is unable to have meetings with all his constituents without borrowing from other allotments in his Constituency Allowance.

As we have noted elsewhere in this report, maintaining contact between Members and their constituents is a pillar of a representative democracy. One of the chief methods of keeping the lines of communication open between an MLA and his/her constituents is to hold constituency meetings. All the people of the Northwest Territories are entitled to equal access to their MLA, whether they live in Yellowknife or in a small, isolated community. If Yellowknife ridings are entitled to have three constituency meetings each year, then all communities in multi-community ridings should also be entitled to three constituency meetings each year.

Recommendation No. 10: That a provision for holding three constituency meetings in each community per year at a cost of \$500 per meeting, to a maximum of \$1,500 per community, be included in the Constituency Travel Expense. MLAs will only be able to access these funds if the meetings are actually held.

The Commission also received a referral from the Board of Management to review the issue of reimbursement for expenses, such as catering, for meetings that take place between an MLA and his constituents outside the constituency. At present, these expenses are not permitted to be reimbursed from the Constituency Work Expense Allowance because the meetings occur outside the Member's constituency. This is an issue that particularly affects MLAs of constituencies outside of Yellowknife as it is not unusual for these MLAs to have meetings with constituents while attending to business in Yellowknife. Expenses of this nature should properly be attributed to the non-accountable Allowance for Expenses which is intended to cover, among other items, "the costs of meals and similar hospitality. . . whether within or outside the constituency."⁵ We, therefore, conclude that no change is required to items listed for reimbursement under the Constituency Work Expense Allowance.

CONSTITUENCY ASSISTANTS

Most MLAs hire at least one Constituency Assistant to provide support services. These Assistants work either in the Legislative Assembly offices in Yellowknife or have offices in the MLA's constituency. The budgetary calculations used to determine the Constituency Work Expense Allowance allocate \$50,000 per year for a Constituency Assistant, although members have the flexibility to decide how much money, if any, they wish to spend. There is no allocation for incremental increases or health/dental benefits for Constituency Assistants.

The Commission had serious reservations about whether the amount calculated to hire a Constituency Assistant is sufficient to retain qualified personnel. In the 2008/09 fiscal year, the amount spent on constituency assistants ranged from a high of \$61,890 to a low of \$13,946.⁶ Thirteen of the 19 MLAs spent more than \$50,000 on a constituency assistant. We considered recommending an increase to the Constituency Work Expense Allowance to augment the wages of Constituency Assistants. However, if we recommended an increase to the global Constituency Work Expense Allowance, there would be no guarantee that the increase would be used for a Constituency Assistant. To set up a fund specifically for a Constituency Assistant would seriously impact the flexibility of the Allowance which allows MLAs to accommodate their different styles of representing their constituents. We

⁵ Section 70, Members' Handbook

⁶ See APP-27 for a schedule of Monies spent on a Constituency Assistant in 2008/09.

have, therefore, decided against recommending changes to augment the wages of Constituency Assistants.

RESTRICTIONS TO THE CONSTITUENCY WORK EXPENSE ALLOWANCE

The following items are ineligible for reimbursement under the Constituency Work Expense Allowance:

- Anything identifying a political party;
- Artwork unless it is purchased as a Special Occasion or Presentation Item;
- Sponsorship of individuals or groups;
- Raffle tickets;
- Donations or gifts to local organizations or individuals;
- Travel outside Canada.

The Commission has received a request to allow items such as sponsorships, raffle tickets and donations to be reimbursed. We were told that in many cases, constituents expect their MLAs to offer this kind of support to community organizations and individuals and that it is difficult to turn down these requests. While we concede that these types of expectations are put on MLAs, we do not want to give official sanction to any type of expenditure that could be construed as a gift outside of the guidelines set for Special Occasion and Presentation Items discussed above. An MLA, like any other citizen of the Northwest Territories, may offer this type of support to organizations or individuals. Members also receive a generous non-accountable Allowance for Expenses which is intended for incidental expenses of this nature.

Finally, the Commission considered a request to reverse the prohibition against using the Constituency Work Expense Allowance for international travel. In some cases, Members have been asked to represent the views of their constituents at meetings in other countries. The Commission is of the view that the role of MLAs is to represent the views of their constituents in the Legislative Assembly, not in other countries. If the Legislature wants to address an issue in a foreign country, it is the prerogative of the Legislature to appoint an MLA to do so. The public is extremely sensitive to the issue of MLA travel and is quick to conclude that MLAs

spend their time on unnecessary travel at taxpayers' expense. While international travel may, on occasion, be justifiable, it should not be done at the prerogative of the Member and should not come out of the Constituency Work Expense Allowance.

CONSTITUENCY OFFICES

All regular MLAs are provided with an office for themselves as well as an office for a Constituency Assistant in the Legislative Assembly building in Yellowknife. In addition, MLAs representing constituencies outside of Yellowknife are reimbursed for costs associated with renting a constituency office in their riding.

The Commission was asked to consider giving Members who represent Yellowknife constituencies an additional Allowance to establish a constituency office in Yellowknife that is not in the Legislative Assembly. The argument we heard was that some constituents have difficulty going to the Legislative Assembly and/or are intimidated by the building and, as a result, are reluctant to meet with their MLA in his/her Legislative Assembly office.

While we understand the importance of meeting with constituents in an environment that is comfortable for them, we cannot justify the expense for an additional office for a Yellowknife MLA. The city is of a size that travel from one area to virtually any other area only takes five or ten minutes and is not beyond the capabilities of most people. In cases where it is not feasible, for whatever reason, for a constituent to meet his/her MLA at his/her Legislative Assembly office, there would be little difficulty in arranging an alternative meeting place such as a local coffee shop or the constituent's home. If an Yellowknife MLA still feels strongly about establishing an alternate constituency office, he/she has the option to do so using funds from his/her Constituency Work Expense Allowance.

CONSTITUENCY TRAVEL - ACCOMMODATION

MLAs travelling on constituency business are reimbursed for meals and commercial accommodation. They may also be reimbursed for non-commercial overnight accommodation at a rate set by the Treasury Board of Canada as the daily rate payable in the Northwest Territories. This is permitted, notwithstanding the legislated provisions which prohibit a Member from being reimbursed when

he/she stays in accommodations in which family members have a financial interest. Members must have a receipt in order to be reimbursed for staying in non-commercial accommodation.

The Board of Management has referred a request to the Commission that Members be reimbursed for non-commercial accommodation without a receipt.

It is understandable that there may be occasions when a Member would prefer to stay with friends or family instead of in a hotel while on business travel. On these occasions it is often the social custom to reimburse the hosts in some manner for the costs incurred during the stay but these are informal arrangements and a receipt is not usually provided. We feel it would be reasonable to reimburse Members for this type of accommodation, provided they provide a sworn statement that they stayed in non-commercial accommodation and they do not exceed the limit set by GNWT policy for this type of accommodation.

Recommendation No. 11: That MLAs who are travelling on business be reimbursed for non-commercial accommodation if they provide a sworn declaration that details where they stayed and when they stayed there and the reimbursement does not exceed the amount authorized by the GNWT for this type of accommodation.

MINISTERIAL BENEFIT POLICIES

While not considered employees of the Government of the Northwest Territories, Ministers are considered to be working at full-time jobs and they receive benefits similar to those received by senior managers of the Government of the NWT. Ministerial benefit policies, developed and approved by Cabinet, are as follows:

1. Capital Accommodation: Because the Government is based in Yellowknife, Ministers are required to work out of their offices in Yellowknife. This means that Ministers who live in communities other than Yellowknife must maintain a full-time temporary residence in Yellowknife. Under this policy, Ministers whose principal residence is not within commuting distance of Yellowknife may be reimbursed for relocation costs, lease costs, the cost of utilities and furniture rental up to a maximum of \$46,000 annually.

2. Home Travel: Ministers who are eligible for the Capital Accommodation Allowance are also eligible to be reimbursed for regular trips between Yellowknife and their home communities for themselves or eligible members of their families. An annual global travel budget, based on the economical cost of 32 return trips, is set up for each Minister.

3. Blind Trust: Ministers are required to establish and maintain blind trusts for any business activities that have a potential to conflict with their responsibilities as Ministers. Under this policy, a Minister may be reimbursed for costs associated with establishing, maintaining and dissolving a blind trust.

4. Medical Travel, Sick Leave, Vacation Leave, Health, Dental and Life Insurance Benefits: Ministers receive Medical Travel, Sick Leave, Health, Dental and Life Insurance Benefits at the same rates and under the same conditions as those provided to the Senior Management Group of the Government of the Northwest Territories public service.

5. Spousal Travel: On occasion when a Minister travels on business, protocol demands that the Minister be accompanied by his/her spouse. Under this policy, the GNWT will pay travel costs for the Minister's spouse if protocol suggests that it is appropriate. The Minister must have approval from the Premier in order to receive this benefit.

6. Entertainment Allowance: Ministers receive a \$1,500 annual non-accountable allowance for duty-related entertainment expenses.

The Commission reviewed all six of these policies. With the exception of Policy No. 4: Medical Travel; Sick Leave; Vacation Leave; Health; Dental and Life Insurance Benefits; we have no concerns about any of them.

MEDICAL TRAVEL, SICK LEAVE, VACATION LEAVE, HEALTH, DENTAL AND LIFE INSURANCE BENEFITS FOR MINISTERS

Not all the benefits outlined in Policy 4 are available to regular MLAs. Since all MLAs sacrifice the benefits they may have enjoyed in their employment prior to being elected to office, we considered whether it was fair to offer a better package

to Ministers than MLAs. It is, however, standard practice in government and corporate life to offer a more generous benefits package to senior people to compensate them for the fact that both their workload and their level of responsibility are greater. There is no doubt that Ministers have much greater responsibilities and heavier workloads than regular MLAs. We feel it is reasonable to recognize these distinctions by giving Ministers a more generous benefits package.

However, we are concerned with the provisions for granting Ministers sick leave and vacation leave. In addition to receiving sick and vacation leave for the time they serve as Ministers, Ministers who are former employees of the GNWT are allowed to carry over the sick and vacation leave credits they collected while they were GNWT employees. As discussed earlier in this report, the concept of paid vacation and sick leave is predicated on the idea that regular wages are not paid when the employee is absent from work. Vacation and sick pay are intended to compensate employees for that loss of income. According to the report of the 1996 Commission on MLA Compensation in the NWT, the practice of granting Ministers sick and vacation leave was initiated by the Executive Council, prior to the 1980s, when the Executive Council still included public servants. That report concluded that since Ministers are now elected officials and are not required to account for the time they spend carrying out their duties, it is no longer appropriate for them to have sick and vacation leave. Ministers, like MLAs, are not employees. They are paid their Indemnities whether they are absent from work or not and it does not, therefore, make sense for them to have vacation and sick pay in addition to their Indemnities.

Recommendation No. 12: That the provisions granting vacation and sick pay to Ministers be repealed and that Ministers not be paid out for the leave they have collected so far.

APPROVAL OF MINISTERIAL BENEFITS

The Commission was also concerned with the method used to establish Ministerial Benefits. These benefits are established as policy by Cabinet and Cabinet decisions are not subject to public scrutiny and accountability. Although it is permitted under the *Legislative Assembly and Executive Council Act* for Ministers to set their benefits by Cabinet directive, this practice lacks transparency and accountability. The 2005 Commission to Review MLAs' Compensation and

Benefits recommended that, whenever feasible, Ministerial allowances and benefits be enshrined in a legislative base “to allow for transparency, full public accountability and a full public debate.”⁷ Other jurisdictions have devolved this responsibility to the Legislature and, in keeping with the principles of transparency and accountability, the Commission is of the opinion that the same should be done in the NWT.

Recommendation No. 13: That determination of Ministerial Benefits should not be made by Cabinet but, instead, these benefits should be publicly debated and approved by the NWT Legislative Assembly.

ACTIVITIES UPON LEAVING OFFICE

There has recently been a great deal of public concern about former Ministers receiving government contracts immediately after they leave office as Ministers and/or taking contracts with businesses to lobby the GNWT. The *Legislative Assembly and Executive Council Act* puts former Ministers, and former Speakers, under a one-year prohibition from accepting contracts from, or lobbying, any department or agency for which they had responsibility as Ministers. The concerns involve the appearance of patronage, the unfairness of using inside information to obtain government contracts and the fact that contracts for former Ministers are often issued as sole source contracts, by-passing the competitive process usually followed to award major contracts.

When a former Minister accepts a contract from his/her former colleagues on Cabinet, it is difficult to avoid allegations of patronage. Even if that former Minister is the most qualified person for the contract, the transaction is muddied by the perception that he/she has been contracted not on the basis of what, but who, he/she knows. The fact that the former Minister has only recently left his/her Cabinet position and may be, therefore, in possession of inside knowledge that is not available to others who may be interested in that same contract, exacerbates that perception. It is a practice that is widely viewed as dishonest and a misuse of public funds. Similarly, when former Ministers accept a position to lobby the government, it is also perceived as a misuse of confidential information that would give a lobby group an unfair advantage.

⁷ 2005 Review of MLAs' Compensation and Benefits

We feel that the current legislation, which puts a one-year prohibition on Ministers from accepting contracts from or lobbying departments that were not in their portfolios, is inadequate. Cabinet routinely discusses issues that arise within various departments and often makes decisions as a whole. As a result, Ministers will most certainly be in possession of confidential information about departments that were not in their portfolios. This is recognized in all other Canadian jurisdictions, which have across-the-board prohibitions on all government contracts. For this reason, we believe the one-year prohibition should be extended to all government departments and to corporations that have a major contract with government (for the purposes of this recommendation, we are defining a major contract as one with a value in excess of \$25,000).

The expanded prohibition should apply only to former Ministers and not to former Speakers. The Speaker is responsible only for the affairs of the NWT Legislative Assembly and is not privy to Cabinet deliberations. Therefore, the current one-year prohibition against taking employment or contracts with the department for which the former Speaker was responsible (in this case the Legislative Assembly) should be maintained.

Much of the public concern about awarding contracts to former Ministers focuses on the fact that these contracts, often of significant value, are awarded as sole-source contracts, by-stepping the competitive process usually employed in awarding major contracts. While it is not within the mandate of the Commission to make recommendations about the GNWT's contracting policies, it is the responsibility of the Legislative Assembly to ensure that the GNWT follows its contracting procedures. We do, however, understand that in a small jurisdiction such as ours, there can be exceptional circumstances where it would be to the benefit of Government to contract a former Minister. Their Ministerial skills and knowledge may make them uniquely qualified for the job. At present, former Ministers may apply to the Conflict of Interest Commissioner for authorization to engage in prohibited activities prior to the expiration of one year. To avoid the perception of government corruption in these exceptional circumstances, the Commission feels that the Government should be prohibited from awarding sole-source contracts to former Ministers for a period of two years after the Minister leaves office, unless those contracts are approved by the Conflict of Interest Commissioner.

Recommendation No. 14: That the Government of the Northwest Territories, or any of its boards and agencies, be prohibited from employing or entering into any contract with a former Minister of the NWT Government for a period of one year after that Minister leaves service as Minister unless the contract or employment has been approved by the Conflict of Interest Commissioner.

Recommendation No. 15: That the NWT Legislative Assembly be prohibited from employing or entering into any contract with a former Speaker of the NWT Legislative Assembly for the period of one year after that Speaker leaves service as Speaker unless the contract or employment has been approved by the Conflict of Interest Commissioner.

Recommendation No. 16: That former Ministers be prohibited, for a period of one year after leaving the office of Minister, from accepting employment or contracts with the Government of the Northwest Territories, or any of its boards or agencies and that former Ministers be prohibited, for the period of one year after leaving the office of Minister, from accepting employment, contracts with, or other benefits from any corporation that has contracts with the Government of the Northwest Territories, or any of its boards or agencies, that are more than \$25,000 in value unless the contract or employment has been approved by the Conflict of Interest Commissioner.

Recommendation No. 17: That a former Speaker be prohibited from accepting employment or entering into a contract with the NWT Legislative Assembly for the period of one year after leaving office as Speaker unless the contract or employment has been approved by the Conflict of Interest Commissioner.

Recommendation No. 18: That the Government of the Northwest Territories, or any of its boards or agencies, be prohibited from awarding sole-source contracts to former Ministers for a two-year period after the Minister leaves office as Minister, unless that contract is approved by the Conflict of Interest Commissioner.

FUTURE COMMISSIONS

Many of the recommendations made by previous Independent Commissions to Review Members' Compensation and Benefits have not been accepted by the Legislative Assembly and Cabinet. In some cases, the same recommendations are

being made over and over by succeeding commissions. In other jurisdictions, there are legislative requirements that the recommendations of this type of commission be automatically accepted. While periodic reviews by these commissions are integral to upholding the principles of transparency and accountability, these principles would be more fully served here in the Northwest Territories if the recommendations of future Commissions were legally binding.

Recommendation No. 19: That legislation is enacted to ensure that the recommendations of the future Commissions to Review Members' Compensation and Benefits be legally binding.

V CONCLUSION

The guiding principles of the work of this Commission stress accountability, transparency, public service, fair compensation for the work that is undertaken and a system of remuneration that respects regional cost disparities. In general, this Commission is satisfied that these principles are upheld in the compensation, benefits and allowances that are provided to Members of the NWT Legislative Assembly. The need to keep these public expenditures accountable and transparent is built into the day-to-day process of paying MLAs and reimbursing them for job-related expenditures.

Indeed, the very fact that the NWT Legislative Assembly has seen fit to legislate a requirement that an independent commission review the system of remuneration and allowances is part of the process of ensuring accountability and transparency. This is an indication that our MLAs are committed to upholding these principles. The compensation and benefits packages for MLAs are comparable to those in other Canadian jurisdictions and we conclude that NWT MLAs are being fairly compensated for the work they do. We also conclude that regional cost differentials are, in most cases, adequately addressed through the specific benefits and allowances designed to take these regional disparities into account. The recommendations we have made are adjustments to a system that is essentially sound.

IV RECOMMENDATIONS

Recommendation No. 1: That steps be taken to repeal the provision in Section 15(4) of the Northwest Territories Act that the first \$1,000 of an MLA's Basic Indemnity is non-taxable.

Recommendation No. 2: The Indemnity for the Chair of the Standing Committee on Rules and Procedures be reduced to the same amount as the Indemnity for a Chair of a Special Committee: \$2,943.

Recommendation No. 3: That summaries of members' absences be prominently displayed on the Legislative Assembly's website immediately after each session and that a link be set up on the Government of the Northwest Territories home page to point to the reports.

Recommendation No. 4: That summaries of members' absences be published annually in a territory-wide newspaper.

Recommendation No. 5: That the non-taxable non-accountable Allowance for Expenses continue to be paid separately from an MLA's indemnity so that MLAs do not make the mistake of regarding this Allowance as part of their indemnities.

Recommendation No. 6: That the Transition Allowance paid to a former Member be discontinued as soon as he/she begins to collect a pension for his/her service as an MLA.

Recommendation No. 7: That the intent of the Sessional Travel entitlement — to recreate the family unit as it exists under normal circumstances when a Member is living in his/her home community — be clarified in the Members' Handbook.

Recommendation No. 8: That promotional items be restricted to mouse pads; calendars; refrigerator magnets; office note pads; beverage containers (coffee mugs, glasses, water bottles, thermos bottles); pens; key chains; hats; calculators; CD holders; tote bags; Christmas cards and that each item shall not exceed the value of \$20 per item if manufactured in the NWT and \$10 if manufactured outside of the NWT.

Recommendation No. 9: That the Board of Management reviews the list of permitted promotional items on an annual basis.

Recommendation No. 10: That a provision for holding three constituency meetings in each community per year at a cost of \$500 per meeting to a maximum of \$1,500 per community be included in the Constituency Travel Expense. MLAs will only be able to access these funds if the meetings are actually held.

Recommendation No. 11: That MLAs who are travelling on business be reimbursed for non-commercial accommodation if they provide a sworn declaration that details where they stayed and when they stayed there and the reimbursement does not exceed the amount authorized by the GNWT for this type of accommodation.

Recommendation No. 12: That the provisions granting vacation and sick pay to Ministers be repealed and that Ministers not be paid out for the leave they have collected so far.

Recommendation No. 13: That determination of Ministerial Benefits should not be made by Cabinet but, instead, these benefits should be publicly debated and approved by the NWT Legislative Assembly.

Recommendation No. 14: That the Government of the Northwest Territories, or any of its boards and agencies, be prohibited from employing or entering into any contract with a former Minister of the NWT Government for a period of one year after that Minister leaves service as Minister unless the contract or employment has been approved by the Conflict of Interest Commissioner.

Recommendation No. 15: That the NWT Legislative Assembly be prohibited from employing or entering into any contract with a former Speaker of the NWT Legislative Assembly for the period of one year after that Speaker leaves service as Speaker unless the contract or employment has been approved by the Conflict of Interest Commissioner.

Recommendation No. 16: That former Ministers be prohibited, for a period of one year after leaving the office of Minister, from accepting employment or contracts with the Government of the Northwest Territories, or any of its boards or agencies and that former Ministers be prohibited, for the period of one year after leaving the office of Minister, from accepting employment, contracts with, or other benefits from any corporation that has contracts with the Government of the Northwest Territories, or any of its boards or agencies, that are more than \$25,000 in value unless the contract or employment has been approved by the Conflict of Interest Commissioner.

Recommendation No. 17: That a former Speaker be prohibited from accepting employment or entering into a contract with the NWT Legislative Assembly for the period of one year after leaving office as Speaker unless the contract or employment has been approved by the Conflict of Interest Commissioner.

Recommendation No. 18: That the Government of the Northwest Territories, or any of its boards or agencies, be prohibited from awarding sole source contracts to former Ministers for a two year period after the Minister leaves office as Minister unless that contract is approved by the Conflict of Interest Commissioner.

Recommendation No. 19: That legislation is enacted to ensure that the recommendations of the future Commissions to Review Members' Compensation and Benefits be legally binding.

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VII APPENDICES

Appendix 1: News Releases

Members Appointed to the Independent Commission to Review Members' Compensation and Benefits

(Yellowknife, NT) September 8, 2009 – The Honourable Paul Delorey, Speaker of the Legislative Assembly, on the recommendation of the Board of Management, has appointed three members to the Independent Commission to Review Members' Compensation and Benefits.

Garth Malakoe of Yellowknife was appointed Chair of the Commission and Marion Berls of Fort Smith and Leon Lafferty of Behchoko have been appointed as Commissioners. "Each of the individuals who have been appointed to this Commission are very well suited to undertake this review," said Mr. Delorey. "We look forward to hearing their recommendations in the near future."

The review, to be undertaken within two years of a general election, of the indemnities, allowances, expenses and benefits provided to Members of the Legislative Assembly is a statutory requirement of the Legislative Assembly and Executive Council Act. The Commission, established under the Act, will review and assess Members' various benefits to determine the adequacy and appropriateness of the amounts provided and will review and assess the reporting requirements and procedures to determine an acceptable level of public accountability.

Within six months of the establishment of the Commission, a report will be delivered to the Speaker that may set out recommendations for changes to the indemnities, reimbursements, and all other benefits to which Members are entitled. These recommendations must be debated and formally adopted by the Legislative Assembly before taking effect.

For further information, contact:

Paul Delorey, Speaker
Legislative Assembly of the NWT
P: 867-669-2234 or toll-free 1-800-661-0784
E: paul_delorey@gov.nt.ca

February 9, 2010

New Member Appointed to the Independent Commission to Review Members' Compensation and Benefits

(Yellowknife, NT) February 9, 2010 – The Honourable Paul Delorey, Speaker of the Legislative Assembly, has appointed a new member to the Independent Commission to Review Members' Compensation and Benefits.

Garth Malakoe of Yellowknife was appointed Chair of the Commission in September 2009, but has since been appointed as a Judge of the Territorial Court and has resigned from the Commission. The Speaker has appointed Mr. Edward W. Gullberg to fill the vacancy.

Mr. Gullberg was called to the bar in 1987 and has since practiced law in the Northwest Territories and Nunavut. Mr. Gullberg's areas of experience include: real estate transactions, incorporations, foreclosures, municipal issues, and acquisitions and sales of businesses. "Mr. Gullberg brings a lot of expertise to the table and the Commission is fortunate to have him as a member," says Speaker Delorey. "The Commission was to deliver a report to the House in March 2010, but since this resignation, the deadline for that report has been extended to May 5, 2010."

Mr. Gullberg joins the other two Commission members, Mr. Leon Lafferty of Behchokó and Marion Berls of Fort Smith.

For further information, contact:

Paul Delorey, Speaker
Legislative Assembly of the NWT
P: 867-669-2234 or toll-free 1-800-661-0784
E: paul_delorey@gov.nt.ca

Appendix No. 2 – Biographies of Commissioners

Leon Lafferty – Commission Chair

Leon Lafferty was born and raised in Fort Rae, NWT which was known as Rae-Edzo for 24 years and has been known as Behchoko since 2005. Mr. Lafferty is self-employed and has been in small business since 1996. Leon has served as a Member of the NWT Legislative Assembly for four years (1999-2003) and as chief of Behchoko and the Tlicho government for four years (2005-2009).

Leon Lafferty was employed with the hamlet of Rae-Edzo for 26 years prior to getting into territorial politics and has served on all the local boards as a member or in the capacity of chairperson, (recreation, school, housing, dogmushers), and as band councilor.

Leon also served as the fire chief for 21 out of the 25 years as part of the Rae volunteer fire department. Leon was a volunteer ambulance driver as part of the fire department and also as assistant coroner. Leon Lafferty has played and coached all the minor and adult sports in his community for over 20 years and supports all sports.

Marion Berls - Commissioner

Marion Berls has lived in the Northwest Territories for over 30 years, primarily in Fort Smith but also for short periods of time in Fort Providence and Yellowknife. She currently works for Wood Buffalo National Park in Fort Smith.

Marion has served on numerous volunteer boards in Fort Smith, including minor hockey, figure skating, the arts society, the Health and Social Services Board and the Northern Life Museum. She has volunteered for the ambulance service in the past and is presently a coroner. She has served as a town councillor for 9 years, including a year as deputy mayor and was also on the board of directors for the NWT Association of Communities. Marion is also currently on the Board of Directors for the Fort Smith Housing Authority.

Edward Gullberg, Commissioner

Ed is a partner with McLennan Ross practising in the areas of commercial, banking corporate commercial securities and municipal law. His experience includes real estate transactions (commercial and residential), incorporations, foreclosures, municipal issues and acquisitions and sales of business.

He has represented corporate and individual clients at all levels of court in the Northwest Territories and Nunavut. Ed is listed in *Best Lawyers in Canada* under Corporate Law.

Ed attended the University of Manitoba, where he obtained his Bachelor of Arts degree in 1982. He obtained his Bachelor of Laws degree from the University of Alberta in 1986. He was admitted to the Bar of the Northwest Territories in 1987 and the Nunavut Bar in 1999

Appendix No. 3 – Advertisements

Independent Commission to Review Members' Compensation and Benefits

What Do You Think About MLAs' Salaries and Benefits?

MLAs get paid a base salary of \$94,331.

They get more if they are Ministers, Speakers or Committee Chairpersons.

Is this the right salary for an MLA?

MLAs are allowed to buy promotional items that are worth \$30 or less to hand out to their constituents. But they can only buy certain items.

Should MLAs be allowed more leeway to buy promotional items?

Ministers who are not re-elected can get government contracts right away, as long as the contracts don't involve a department they headed as Minister.

They can also be contracted by private sector firms as lobbyists.

Should there be tougher guidelines on what former Ministers do after they leave office?

The Independent Commission to Review Members' Compensation and Benefits is looking at what MLAs get paid, the allowances they get to do their jobs and the rules they follow. We invite public submission on the issues listed above or any other issue related to salaries, allowances and rules for MLAs.

We are taking both written and oral submissions.

Please address written submissions to:

Independent Commission to Review Members' Compensation and Benefits,
P.O. Box 939
4902 – 49th Street
Yellowknife, NT X1A 2N9

If you would like to make an oral submission, please call

Commission Member Leon Lafferty
at (867) 392-6887 or (867) 392-6573
between 9 am and 5 pm, Monday to Friday.

You can also e-mail us at info@nwtmlapay.ca

Deadline for submissions is February 12, 2010.

For more information on what compensation and benefits MLAs currently receive, or the work of the Commission, please visit our web site at www.nwtmlapay.ca

Public Service Announcement

January 12, 2010

What do you think about MLAs' salaries and benefits?

The Independent Commission to Review Members' Compensation and Benefits wants your input about the salaries, allowances and rules for Members of the Northwest Territories Legislative Assembly.

The Commission is taking both written and oral submissions.

Please send written submissions to the Commission at:

P.O. Box 939
4902 – 49th Street
Yellowknife, NT X1A 2N9

For oral submission please call Commission Member Leon Lafferty at 867-392-6887 or 867-392-6573 between 9 a.m. and 5 p.m., Monday to Friday.

Deadline for submissions is **February 12, 2010**.

For more information see the website at **www.nwtmlapay.ca**

Appendix No. 4 – Website Snapshots



The screenshot shows the homepage of the Independent Commission to Review Members' Compensation and Benefits. The header features the commission's logo, name, and members: Garth Malakoe (Chair), Leon Lafferty, and Marion Berls. A navigation menu on the left includes links to Home, Terms of Reference, Members Pay Summary, Members Expenses Summary, Commissioners Biographies, News Releases, Acts and Regulations, Other Jurisdictions, and Contact. The main content area contains three paragraphs: the first describes the commission's mandate; the second lists its members and their appointment; the third states the commission's current goal of seeking public input. Below this is a list of source documents and a contact instruction. A 'BACK TO TOP' button is in the footer.

Independent Commission to Review Members' Compensation and Benefits

Garth Malakoe (Chair) • Leon Lafferty • Marion Berls

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The Independent Commission to Review Members' Compensation and Benefits is tasked with assessing and reviewing the indemnities, allowances, expenses and benefits provided to Members of the 16th Legislative Assembly. The establishment of the Commission addresses a legislated requirement of the *Legislative Assembly and Executive Council Act* for a review within two years after a general election. This body is independent of the Legislative Assembly.

The Independent Commission is made up of three individuals appointed by the Speaker of the Legislative Assembly. Mr. Garth Malakoe has been appointed Chair of the Commission and Mr. Leon Lafferty and Mrs. Marion Berls are the other Commission members. Within six months of the establishment of the Commission, a report must be delivered to the Speaker that sets out recommendations for changes it determines should be made to the indemnities, reimbursement of expenditures, and all other benefits of Members.

The Commission will be seeking public input and soliciting Members' submissions in the preparation of its report to the Speaker.

Summary information for this website was obtained from the following documents:

- *Legislative Assembly and Executive Council Act*
- *Indemnities, Allowances and Expense Regulations*
- Ministerial Benefits Policies
- The Board of Management Policies
- *Legislative Assembly Retiring Allowance Act*
- *Supplementary Retiring Allowances Act*
- The Legislative Assembly of the Northwest Territories "Members Handbook" October 2007

For further information on these documents, please [contact](#) the Commission.

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Terms of Reference

Pursuant to Section 35.1 of the *Legislative Assembly and Executive Council Act*, within two years after the polling day for a general election, the Speaker, on the recommendation of the Board of Management, shall establish an independent commission and appoint as its members three individuals who are independent, neutral, and knowledgeable.

The last comprehensive review of Members' compensation and benefits occurred in 2005 with a report tabled in March 2006. The recommendations from this report resulted in a number of changes to legislation, regulations and Board of Management policies.

1. PURPOSE

The Commission shall:

- Review and assess the indemnities, additional indemnities, allowances, expenses and benefits provided to Members to determine the adequacy and appropriateness of the amounts provided by way of:
 1. *Legislative Assembly and Executive Council Act*
 2. *Indemnities, Allowances and Expense Regulations*
 3. *Legislative Assembly Retiring Allowances Act*
 4. *Supplementary Retiring Allowances Act*
 5. *Board of Management Policies; and*
 6. *Ministerial Benefits Policies*
- Review and assess specific items referred to the Commission by the Board of Management;
- Review and assess the reporting requirements and procedures for Members' expenditures to determine the level of accountability acceptable to the public, and;
- Review any other matter that the Commission considers relevant respecting the compensation, allowances, and benefits provided to all Members, and;
- Provide to the Speaker a report setting out any recommendations for change that the Commission determines should be made to Members' indemnities, allowances, reimbursements, and other benefits.

2. GUIDING PRINCIPLES

1. No Member should seek to serve in public office for purely financial gain. Although reasons may vary considerably, the underlying motivation for election must be to serve and improve the well-being of the people of the Northwest Territories.
2. The system of remuneration must be transparent, open, and provide an easy-to-understand system of remuneration to the Members of the Legislative Assembly, while providing a high degree of accountability to the people they serve.
3. Remuneration packages, particularly with respect to living, travel and transportation costs, need to be sensitive to the regional differences of job-related expenses in order to ensure these factors do not become prohibitive for any Member to represent their constituents.
4. The requirement to be available and accountable 24 hours a day, seven days a week, coupled with the lack of job security associated with an election every four years, ensures that only certain individuals can consider running for public office. A position of such importance in our democratic system, with such wide-ranging responsibility, should be fairly compensated in order to attract qualified and committed individuals.

3. COMPOSITION

The Commission shall consist of three individuals who are independent, neutral, and

knowledgeable. Preferably, the Commission shall consist of a former Member, a professional with relevant financial or legal designations and experience, and an interested member of the public. Appointments to the Commission will also take into account regional representation within the NWT.

The Speaker, on the recommendation of the Board of Management, shall appoint one of the three Commission Members to serve as Chair.

4. RESPONSIBILITIES

The Commission will be responsible for:

- Collecting and analyzing research materials from previous Commissions, other legislative jurisdictions and positions of comparable responsibility within the public and private sectors.
- Seeking public input and soliciting Members submissions.
- Reviewing and making recommendations on the following areas of Members' remuneration or any other areas the Commission considers relevant, including, but not restricted to:
 - Indemnities Payable to Every Member;
 - Indemnities Payable to Office Holders;
 - Non-taxable Allowance for Expenses;
 - Constituency Work Expense Allowance and Permissible Expenditures;
 - Duty Travel & Meals;
 - All Travel Allowances;
 - Northern Living Allowance;
 - Leave and Vacation Allowance;
 - Transition Allowance;
 - Pension & Benefits Entitlements;
 - Telecommunications & Computer Equipment Allowances;
 - Acquisition of Office Inventory Items on Expiry of Office;
 - Capital Accommodation and Furniture Allowances;
 - Automatic Adjustment to All Allowances; and
 - Specific Items Referred by the Board of Management.

5. REPORT

The Commission shall, within six months after the day the Commission is established, deliver a report to the Speaker that sets out any recommendations for change it determines should be made to the indemnities, allowances, reimbursements, and all other benefits to which Members are entitled.

6. FINANCE AND ADMINISTRATION

The Clerk of the Legislative Assembly will provide administrative services and support to the Commission as required. The Commission may seek the assistance of consultants to provide it with advice and analysis and to ensure an arms-length relationship with the Legislative Assembly.

The Speaker, on the recommendations of the Board of Management, will approve funding for the Commission. The Commission will ensure expenditures do not exceed the allotted funds.

7. REMUNERATION

The Speaker, on the recommendations of the Board of Management, may approve honoraria and reasonable expenses to attend meetings for Members of the Commission, including the Chair.

8. TERMINATION

An appointment of an individual to the Commission terminates on the day the report is laid before the Legislative Assembly, unless the appointment is earlier revoked or otherwise terminated.



Independent Commission to Review Members' Compensation and Benefits

Garth Malakoe (Chair) • Leon Lafferty • Marion Berls

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Salaries (Effective April 1, 2009)

Basic Indemnity or Salary (for all elected Members) \$94,331
(The first \$1000 is non-taxable)

Additional Duty Payments:

Speakers Indemnity	\$41,059
Premier	\$71,474
Minister	\$50,487
Deputy Speaker	\$6,643
Deputy Chairperson of Committee of the Whole	\$3,986
Chairperson of a Standing Committee	\$5,886
Chairperson of Caucus	\$ 2,943

Northern Allowance

The allowance was established to offset the higher cost of living in northern Canada and is determined by their home community.

The Member's Basic Indemnity for extra duties are automatically adjudicated each year by the percentage increase or decrease in the Consumer Price Index

The **lowest** amount that an elected Member can earn would be a Regular Member from Yellowknife with no additional titles: **\$94,331(salary) + \$3,450(YK northern allowance) = \$97,718.**

The **maximum** that an elected Member could earn would be a Premier from any community (since Ministers are deemed residents of Yellowknife): **\$94,331(salary) + \$71,740(Premier's indemnity) + 3,450(northern allowance) = \$269,255.**

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Benefits

GNWT Accidental Death and Dismemberment-Duty Travel

This is available to Ministers/MLAs on a 24 hour a day, year round basis, as long as they are not the pilot of an aircraft or a member of the crew. The maximum compensation that will be paid for accidental death and dismemberment is \$200,000.00.

Public Service Management Insurance Plan (PSMIP)

This insurance plan has four parts.

1. Basic Life - two years of basic salary;
2. Supplementary Life - one year of basic salary;
3. Accidental Death and Dismemberment - Coverage is available up to a maximum of 10 units at \$25,000 each (maximum benefit is \$250,000 for accidental death or an appropriate percentage payable for dismemberment); and
4. Dependants' Insurance - both life insurance and accidental death and dismemberment benefits (double indemnity) of \$5,000 for one's spouse and \$2,500 for each dependant child over 14 days.

Public Service Health Care Plan (PSHCP)

PSHCP is a supplementary health care plan. Participation, including the level of coverage is optional. Premiums for Level I coverage are paid by the Legislative Assembly. The MLA and the Legislative Assembly share premiums for Level II and Level III.

This insurance provides 80% reimbursement for all eligible expenses, subject to a yearly deductible of \$60 for single coverage and \$100 for family coverage.

This insurance provides extended health care benefits (in addition to the Northwest Territories Health Care) for specialist services, prescription drugs, vision care, rental of hospital equipment, nursing assistance, ambulance services, etc. Hospital benefits are also available and there is reimbursement for the cost of semi-private or private rooms up to \$60 per day under Level I, \$100 per day under Level II and \$150 per day under Level III.

Note: All PSMIP insurance plans are optional. Premiums are based on age and basic salary and are deducted from salary.

Dental Plan

The plan provides a MLA with 100% reimbursement for all eligible expenses subject to a yearly maximum and subject to a yearly deductible of \$25 for single coverage and \$50 for family coverage. Major restorative work (crowns, bridges, dentures, etc.) is reimbursed at 50%.

The plan provides orthodontic coverage for dependants under the age of 19. Reimbursement is limited to 50% of actual costs, to a maximum of \$3,000 per dependant per lifetime.

Transition Allowance

Members of the Legislative Assembly are entitled to a Transition Allowance when they resign as Members of the Legislative Assembly or when the Assembly they are serving in is dissolved or ended by the passage of time, and the Member does not become a Member of the subsequent Legislative Assembly. The Transition Allowance is equal to:

One months salary (\$7,860) x years of Service - to a maximum of 12 months.

For example, a Member that completes a full term of office in the 16th Legislative Assembly (2007-11) would receive \$7,860 x 4 years = **\$31,440** in the form of a lump sum payment or spread over 4 months.

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MISCELLANEOUS

Annual Leave and Sick Leave, as described below, apply only to Ministers and not to Regular Members.

Annual Leave

Ministers wishing to take vacation leave must obtain the Premier's approval and make the necessary arrangements for another Minister to stand in for them during their absence.

Ministers receive annual leave credits at the following rate:

Completed years of continuous service	Days earned per year	Equivalent in hours per month
Less than one	21.5	13.4375
One or more, less than 7	26.5	16.5625
7 or more, less than 15	31.5	19.6875
15 or more, less than 20	35.0	21.8750
20 or more	40.0	25.0000

Ministers may accumulate vacation leave credits from year to year with a view to receiving a lump sum, taxable payout during and/or at the conclusion of their term of office. Ministers are required to maintain a record of annual leave taken in order to substantiate requests for a payout that must be submitted to the Secretary to Cabinet. The years of service are the years of Ministerial service plus the years of service as a GNWT civil servant.

Sick Leave

Sick Leave is earned at the rate of 9.375 hours for each month in which the Minister receives ten days of pay. Credits can be earned from year to year but cannot be claimed at the conclusion of a Minister's term of office. Ministers should notify the Premier and make the necessary arrangements for another Minister to stand in for them in their absence.

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Pension

Legislative Assembly Retiring Allowances Fund

Members are required to join the plan as soon as they are elected. They contribute 6.5% of their pensionable income. The pension becomes vested with the member after serving 1 term or 4 years, whichever comes first.

Members who retire at the Retirement Age, or later, will receive 2% of their final average earnings for each year of service, multiplied by the years of service (maximum of 30 years). Final average earnings are the average of a Member's best four years of pensionable earnings. The Retirement Age is defined as 60 years or 30 years of service or a combination of age and service equal to 80.

The pension provided under this plan increases with the cost of living as measured by the Consumer Price Index.

If a Member with a spouse dies after completing 4 years of service, the spouse will receive an allowance for his/her lifetime. The spouse will receive 100% for the first sixty months after a pension has commenced payment and once the 60 months is up, they will receive 66 2/3%. For example, in scenario 1, if a retired Member begins drawing down on his or her pension and has received that pension for sixty months and then passes away, the spouse will only be eligible for 66 2/3%. In scenario 2, if a retired Member begins drawing down on his or her pension and has received that pension for 20 months and then passes away, the spouse will receive 100% for 40 months and then 66 2/3%. In other words, the eligibility for 100% is based on when payments commence from the fund regardless of who it is paid to. If a Member has more than two dependent children, the maximum they can receive as a group is 25% of the Member's pension. Children qualify as dependents if they are under the age of 25 and are in full time attendance at a post secondary school of education.

Supplementary Retiring Allowances Fund

Members of the Legislative Assembly are also given an option to enroll in a Supplementary Retiring Allowances Plan, which requires them to contribute at 2.5% of pensionable income. Members who enroll in this Supplementary Plan will receive an additional 2% of their final average earnings for each year of service. In other words, a Member who is enrolled in both plans is accumulating 4% per year of service.

Members that decide not to join the new plan are given the option to opt into the plan within 60 days of being sworn in as a Member of each successive Legislative Assembly of which they become a Member.

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Living Allowances (Effective April 1, 2009)

Non-taxable Allowance

All Members are entitled to a non-taxable expense allowance to cover the cost of things like meals, transportation and dry-cleaning while in the Capital for session or Committee work:

- **\$6,797** per annum for Ministers and Yellowknife Members
- **\$13,594** per annum for Members outside commuting distance of the Capital

Regular Members and the **Speaker** are Eligible for the following:

Capital Accommodation Allowance

- **\$29,500 – maximum** per annum to cover the cost of secondary accommodation in the Capital (receipts are required)

Cabinet Ministers and the **Premier** are entitled to the following Expenses:

Housing Allowance

- **\$46,000** – maximum amount per annum to cover temporary accommodation including lease costs and the costs of utilities and furniture rental for those Ministers that have been forced to relocate from their home community to Yellowknife. Ministers are deemed residents of Yellowknife. (receipts are required)

Relocation Assistance

Upon appointment to the Executive Council, Ministers (and their dependants) from communities not within commuting distance of Yellowknife, who reside in temporary accommodation in Yellowknife, are entitled to relocation assistance from their home constituency to Yellowknife, at the same level of assistance provided to senior managers in the Government of the Northwest Territories. This includes packaging and shipment of personal effects as well as travel costs.

Removal Assistance

Outgoing Ministers (and their dependants) who do not own their own home in Yellowknife are entitled to removal assistance from their residence (including personal effects from the Minister's office) in Yellowknife, at the same level as provided to senior managers in the Government of the Northwest Territories.

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Constituency Allowances (Effective April 1, 2009)

Constituency Expense Allowance

Constituency Budgets vary by region but are established to cover the cost of work related to the representation of constituents. These budgets were based on a number of factors including, cost of living, transportation costs, distance between communities, wages for support staff, office supplies etcetera. Constituency Budget figures are adjusted on April 1st each year according to the percentage change in the Consumer Price Index between the previous year and the calendar year prior to that. The types of expenses which may be reimbursed as a Constituency Expense are listed in Section 11 of the *Indemnities, Allowances and Expense Regulations*.

see Schedule to the *Indemnities, Allowances and Expense Regulations*

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Travel Allowances (Effective April 1, 2009)

Home Travel Allowance

A Regular Member can be reimbursed for the actual and reasonable cost of return transportation for up to 5 trips between Yellowknife and their home community. This travel can either be used by the Member or a family member who lives in that place.

Spousal Travel

Regular Members may invite their spouse to travel on charter aircraft except in cases where the spouse's inclusion would require the contracting of a larger capacity aircraft. This travel is only permissible where the spouse or family member will be assisting the Member on official business as a Member.

Sessional Travel by Spouse

During each sitting of the Legislative Assembly, each Member is entitled to be reimbursed for the actual and reasonable cost of return transportation for the Member's spouse or another person designated by the Member, between the place of the sitting and the place where the Member lives. This benefit is restricted to one trip per sitting.

Eight Sitting Day Entitlement

After a Member has attended a sitting or meetings of a committee of the Legislative Assembly for eight consecutive days, the Member is entitled to be reimbursed for the actual and reasonable cost of return transportation for either the Member, the Member's spouse or a person designated by the Member, to travel between the place where the Member lives and the place of the sitting or the meetings.

Ministerial Home Travel Allowance

A Minister may determine by what means and how frequently he or she travels between the capital and their home community, but total annual expenses reimbursed shall not exceed the global home travel budget for all Ministers which is established based on the estimated cost of 32 return trips between the Minister's home community and Yellowknife. Home travel costs include travel and accommodation costs, as well as costs for meals and incidentals. The Home Travel Allowance for a Minister may be used by the Minister's spouse and dependent children.

Spousal Travel for Ministers

Ministers may invite their spouse to travel on charter aircraft except in cases where the spouse's inclusion would require the contracting of a larger capacity aircraft. Travel expenses, (meals, incidentals, taxis) incurred are reimbursed at duty travel per diem rates. Ministers may invite their spouses to travel with them while on government business at government expense on scheduled flights provided the purpose of such travel meets the following criteria:

- Attendance by the Minister is required or expected in the usual performance of his/her executive or portfolio responsibilities
- Protocol suggests that a spouse accompany a Minister.

Constituency Tours

All Members representing constituencies that include more than one community will be reimbursed for up to five trips to each community each fiscal year. Members will also be reimbursed under this entitlement for a total of 15 nights accommodation, per community, per fiscal year, as well as the accompanying daily costs as they relate to transportation, meals and incidentals.

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2009 Comparison of MLA Salaries Across Canada

Jurisdiction	Basic Salary 2009-10	MLA Total Salary	Premier Additional Salary	Premier Total Salary	Minister Additional Salary	Minister Total Salary	Speaker Additional Salary	Speaker Total Salary
Canada	157,731	157,731	157,731	315,462	75,516	233,247	75,516	233,247
Senate	132,300	132,300	-	-	-	-	55,200	187,500
BC	101,859	101,859	91,673	193,532	50,930	152,789	50,930	152,789
AB ¹	52,092	78,138	81,312	159,450	63,912	142,050	63,912	142,050
SK	87,195	87,195	63,416	150,611	44,393	131,588	44,393	131,588
MB	85,564	85,564	69,930	155,494	45,931	131,495	45,931	131,495
ON	116,500	116,500	92,424	208,924	49,301	165,801	36,364	152,864
QC ¹	85,388	100,371	89,657	190,028	64,041	164,412	64,041	164,412
NB	85,000	85,000	79,000	164,000	52,614	137,614	52,614	137,614
NS	86,619	86,619	109,484	196,103	47,608	134,227	47,608	134,227
PEI	65,344	65,344	71,094	136,438	45,688	111,032	38,474	103,818
NL	102,985	102,985	81,330	184,315	58,964	161,949	58,398	161,383
YT ¹	67,891	80,947	52,224	133,171	36,557	117,504	26,112	107,059
NT ¹	94,331	101,128	71,745	172,873	50,487	151,615	41,059	142,187
NT (Non-YK) ¹	94,331	107,925	-	-	-	-	41,059	148,984
NU	77,564	77,564	79,321	156,885	66,770	144,334	66,770	144,334

¹ Total MLA salary includes a tax-free allowance

Note:

Salary figures for Members of NWT Legislative Assembly does not include amounts for Northern Living Allowance. Northern living allowance is provided to each Member based on the community in which the Member normally resides at the rates prescribed in the Union of Northern Workers collective agreement.

Ministers and the Premier are considered to reside in Yellowknife and receive one tax-free allowance and Yellowknife northern allowance rates.

Members of the NWT Legislative Assembly receive their first \$1,000 tax free.

Additional Allowances

Jurisdiction	Deputy Speaker	Committee of Whole	Chair	
			Caucus	Standing Committee
Canada	39,179	15,834	11,165	11,165
Senate	-	-	6,500	11,100
BC	35,561	20,372	20,372	15,279
AB	31,968	15,984	-	3,500
SK	12,974	6,487	-	12,974
MB	9,047	6,462	5,570	3,880
ON	17,249	12,704	14,569	16,317
QC	29,886	-	21,347	21,347
NB	26,307	-	55,300	-
NS	23,804	-	10,300	-
PEI	19,237	-	-	-
NL	29,199	20,532	15,036	15,036
YT	10,445	-	-	-
NT	6,643	3,986	2,943	5,886
NU	7,782	4,518	2,636	-

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MLAs interviewed by the Commission

Wendy Bisaro (Frame Lake)

Glen Abernethy (Great Slave)

Paul Delorey (Hay River North)

David Ramsay (Kam Lake)

David Krutko (Mackenzie Delta)

Kevin Menicoche (Nahendeh)

Norman Yakeleya (Sahtu)

Michael Miltenberger (Thebacha)

Tom Beaulieu (Tu Nedhe)

Bob Bromley (Weledeh)

Robert Hawkins (Yellowknife Centre)

Bob McLeod (Yellowknife South)

**The Commission also met with the Standing Committee on Priorities and Planning with is composed of all the regular MLAs.

Appendix No. 6 – Summary of Members’ Absences

TABLED DOCUMENT 15-16(5) TABLED ON MARCH 24, 2010

**16th Legislative Assembly
of the Northwest Territories**

**16^e Assemblée législative
des Territoires du Nord-Ouest**

**SUMMARY OF MEMBERS’ ABSENCES
FOR THE PERIOD:**

**RELEVÉ DES ABSENCES DES DÉPUTÉS
POUR LA PÉRIODE:**

February 27, 2010 – March 22, 2010

du 27 février 2009 au 22 mars 2010

Tabled by the Authority of the
Speaker pursuant to Section 5 of the
Indemnities, Allowances and Expense Regulations
of the *Legislative Assembly and Executive Council Act*

Déposé avec l'autorisation du
président en vertu de l'article 5 du
Règlement sur les indemnités, les allocations et les dépenses
de la *Loi sur l'Assemblée législative et le Conseil exécutif*

SUMMARY - RELEVÉ

Committee Meetings Convened Between
February 27, 2010 – March 22, 2010

Réunions des comités tenues entre
le 27 février 2010 et le 22 mars 2010

<u>Session / Board / Committee-Session / Bureau / Comité</u>	<u>Total Assembly Meetings / Days to Date - Nombre total de séances/journées jusqu'à présent</u>
Session - Session	4/4
Board of Management (BOM) - Bureau de régie (BR)	0/0
Standing Committee on Priorities and Planning (P&P) - Comité permanent des priorités et de la planification (P&P)	8/5
Standing Committee on Economic Development and Infrastructure (EDI) - Comité permanent du développement économique et de l'infrastructure (DEI)	2/2
Standing Committee on Rules and Procedures (R&P) - Comité permanent des règles et des procédures (R&P)	0/0
Standing Committee on Social Programs (SP) - Comité permanent des programmes sociaux (PS)	2/2
Standing Committee on Government Operations (GO) - Comité permanent des opérations gouvernementales (OG)	1/1
Territorial Leadership Committee (TLC)- Comité territorial chargé des postes de leadership (CTL)	0/0

16th Legislative Assembly
Summary of Members' Absences
for the Period February 27, 2010 – March 22, 2010

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16^e Assemblée législative
Relevé des absences des députés
pour la période du 27 février 2010 au 22 mars 2010

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Member - Député	Date of Absence - Date de l'absence	Session/Committee Session/Comité	Reason for Absence - Motif de l'absence	Members Comments (optional) - Commentaires des députés (facultatifs)
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Glen Abernethy	10-03-02	P&P – P&P Session - Session	Illness, injury or bereavement - Maladie, blessure ou deuil	
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Tom Beaujieu	10-03-04	Session - Session	Personal Reasons - Raisons personnelles	
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Jackie Jacobson	10-03-01	P&P – P&P Session - Session	Personal Reasons - Raisons personnelles	
	10-03-02	P&P – P&P	Personal Reasons - Raisons personnelles	
	10-03-22	P&P – P&P	Personal Reasons - Raisons personnelles	

Jackson Lafferty	10-03-03	Session - Session	Duty as a Member, Minister, Premier or Speaker - Fonctions de député, ministre, premier ministre ou président	
	10-03-04	Session - Session	Duty as a Member, Minister, Premier or Speaker - Fonctions de député, ministre, premier ministre ou président	

**ADDITIONAL OPTIONAL MEETINGS
ATTENDED BY MEMBERS
FOR THE PERIOD:**

**AUTRES RÉUNIONS FACULTATIVES
AUXQUELLES ONT ASSISTÉ DES DÉPUTÉS
POUR LA PÉRIODE:**

**February 27, 2010 – March 22, 2010
du 27 février 2009 au 22 mars 2010**

Member - Député	Date of Attendance Date de présence	Committee - Comité
Glen Abernethy	10-03-03	EDI – DEI

Tom Beauieu	10-03-02	EDI – DEI
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*16th Legislative Assembly
Summary of Members' Absences
for the Period February 27, 2010 – March 22, 2010*

*16^e Assemblée législative
Relevé des absences des députés
pour la période du 27 février 2010 au 22 mars 2010*

Member - Député	Date of Attendance Date de présence	Committee - Comité
Wendy Bisaro	10-03-01	GO - OG
	10-03-02	EDI - DEI
	10-03-03	EDI - DEI

Bob Bromley	10-03-01	GO - OG
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Jane Groenewegen	10-03-02	EDI - DEI
	10-03-03	EDI - DEI

Jackson Lafferty	10-03-02	EDI - DEI
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Member - Député	Date of Attendance Date de présence	Committee - Comité
Michael McLeod	10-03-02	EDI – DEI

Kevin Menicoche	10-03-02	EDI – DEI (alternate)
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Dave Ramsay	10-03-01	GO - OG
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Appendix No. 7 – Annual Rates for Northern Allowance

85

(iii) No Allowance will be paid for overtime.

- 41.02 (a) The Union and the Employer agree that the methodology used to calculate the Northern Allowance shall form part of the Collective Agreement.

The Annual rates for Northern Allowance **effective April 1, 2009** are as follows:

Community	Effective April 1, 2009 Rates
Aklavik	19,204
Behchoko	4,993
Colville Lake	20,844
Dawson City	8,176
Deline	19,146
Dettah	3,464
Enterprise	5,830
Fort Good Hope	18,928
Fort Liard	7,456
Fort McPherson	15,710
Fort Providence	7,576
Fort Resolution	8,982
Fort Simpson	10,191
Fort Smith	5,965
Gameti	13,871
Hay River	5,800
Hay River Reserve	5,818
Inuvik	14,121
Iqaluit	14,236
Jean Marie River	11,831
Kakisa	7,488
Lutselk'e	15,088
Nahanni Butte	15,380
Norman Wells	15,142
Paulatuk	22,401
Rankin Inlet	18,303
Sachs Harbour	22,944
Trout Lake	19,068
Tsiigehtchic	15,661
Tuktoyaktuk	19,473
Tulita	17,393
Ulukhaktok	24,270
Wekweeti	13,648
Whati	13,614
Wrigley	15,426
Yellowknife	3,450

Appendix No. 8 – Constituency Expense Allowances

SCHEDULE

(Section 10)

MAXIMUM AMOUNT PAYABLE FOR EXPENSES RELATED TO CONSTITUENCY WORK -
SECTION 29 OF THE ACT

Name of Electoral District	Maximum Amount
Deh Cho	\$81,469
Frame Lake	\$74,514
Great Slave	\$74,514
Hay River North	\$78,488
Hay River South	\$78,488
Inuvik Boot Lake	\$81,469
Inuvik Twin Lakes	\$81,469
Kam Lake	\$74,514
Mackenzie Delta	\$85,443
Monfwi	\$81,469
Nahendeh	\$84,449
Nunakput	\$88,423
Range Lake	\$74,514
Sahtu	\$87,430
Thebacha	\$79,482
Tu Nedhé	\$81,469
Weledeh	\$74,514
Yellowknife Centre	\$74,514
Yellowknife South	\$74,514

R-077-2004,s.3; R-056-2007,s.15; R-046-2008,s.3; R-047-2008,s.2; R-086-2009,s.2.

Appendix No. 9 – Expenditures on Constituency Assistants

Expenditures by MLAs on Constituency Assistants For the Fiscal Year ended March 31, 2009

Member	Constituency	Expenditure on CA
Michael McLeod	Deh Cho	\$61,890
Wendy Bisaro	Frame Lake	\$55,463
Glen Abernethy	Great Slave	\$52,727
Paul Delorey	Hay River North	\$57,849
Jane Groenewegen	Hay River South	\$59,439
Floyd Roland	Inuvik Boot Lake	\$38,579
Robert C. McLeod	Inuvik Twin Lakes	\$56,839
David Ramsay	Kam Lake	\$52,411
David Krutko	Mackenzie Delta	\$52,606
Kevin Menicoche	Nahendeh	\$56,003
Jackson Lafferty	Monfwi	\$47,052
Jackie Jacobson	Nunakput	\$67,342
Sandy Lee	Range Lake	\$37,180
Norman Yakeleya	Sahtu	\$60,423
Michael Miltenberger	Thebacha	\$51,772
Tom Beaulieu	Tu Nedhe	\$58,695
Bob Bromley	Weledeh	\$44,745
Robert Hawkins	Yellowknife Centre	\$13,946
Bob McLeod	Yellowknife South	\$31,200