



**NORTHWEST TERRITORIES  
LEGISLATIVE ASSEMBLY**

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The Honourable **Samuel Gargan**, Speaker

**MEMBERS PRESENT**

Honourable Jim Antoine, Honourable Charles Dent, Mr. Erasmus, Honourable Sam Gargan, Mrs. Groenewegen, Mr. Henry, Honourable Stephen Kakfwi, Mr. Krutko, Honourable Michael Miltenberger, Mr. Morin, Mr. Ootes, Mr. Rabesca, Honourable Floyd Roland, Honourable Vince Steen.

**ITEM 1: PRAYER**

Oh, God, may your spirit and guidance be in us as we work for the benefit of all our people, for peace and justice in our land and for the constant recognition of the dignity and aspirations of those whom we serve. Amen.

**SPEAKER (Hon. Sam Gargan):**

Thank you, Mrs. Groenewegen. Orders of the day, item 2, Ministers' statements. Mr. Dent.

**ITEM 2: MINISTERS' STATEMENTS**

Minister's Statement 71-13(7): Northern Nurse Honoured

**HON. FLOYD ROLAND:**

Thank you, Mr. Speaker. Mr. Speaker, I am pleased to inform the Members of the Legislative Assembly that three long serving northern nurses have been honoured by their colleagues for their outstanding contribution to health care in the north. Ms. Mary Ellen Hoyles of Yellowknife, Ms. Rosalie Adams of Inuvik and Ms. Faye Stark of Fort Providence were nominated by nurses from across the NWT. Together, these three women have provided over 60 years of dedicated nursing service in the North.

To recognize their achievement, the Department of Health and Social Services sponsored the three nurses to attend the Centennial Conference of the International Council of Nurses in London, England, from June 27 to July 1, 1999. Ms. Sylvia Stard also attended the conference on behalf of the NWT Registered Nurses Association Board of Directors. Ms. Nell Vrolyk, manager of recruitment and retention, attended on behalf of the department. Ms. Vrolyk and Ms. Stard are also long serving northern nurses.

The International Council of Nurses (ICN) is an international organization of national nursing associations. It has over 90 member countries and

represents over one and a half million nurses around the globe. ICN's mission is to provide leadership and assistance in resolving present and future health care needs.

Over 5,000 nurses from member countries attended this year's conference. London was chosen for this special 100th anniversary celebration of the ICN because it is the birthplace of Florence Nightingale; the founder of modern day nursing.

We also learned that we have the display materials, handouts and information packages to be competitive in the global marketplace. Our nurses received many compliments on the quality and attractiveness of our booth display and informational materials from other exhibitors, as well as conference participants. With our high quality recruitment materials, we have now gained exposure as an employer of nurses with the rest of the world.

Mr. Speaker, recognition of northern nurses is an important part of our Recruitment and Retention Strategy. I am happy that we were able to send these outstanding northern nurses to London. I would like to thank them for the job they did to help the department recruit nurses and promote nursing careers in the Northwest Territories. Thank you, Mr. Speaker.

--Applause

**MR. SPEAKER:**

Thank you. Ministers' statements. Mr. Dent.

Minister's Statement 72-13(7): Annual Meeting of Ministers Responsible for the Status of Women

**HON. CHARLES DENT:**

Thank you, Mr. Speaker. Good afternoon. Mr. Speaker, the annual meeting of Federal/Provincial/Territorial Ministers Responsible for the Status of Women was held in Charlottetown, Prince Edward Island, from July 7th to 9th, 1999.

The meeting was co-chaired by the Honourable Hedy Fry, Secretary of State (Status of Women) and the Honourable Patricia Mella, Minister Responsible for the Status of Women for Prince Edward Island. It gave Ministers an opportunity to address a number of issues that continue to work against women achieving full social and economic equality.

Women's economic security continues to be an important issue for Ministers across Canada. In reviewing the report of the House of Commons Finance Sub-Committee on Tax Equity for Canadian Families with Dependent Children, we agreed on the importance of ensuring that all public policy, in particular, tax policy, reflects and supports economic equality for women.

Ministers Responsible for the Status of Women reaffirmed their commitments to eliminating violence against women with the adoption of "Preventing Violence Against Women, A Strategic

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Framework". The framework was developed to guide policy and program development in the area of violence prevention. It is based on a common vision and shared goals and follows the Iqaluit Declaration released by Ministers in December, 1998. The framework describes strategies and initiatives that work across Canada, and the important work at the community level to eliminate violence against women as well as the many consequences of violence. Ministers also agreed to pursue a collaborative approach to address criminal harassment, more commonly known as "stalking".

We agreed to follow up on issues of concern to older women and aging. Some of the major challenges facing the well-being of older women today include low income, care giving responsibilities and health issues. This being the International Year of Older Persons, we discussed the diverse needs of older women and agreed to work collaboratively with Ministers Responsible for Seniors to address these challenges.

This was my first Federal/Provincial/Territorial meeting as Minister Responsible for the Status of Women. I will continue to work with my Cabinet colleagues and the Status of Woman Council of the NWT, the Native Women's Association, as well as representatives of other women's organizations in the NWT to do what we can to improve the lives of northern women. Thank you, Mr. Speaker.

--Applause

**MR. SPEAKER:**

Thank you. Ministers' statements. Mr. Kakfwi.

Minister's Statement 73-13(7): Northern Resource Development

**HON. STEPHEN KAKFWI:**

Thank you, Mr. Speaker. Mr. Speaker, the economy of the Northwest Territories depends to a large extent on the development of our natural resources. Gold, diamonds, base metals, oil and gas all play a significant role in our economy. They will continue to play an increasing role in years to come. Mr. Speaker, the economy of the Northwest Territories depends to a large extent on the development of our natural resources. Gold, diamonds, base metals, oil and gas all play a significant role in our economy and they will continue to play an increasing role in years to come. We are entering a new era in resource development here in the Northwest Territories. Natural gas demand is growing in the United States and southern Canada. We fully expect the Northwest Territories will be a source of this much needed supply. We currently possess vast resources of natural gas ranging from those on land in the Deh Cho region to those near Colville Lake, the Mackenzie Delta and the Beaufort Sea. The time to develop these gas reserves is now upon us.

I would like to take this opportunity to recognize one of the men responsible for bringing about this new era in oil and gas development. Chief Harry Deneron of Fort Liard realized several years ago the potential for gas development in the Liard area. He actively encouraged its exploration and development. This activity has resulted in substantial jobs and opportunities for northern residents and businesses. Chief Deneron is to be commended for his vision and work.

Increased exploration and development activity is already occurring. Fourteen leases have been issued in the Liard area while the Sahtu has 15 active leases. The Mackenzie Beaufort Delta is drawing renewed interest. Bids are now being accepted for four parcels of land. Eleven new wells are expected to be drilled in the Northwest Territories during the 1999-2000 season.

Mr. Speaker, the government anticipates that within ten years, a gas pipeline will link the Beaufort, Deh Cho and Sahtu gas fields to southern markets. The construction of the main trunk, the gathering pipelines and the exploration to support this development will result in up to ten times the level of employment and business opportunities and resource revenue as the north's emerging diamond industry. The government must be prepared to address the many issues that will accompany this Mackenzie Valley development. We must ensure that development of northern resources

results in the maximum employment, training, and business opportunities for Northerners, who must begin to prepare for the social impacts from this short-term, large-scale development. We must ensure that the Northwest Territories benefits from resource revenue sharing. We must maximize benefits to aboriginal organizations.

Mr. Speaker, we know the benefits and challenges that come with increased oil and gas exploration. As we move forward with development, we must prepare for what is to come. Resource development does not just happen. It must be encouraged. It must be managed, and it must result in significant benefits to Northerners.

The government has approved the formation of a deputy ministers' committee to identify issues and prepare recommendations relating to the management of Mackenzie Valley development. It will be chaired by the deputy Minister of Resources, Wildlife and Economic Development and include the Secretary to the Financial Management Board, the deputy ministers of Aboriginal Affairs, Education, Culture and Employment, Finance, Health and Social Services, Transportation and Municipal and Community Affairs.

Mr. Speaker, the government is taking a proactive approach to development in the Mackenzie Valley. We intend to maximize economic opportunities for Northerners while minimizing the social and environmental impacts associated with oil and gas development. Mahsi cho.

**MR. SPEAKER:**

Thank you. Ministers' statements. Mr. Steen.

Minister's Statement 74-13(7): Community Government Leaders' Conference

**HON. VINCE STEEN:**

Thank you, Mr. Speaker. Mr. Speaker, today I would like to report on the recent conference of elected community leaders held in Hay River to discuss the various self-government initiatives that are underway in the NWT.

Presentations to the conference outlined how constitutional development and aboriginal rights could result in new types of

government at the community, regional, tribal and territorial levels. Conference delegates also heard about how self-government has been negotiated and implemented in Newfoundland, British Columbia, and the Yukon. The approaches taken by the Labrador Inuit, the Nisga'a Tribal Council in B.C., and Yukon First Nations were quite different from each other, and different from what is happening here.

The success of those different approaches demonstrates that while there is more than one way to implement self-government, we are all working towards the same thing. By working together we can bring more authority to our communities.

Mr. Speaker, self-government will also mean more powers and responsibility for aboriginal governments as the inherent right to self-government is implemented here in the Northwest Territories. This includes more control for aboriginal people over such things as education, health, social services, language and culture.

Conference delegates agreed that while these changes might make our system of governance look very different from the way it is now, most of the programs and services that are delivered in our communities today will still be needed tomorrow. Community governments will still have a big role to play in delivering them.

Mr. Speaker, the Premier, the Minister of Finance, and the Minister of RWED made presentations to the delegates. They outlined how the government's plan is to work with the Aboriginal Nations to advance aboriginal rights negotiations in all regions of the NWT and to work towards developing a new constitution.

Conference delegates were assured that as we engage in these processes, we will make sure that the result is an effective and workable system of government - a system that can deliver affordable programs to all residents. One of the priorities my department has set to make this happen is to bring proposals forward to make municipal programs work better, to be more effective, to be more efficient, and to bring more authority to the local level. To do this we are moving ahead with the municipal finance review and the municipal legislation review.

These two initiatives were also discussed at the Community Leaders' Conference. They should be seen as complementary to self-government and not as an alternative process. They are intended to provide more authority to community governments

and to allow for more flexible, equitable, and transparent arrangements between the central government and community governments.

Mr. Speaker, while self-government may take those processes much further in some communities or regions, we will be moving ahead with legislative and financial reform, because the people want to have more authority at the local level. They want to have decisions made closer to home. They want to be making those decisions themselves.

At the end of the three days, delegates to the conference concluded that they need to be better informed as progress is made on the establishment of self-government authorities. Procedures need to be in place to provide this information and the department will attempt to address this issue. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Thank you. Ministers' statements. Mr. Miltenberger.

Minister's Statement 75-13(7): Canada Millennium Scholarship

**HON. MICHAEL MILTENBERGER:**

Thank you. Mr. Speaker, it was my great pleasure to sign an agreement recently with the Canada Millennium Scholarship Foundation. This will bring up to 4.3 million dollars to the NWT post-secondary students over the next ten years.

The first scholarships will be awarded in the coming school year. In 1999-2000, 133 awards of \$3,000 each will be given to NWT students. This is an additional \$413,000 available to post-secondary students. This number of scholarships will be available in each of the next three years for a total of \$1.239 million. The 133 scholarships will be awarded based on financial need and academic merit.

There is also a category of awards for exceptional merit. These awards are based on leadership, academic excellence and community service. Five awards will be made at the community level and two more at the territorial level. The seven winners of these awards will also receive an additional \$3,000.

The names of the territorial level award winners will be forwarded to the Foundation which will also select a single national level scholarship. Mr. Speaker, all of the awards will be provided to the successful student

applicants on top of their existing student financial assistance entitlement.

The Canada Millennium Scholarships will be processed through the existing NWT student financial assistance program. All students who have successfully completed at least one year of post-secondary program with a 60 percent average or better are eligible to apply for the scholarships.

The Department of Education, Culture and Employment is currently informing students who have applied for student financial assistance about the scholarships and the application procedures for the financial need awards. The department is developing the guidelines for administering the exceptional merit awards and will be communicating the details to students and the public shortly.

Candidates for the scholarships will be identified by the end of October and the names forwarded to the foundation so that cheques can be produced and in the hands of students by January, 2000.

Mr. Speaker, the Government of the Northwest Territories is very pleased to be a partner with the Canada Millennium Scholarship Foundation in this program to provide increased support to our post-secondary students. With the high cost of post-secondary education, these scholarships are a welcome

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addition to our existing student financial assistance program. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Thank you. Ministers' statements. Item 3, Members' statements. Mr. Morin.

**ITEM 3: MEMBERS' STATEMENTS**

Member's Statement 181-13(7): Lack of Support to Communities Outside Yellowknife

**MR. MORIN:**

Thank you, Mr. Speaker. Yesterday in the Legislative Assembly we raised the issue of the brand new Yellowknife correctional centre. That is another capital project for our great city of Yellowknife. Along with that capital project, Mr. Speaker, comes a brand new paving project for the city of Yellowknife and the highway coming into Yellowknife. Along with that also

comes millions of dollars of assistance to the gold mines in Yellowknife. Along with that comes the majority of effort of the economic development department and the Minister of RWED and that whole department in encouraging diamond-cutting facilities and polishing facilities in Yellowknife. On top of that, they are going to take a trade mission to Nunavut for the businesses in Yellowknife. I congratulate the government for all those things they are doing for our great capital.

Mr. Speaker, we have many, many other communities out there. We have many regions out there that are going through economic hard times. We do not have enough money to assist the fishermen who come off the lake after 40 below in the winter, frostbitten, skin-tight, working hard, pulling nets. What do we do with those people? We cut \$150,000 from their subsidy. That is a whole winter freight subsidy for those poor hardworking men and women. We are cutting drug and alcohol programs. We cut funding to the small communities that harvest renewable resources and try to make a living by producing final products for those, but yet we can continually invest in our great capital city, Yellowknife, and we do that by putting budgets forward in this House that call for renovations. Then we change them to new projects. No debate, no process for Ordinary Members in this Assembly to have any input into making those decisions. I guess this is a new era, a new way of governing. It must be a government that cannot see beyond our city limits. There are people out there who depend heavily on this government. I would like to ask for unanimous consent to continue, Mr. Speaker.

**MR. SPEAKER:**

The Member for Tu Nedhe is seeking unanimous consent to conclude his statement. Do we have any nays? There are no nays. Mr. Morin, you have unanimous consent.

**MR. MORIN:**

Thank you, Mr. Speaker, and I thank the Members. Mr. Speaker, there are many regions out there, many different parts. We always say that we govern over a vast land, but there are places that exist other than Yellowknife. No disrespect to the fine citizens of this city, but also we have citizens south of the lake. We have citizens all the way up to Tuktoyaktuk and Holman. We have citizens all over the Northwest Territories and I urge this government to start looking at the other citizens in the regions of the Northwest

Territories and to start giving a little bit of concentration to the other regions of the Northwest Territories and other communities. Do not base all your decisions on only your briefing papers and your studies because you can get all the briefing papers and studies that say everything should be built in Yellowknife. I bet you if you asked for a study on whether or not we should uproot Lutselk'e, maybe we should uproot Snare Lakes, maybe we should uproot Arctic Red and move it into Inuvik. It would make more economic sense.

I have been in Russia, Mr. Speaker, and I have seen the huge apartment buildings that they house their people in because it is economically smart to do that. You have to think about people and you have to think about people's lives. Maybe the next study will say to uproot one of our communities and move it into the city of Yellowknife if they have an empty apartment building. I encourage the government to have a little broader vision and look a little bit more into the future for all the Northwest Territories and not just the city of Yellowknife. Thank you, Mr. Speaker.

--Applause

**MR. SPEAKER:**

Thank you. Members' statements. Mr. Krutko.

Member's Statement 182-13(7): Small Communities' Historical Contribution to the NWT

**MR. KRUTKO:**

Thank you, Mr. Speaker. Mr. Speaker, if I was able to travel through a historical window, you will view the significant contributions that small communities have made to the Northwest Territories. A snapshot of these small communities has a rich history in itself. We will head to the south side of Great Slave Lake to Fort Resolution. Did you know that the Metis voyageur historically played an important role in the establishment of Fort Resolution? Francois Beaulieu, a Metis, accompanied Alexander Mackenzie in 1789 in the fur trade era. Fort Resolution was one of the most important medical and educational regional centres in the Northwest Territories. A large TB hospital was built in 1938, and a boarding school operated in the same era.

Now we go towards the north arm of Great Slave Lake, to Rae-Edzo. The Hudson's Bay Company post was established at Old Fort Rae in 1852. The Dogrib, which is the largest Dene community in the Northwest

Territories, began to trade there with other large settlements, and at this time in history this large Dene community still continues to operate and thrive.

We will now head to the south bank of the Liard River, which is Fort Liard, which was established in 1805. There is an area of Fort Liard that is one of the oldest occupied aboriginal settlements in the Northwest Territories. Aboriginal people still fish at the same place where the small knife Indian culture fished 9,000 years ago. Now we travel towards the unity of two rivers, the Mackenzie and the Liard to Fort Simpson. The Northwest Company built Fort Simpson about 1804 and still operates as the oldest trading post in the Mackenzie River. Mr. Speaker, I seek unanimous consent to conclude my statement.

**MR. SPEAKER:**

The Member for Mackenzie Delta is seeking unanimous consent to conclude his statement. Do we have any nays? There are no nays, Mr. Krutko, you have unanimous consent.

**MR. KRUTKO:**

Thank you, Mr. Speaker. Thank you,

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colleagues. It used to be known as the fork of the forks before the Mackenzie highway operated. People grew their own vegetables, raised their own livestock and earned the title "Garden of the Mackenzie". In 1963, a record flood forced the evacuation of approximately 300 aboriginal people from the lowlands to higher ground. We are now going up the Mackenzie River to the east bank of the Mackenzie to Fort Good Hope. Did you know that Fort Good Hope is the oldest fur trading post on the lower Mackenzie Valley? Hudson Bay Company established the post in 1805.

Farther down the Mackenzie River, on the east banks of the Peel River, we come across the east edge of the Gwich'in territory, there lies Fort McPherson. Before the first Hudson Bay Company post was established in 1840, this tribe was the most dynamic and complex cultural in relation to their southern Dene brothers. Fort McPherson people have elements of cultural significance and usage of the clan system and potlatches and also traded with the Inuvait at the trading post.

On the Peel channel of the Mackenzie River Delta, towards the Arctic coast, the Beaufort Sea, is the

community of Aklavik. Did you know that before all major facilities were transferred to Inuvik that Aklavik was one of the chief trappers, trading and transportation centres and also known as the muskrat rich capital of North America.

Trading posts were established around 1910. Aklavik is also the place where the infamous Albert Johnson is buried.

We have come to the end of the short journey and I want like to provide you with a snapshot of how these small communities contributed to the northern development and to the rich history we have to date. The point that I am trying to make is that small communities have as much to contribute as large communities. In regard to the political makeup of the Northwest Territories, we have to recognize the historical and cultural diversity of this territory and realize that these communities were here long before a lot of the larger centres were built. Thank you, Mr. Speaker.

--Applause

**MR. SPEAKER:**

Members' statement, Mr. Ootes.

Member's Statement 183-13(7): Non-Renewable Resource Development Potential

**MR. OOTES:**

Thank you, Mr. Speaker. Mr. Speaker, I was interested in seeing Mr. Kakwi's statement this morning because I have worked on a similar statement and want to make it in that particular area. Over the past two months, I attended several resource sector conferences that focused on mineral, oil and gas development in the Northwest Territories. Because mining, oil and gas have tremendous potential for the North, it is crucial we understand the current and future opportunities these sectors offer.

Several new mines, including diamond, gold and base metals mines could be opened over the next ten years if prices recover to historical levels and government assistance is provided to encourage development. Plus, of course, we will have the value-added industries, such as the diamond sorting and cutting. In the oil and gas sector, the NWT has approximately 18 billion barrels of reserves identified. Alberta has 18 billion barrels identified of which three quarters have already been extracted and the east coast of Canada has five billion barrels. That means

we have more than double the east coast in reserves alone and half of the drilling has not been done yet in the Territories.

Similarly with gas in the NWT, we have identified 175 trillion cubic feet. Alberta has 210 trillion cubic feet to which one third has already been extracted. The east coast has 75 trillion cubic feet.

We have more reserves identified than Alberta and the east coast combined. What does that mean for us here in the future in the Northwest Territories? Increased oil and gas exploration and production has the potential to create 1,000 to 1,500 jobs over the next 10 years. A total of 3,000 to 4,500 new jobs could be created by the mineral, oil and gas sector over the next ten years.

As a result of such stimulation, the oil and gas sector must be accorded the highest priority by this government in order to achieve significant economic growth and job creation. We must focus on resource development as the foundation for our wealth and job development in the future. Our priority must be on aboriginal and northern corporate capacity to facilitate infrastructure projects, to accelerate geoscience activities, to assist industry, and we must provide leadership in training education initiatives. Thank you, Mr. Speaker.

--Applause

**MR. SPEAKER:**

Members' statement, Mr. Rabesca.

Member's Statement 184-13(7): Recruitment and Retention of Health Professionals

**MR. RABESCA:**

Thank you, Mr. Speaker. Today, Mr. Speaker, I rise to talk about very real and dangerous issues that all areas of the NWT is feeling the effects of. This is, of course, the problem we have recruiting and retaining health professionals. This does not mean just nurses, it means all health professionals.

This problem exists in all areas of the Territories and it does not seem to be getting any better. Currently many health boards are experiencing staff shortages and as a result are forced to cut back services to its residents, close centres for anything other than emergencies. These types of measures are only affecting our residents and this situation will continue to worsen before it gets any better.

Solutions must be found to ensure we attract quality staff that will stay for a long term, or increase our northern training programs so that more northern residents can see this field as an excellent career choice. This is a very serious issue and we as MLAs must work with the health boards and the Minister to find a solution. All health boards are saying more resources are needed to adequately provide the services that our residents require. The boards cannot continue to receive less and try to do more. This is very crucial and it could have very serious consequences. Thank you, Mr. Speaker.

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--Applause

**MR. SPEAKER:**

Members' statement, Mrs. Groenewegen.

Member's Statement 185-13(7): Competitive Wages for NWT Nursing Professionals

**MRS. GROENEWEGEN:**

Thank you, Mr. Speaker. Mr. Speaker, I rise today to address the issue of competitive wages for nurses in the Northwest Territories, or the lack thereof. As we all know, this government that claimed to be completely strapped for cash during their negotiations with the Union of Northern Workers then found \$3 million to assist with the recruitment and retention of nurses.

How long can we ask workers such as nurses and other health care professionals to buy into our claims of no money? On what basis could we appeal to them to stay and work in the NWT under what must be, in some communities, some of the most strenuous working conditions in Canada, when shortages in other jurisdictions competing for health care professionals equates to openings under better working conditions and more attractive remuneration packages?

Nurses provide essential care and are an important component of our health care system, Mr. Speaker. Every other jurisdiction realizes this and has responded accordingly by providing nurses with competitive compensation. To compound our chances of recruiting nurses, they are in short supply in Canada, as well as worldwide. It is not going to take a genius to understand the basic economic principle that people and yes, including nurses, are going to gravitate and make choices about where to



live and work based on issues such as salary, benefits, quality of life and career options.

I do applaud the department and the Minister for their efforts in attempting to encourage young Northerners to train in careers in nursing. I hope the enrolment is even higher in the RN program at Arctic College this fall. The concept of allowing student nurses to perform practicums in their home communities over the summer is also an excellent initiative. We experienced this in Hay River with one very bright, young student nurse, and it was very effective.

I only hope that this is just. I would like to seek unanimous consent to conclude the short remainder of my statement, thank you.

**MR. SPEAKER:**

The Member for Hay River is seeking unanimous consent to conclude her statement. Do we have any nays? There are no nays, Mrs. Groenewegen you have unanimous consent.

**MRS. GROENEWEGEN:**

Thank you, Mr. Speaker and thank you colleagues. I only hope that this is just the start of a very proactive and not just always reactive posture within the department to address these shortages before they impact the residents of the North even further.

To quote Ms. Maureen Johnston, a registered nurse in Fort Smith, "Is it not time we took better care of the caregivers? One day, you may need us", and Mr. Speaker, that is so true. Thank you.

--Applause

**MR. SPEAKER:**

Thank you. Member's statements, Mr. Erasmus.

Member's Statement 186-13(7): Resource Revenue-Sharing Issues

**MR. ERASMUS:**

Thank you, Mr. Speaker. Mr. Speaker, I rise today to speak about a number of issues that are related to resource revenue-sharing. Mr. Speaker, for sometime now we have been hearing that we are going to be going into a deficit soon unless we find another source of revenues and we are looking to resource revenue-sharing or a Northern Accord that would bring control and benefits of northern resources

to the North. I was interested to hear the Minister speak about the Community Government Leaders' Conference because I was also there. I heard aboriginal leaders saying that it is going to be difficult to get a resource revenue-sharing agreement because that is the last ace in the hole for the aboriginal leadership.

I think that this government needs to do something concrete to earn the trust of the aboriginal leadership if we are going to attain a Northern Accord. But what are we doing in this area, instead our government is talking about making it easier for development, making it faster for development to occur. Why should areas like my constituents who have no land claim, why should they want to speed up development? They do not. They want to slow it down so that they can be better prepared for when development occurs so that they can actually benefit from development. What else are we doing? We are passing Bill 15, five new seats to the larger communities and we know this has to be passed, but at the same time we need to provide the smaller communities with a comfort zone. We need to provide them with something concrete, now. Not just promises that something is going to happen after the next Legislature comes into effect and you have those new five extra MLAs. Mr. Speaker, what I am trying to say is that if this government hopes to attain a resource revenue-sharing agreement or better known as a Northern Accord, then we have to provide that comfort zone to the regions and the smaller communities now. Thank you.

--Applause

**MR. SPEAKER:**

Thank you. Members' statements. Item 4, returns to oral questions. Item 5, recognition of visitors in the gallery. Mr. Dent.

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

**HON. CHARLES DENT:**

Thank you, Mr. Speaker. Mr. Speaker, it is my pleasure to recognize the president of the Status of Women Council of the Northwest Territories, Ms. Vi Beck, in the audience today, along with the executive director of the council, Rosemary Cairns.

--Applause

**MR. SPEAKER:**

Welcome to the Assembly. Recognition of visitors in the gallery . Mr. Henry.

**MR. HENRY:**

Thank you, Mr. Speaker. Mr. Speaker, I would like to recognize the presence of a member of the constituency of Yellowknife South and a member of the aldermen of Yellowknife, Mr. Bob Brooks. Thank you, Mr. Speaker.

--Applause

**MR. SPEAKER:**

Welcome to the Assembly. Recognition of visitors in the gallery. Mr. Antoine.

**HON. JIM ANTOINE:**

Thank you, Mr. Speaker. I would like to recognize Mr. Pete Fraser, a former Member of this House, former Speaker and an elder for a lot of us here in the North. Thank you.

--Applause

**MR. SPEAKER:**

Thank you. Recognition of visitors in the gallery. Mr. Ootes.

**MR. OOTES:**

Thank you, Mr. Speaker. I would also like to recognize a couple sitting with deputy mayor Brooks of Yellowknife and Vi Beck and Rosemary Cairns, and it is Jake and Sara Fehr of Saskatoon. Welcome to the gallery.

--Applause

**MR. SPEAKER:**

Thank you. Recognition of visitors in the gallery. I also would like to recognize two special visitors in the gallery today. The Consul General of Indonesia, Mr. Marlis Shum-Sudden, and the Vice-Consul, Mr. Yourra Kan. Their consulate office is located in Vancouver. Welcome to Yellowknife and the Legislative Assembly of the Northwest Territories.

--Applause

I hope I pronounced your names okay. Recognition of visitors in the gallery. Item 6, oral questions. Mr. Morin.

**ITEM 6: ORAL QUESTIONS**

Question 235-13(7): Alternatives to a New Correctional Centre

**MR. MORIN:**

Thank you, Mr. Speaker. My question is to the Premier on the new building for the Yellowknife Correctional Centre. Did Cabinet have an opportunity when they were considering building a new correctional centre in Yellowknife, did Cabinet have an opportunity to make any other decision other than to award this multimillion dollar capital project to our capital city? Thank you.

**MR. SPEAKER:**

Mr. Premier.

Return To Question 235-13(7): Alternatives to a New Correctional Centre

**HON. JIM ANTOINE:**

Thank you, Mr. Speaker. Mr. Speaker, during the Cabinet discussion there was an initiative that was put forward by the Minister that is responsible for corrections, the Minister of Justice. In putting his case forward to the Cabinet during the discussions, it was a number of points that were regarded in order to come to this decision and it was one of the items on an agenda, which we dealt with and it was changes that we considered in looking at this project. The project, the decision has been to, we never really discussed putting it in any other place because the decision was already made to put it here in Yellowknife. Thank you.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Morin.

Supplementary To Question 235-13(7): Alternatives to a New Correctional Centre

**MR. MORIN:**

Thank you, Mr. Speaker. The decision had been made to renovate an existing facility, so Cabinet had the opportunity to consider other regions. Cabinet had the opportunity to consider spreading the wealth.

Cabinet had the opportunity to consider boosting up other economies other than Yellowknife, other regions. Did Cabinet consider any of those things when they made a decision on building a brand new correctional facility and was it a political decision? Thank you.

**MR. SPEAKER:**

Thank you. Mr. Antoine.

Further Return To Question 235-13(7): Alternatives to a New Correctional Centre

**HON. JIM ANTOINE:**

Thank you. The Minister that is responsible for corrections, the Minister of Justice, has reviewed this whole initiative like the honourable Member is talking about, and he brought his recommendations forward to the Cabinet and then we debated and we agreed to make the decision that we did. Thank you.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Morin.

Supplementary To Question 235-13(7): Alternatives to a New Correctional Centre

**MR. MORIN:**

Thank you, Mr. Speaker. Everyone in this House and everyone clear across the Western Territories has heard the Minister of Finance say that we have a limited amount of dollars. Cabinet is well aware that you have a limited capital budget, but yet, they choose not to look at other regions. You choose not to consider other communities to try to spread out the wealth and share with other people in the Northwest Territories other than spending the majority of our dollars in the city of Yellowknife? Is this what the Premier is saying? Ultimately, on any decision, it is my understanding that Cabinet, that is what we put them there for, is to make those decisions, make those political decisions. So, to the Premier, did you make a political decision to increase

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the capital expenditures in the city of Yellowknife and ignore the other regions of the Northwest Territories? Thank you.

**MR. SPEAKER:**

Mr. Antoine.

Further Return To Question 235-13(7): Alternatives to a New Correctional Centre

**HON. JIM ANTOINE:**

Thank you, Mr. Speaker. Mr. Speaker, whenever the Cabinet reviews and assesses this research, we do not take it lightly. We take it very seriously. It is not something that we just go over without considering the things that the honourable Member is saying. We do consider all of these things. These are all very important. However, the correctional institute is here, the decision was made a long time before I got involved that the correctional centre is here and the decision was made before I got involved as a Premier, I was in Cabinet, to make a major renovation to the existing infrastructure that is there. The decision to relocate the young offenders facility was made here last year. So, you have two facilities, the Minister has indicated that he has reviewed and researched thoroughly and assessed the situation and the decision was not made lightly. It is the Cabinet's view that considering everything, the cost and everything, the best and most cost-effective decision in light of the information that we had at that time, we can only make decisions with the information that we have in front of us. We all know that and this is in a situation and the Cabinet had the best information that we could and the best and most cost effective decision and with that we made the decision to do this.

This is an ongoing thing. This is the money that was allocated to renovate the correctional institute is substantial. The money to build a whole new young offenders facility is substantial and then, if you combine it, rather than renovating what we have and building a new facility, cost-effective wise and assessing, if you combine it in building a new facility, in the long run you have some cost savings. This is where I agree with the honourable Member where you have to look at the costs of these things. There are limited funds, but the decision was made already and approved to spend huge amounts of money towards renovating the facility that is there and the fire marshal says we have to do something about it. We all agree that we are going to do something about it. As well as the youth facility is required and the decision was made to make it here. So, if what the honourable Member is saying is to renovate the existing facility with the way it was originally agreed upon, you renovate it over the period of time that was originally put forward and build a whole new youth

facility. We could go ahead and do that. In the long run it is going to cost more to do that. In our view, it would be cost-effective and it would be quicker to build if we combine them in building a new facility. This is the decision that this Cabinet made. Thank you.

**MR. SPEAKER:**

Oral questions. Final supplementary, Mr. Morin.

Supplementary To Question 235-13(7): Alternatives to a New Correctional Centre

**MR. MORIN:**

Thank you, Mr. Speaker. To the Premier, I guess I should make it clear in case he was not listening. I never ever did say to renovate the existing facility. I do not believe that makes a lot of sense from the information that I see. It makes sense, it makes all the sense in the world to build a new facility. When you change the scope of work of the project from a renovation of an existing facility in any community to building a brand new facility that will house people for the whole Northwest Territories it is something completely different.

This Cabinet had the opportunity to show some political will and strong political decision making. It has happened in the past, Mr. Speaker. When I first became a Member of the Legislative Assembly, I remember River Ridge being moved to Fort Smith. It did not make economic sense, it was a hardship on all the professional people that were based in Yellowknife, but the Cabinet of the day made that decision because it diversified the economy to other regions. Is the Premier now saying that Cabinet is not willing to do those things anymore, is everything going to be built in Yellowknife? Thank you.

**MR. SPEAKER:**

Mr. Antoine.

Further Return To Question 235-13(7): Alternatives to a New Correctional Centre

**HON. JIM ANTOINE:**

Thank you, Mr. Speaker. The honourable Member is talking about when he first got into the Legislative Assembly. He got into the Legislative Assembly before me when the government of the day had lots of money to spend. As you know, in the last couple of years we have had to cut back drastically and the

Finance Minister has also indicated that the next two years do not look too good. We may even have to consider cutting back some more, whoever gets into the next government. We have to take all that into consideration very seriously. We cannot take that very lightly.

No, not everything is being built in Yellowknife. I think we are building a hospital in Inuvik and there are colleges going up, I think in Fort Smith and Inuvik and there are facilities going up in the small communities as well. Sure, it looks like this decision to build this facility here in Yellowknife is only concentrated in Yellowknife, but this decision was made a number of years ago. We are just carrying through with a decision that was made to spend the money on the correctional facilities and the young offenders. That was the decision that was made. It was made to spend money on the correctional centre and the young offenders and we are just looking at ways of how to make it cost-effective to try to do the same thing. Thank you.

**MR. SPEAKER:**

Oral questions. Mrs. Groenewegen.

Question 236-13(7): Rationale for New Correctional Centre

**MRS. GROENEWEGEN:**

Thank you, Mr. Speaker. Mr. Speaker, my questions are also for the Premier with respect to the decision to change the scope of work for the Yellowknife Correctional Centre and construct a new facility. We have been down memory lane here today with a few Members' statements and I would just like to say that the concept, for the record, of building a new young offenders facility in conjunction with an adult facility originated in Hay River. That was our idea. We thought about combining the gymnasium and the kitchen facilities and all these kinds of things.

Seeing now that the Department of Justice has basically gone

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back to the drawing board on the whole concept, I mean I sat on a committee that went and toured the YCC. No doubt, the YCC is not in good condition, but we were told the rationale for the renovations over the seven year period was because of a contract signed with Nunavut to continue to house inmates from Nunavut in the Northwest Territories. Now, on the

radio a few days ago, I hear that Rankin Inlet is making noises and talking about building a new correctional facility in Rankin Inlet. How secure is the rationale for even expanding the facilities in Yellowknife?

That is another question I have. Going back to the idea of the cost saving, I heard the Premier in response to Mr. Morin's questions here referring numerous times to the cost-effectiveness. If the decision to what they have decided to do is based on cost-effectiveness and they have gone back to the drawing board, I think they should go all the way back to the drawing board and look at where this whole concept originated and let other communities put forward proposals to prove that if you want to save money even further, I think you should look at another community other than Yellowknife as well. Could the Premier tell us if, in going back to the drawing board, that they considered the cost-effectiveness of putting this in a different community? Thank you.

Return To Question 236-13(7): Rationale for New Correctional Centre

**MR. SPEAKER:**

Mr. Premier.

**HON. JIM ANTOINE:**

Thank you, Mr. Speaker. Mr. Speaker, the Minister of Justice, who is responsible for corrections has done the assessment and research, and he has been thoroughly briefed by the department in this whole area. So, if the honourable Member agrees, I would like to ask the Minister to answer these specific questions. Thank you.

**MR. SPEAKER:**

Thank you. The Premier is directing it to the Minister of Justice, Mr. Kakfwi.

Return To Question 236-13(7): Rationale for New Correctional Centre

**HON. STEPHEN KAKFWI:**

Thank you, Mr. Speaker. Since being assigned to the portfolio of Justice at the end of March, I have looked at this issue. The Members will be aware that in June of 1998, the Cabinet of the day decided to locate a new young offenders facility in Yellowknife based on recommendations from the departments in a report. The decision to locate a new facility here in

Yellowknife was made in June, 1998. In the fall of 1998, in September, the Financial Management Board approved a submission by Justice to undertake major renovations to address the severe crisis at YCC, namely the overcrowding and the substandard conditions to which inmate and staff were faced with.

Since the beginning of April, I have reviewed this file on request from some Members who wondered why the previous year Cabinet had decided, without much discussion or input from Members to locate the young offenders facility in Yellowknife. I spent a number of months looking at this issue debating and discussing with the staff the merits and pros and cons of that. I also discussed the phase renovations, seven years planned renovations to YCC and was advanced the suggestion that we could save considerable money, time and disruption to staff and inmates by taking a new approach of just, as somebody said, instead of replacing your car bit by bit, just buy a whole new car. I bought the suggestion that we should just go for a whole new building of the adult correctional facility and combine that with the young offenders facility. In response to the Member's question, as the Minister responsible, I have reviewed the options of looking at relocating. It is not cost-effective. There is very little, in fact, no time left to consider other options. The Cabinet stands by the decision made. I would note under the previous Premier and previous Ministers to locate the young offenders facility here in Yellowknife and to not address relocating or building a new facility at that time, but simply keeping the adult facility here as well. There are many, many arguments to be made as to why, in the interest of the public and of the inmates and the staff of this government that the adult facility remain here and that it is the most logical location for the facility. Thank you.

**MR. SPEAKER:**

Oral questions. Supplementary, Mrs. Groenewegen.

Supplementary To Question 236-13(7): Rationale for New Correctional Centre

**MRS. GROENEWEGEN:**

Thank you, Mr. Speaker. Mr. Speaker, in a letter to the chair of the Standing Committee of Government Operations on July 27th, the Minister responsible for Justice indicates that consultants have advised that by integrating the two projects, \$1.3 million could be saved in capital and \$262,000 in ongoing operations and maintenance. This would also mean the young offenders would have access to better facilities such

as a gymnasium and a carpentry shop. Mr. Speaker, my question to the Minister is, since they brought consultants in and reviewed this from a cost saving for capital and this looks like a very thorough undertaking, it looks like a comprehensive review of things, but in that comprehensive review, did they not consider the potential further savings by relocating the facility? Thank you.

**MR. SPEAKER:**

Mr. Kakfwi.

Further Return To Question 236-13(7): Rationale for New Correctional Centre

**HON. STEPHEN KAKFWI:**

Thank you, Mr. Speaker. The department considered and continues to consider all aspects of initiative. For instance, there is an agreement to continue to take inmates for the territory of Nunavut. It means that we have to, as quickly as possible, provide adequate accommodations in an institution that we can with some dignity offer to provide to Nunavut. We are compelled by the fire marshal to provide new facilities to the young offenders within two years.

We are compelled by the shrinking financial resources of this government to look at cost savings every way possible. We look at the services that are required by the inmates. We look at the need for inmates to have some means by which family, relatives, friends can have access to the inmates by way of visiting and support. We have looked at the kind of services that are available in Yellowknife that are not available elsewhere. We have looked at a number of elements to these. Based on those,

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I have decided that the original Cabinet's decision to locate the young offenders facility here in Yellowknife should be honoured and not revisited. As far as I am concerned, the adult facility is located here in Yellowknife. Whether we do a major renovation or replace an existing facility piece by piece and then in the end have a whole new building, is not really that much different from doing a whole new capital project, but technically people can argue that it is but, in fact, the location of the adult facility has never been an issue and if it was, it certainly was not visited by Cabinet in June and September of 1998. Thank you.

**MR. SPEAKER:**

Oral questions. Supplementary, Mrs. Groenewegen.

Supplementary To Question 236-13(7): Rationale for New Correctional Centre

**MRS. GROENEWEGEN:**

Thank you, Mr. Speaker. Based on the premise then that the \$30 million one-time capital expenditure for the adult facility makes more economic sense than the \$4 million or whatever per year over seven years and doing a piece by piece fix, let us just assume that the adult facility is here and it is going to stay here and that is a more cost-effective way of doing it on a one time as opposed to a spread over several years.

The original young offenders facility was anticipated to be P3 project, which would have not put the same amount of stress on the government's capital budget. That was the whole underlying concept of the P3 was to amortize or spread this over a longer period of time. So, why does the young offenders facility now have to be taken out of the P3 and I am sure it has to represent \$5 million or \$6 million regardless and put this permanent facility in here when it is still a possibility to locate a P3 project independent from this someplace else. Is the construction of a new adult facility now reliant on this P3 being pulled back and capital funds being spent on this? I am just wanting to get a better understanding of the rationale for this new multi-million dollar megaproject here in Yellowknife.

**MR. SPEAKER:**

Mr. Kakfwi.

Further Return To Question 236-13(7): Rationale for New Correctional Centre

**HON. STEPHEN KAKFWI:**

Thank you, Mr. Speaker. The technical aspects of the accounting can be answered by the Minister of Finance, perhaps through discussion in the standing committee. But I do know that the government has budgeted a little over \$6 million for a young offenders facility and that originally \$30 million was budgeted by the government in FMB. That was the amount that was decided by the Financial Management Board in September, 1998. That was not a decision based on detailed costing. When we undertook detailed costing of what it would entail to do major renovations to the adult facility over the winter, it came to light that, in fact, we would be looking at a total cost for major renovations to the adult facility at over \$35 million.

This was part of the reason that we looked at how we could still deliver within the financial scope of the project, how we can still, within the resources allocated, provide both a renovated facility or a replacement facility and a young offenders facility in time to meet the requirements of the fire marshal, plus, as we found out, we can do, instead of budgeting over five years and waiting to renovate, a great disruption to the staff and the inmates in the adult facility, we could do it in four years by integrating to two. This was how the work unfolded. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Oral questions. Final supplementary, Mrs. Groenewegen.

Supplementary To Question 236-13(7): Rationale for New Correctional Centre

**MRS. GROENEWEGEN:**

Thank you, Mr. Speaker. Mr. Speaker, the original young offenders facility under a P3 was to be amortized over potentially 20 years. The renovation to the YCC was to be amortized over seven years. Now, we are going to build this \$30 million project in one year. What other capital projects is this going to impact? Thirty million dollars is a megaproject by any other community standards.

Yellowknife is also talking about a new courthouse, which is another \$30 million. I mean, one department alone with a \$16 million capital budget from one department, even in a five year period, when in a community like mine, a \$2 million project is something to celebrate, is not acceptable. I do not know how this Cabinet and how this government could rationalize that kind of infrastructure. Going back to the fact that the P3 and the renovations were going to be amortized over a longer period of time, what impact is \$30 million in one shot going to have on capital projects in other communities now? Thank you, Mr. Speaker.

**MR. SPEAKER:**

Mr. Kakfwi.

Further Return To Question 236-13(7): Rationale for New Correctional Centre

**HON. STEPHEN KAKFWI:**

Thank you, Mr. Speaker. As I have said, the technical information about how we are going to borrow and amortize and finance these projects that have been approved will be answered by the Minister of Finance. I do know that we have decided the young offenders facility, which was identified as a potential P3 project, was no longer considered to be viable as a P3 project by the department because we know it takes an extensive amount of time to get approval and to get these types of arrangements in place. We are compelled by the fire marshal to provide a new facility in very short order. We are also compelled by the fact that we are now integrating two facilities, one which would be a government-owned facility and it no longer lent itself to be compatible with the P3 project. That was the reason we decided not to advance the young offenders facility as a P3 project. Thank you.

**MR. SPEAKER:**

Oral questions. Mr. Krutko.

Question 237-13(7): Cultural and Language Programming in School

**MR. KRUTKO:**

Thank you, Mr. Speaker. Mr. Speaker, my question is for the Minister of Education, Culture and Employment. In regard to the constituents I represent, there are two diverse languages, Inuvialuktun and Gwich'in, which are taught in the community of Aklavik. Yet, there is a real shortage of funds to implement these cultural programs in the educational

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system. The district education authority of Aklavik has been hiring language and cultural specialists to teach local languages programs throughout the year with limited resources. Under Section 118, subsection (K1), the Education Act allows the education bodies to hire teachers or persons who are not teachers for the instruction of local programs. Can the Minister clarify if the language and cultural specialists fall under this program?

**MR. SPEAKER:**

The Minister of Education, Culture and Employment, Mr. Miltenberger.

Return To Question 237-13(7): Cultural and Language Programming in School

**HON. MICHAEL MILTENBERGER:**

Thank you, Mr. Speaker. Mr. Speaker, I cannot confirm at this point, so unfortunately I will be forced to take that one as notice. I can speak to the issue of the funding and how programs are delivered, but that technical question and the clause quoted by my colleague, I am not able to answer right off the top of my head, so I apologize.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Krutko.

Supplementary To Question 237-13(7): Cultural and Language Programming in School

**MR. KRUTKO:**

Thank you, Mr. Speaker. I think this does not only affect my community, but in regard to the Department of Education, there are language and cultural specialists in most communities in the territories. It comes down to the question of salaries and benefits under the NWT Teachers Association collective agreement. I think it is important that we see where these individuals fit in regard to that agreement. Can the Minister tell me exactly do they fit within that collective agreement?

**MR. SPEAKER:**

Mr. Miltenberger.

Further Return To Question 237-13(7): Cultural and Language Programming in School

**HON. MICHAEL MILTENBERGER:**

Thank you, Mr. Speaker. What I can tell the Member is that on the recently submitted budget by the Beaufort Delta District Education Council totalling \$17.554 million for the region, there is \$409,000 for aboriginal languages that is allocated by the DEC in consultation with the DEAs for the provision of aboriginal languages and support. Are the language and cultural specialists members of the NWTTA? Once again, I must confess I am not certain, but I will commit to check. Thank you.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Krutko.

Supplementary To Question 237-13(7): Cultural and Language Programming in School

**HON. MICHAEL MILTENBERGER:**

Thank you, Mr. Speaker. The Minister also can check if the language and cultural specialists in regard to the teaching program that are a part of the school program curriculum, if there should be a compensation package in accordance to any collective agreement in regard to language specialists so that they can fall in line with other professionals in that field so they will be treated fairly and that the salaries and benefits they receive are basically comprehensive to other teachers in that field. Can the Minister check into that also? Thank you.

**MR. SPEAKER:**

Mr. Miltenberger.

Further Return To Question 237-13(7): Cultural and Language Programming in School

**HON. MICHAEL MILTENBERGER:**

Yes, I will commit to checking that.

**MR. SPEAKER:**

Oral questions. Final supplementary, Mr. Krutko.

Supplementary To Question 237-13(7): Cultural and Language Programming in School

**MR. KRUTKO:**

Thank you, Mr. Speaker. Can the Minister also commit to trying to have this dealt with before the start of the new school year, which is in a couple of months so that the education divisional boards and also the educational specialists that we have in our communities dealing with language and the cultural program can get some comfort in knowing where they stand with this government when they deliver their services to our students and our classroom? Can the Minister commit to having something available on this issue before the beginning of the school year?

**MR. SPEAKER:**

Mr. Miltenberger.

Further Return To Question 237-13(7): Cultural and Language Programming in School

**HON. MICHAEL MILTENBERGER:**

I will commit to providing this information prior to the end of this session so that my colleague will have a



chance to review the information and ask any further questions that he may have in regards to what I will be able to provide. Thank you.

**MR. SPEAKER:**

Oral questions. Mr. Ootes.

Question 238-13(7): Mineral, Oil and Gas Development

**MR. OOTES:**

Thank you, Mr. Speaker. I would like to ask some questions of Mr. Kakfwi in regards to the mineral oil and gas development the territory. This morning he made a statement in that regard, and I also responded. I had a statement prepared in that regard. My question for the Minister would relate to his comments that he is forming a deputy ministers' committee to identify issues and prepare recommendations relating to the management of MacKenzie Valley Development. I feel that we need to go a lot further than that, and need to start investing money so that the communities start benefiting from this. I see where we need to ensure that there is an aboriginal and northern corporate capacity developed.

I wonder if the Minister could tell me what kind of support he has from Cabinet that would lend to making this the number one priority for this government to address over the next several months so that we can start assisting the communities down the valley and start assisting the aboriginal groups to take

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advantage of the tremendous potential that is out there so that they can get some economic independence and job creation for themselves. I see areas here that we can provide assistance to facilitate infrastructure projects for the communities, accelerate geoscience activities and provide training and support. I am wondering if the Minister could tell me what kind of priority this government is placing on that particular area with respect to investment, money and resource-wise? Thank you.

**MR. SPEAKER:**

The Minister of Resources, Wildlife and Economic Development, Mr. Kakfwi.

Return To Question 238-13(7): Mineral, Oil and Gas Development

**HON. STEPHEN KAKFWI:**

Thank you, Mr. Speaker. Cabinet is in support of the initiative that I have outlined earlier today. Cabinet is in support of developing an economic strategy in partnership with aboriginal peoples here in the Northwest Territories, along with industry and the business community. It is our view that we can best provide support to our partners and to aboriginal leaders by preparing to be as well-informed, organized and well scoped in our view and thinking, as we can be. This is what we are positioning ourselves to do. By getting our deputy ministers initially to work together through a committee, we want to be able to scope out the work and the activities, the opportunities and the potential for opportunities as interest starts to pick up.

As Members know, the federal government still controls all resource development in the Northwest Territories, but we have, as a government, become important players in deciding the pace and the terms and conditions under which development will happen. We have chosen clearly and explicitly to do that in partnership with aboriginal people. This is our way of indicating to aboriginal people that we want to make sure that they benefit from resource development and as a government, we will position ourselves so we are as well-informed and versed in defining the scope of activity early on as possible so we can all help each other decide if development should happen and, if so, under what terms and conditions and what resources will be required to make sure that we all benefit from that. Thank you.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Ootes.

Supplementary To Question 238-13(7): Mineral, Oil and Gas Development

**MR. OOTES:**

Thank you, Mr. Speaker. There are many problems to be overcome in terms of achieving development. As I mentioned earlier, there is the question of ensuring that there is aboriginal and northern corporate ability to get involved in such development. There is also the need to have training and education. But there is also the area of allowing the people of the territories to access those jobs in terms of transportation to and

from the particular sites such as the mining development and so forth. I am wondering if the Minister and the Cabinet has discussed a list of areas that this committee of deputy ministers should look at, and I just made reference to several of them. Could the Minister tell me if they have a list that they have passed on to the deputy ministers? Thank you.

**MR. SPEAKER:**

Mr. Kakfwi.

Further Return To Question 238-13(7): Mineral, Oil and Gas Development

**HON. STEPHEN KAKFWI:**

Yes, Mr. Minister. There is work such as the Member has indicated that is required, it has begun and actually does exist. Thank you.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Ootes.

Supplementary To Question 238-13(7): Mineral, Oil and Gas Development

**MR. OOTES:**

Could the Minister also tell me if Cabinet has discussed some sort of priority in terms of financial input or assistance towards these projects to assist both the deputy minister committee, but also community groups to provide some input? Thank you.

**MR. SPEAKER:**

Mr. Kakfwi.

Further Return To Question 238-13(7): Mineral, Oil and Gas Development

**HON. STEPHEN KAKFWI:**

Thank you, Mr. Speaker. No, we have not had extensive details or discussions at the Cabinet level, only that we are indicating that we see the enormous potential for benefits to the North if we move properly, if we move in partnership with our northern peoples and set ourselves up to make sure that we can take advantage of opportunities. At this stage, we will be working with aboriginal groups to let them know of the enormous potential for development activity in the oil and gas sector and find ways to engage that interest and make sure that benefits happen to them. It will

be done perhaps in tandem with the development of an economic strategy. Thank you.

**MR. SPEAKER:**

Oral questions. Final supplementary, Mr. Ootes.

Supplementary To Question 238-13(7): Mineral, Oil and Gas Development

**MR. OOTES:**

Thank you. The formation of the committee is laudable. I am wondering if a time frame has been set for this committee to report back to Cabinet with some sort of proposal? Thank you.

**MR. SPEAKER:**

Mr. Kakfwi.

Further Return To Question 238-13(7): Mineral, Oil and Gas Development

**HON. STEPHEN KAKFWI:**

Thank you, Mr. Speaker. The group will be reporting to Cabinet perhaps early this fall on a preliminary basis with the work that we set out for them to do. Thank you.

**MR. SPEAKER:**

Thank you. Oral questions. Mr. Henry.

Question 239-13(7): Proposal for Correctional Centre Construction

**MR. HENRY:**

Thank you, Mr. Speaker. Mr. Speaker, my question is to Mr. Steen, the Minister responsible for Public

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Works and Government Services, and is surrounding the questions that have been raised on the expression of interest for a correctional facility in Yellowknife. Mr. Speaker, unlike some of my colleagues, I could not sort of criticize it to the same degree. My question to the Minister is, who provided the analysis to the Minister that the present facilities of the Yellowknife Correctional Institute were better torn down and start off with a new facility? Who provided that information to the Minister? Thank you, Mr. Speaker.

**MR. SPEAKER:**

The Minister of Public Works and Services, Mr. Steen. I will ask the Minister of Public Works and Services if he can respond or to refer.

Return To Question 239-13(7): Proposal for Correctional Centre Construction

**HON. VINCE STEEN:**

Thank you, Mr. Speaker. Mr. Speaker, I do not have the information specific to what the Member is requesting, as to exactly who approached the department specifically. The department was supplying the services to the client, the Department of Justice. That is the only information I can supply at this time. Thank you.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Henry.

Supplementary To Question 239-13(7): Proposal for Correctional Centre Construction

**MR. HENRY:**

Thank you, Mr. Speaker. I apologize to the Minister if my question was not clear. I will certainly try again. There was a decision made that it was cheaper to build a new facility. The Department of Public Works has a tender out for an expression of interest to build a new facility. My question is, who provided the department with the information to say that it was cheaper to build a new facility than to do repairs to the present one? Thank you, Mr. Speaker.

**MR. SPEAKER:**

Mr. Steen.

Further Return To Question 239-13(7): Proposal for Correctional Centre Construction

**HON. VINCE STEEN:**

Thank you, Mr. Speaker. Mr. Speaker, I believe this information was supplied by other Ministers during question period yesterday. There were consultations between the departments as to what was the cheapest way to do the project, but there was also a consultant involved who reviewed the whole project. I believe all this information was supplied yesterday, Mr. Speaker.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Henry.

Supplementary To Question 239-13(7): Proposal for Correctional Centre Construction

**MR. HENRY:**

Thank you, Mr. Speaker. Mr. Speaker, I wonder if the Minister could tell us the rationale for building a new facility when we have a facility such as the Laing Building, built in the same era with the same mechanical, electrical and insulation requirements. Why does it make more sense to build a new facility and, in the case of the Laing Building, decide to renovate it? Thank you, Mr. Speaker.

**MR. SPEAKER:**

That is a new question. I must rule the question out of order. It is a new question. Would you like to rephrase your question, Mr. Henry? The Member for Yellowknife South was asking questions about a decision made by the Department of Public Works and Services regarding why the change. The new question does not relate to the original question. Would you like to rephrase your question? Oral questions. Mr. Morin.

Question 240-13(7): Process for Capital Changes

**MR. MORIN:**

Thank you, Mr. Speaker. My question will be to the Premier. Did your government follow the proper decision-making process as well as informing the Ordinary Members of this Legislative Assembly on the major change of the scope of work of the Yellowknife Correctional Centre from renovating the building to building a brand spanking new building in Yellowknife? Thank you.

**MR. SPEAKER:**

The Premier, Mr. Antoine.

Return To Question 240-13(7): Process for Capital Changes

**HON. JIM ANTOINE:**

Mahsi, Mr. Speaker. Yes, we followed all proper procedures in making the decision, honourable Members on the other side. We may have dropped the ball in informing the honourable Members

immediately. We are all humans, we all make mistakes. If there is a problem with it, I would like to apologize for not informing the honourable Members as soon as the decision was made. We did try the best we can here, and we realize that perhaps we should have informed the Members as soon as we made the decision. It will not happen again. Thank you.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Morin.

Supplementary To Question 240-13(7): Process for Capital Changes

**MR. MORIN:**

Thank you, Mr. Speaker. Normally a capital project is put in a five year capital plan within the budget. It is identified as renovations or a brand new building. It is just like apples and oranges. There is a big difference between the two. Through that process of putting things into the budget capital projects, there is opportunity for Members of the Legislative Assembly and the public at large to let their views be known to the government. The government then does not only have to take into consideration their briefing notes, and their studies and what the Minister of Justice brings forward, but they can also take into consideration what the people of the Northwest Territories think and the other elected Members of the Legislative Assembly.

Now the Premier has had the opportunity these last couple of days to hear a little bit through us what the public and what Members of the Legislative Assembly think. Yet he stands and says, decision made, what you are saying is irrelevant. Where in this process did the public have the opportunity to enter the debate, and where in this process did MLAs have the opportunity to enter this debate and give some advice, whether it is taken or not to this government? Thank you, Mr. Speaker.

**MR. SPEAKER:**

Thank you. Mr. Antoine, two questions.

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Further Return To Question 240-13(7): Process for Capital Changes

**HON. JIM ANTOINE:**

Thank you, Mr. Speaker. Mr. Speaker, we are actually doing it right here. We are listening to the honourable Members. Yes, the decision has been made in the past. I explained already in this House earlier today that on the Yellowknife Correctional Centre, there was a decision made in the previous last couple of years, and even going back, to renovate the Yellowknife Correctional Centre. A decision was made. We agreed that we are going to spend a substantial amount of money to renovate it over a period of seven years. That decision was made. The decision was also made to move the young offenders centre to Yellowknife. That decision was made last year. There was plenty of time, opportunities for MLAs to get involved in the process. We are also doing it right here. Thank you.

**MR. SPEAKER:**

Thank you. I would like to remind the Members again, regarding question period, about your preamble and supplementary. When you do your supplementary, you do not need another preamble to do your supplementary. The Members are repeatedly doing that. I would also ask the Ministers' cooperation in being brief and direct regarding your response to the questions asked by Members. We are, at times, concentrating on a lengthy response or lengthy continued preambles. Can we have some cooperation here by requesting both sides to go by the rules of the House? I will apply it. Mr. Morin, supplementary.

Supplementary To Question 240-13(7): Process for Capital Changes

**MR. MORIN:**

Thank you, Mr. Speaker. A supplementary to the Premier. Mr. Speaker, the Premier kept talking about decisions made, decisions made, decisions made. Those decisions were made in isolation of each other. There was one decision made to move a young offenders facility to Yellowknife.

**MR. SPEAKER:**

Mr. Morin, your supplementary, please.

**MR. MORIN:**

Recently, very recently, Mr. Speaker, this government made a decision to build a new capital project in Yellowknife. Does the Premier understand the difference? Does his government understand the difference between a new capital project and a

renovation? A very simple question. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Mr. Antoine.

Further Return To Question 240-13(7): Process for Capital Changes

**HON. JIM ANTOINE:**

Thank you. Yes.

**MR. SPEAKER:**

Thank you. Oral questions. Mrs. Groenewegen.

Question 241-13(7): Capital Funding for Correctional Centre

**MRS. GROENEWEGEN:**

Thank you, Mr. Speaker. Mr. Speaker, I would like to direct my question to the Premier because I want to follow up on the questions I was asking Mr. Kakfwi, but I did not like the answers I was receiving from Mr. Kakfwi. I would like to direct my question to the Premier. Mr. Speaker, the renovation of the Yellowknife correctional facility was to be financed with a contract from Nunavut at \$4 million a year over seven years. The young offenders facility was to be financed through a P3 project. This did not require, then, any lump sum capital amount such as the \$30 million now proposed. My question to the Premier is, where are they getting the \$30 million of capital for the new facility? Thank you.

**MR. SPEAKER:**

The Premier, Mr. Antoine.

Return To Question 241-13(7): Capital Funding for Correctional Centre

**HON. JIM ANTOINE:**

Mahsi, Mr. Speaker. Mr. Speaker, the financing of this initiative will be done through within the system or even if we have to borrow, we will do that. I understand that the interest on borrowing is substantially less. I think it is five percent, but I am not too clear on that. I do not know the exact details of the financial side of this whole initiative, but I understand that we will have to find it within the system. We may even have to borrow it. Thank you.

**MR. SPEAKER:**

Oral questions. Supplementary, Mrs. Groenewegen.

Supplementary To Question 241-13(7): Capital Funding for Correctional Centre

**MRS. GROENEWEGEN:**

Thank you, Mr. Speaker. Mr. Speaker, the capital budget of this government has been substantially reduced. That was the whole concept of going P3, so we could continue with more capital development and the jobs and economy created by that construction. The whole capital budget is only \$80 million or \$90 million a year and now we are going to find \$30 million? That is not a good answer. From within the system? We cannot give \$5 million for education. Where are we going to find \$30 million in the system. Is there a safe of money up there that they have not told us about? Thirty million dollars? That is not an acceptable answer within the system. Could the Premier please be more specific? Thank you.

**MR. SPEAKER:**

Mr. Antoine.

Further Return To Question 241-13(7): Capital Funding for Correctional Centre

**HON. JIM ANTOINE:**

Thank you, Mr. Speaker. I am going to have to take it as notice. Thank you.

**MR. SPEAKER:**

Thank you. The question is taken as notice. Oral questions. Mr. Krutko.

Question 242-13(7): Protection of Young Offenders

**MR. KRUTKO:**

Thank you, Mr. Speaker. Mr. Speaker, following up on the same question of my colleagues, I have some real concerns, to the Minister of Finance, in relation to having our young offenders in the same facility as hard core criminals. I think that we have to keep in mind that these young people have certain rights, and we have some rights to protect our youth. For the amount of money we are talking about and getting the

resources put into the area of developing our youth and keeping them out of crime and making sure that they have the resources to have the full education system paid for and get good healthy lifestyles to live and also have the resources to teach them. I would like to ask the Minister exactly what has been done in regards to ensuring that all avenues were taken to ensure the protection of the youth was considered as a first priority of this government and why was that not brought up when we dealt with the budget in this House for this year?

**MR. SPEAKER:**

The question is directed to the Minister of Finance.

Return To Question 242-13(7): Protection of Young Offenders

**HON. CHARLES DENT:**

Mr. Speaker, the project, at the time it was proposed in the Main Estimates, was still intended to be done in a phased process. It was only after the committee review of the Main Estimates that the consultants, I understand, came back and suggested that the project could be done more economically if it were done in a shorter period of time and with a different approach. Therefore, it could not be included in the Main Estimates as the way in which to proceed because the decision was not made at that time. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Krutko.

Supplementary To Question 242-13(7): Protection of Young Offenders

**MR. KRUTKO:**

Thank you, Mr. Speaker. In regard to that response, I think the decision of this House to support that budget knowing that a young offender facility will be housed in the same facility as other inmates in YCI in which we have seen riots take place, we have seen people escape from that facility and also we have seen treatment of certain individuals in that facility has not been the greatest. I fear for the young people who will be housed in this facility. Why was that decision not gone out for a public review by any interested groups in regard to the protection of children in the Northwest Territories?

**MR. SPEAKER:**

Mr. Dent.

Further Return To Question 242-13(7): Protection of Young Offenders

**HON. CHARLES DENT:**

Thank you, Mr. Speaker. Mr. Speaker, as I understand it, I am not the Minister of Justice, but this government has a statutory obligation to ensure that young offenders are treated in a proper manner. I believe that the facility as proposed will meet all of the requirements of the Young Offenders Act. In fact, I know that it must meet all of the requirements of the Young Offenders Act. Therefore, I am confident that the process or that the project will protect young offenders from interaction with adult offenders, as it rightly should. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Oral questions. Supplementary, Mr. Krutko.

Supplementary To Question 242-13(7): Protection of Young Offenders

**MR. KRUTKO:**

Thank you, Mr. Speaker. I think that parents of these youth who end up going to this facility will probably feel a little differently than the Minister of Finance. I would like to ask the Minister of Finance, is there any public review going to take place to get feedback from parents and other interested groups who deal with young offenders so they can have a say in regard to where those children will be housed?

**MR. SPEAKER:**

Mr. Dent.

Further Return To Question 242-13(7): Protection of Young Offenders

**HON. CHARLES DENT:**

Thank you, Mr. Speaker. I am not aware of any public review process that is planned. I believe that, as I said, the department is ensuring that all of the requirements of the Young Offenders Act are met to ensure their complete segregation and safety.

**MR. SPEAKER:**

Thank you. Oral questions. Final supplementary, Mr. Krutko.

Supplementary To Question 242-13(7): Protection of Young Offenders

**MR. KRUTKO:**

Thank you, Mr. Speaker. In regard to the whole question about not consulting and notifying parents or aboriginal organizations who may have children in such a facility, have you talked to the different aboriginal organizations? In regard to your consultation process, have you made any attempts to consult with the aboriginal organizations who are negotiating self-government agreements when it comes to justice issues on this?

**MR. SPEAKER:**

Mr. Dent.

Further Return To Question 242-13(7): Protection of Young Offenders

**HON. CHARLES DENT:**

Thank you, Mr. Speaker. Mr. Speaker, as I said, this is in response to the requirements of the Young Offenders Act. I know that those requirements set out that the facility must protect the interest of the young people who are incarcerated. It must be a facility that families can visit. There are all sorts of issues that will be considered while the facility is built, but it is largely being built in response to the requirement of the Young Offenders Act, those young people who are sentenced to attend such a facility by the courts. Therefore, the physical makeup of the facility is fairly strictly determined. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Question period is over. Item 7, written questions. Item 8, returns to written questions. Item 9, replies to opening address. Item 10, petitions. Mr. Morin.

**MR. MORIN:**

Thank you, Mr. Speaker. I request to go back to written questions. I had my hand up, but not far enough, I guess.

**MR. SPEAKER:**

The Member for Tu Nedhe is seeking unanimous consent to return to item 7. Do we have any nays? Mr. Morin, you have unanimous consent.

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REVERT TO ITEM 7: WRITTEN QUESTIONS

Written Question 8-13(7): Impact of Spending Initiatives in Yellowknife on the Territorial Deficit

**MR. MORIN:**

Thank you, Mr. Speaker. I have a written question to the Minister of Finance. Is the reason for the projected multi-million dollar deficit because of all the money being spent in Yellowknife on the Yellowknife Correctional Centre, the diamond mines, gold mines, and other capital projects in this city? Thank you.

**MR. SPEAKER:**

Thank you. Written questions. Before we go to the next item, we do have some lengthy reports, so we will take a 15 minute break and be back here at 3:30 p.m.

-- Break

**MR. SPEAKER:**

I will call the House back to order. We are on Item 11, reports of standing and special committees. Mr. Erasmus.

ITEM 11: REPORTS OF STANDING AND SPECIAL COMMITTEES

Committee Report 2-13(7) Report on Bill 15: An Act to Amend the Legislative Assembly and Executive Council Act

**MR. ERASMUS:**

Thank you, Mr. Speaker. The Standing Committee on Government Operations is pleased to report on its review of Bill 15, An Act to Amend the Legislative Assembly and Executive Council Act. Bill 15 was introduced for first reading in the Legislative Assembly on March 23, 1999, by the Honourable Jim Antoine, Premier. The bill received second reading on March 24, 1999, and was automatically referred to the Standing Committee on Government Operations for review. Under the rules of the Legislative Assembly, the standing committee had 120 days to review and report on the bill. The standing committee met on several occasions to discuss background research material and legal opinions commissioned by the committee. As well, the committee conducted public hearings on Bill 15 in Inuvik, Rae, Yellowknife, Fort Simpson, Fort Smith and Hay River, from June 14 to July 7, 1999, beginning with the presentation of the

bill by the Premier in Yellowknife. Committee Members also met with the Chiefs and Council of the Yellowknives Dene First Nation on June 25, 1999, and attended the Dene National Assembly in Jean Marie River on July 8, 1999.

Prior to the hearings, the committee placed advertisements in every newspaper in the Northwest Territories informing the public of the committee's review, inviting oral presentations and written submissions and advising that applications for travel assistance would be considered by the committee. Public service announcements were also aired on CBC Radio, and notices were placed on the community television channels, where available. Media advisories were sent detailing the communities where hearings would be held. The committee also provided packages with boundary maps and other explanatory material about Bill 15 and an offer of assistance to appear before the committee to over 70 identified interested parties.

This committee report was prepared by those Members of the Standing Committee on Government Operations who participated in the public hearing process: Roy Erasmus, chair, David Krutko, Don Morin and James Rabesca. Members of the committee who participated support the views of the public that are expressed throughout the report. Jane Groenewegen, Seamus Henry and Jake Ootes did not participate in the public review of Bill 15 or the preparation of this report.

The Standing Committee on Government Operations would like to thank all of the individuals and organizations who made their views known to the committee at the public hearings or by written submissions. The comments and suggestions made were thoughtful and creative and were considered carefully by the committee during its deliberations.

Appendix 1 contains a list of witnesses who appeared before the committee. Copies of the written submissions received are attached as appendix 2.

Mr. Speaker, I will now turn the next portion of the report to my colleague, Mr. Rabesca.

**MR. SPEAKER:**

Thank you, Mr. Erasmus. Mr. Rabesca.

**MR. RABESCA:**

Thank you, Mr. Speaker. The Electoral Boundaries Commission. The creation of Nunavut on April 1,

1999 had a significant impact on the population balance among the electoral districts remaining in the western Northwest Territories. Since early in the life of the 13th Legislative Assembly, Members of the then Western Caucus had been considering the appropriate number and distribution of seats for the new western territory. On October 18, 1996, the Legislative Assembly enacted the Electoral Boundaries Commissions Act, which permitted the establishment of an Electoral Boundaries Commission for Nunavut and one for the new Northwest Territories, if the Assembly so chose.

In January, 1998, Western Caucus indicated that the majority of western MLAs agreed with members of the Aboriginal Summit that the 14th Legislative Assembly general election should be based on the existing 14 western seats, given that negotiations for the development of a new constitutional structure for the new NWT had not been finalized.

However, MLAs also recognized that the 14 electoral boundaries remaining in the west after the creation of Nunavut could be subject to challenge under the Canadian Charter of Rights and Freedoms, because of the uneven distribution of population among the ridings. In light of this, the Legislative Assembly decided to form a NWT Electoral Boundaries Commission. The Commission was established on June 1, 1998.

The NWT Electoral Boundaries Commission was composed of NWT Supreme Court Justice Virginia Schuler as chair, Ms. Lucy Kuptana of Tutktoyaktuk and Mr. Nick Sibbeston of Fort Simpson. The commission conducted a review of the western electoral boundaries through a community consultation process in August and September of 1998.

Under the Electoral Boundaries Commissions Act, the commission's task was to review the area, boundaries, name and representation of the existing electoral districts and make recommendations for new electoral districts. Section 11 of the

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Act required the commission to take into consideration factors including:

1. geographic and demographic considerations, including the sparsity, density or rate of growth of the population of any part of the Territory and the accessibility, size or shape of any part of the Territory;



As well, the Legislative Assembly directed the commission to strive to maintain a balance between urban and rural populations, and to take into consideration the cultural and linguistic interests of the Territories and the present land claim boundaries.

On October 23, 1998, the commission submitted its report to the Legislature. The commission recommended that two seats be added in Yellowknife, bringing the total number of seats in the Legislative Assembly to 16. The commission explained that it was recommending minimal changes at this time. The Legislative Assembly is still undergoing change, the political landscape of the western Territory is changing, and the commission felt that the uncertainty was a good reason to be cautious.

The commission noted, at page 12: We feel that if significant changes are to be considered, they should wait until the current processes have resulted in a constitutional framework and structure of government which can be expected to last for some time. We recognize and indeed we recommend that a further boundaries commission should be established when that government is in place. That commission will be able to assess the situation as it exists at that time B a more realistic and useful exercise than trying to anticipate now what that situation will be.

The commission's report was debated in the Legislative Assembly. A motion based on the recommendation for two additional seats for Yellowknife was defeated, as was a subsequent motion for one additional seat for Yellowknife. As a result, the composition of the Legislative Assembly remained at 14 seats.

NWT Supreme Court Decision. On November 25, 1998, a group of Yellowknife residents called "The Friends of Democracy" filed a notice of motion in the NWT Supreme Court. The group sought an order declaring the provisions of the Legislative Assembly and Executive Council Act that establish the 14 seats in the Northwest Territories to be unconstitutional and of no force and effect, because they violate the protection of the right to vote under section 3 of the Canadian Charter of Rights and Freedoms.

The Government of the NWT opposed the action and argued that the existing boundaries were valid. This position was supported by five aboriginal organizations who collectively were granted full intervenor status: the Metis Nation-NWT, the Dene Nation, the North Slave Metis Alliance, the Sahtu Secretariat Incorporated and the Lutselk'e Dene

Band. These organizations are members of the NWT Aboriginal Summit, a forum of aboriginal governments and organizations which have been actively involved in discussions with MLAs and the GNWT toward the constitutional development of both public and aboriginal government structures in the NWT. The Aboriginal Summit had participated with the Western Caucus in the Constitutional Working Group, tasked with developing proposals for a new constitution and structure of government for the new NWT.

Both the GNWT and the intervenors argued that nothing should be done to affect the status quo in the distribution of seats at this critical stage in NWT constitutional development. The intervenors submitted that the current number of seats should not be changed until aboriginal land claims and self-government negotiations with the governments of Canada and of the Northwest Territories are resolved. They urged that section 3 of the Charter must be read together with, and subject to, section 25 of the Charter and section 35 of the Constitution Act, 1982, which recognize aboriginal and treaty rights, and the process rights implicit in those sections.

On March 5, 1999, Mr. Justice de Weerd held that the boundaries of three ridings violate the right to vote guaranteed by the Charter: The ridings of Hay River, Yellowknife North and Yellowknife South. The population of these ridings are each more than 25 percent higher than the average population of all of the ridings. The court declared that the parts of the Legislative Assembly and Executive Council Act that establish these ridings are invalid, "being wholly inconsistent with" section 3 of the Charter.

Mr. Justice de Weerd rejected the arguments put forward by the intervenors that the status quo should be maintained until self-government and land claim agreements are concluded. He said that the right to vote is a right of citizenship that should not depend upon the leave of a government or be withheld during government negotiations. He did not accept that in these circumstances, section 3 of the Charter is qualified by section 25 of the Charter or by section 35 of the Constitution Act, 1982.

Mr. Justice de Weerd essentially accepted the rule established in other cases that an electoral district's population should not be more than 25 percent above the average district population. However, he did not rule invalid those ridings whose populations were more than 25 percent less than the average. He noted that the application was directed at remedying the under-representation of voters in Yellowknife,

rather than reducing overrepresentation in less populated ridings. He was satisfied that the overrepresentation in ridings which have populations below the average is probably justified, considering the factors of geography, community history and interests, language differences, difficulties in communication with remote communities and minority representation and the difficulties and expense of travel.

Mr. Justice de Weerdts suspended his declaration, giving the Legislative Assembly until April 1, 1999, to replace or amend the invalid provisions to comply with section 3 of the Charter.

The Government of the Northwest Territories, with the  
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concurrence of the Friends of Democracy and the intervenors, requested an extension of the time frame to allow it to implement an acceptable solution prior to the next general election. Justice de Weerdts varied his order to give the Legislative Assembly until September 1, 1999, to amend or replace the legislation.

Bill 15. The Government of the NWT, as the unsuccessful party to the court challenge, had the right to appeal the Supreme Court decision to the NWT Court of Appeal. The intervenors did not have an automatic right, but required leave of the court to appeal.

The Aboriginal Summit, among others, urged the GNWT to appeal, and argued that it had in fact a fiduciary duty to do so in order to protect the rights and interests of aboriginal people. The summit pointed out that the issues involved included the integrity of constitutional negotiations with aboriginal governments in the context of treaty, land, resources and governance negotiations. As well, it involved the appropriate role of the courts in ensuring that nothing be allowed to transpire that would frustrate the ability of the Crown to honour its commitments towards aboriginal people. The Aboriginal Summit said that for the government to fail to appeal would be to break faith with Northwest Territories aboriginal people, and to abdicate its responsibility to ensure that constitutional development of the NWT goes forward in compliance with the constitution read as a whole.

Members of the Legislative Assembly and the Aboriginal Summit recognized that time was running out in the life of the 13th Assembly, and that this

limited the opportunity to develop creative solutions in full consultation with northern people. However, the government did have the option of requesting the federal government to amend the Northwest Territories Act to allow for a one year extension of the Assembly. The Government could then have requested a longer extension of the deadline imposed upon it by the NWT Supreme Court.

The government was urged to request an extension of the term of the Legislative Assembly by several Members and by the Aboriginal Summit. This would have demonstrated leadership, and would have allowed northern people to participate in the development of a political solution to the constitutional questions raised by the NWT Supreme Court decision. In the committee's view, it would have been a much more productive use of time and resources than other recent costly initiatives, such as the Economic Strategy Panel.

Despite the direction of the Legislative Assembly, the GNWT chose not to appeal the Supreme Court decision nor to request an extension of the term of the 13th Legislative Assembly.

The government indicated that its legal advice was that there were no grounds to appeal the decision. However, the government did commit to support the intervenors' application for leave to appeal, if the intervenors chose to proceed, and to assist with the legal costs. The Premier also informed the House, on March 26, 1999, that the legal advice received by the government was that the intervenors would have a good chance of being granted leave to appeal.

The same offer of support and financial assistance with respect to an appeal was also made to the Friends of Democracy.

The Government then introduced Bill 15, An Act to Amend the Legislative Assembly and Executive Council Act, on March 23, 1999. Bill 15 proposes to amend the legal descriptions of the electoral boundaries that are appended as a schedule to the Legislative Assembly and Executive Council Act, to create five additional ridings. Three of these would be in Yellowknife, one in Hay River and one in Inuvik. The bill also revises the electoral district of Deh Cho to include the community of Enterprise, as requested by that community.

As well, Bill 15 proposes to eliminate the ten electoral districts that are now part of Nunavut and make minor amendments to other riding descriptions to change

the wording "Nunavut Settlement Area Boundary" to "Nunavut - Northwest Territories Boundary" to reflect Nunavut's now official status as a territory of Canada. If passed, the amendments made by Bill 15 will come into force when the 13th Assembly dissolves in the fall of 1999.

NWT Court of Appeal Decision. On May 5, 1999, the intervenors in the NWT Supreme Court case filed an application for leave to appeal and a notice of appeal of Justice de Weerd's decision. All parties supported the intervenors' right to appeal.

The NWT Court of Appeal heard the matter on June 16, 1999, and denied the application for leave to appeal. The panel judges indicated that they had read all of the appeal material and that the intervenors had not established that they had any right that was violated by the NWT Supreme Court decision. If bona fide negotiations with respect to self-government and/or treaty negotiations do not continue, and section 25 or 35 rights are infringed, remedies will be available through the judicial process at that time. The Court of Appeal also found that the intervenors did not have a reasonably arguable appeal.

Mr. Speaker, I will have my colleague, Mr. Krutko, read the remaining report. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Thank you, Mr. Rabesca. Mr. Krutko.

**MR. KRUTKO:**

Thank you, Mr. Speaker. The standing committee recognizes the legal constraints upon both the government of the NWT and the committee, particularly since the government's failure to appeal the Supreme Court decision or to request an extension of the Assembly's term and the recent denial of the intervenors' application for leave to appeal. While it is open to the intervenors to pursue leave to appeal to the Supreme Court of Canada, the standing committee has no choice at this time but to proceed within the parameters of the Supreme Court decision and the September 1, 1999, deadline.

The Northwest Territories Act requires that the NWT Legislative Assembly be composed of at least 14 Members. If amendments are not passed to revise the invalid electoral boundaries by September 1, the Legislative Assembly will be invalidly

constituted and will have no authority to act.

The standing committee took a broad view of its mandate in relation to Bill 15. As committee Members pointed out during the public hearing process, we regret that the government chose not to appeal the Supreme Court decision and instead introduced Bill 15. We understand that the bill will fundamentally change the rural and urban balance in the Legislative Assembly. We know that many aboriginal governments and leaders are deeply concerned about how this change will affect their land claim and self-government negotiations. For example, leaders in the Beaufort Delta have said that the potential for greater control by the larger communities makes the need more urgent to establish local control over local affairs, resources and funding. We know that many community leaders and residents are also deeply concerned about how this will affect their communities.

However, given the very real legal and practical constraints, the committee asked witnesses at the public hearings for any proposals or suggestions that would help to alleviate their concerns, while meeting the guidelines of the Supreme Court ruling and allowing for orderly political and constitutional development in the Northwest Territories. Members were interested in hearing the public's views on governance issues not strictly within the scope of Bill 15. The urban / rural balance and the balancing of the rights of the individual with the collective rights of aboriginal people were issues of prime interest and importance to the committee.

The public hearing process reflected the nature and importance of the subject matter to northern people. The committee hearings were well attended in the smaller communities, where people felt that they had much to lose. The concerns expressed to the standing committee were deeply held and fundamental. Common themes were expressed by both aboriginal and non-aboriginal people.

**Urban / Rural Balance.**

Bill 15 calls for the creation of five new ridings for the Legislative Assembly of the Northwest Territories. Three of those ridings will be in Yellowknife and one each will be in Hay River and Inuvik. People living in the smaller, predominantly aboriginal rural communities are concerned that the urban communities (Yellowknife, Hay River and Inuvik) with their combined eleven seats in a 19-seat legislature,

would control the deliberations of the Legislative Assembly of the Northwest Territories.

Many people felt that the major effect of Bill 15 would be to consolidate power in the new western territory in the urban majority. For example, Dev Sharma of Inuvik felt that recent events demonstrate an effort to ensure that the power base is in Yellowknife after division. He said that the existing number of seats should remain in place until after self-government negotiations are concluded. Further, the greater economic, social and education opportunities of the urban centers and the greater mobility of urban residents should be taken into account in future decisions on electoral boundaries. There must be a greater focus on concluding self-government negotiations, as this will prove to be the quickest way to achieve equality among all northern people. When self-government is achieved, the influence of the GNWT and the urban centers will decline.

Roy Scott of Fort Smith was concerned that with the seven seats in Yellowknife it would be possible, with two other MLAs, for the politicians from Yellowknife to control the results of any vote in the Legislative Assembly. He added "and that scares the living hell out of me".

The majority of people making presentations in Yellowknife agreed with the principle of one person -- one vote put into effect in Bill 15, as outlined in Justice de Weerd's decision. However, in many cases, adherence to this principle did not mean that the presenters were wed to the specific solution presented in Bill 15. Presenters who supported the bill were willing to look at other solutions that did not violate the one person -- one vote democratic principle. For example, Bob Brooks of Yellowknife suggested that affordability should be a consideration, and as long as the court order is met, a 17 or 18 seat legislature might be workable. Presenters also were willing to work with people from other regions in an inclusive process to develop alternatives.

Similarly, Peter Shaw of Fort Simpson, supported the principle of equality of the right to vote, but added "Our voice over the years has been a cry in the wilderness... we're just not getting the word through from the communities".

Some presenters went further. Paul Harrington of the South Slave Metis Tribal Council sees "a conspiracy to take over our land and our resources, our programs, our services". He added "I have a problem with the concept that if you have a monopoly and you

have a whole bunch of people living in that city, it can become a structure that is going to rule the whole Northwest Territories. I find that offensive and not the way to build the Northwest Territories. It is just not the way we should be going".

National Chief Bill Erasmus of the Dene Nation pointed out that "the imbalance we have always feared is upon us" and was disturbed that the terms of Justice de Weerd's ruling and the introduction of Bill 15 left no opportunity for the Dene Nation to be involved in formulating a compromise solution.

Mayor Fred Behrens of Rae-Edzo asked, "Why should one

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community be in a position to veto or disallow the needs and aspirations of the rest of the Northwest Territories or a region ...". Mayor Behrens pointed out that "one MLA representing five communities in the North Slave will have to compete with Yellowknife, for example, with seven MLAs, for the same resources that are already hard to get". He went on to say that, "Members from urban ridings do not know what life in our smaller communities is like. Most have never ventured outside their communities. Government must be more sensitive to the needs of the smaller communities".

Andrew Gaule of Fort Simpson emphasized that if the Legislative Assembly wishes to ensure the regions have a greater stake both politically and economically, there must be a strong regional development policy. This could be evidenced by locating more government institutions in the regions. Similarly, Henry Beaver of Fort Smith stressed that the GNWT must downsize government in the capital and put more jobs into the communities. These concerns were echoed by many others.

Many presenters expressed a common frustration that not enough attention is being given to the geographical size of some of the constituencies with a smaller population. They emphasized the importance of land to aboriginal people. Paul Harrington of the South Slave Metis Tribal Council questioned why more consideration is not given to geographical area and land base, when one MLA must keep on top of resource development and land claims in a very large area.

Jeannie Marie-Jewell of Fort Smith noted that the Northwest Territories is a unique place in terms of

diverse culture, languages and demographics, but that Bill 15 reflects population distribution only. She felt that people in the communities would not see a purpose in holding an election or voting, if the power is concentrated in Yellowknife.

Others noted that the boundaries are based on the 1996 census, and that Yellowknife's population has decreased since then, and since the creation of Nunavut. Ken Heron of Fort Smith wondered "Are they representing ghosts?".

#### Rift Among Northern People.

Time and time again the committee heard that the passage of Bill 15 would create a rift among northern peoples. The majority of the presenters the committee heard, with the exception of those from Yellowknife, favoured maintaining the current 14 seat Legislative Assembly until such time as a constitutional compromise could be worked out between all governments, aboriginal and public, in the Northwest Territories.

Jean-Francois Des Lauriers of the Public Service Alliance of Canada, in Yellowknife sees Bill 15 as "one more shock to the system, when we should be looking forward to some stability". He pointed out that many of the larger centers have been subject to population fluctuations, especially in relation to resource development.

John Tees of Yellowknife was concerned that Bill 15 had the effect of setting up a government for people who move here from, and retire to, the south and that there was little concern for or relevance to the aboriginal peoples of the Northwest Territories. He added that it is time that we looked at innovative ideas for governing the north.

Several other presenters noted the transient nature of the larger centers. They noted that decisions with significant impact have been made in the past by individuals who have come to the North for the economic opportunities but who do not have a long term commitment to the North. Some communities have experienced strong boom/bust cycles, with large numbers of people arriving and leaving in short periods of time. Similarly, the committee is aware of several former Members of the Legislative Assembly who represented ridings in the larger centers who have left the Northwest Territories. Michael Nadlii, Grand Chief of the Deh Cho First Nations, felt that Bill 15 favours Yellowknife and ignores the realities of regional governments to come that will become the

mainstay of political development in the Northwest Territories. Dennis Helner of Fort Simpson questioned whether a commitment to aboriginal people would be a priority of any future government. Chief Ernest Cazon of the Liidlii Kue First Nation pointed out that "instead of working together, we are fighting already".

Many presenters expressed frustration that the government is promoting partnerships with aboriginal governments on one hand, and introducing legislation that is harmful to such partnerships with the other. The changes brought about by Bill 15 will be a major blow to the trust that is necessary for meaningful partnerships. Many felt that the government let northern people down when it decided not to appeal the NWT Supreme Court decision.

Clayton Burke of Fort Smith felt that justice has not been served. Combined with actions of the federal government over the last few years, the recent court rulings "disenfranchised people without a shot being fired". He pointed out that recent events will have a ripple effect, and that the GNWT should have learned from the Oka crisis in Quebec.

One of the most dramatic and immediate consequences of Bill 15 is the wedge that is being driven between aboriginal and non-aboriginal people. There is a lack of trust that the government

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will fulfil its responsibilities toward aboriginal people. The committee heard that Bill 15 will solidify the influence that the larger centers have over the indigenous inhabitants of the territory.

There was a strong sentiment that perhaps the GNWT should be bypassed, and that the expression of the inherent right to self-government through parallel governments may be the only viable option. If Bill 15 passes with no formal process for healing the rift in place, aboriginal governments can be expected to distance themselves more and more from the GNWT in the future.

In a more general sense, the committee cannot overemphasize the need for stability in the North. We need to create jobs for our young people. We need economic development opportunities if we are to be able to pay for our social programs and the support our elders deserve. Our society will not be healthy if our people are not working and productive. Achieving

political stability is the first step toward creating a healthier economic and investment climate.

Members of the standing committee believe that it is still possible to bring aboriginal and non-aboriginal people together in a true partnership. However, if there is no clear commitment by the GNWT to do this, the committee was told that the consequences for the Northwest Territories will be serious. We agree. We believe that the political, economic and social fabric of the Northwest Territories is jeopardized by Bill 15 and the government's failure to act on these issues.

In addition to implementing the committee recommendations arising from the public review process, the government should place a high priority on resolving land claims and self-government negotiations in the Northwest Territories.

Mr. Speaker, I will now move the comments over to Mr. Morin to continue on with the statement.

**MR. SPEAKER:**

Thank you, Mr. Krutko. Mr. Morin.

**MR. MORIN:**

Thank you, Mr. Speaker.

Political Solutions

The standing committee heard many expressions of legitimate concern among people in the regions about the role of the courts and the legislature. Debates are occurring in many parts of Canada surrounding decisions in which unelected judges have overruled express choices of elected representatives. Many presenters felt strongly that the courts in this case have gone too far in taking over the role of elected legislators.

The standing committee also heard that while Bill 15 may be one legal solution, it creates political chaos. Better solutions can be devised through consultation and cooperation. From the views expressed by presenters, the committee is convinced that the vast majority of people, from Yellowknife, the other larger centers and from the regions want a political solution and new ways developed for governing the North.

It was also pointed out that the court decisions did not specifically recommend Bill 15. The NWT Supreme Court did lay out parameters for the government to follow, but the particular boundaries created by Bill 15 were chosen by the government. The courts also

made it clear that effective representation issues require political solutions.

The standing committee is disappointed that the government did not display more creativity in devising solutions to the boundary issues in consultation with aboriginal people. Bill 15 will have a deep and lasting impact. This government spent money and effort trying to convince Northwest Territories residents that we had a "new" Territory after the creation of Nunavut. This was an opportunity to truly develop a new Territory "owned" by all residents.

The committee did attempt to find ways to make Bill 15 more acceptable to the leadership and residents of the rural Northwest Territories, and to address the concerns of aboriginal governments that Bill 15 reduces opportunities for First Nations to participate in public government. Committee members questioned all presenters on their thoughts on other issues relating to governance that had come to the attention of committee members.

Most presenters expressed their preference for maintaining the status quo of fourteen seats. As Norm Prevost of Fort Simpson said, it would be better to "start small, stay small and build according to our needs". Presenters also questioned the cost associated with an increase in the number of Members, saying that this money is needed for education and health, not MLAs.

The standing committee notes that the Honourable Michael Miltenberger, MLA for Thebacha, recommended that a Legislative Assembly of 15 Members could be accomplished within the rules set down by the NWT Supreme Court if some of the smaller constituencies were amalgamated and some residents moved to different constituencies. The committee cannot support this suggestion. Members feel strongly that it is essential that the small constituencies be retained, and that the redistribution of voters into different constituencies should only be done in consultation with the people affected.

Generally, presenters understood that the standing committee was painted into a corner and had little scope to change Bill 15. However, if Bill 15 is to come into effect, presenters wanted accompanying changes. People felt that there were positive steps that could be taken now and in the long term to partially address the political impact of Bill 15.

Sunset Clause.

Many presenters and committee Members were concerned that once Bill 15 was passed, this would be the end

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of any meaningful constitutional development or discussions in the Northwest Territories.

Committee Members sought presenters' opinions on the inserting of a time limit for Bill 15. A time limit or "sunset clause" could allow the legislation to exist as law for only a certain period of time. The vast majority of presenters questioned by the committee Members were in favour of a "sunset clause" being included in Bill 15.

For example, Gary Bohnet, President of the Metis Nation - NWT, thought that the addition of a "sunset clause" would make it clear that Bill 15 was a temporary fix and would be useful in ensuring that other types of solutions were looked at.

If Bill 15 were in force for only the life of the next (14th) Assembly, the GNWT, aboriginal governments and all Northerners would have a target date to work towards in the formulation of a new constitution for the Northwest Territories. This is something that has not occurred before.

#### Cabinet Composition (2-2-2) Proposal.

Committee members were interested in hearing the views of presenters on a proposal that had been suggested to ensure regional representation on Cabinet. The "2-2-2" proposal calls for Cabinet membership to comprise two Members from northern NWT constituencies, two from southern constituencies and two from Yellowknife.

The 2-2-2 proposal is based on the previous convention that existed under which four Ministers were selected from the east (Nunavut) and four Ministers were selected from the west (the present Northwest Territories). This practice, while not formalized in law, did provide some assurances to the residents of both east and west that their needs would not be forgotten in Cabinet deliberations.

The 2-2-2 balance could be achieved through political convention, as was the case before division. Alternatively, it could be formalized, either in the Rules of the Legislative Assembly or in legislation.

This proposal received widespread support during the public hearings. The majority of presenters from all

regions of the Northwest Territories felt that the proposal might provide some measure of assurance to the smaller rural regions that their voices would be heard and their needs recognized in relation to all NWT issues.

However, not all presenters agreed that the proposal should be embodied in legislation. Gary Bohnet, President of the Metis Nation - NWT did not favour mandated regional representation on Cabinet. Mr. Bohnet raised the question of what the Legislative Assembly would do if none of the Members elected from a particular region were suitable Cabinet material. In further discussions, Mr. Bohnet indicated that he did not object to regional representation through political convention.

Similarly, Robert Slaven of Yellowknife felt that the suggestion for regional representation was reasonable, but that legislation would be too inflexible and the proposal should be restricted to political convention.

#### Constitutional and Electoral Reform Commission.

While the addition of a "sunset clause" to Bill 15 may provide some comfort to territorial residents, it is only a temporary measure to obtain more time. Committee members also realized that there must be a process in place to establish a new constitution or form of governance for the Northwest Territories, and discussed options to ensure that a process be instituted.

Gary Bohnet of the Metis Nation - NWT proposed that the committee develop legislation providing for an independent body that reports to the aboriginal leadership as well as to the Legislative Assembly to settle electoral and constitutional issues. Committee members agreed with Mr. Bohnet's assessment that the commission should have a relatively broad mandate. As well, there must be a commitment to the process by both the GNWT and aboriginal governments and there must be time constraints placed on the commission.

Several presenters emphasized that any recommendations or proposals from a commission must not be restricted to the approval of MLAs. There must be a process established to allow ordinary residents of the Northwest Territories to vote on the recommendations of the commission.

#### Additional Issues.

Many other issues were brought to the attention of the Standing Committee on Government Operations during their public hearings. These included such issues as changing the name of the riding of Nahendeh to reflect its inclusion in the Deh Cho region, changing the names of constituencies to include "territory" to more clearly recognize aboriginal governments, creating a separate constituency for Rae-Edzo and creating constituencies in Inuvik with members elected at large. As well, presenters suggested creating constituencies reflecting traditional land use, creating aboriginal or cultural constituencies and establishing guaranteed aboriginal and/or regional representation.

Most of these requests cannot be accomplished at the current time, within the limitations imposed by the NWT Supreme Court decision and the federal Northwest Territories Act. However, Committee members agree that these are valid and worthy of consideration within the scope of further constitutional and electoral reform.

Mr. Speaker, I will now turn the reading of the report over to my colleague, Mr. Erasmus. Thank you.

**MR. SPEAKER:**

Thank you, Mr. Morin. Mr. Erasmus.

**MR. ERASMUS:**

Thank you, Mr. Speaker. Mr. Speaker, Members of the standing committee echo the words of the Premier in his statement in the House of March 24, 1999:

Given the unique opportunities that we have, it is unfortunate that we have become sidetracked in a divisive debate over electoral boundaries. This debate has the potential of setting back everything we have been trying to build for the last 30 years, derailing the hard work of trying to frame joint priorities and to assert our independence from DIAND's rule. No one northern group can win at this debate but we can all lose.

Members of the standing committee regret that it has come to this. It is shameful that issues so central to the development of the North and the future of all Northerners -- aboriginal and non-aboriginal -- are being decided by the courts. They should be decided by northern people. The government had the opportunity to demonstrate true leadership and chose not to do so. In the words of one presenter "We feel betrayed".

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The Constitutional Working Group had been working on the development of constitutional and governance arrangements that would be acceptable to Northerners and that would allow us to move forward as a strong and united territory. Consultations were put on hold in late 1998 pending further progress in the self-government arena. However, there is now a more urgent need to develop a principled means for public and aboriginal governments to work together, and to find a balance between individual and collective rights.

The NWT Supreme Court decision, the introduction of Bill 15 and the impending dissolution of the Assembly in a few short months combine to have serious consequences. Unrealistic time frames and pressures have been placed on all parties. The standing committee is very concerned about the long-term effects of this situation. The potential is very evident for relationships to be permanently impaired, trust destroyed and communities pulled farther apart.

As a result, it is the view of committee members that Bill 15 must be considered a temporary, stopgap measure only. It may be a necessary step in light of the current legal dilemma faced by the Legislative Assembly, the lack of action by the government and now the lack of time available. However, it should remain in place only until a more workable and acceptable long-term solution can be developed. Further, this Legislative Assembly must ensure that a process is set in motion so that a workable solution is reached soon, in partnership with all northern people, within the life of the 14th Assembly.

The committee has several recommendations which, taken together, will help to provide some assurance that the voices of people in the regions will be heard in the 14th Assembly, and ensure that momentum is carried through the next election and work on resolving these issues carries forward.

This Assembly cannot shrink from its responsibilities and hide behind court decisions. It must make responsible political decisions now for the future. We do not have the luxury of postponing these issues for the deliberations of a future Assembly. The committee's recommendations will institute a process so that work may begin on constitutional and electoral reform issues immediately after the upcoming election and so that some resolution may be achieved during the life of the 14th Assembly.



## Sunset Clause.

Committee members feel strongly that Bill 15 must be an interim measure only, to allow time for a satisfactory solution to be developed. A sunset clause would provide that the electoral districts put in place by Bill 15 would be repealed on dissolution of the 14th Legislative Assembly. With no boundaries to take their place, the government would be required to act. The sunset clause would send a clear message to the Government of the Northwest Territories that it is urgent that it work with aboriginal and community governments and other stakeholders to reach agreement on governance in the NWT during the 14th Assembly.

The Committee is aware that constitutional questions may be raised if a sunset clause is implemented and the possibility exists for a constitutional "vacuum" at some point in the future. However, this is an area of the law that is far from clear. There is no need for an unconstitutional situation to arise, as the committee intends, and fully expects, that action will be taken to resolve governance issues in a manner satisfactory to northern people during the life of the 14th Assembly. In the committee's view, legislatures have a duty to act boldly when necessary.

The committee also recognizes that a legislature cannot bind itself. If a new system is not established through legislation before the end of the 14th Assembly, the government would have the option of introducing a bill to remove the sunset clause. The boundaries established by Bill 15 would then remain in place for the election of the 15th Assembly. However, this would at least be a very public action, and subject to public debate. The government would be accountable to the residents of the Northwest Territories for its failure to resolve these issues and introduce reforms.

Members raised the concept of the sunset clause with the Premier during the clause by clause review of Bill 15 on July 26, 1999. The rules of the Legislative Assembly allow Bills to be amended during a standing committee review if the Minister sponsoring the bill concurs with the amendment. However, committee Members felt that it would be more appropriate for such an amendment to be dealt with on the floor of the House, during the review of Bill 15 in committee of the whole. This would allow a full public debate to occur, in which all Members could participate.

Therefore, Mr. Speaker, the committee recommends that Bill 15 be amended in committee of the whole to

provide that section 2 and schedules A and B of the Legislative Assembly and Executive Council Act are repealed upon the dissolution of the 14th Legislative Assembly.

## Political Accord

Mr. Speaker, western MLAs and the Aboriginal Summit concluded over a year ago that a political accord on western territory issues is urgently needed. On June 4, 1998, the Legislative Assembly passed a motion "that the Government of the Northwest Territories begin discussions with the Government of Canada and elected leaders representing all the western Northwest Territories regional aboriginal governments as may be represented by the Western NWT Aboriginal Summit, to negotiate a political accord which would set out the ongoing relationship between the parties". The Assembly also requested that the parties make every effort to reach an agreement on a political accord by October 30, 1998.

A political accord would set out the roles and relationships between the parties, and set a framework for ongoing cooperation on constitutional and governance issues and major GNWT policy initiatives.

The political accord contemplated in June, 1998, was not developed, for various reasons including the withdrawal of the federal government from the discussions. However, during the past several months, members of the Aboriginal Summit and Western Caucus had agreed that work on a political accord should be renewed between the two parties and agreement reached as soon as possible.

Committee Members had expected that with the issues raised by the electoral boundaries court decision, the government would make increased efforts toward reaching a political accord that could be presented as a companion document to Bill 15. That has not happened. At the pace at which discussions are proceeding, an accord may not happen for a very long time.

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A political accord could provide a structured mechanism for aboriginal governments to have meaningful input into GNWT decisions that affect aboriginal people. A political accord will eventually be overtaken by governance reforms, but until they are in place, an accord should be a key component of governing in the new western territory.

Committee Members believe, however, that the GNWT must demonstrate some real commitment, effort and resources to the process. The standing committee has been asking for a GNWT workplan with respect to the political accord since early June, 1999. If the GNWT is not going to focus its efforts on concluding an accord, Cabinet should make that clear.

If the GNWT is committed to the process, negotiations should take into account the recommendations of this committee later in this report for legislation establishing a Constitutional and Electoral Reform Commission. The political accord process would be an appropriate mechanism for the GNWT and aboriginal governments to develop terms of reference for the commission for implementation in legislation this fall.

Mr. Speaker, the committee recommends that the Government of the Northwest Territories develop a workplan with clear timelines for the negotiation of a political accord with NWT aboriginal governments for review by the Standing Committee on Government Operations by September 1, 1999.

#### Legal Reference

Committee members feel strongly, as outlined earlier, that issues as fundamental as the governance of the new Northwest Territories must be decided by northern people. However, there is now a Northwest Territories Supreme Court decision suggesting that the right to vote protected by section 3 of the Canadian Charter of Rights and Freedoms is not to be read together with the sections which protect and guarantee aboriginal and treaty rights. This is of great concern to aboriginal people because of the significance placed on the inclusion of these rights when the constitution was repatriated in 1982. All sections of the Charter must be given equal weight.

Leave to appeal was not granted to the intervenors, and the government chose not to appeal. This decision is therefore binding in the Northwest Territories, and will colour all future discussions and negotiations with aboriginal people.

The interpretation of section 25 of the Charter and section 35 of the Constitution Act, 1982 is central to the relationship between governments and aboriginal peoples. This is as true in the rest of Canada as it is in the Northwest Territories. Committee members believe that this issue must be clarified. Since the government did not appeal the court decision, it has

no further avenue in this case. However, the question should be referred to a higher court. A reference to the Supreme Court of Canada would clarify the legal principles involved for aboriginal people and all levels of government throughout the country.

Mr. Speaker, the committee recommends that the Government of the Northwest Territories urge the federal government to commence a legal reference without delay before the Supreme Court of Canada; and further, that the Court be requested to clarify the interpretation of section 25 of the Canadian Charter of Rights and Freedoms and section 35 of the Constitution Act, 1982, in relation to the other provisions of the Charter and the Constitution of Canada, and in particular, section 3 of the Charter; and furthermore, that the Government of the Northwest Territories provide the Standing Committee on Government Operations with a proposed question to be provided to the federal government by October 1, 1999.

#### Regional Voice

Mr. Speaker, one of the consistent messages heard by the committee in communities outside Yellowknife was that if Bill 15 passes, there must be new mechanisms developed to ensure that the messages and issues specific to people in the regions are duly considered by the next Legislative Assembly.

#### Cabinet Composition (2-2-2) Proposal

As discussed, committee members heard views from many presenters on the 2-2-2 proposal, which would ensure regional representation on Cabinet. The proposal has also received support from some Cabinet Ministers. This balance could be achieved through political convention, or it could be formalized, either in the rules of the Legislative Assembly, or in legislation, in the Legislative Assembly and Executive Council Act.

Some individuals preferred that the proposal be implemented through convention, so that flexibility is maintained. However, Members of the standing committee feel strongly that the 2-2-2 proposal must be embodied in legislation if it is to provide some degree of assurance to residents in the regions that they will be adequately represented on Cabinet. Both political conventions and the rules of the Assembly are too easily changed, and such changes might more easily escape public notice. Legislation is not completely inflexible; it can be changed by the Assembly when necessary. However, to do so, a bill

would have to be introduced, ensuring a level of public debate on the issue.

Two Cabinet Ministers should be selected from the constituencies of Nunakput, Inuvik West, Inuvik East, Mackenzie Delta, Sahtu and North Slave. Two should be selected from the constituencies of Nahendeh, Deh Cho, Hay River South, Hay River North, Thebacha and Tu Nedhe. The remaining two would be selected from Yellowknife.

The standing committee also considered the size of Cabinet in a 19 Member Assembly, if Bill 15 is passed. It is the committee's view that the size of Cabinet should remain at six. The Legislative Assembly and Executive Council Act should be amended to ensure that the number of Members on Cabinet does not increase. In the opinion of committee members, this will provide a better balance between Cabinet and Ordinary Members, and the workload for six Ministers will be manageable. Those Members who feel that the duties are too onerous are not required to put their name forward for selection for Cabinet.

Therefore, Mr. Speaker, the committee recommends that the government introduce legislation to amend the Legislative Assembly and Executive Council Act to provide that the Executive Council of the Northwest Territories consists of six Members; and further, that the amendment to the Legislative Assembly and Executive Council Act require that there be regional representation on Cabinet as follows:

- two Cabinet Members selected from the constituencies of Nunakput, Inuvik West, Inuvik East, Mackenzie Delta, Sahtu and North Slave;
- two Cabinet Members selected from the constituencies of Nahendeh, Deh Cho, Hay River North, Hay River South, Thebacha and Tu Nedhe; and
- two Cabinet Members selected from constituencies in Yellowknife;

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and furthermore, that the government introduce the amendments to the Legislative Assembly and Executive Council Act to implement regional representation on Cabinet and to specify the size of Cabinet for passage before dissolution of the 13th Legislative Assembly.

Mr. Speaker, the standing committee also heard clearly that in addition to the Cabinet composition proposal and measures for regional economic development, models for governance should be examined that provide a measure of control to smaller populations outside of the major centres.

Various suggestions were made to the standing committee for further consideration. For example, an aboriginal or regional "Senate" like body could be created, to scrutinize proposed legislation and policy. Provisions could be put in place for a "regional veto" over actions that could be detrimental to a region.

There are many models that could be examined for adaptation to the Northwest Territories. For example, Australia's federal senate is composed of equal representation from the six states. There are 76 Senators, 12 from each state, regardless of the size, and two from each territory.

The Senate was constituted in this manner to ensure that the interests of less populous states would not be diminished in a parliament where the majority of the Members of the House of Representatives come from the two largest states. It gives the small states some protection from domination of the majority. Its main function is as a 'house of review', and in practice, bills are amended frequently. The Senate also has nearly equal legislative powers to the House of Representatives, except that it cannot initiate or amend money bills.

Where a bill does not affect provinces, each delegate in the NCOP has one vote. Amendments made go back to the National Assembly for acceptance or rejection. Where a bill affects provinces, each province has one vote. In other words, there must be consensus within each province on the bill.

Members of the public expressed their conviction throughout the committee hearings that there is a vast range of possibilities to create a model of governance that truly fits the North. Members of the standing committee agree. The committee recommends broad constitutional and electoral reform later in this report, and detailed consideration should be given during this process to models for regional control appropriate to the North.

Mr. Speaker, early in the committee's review of Bill 15, the committee retained outside legal counsel specializing in aboriginal and constitutional issues to provide an opinion on the constitutionality of creating a separate aboriginal constituency within the city of

Yellowknife. Members of the committee considered that separate representation may be necessary to ensure that the voice of aboriginal people in Yellowknife is effectively heard, particularly in relation to the development of self-government and how services to urban aboriginal people are planned, funded and delivered.

The idea of ensuring separate aboriginal participation in legislatures is not new. The Maori in New Zealand, for example, have had four guaranteed electoral districts since 1867. Aboriginal electoral districts have been suggested for many years in the federal system, and were recommended by the federal Committee for Aboriginal Electoral Reform and the Royal Commission on Electoral Reform and Party Financing (the Lortie Commission) in 1991.

In its report "Reforming Electoral Democracy", the Lortie Commission suggested that while aboriginal seats should not be guaranteed, aboriginal constituencies should be created by a process guaranteed in the Canada Elections Act. This would provide for the creation of aboriginal constituencies in provinces whenever sufficient numbers of aboriginal voters choose to register on an aboriginal voters' list. The commission made a series of recommendations detailing how the constituencies would be created. The commission commented that "the creation of aboriginal constituencies would build upon the Canadian tradition of accommodating both individual and collective rights".

The committee emphasizes, as did the Lortie Commission, and the Committee for Aboriginal Electoral Reform, that aboriginal representation is not to be considered as an alternative to aboriginal and treaty rights, including the inherent right of self-government for aboriginal people. Rather, effective representation in the NWT Legislative Assembly and self-government can be complementary forms of representation.

The committee's counsel, Mr. Kenneth Tyler, held the view that one of the proposals suggested by the committee could be implemented. The proposal would re-divide the existing four Yellowknife ridings into six constituencies with approximately equal non-aboriginal population, and permit aboriginal voters resident in the city to elect one member-at-large. Aboriginal voters would have the option of voting in either the aboriginal "at large" constituency or in the Yellowknife constituencies in which they reside.

Mr. Tyler provided a detailed letter to the committee. In his opinion, the Legislative Assembly of the Northwest Territories has the competence to implement the proposal under the existing Northwest Territories Act. Legislation creating an aboriginal constituency could be justified under the Canadian

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Charter of Rights and Freedoms if it could be shown that the special situation of aboriginal people in Yellowknife requires particular measures to ensure their effective representation.

Mr. Tyler also carried out some work on the committee's behalf examining the legislative amendments that would be needed, in particular to the Elections Act and the Legislative Assembly and Executive Council Act.

Members of the standing committee were encouraged by the options available for the creation of an aboriginal constituency. Committee members recognize that widespread consultation would be required, and the proposal is not one that could be implemented in the short time left in this Assembly. The aboriginal constituency model has merit, however, and should be examined closely during the life of the next Assembly, within the context of broader electoral and constitutional reforms.

Mr. Speaker, it is clear to committee members that a process must be instituted to ensure that constitutional and governance issues are given full attention during the 14th Assembly. There is a great deal of work on the issue to build on. If we are creative, a model unique to the North can be designed and there is a vast range of experience throughout the world from which to learn.

At the moment, the Legislative Assembly is constrained by the authority provided to it in the federal Northwest Territories Act. However, if work on constitutional and electoral reform begins early in the life of the 14th Assembly, there should be sufficient time to have any necessary amendments to the Northwest Territories Act passed by the federal Parliament so that Northwest Territories legislation can be enacted for the 15th Assembly.

What the committee proposes is a large task. Other groups have made progress on developing these issues in the past, but there is now increased urgency. The 13th Assembly should pass a bill to establish an independent Constitutional and Electoral

Reform Commission, to begin its work as soon as possible.

The objective of the Commission would be to develop a comprehensive constitutional and electoral reform proposal for consideration by the public at a constitutional conference. The basic elements of a formal constitution, as outlined by the Bourque Commission, are:

- The name and description of the geographic area to be covered by the constitution,
- A definition of the people to be governed by the constitution, together with a statement of their unique and shared experiences, values, interests and aspirations,
- Statements of any special rights and freedoms enjoyed by people governed by the constitution,
- A description of the orders of government, if any and the ways authority and responsibility are divided among the orders of government,
- The kinds of institutions which will make laws, decisions and settle disputes in these orders of government,
- How people are appointed or elected to serve in these governing institutions, and
- The way in which a constitution is amended.

The mandate of the commission should be broad and enabling. Much can be learned from the work that has been done on these issues to date by previous bodies. The commission would be expected to carry out public consultations and to keep the public informed of its progress. Some of the issues that the committee would expect to be before the commission for consideration include options for:

- regional and aboriginal representation in the NWT legislature,
- multi-member constituencies,
- aboriginal constituencies,
- guaranteed aboriginal representation,
- constituencies which reflect traditional land use,
- a regional government structure,
- the creation of an aboriginal ombudsman,

- providing a choice for aboriginal people resident in urban centers to vote in their home ridings, and

- structures for regional autonomy and the protection of regional interests, including options such as a regional Senate, weighted votes on money bills, requirement for regional approval on key legislation or policy affecting them.

Membership of the commission should reflect a fair representation of northern people, developed in cooperation by the GNWT, aboriginal governments and other stakeholders. The commission should comprise equal numbers of aboriginal and non-aboriginal people, with representation from women. It should be small enough to be a workable size. And I must stress, it must be properly resourced, and its members must be able to commit the time necessary to focus on such a large and complex task to its completion.

The standing committee recognizes that the work of the commission will entail costs, and that fiscal restraint will be a key theme of the 14th Assembly. However, this will be an investment in our future. The financial implications if nothing is done to resolve the constitutional gridlock are tremendous.

The committee heard during the public hearings, and it is public knowledge, that there will be no resource revenue-sharing arrangements if the rift caused by Bill 15 is not healed. Aboriginal people will not support any devolution to the GNWT under these circumstances. People in the communities and regions feel a great animosity toward Yellowknife, in particular. Never has it been more important to address these issues in a comprehensive and meaningful fashion. The risk lies in not acting.

In the past, when the GNWT has commissioned reports, after all the work has been completed and the recommendations made nothing is done. There is no process for moving forward.

Other jurisdictions have held binding referenda on questions of fundamental constitutional or electoral reform. For example, a binding referendum in New Zealand in 1993 resulted in the adoption of a mixed member proportional electoral system for the country. British Columbia, Alberta, Australia and Ireland each have legislation requiring a binding referendum to be held before any constitutional amendment is approved. The standing committee agrees with this approach.

The recommendations of the Constitutional and Electoral Reform Commission should be presented to the public at a broad-based constitutional conference. The main goal of the conference should be to develop a question or set of questions on constitutional and electoral reform to take to all Northwest Territories voters for approval in a binding referendum. The government should then be required to take steps to implement the results of the referendum as soon as practicable.

The commission should recommend, for resolution at the conference, the percentage of voters required to approve the referendum proposals. The commission may also wish to consider whether a mechanism for regional approval might be appropriate.

In the committee's view, the reform process should be able to be concluded within the life of the 14th Assembly with dedicated effort, adequate resources and a strict time frame. Members also feel strongly that there are too many ongoing strategies, forums, consultations and other >tables'. The Minister's Forum on Education recently completed its report and was followed by a Minister's Forum on Health and Social Services. An Economic Strategy Panel has been appointed to carry out consultations. There have been various formal and informal constitutional discussion tables. With a small population and a finite number of individuals available to participate, issues become fragmented and able people are pulled in too many directions. It is time for more focus. The committee encourages the government to scale down its initiatives wherever possible, and concentrate its attention over the next four to five years to resolving the critical constitutional questions.

The committee recognizes that any significant proposals for change during the next Assembly will require the concurrence of the federal government, assuming amendments to the federal Northwest Territories Act would be required. If the commission can begin its work in early 2000, the public should be able to consider its recommendations at a constitutional conference by June, 2002. This would allow a referendum and necessary federal amendments to be completed before the following election.

Therefore, Mr. Speaker, the committee recommends that the government introduce legislation for passage during the 13th Legislative Assembly to establish a Northwest Territories Constitutional and Electoral

Reform Commission; and further, that the legislation give the commission a broad mandate and require the commission to develop a comprehensive constitutional and electoral reform proposal for consideration by the public at a constitutional conference by June 30, 2002; and furthermore, that the legislation require that recommendations for reform be submitted for approval by all Northwest Territories voters in a binding referendum; and furthermore, that the legislation require that any electoral and constitutional legislative changes approved by Northwest Territories voters in a referendum be introduced for passage prior to the dissolution of the 14th Assembly.

The recommendations made by the standing committee in this report reflect the views and suggestions made by the public to the committee during the public hearing process. The recommendations should be made a priority of the 14th Assembly. Members of Cabinet have repeatedly said in the House that they want a political solution. To quote the Premier, "building understanding of the issues and reaching a political resolution is critical if we are to move beyond this issue as a unified new territory".

If the government chooses not to support the standing committee recommendations, it has a duty to all northern people to present other options now for a cooperative process to resolve the current crisis. If it does not, it risks seeing the territory break apart. There is a very real and present risk that the rift created by Bill 15 will widen and the political, social and economic harmony shared by all of the people of the Northwest Territories will be seriously jeopardized. Thank you, Mr. Speaker.

Mr. Speaker, that concludes the committee's report on Bill 15. I move, seconded by the honourable Member for Tu Nedhe, that committee report 2-13(7) be received by the Legislative Assembly and referred to committee of the whole for further consideration.

**MR. SPEAKER:**

Thank you, Mr. Erasmus. The motion is in order. To the motion. Question has been called. All those in favour? All those opposed? The motion is carried. Mr. Erasmus.

**MR. ERASMUS:**

Thank you, Mr. Speaker. Mr. Speaker, I seek unanimous consent to waive rule 93(4) and have the

report placed in committee of the whole as the first item of business for Wednesday, July 28, 1999. Thank you.

**MR. SPEAKER:**

Thank you. The Member for Yellowknife North is seeking unanimous consent to waiver rule 93(4). Do we have any nays? There are no nays. Mr. Erasmus, you have unanimous consent. The report will be put into committee of the whole as the first item of business for Wednesday, July 28. Reports of standing and special committees. Mr. Erasmus.

Committee Report 3-13(7): Report on Bill 16: An Act to Amend the Supplementary Retiring Allowances Act

**MR. ERASMUS:**

Thank you, Mr. Speaker. Later today at the appropriate time the Standing Committee on Government Operations will be reporting on our review of Bill 16, An Act to Amend the Supplementary Retiring Allowances Act. The Standing Committee on Government Operations reviewed Bill 16 at several meetings over the past few months. The committee would like to thank the Honourable Charles Dent for presenting the bill on July 27, 1999, and responding to the committee's questions. Bill 16 would amend the Supplementary Retiring Allowances Act to terminate the payment of pensions under that act.

Members of the Legislative Assembly who are entitled to pensions under the act would be paid the actuarial equivalent of their pensions as of November 30, 1999. They would have the choice of a single lump sum payment or payments over 64 months. Mr. Speaker, while the standing committee is not unanimous, the majority of the committee recommends that Bill 16 not proceed. Some Members entitled to the pension support the bill. However, many others have arranged their financial affairs on the basis of continued pension payments to themselves or their families. Termination of the plan would have

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serious negative consequences for them. If the government wishes to proceed to terminate the plan, it is the committee's view that Members entitled to payments should have the option to choose a payout or to remain in the pension plan. The committee recognizes that an amendment to provide for this option would be outside the scope of Bill 16, and a new bill would be required to accomplish this.

This concludes the standing committee's substantive report on Bill 16, An Act to Amend the Supplementary Retiring Allowances Act. Although we will later report the bill as ready for consideration in committee of the whole, we recommend that the bill not proceed. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Thank you. Reports of standing and special committees. Item 12, reports of committees on the review of bills. Mr. Erasmus.

**ITEM 12: REPORTS OF COMMITTEES ON THE REVIEW OF BILLS**

**MR. ERASMUS:**

Thank you, Mr. Speaker. I wish to report to the Assembly that the Standing Committee on Government Operations has reviewed Bill 16, An Act to Amend the Supplementary Retiring Allowances Act, and wishes to report that Bill 16 is now ready for committee of the whole.

**MR. SPEAKER:**

Thank you. Reports of committees on the review of bills. Item 13, tabling of documents.

**ITEM 13: TABLING OF DOCUMENTS**

Tabled Document 57-13(7): Annual Report of the Languages Commissioner of the NWT, Fiscal Year 1997-98

**MR. SPEAKER:**

Pursuant to section 23 of the Official Languages Act, I would like to table the Annual Report of the Languages Commissioner of the Northwest Territories covering the fiscal year 1997-1998. Tabling of documents. Item 14, notices of motion. Item 15, notices of motion for first reading of bills. Mr. Kakfwi.

**ITEM 15: NOTICES OF MOTION FOR FIRST READING OF BILLS**

Bill 22: Access to Information and Protection of Privacy Statutes Amendment Act

**HON. STEPHEN KAKFWI:**

Mr. Speaker, I give notice that on Thursday, July 29, 1999, I will move that Bill 22, Access to Information

and Protection of Privacy Statutes Amendment Act, be read for the first time. Thank you.

**MR. SPEAKER:**

Thank you. Notices of motion for first reading of bills. Mr. Dent.

Bill 24: An Act to Amend the Access to Information and Protection of Privacy Act

**HON. CHARLES DENT:**

Thank you, Mr. Speaker. Mr. Speaker, I give notice that on Thursday, July 29, 1999, I will move that Bill 24, An Act to Amend the Access to Information and Protection of Privacy Act, be read for the first time. Thank you.

**MR. SPEAKER:**

Thank you. Notices of motion for first reading of bills. Mr. Miltenberger.

Bill 25: An Act to Amend the Workers' Compensation Act

**HON. MICHAEL MILTENBERGER:**

Thank you, Mr. Speaker. I give notice that on Thursday, July 29, 1999, I will move that Bill 25, An Act to Amend the Workers' Compensation Act, be read for the first time. Thank you.

**MR. SPEAKER:**

Thank you. Notices of motion for first reading of bills. Item 16, motions. Mr. Dent.

**ITEM 16: MOTIONS**

**HON. CHARLES DENT:**

Mr. Speaker, I speak unanimous consent to deal with my motion regarding extended sitting hours today.

**MR. SPEAKER:**

Thank you. The Member for Yellowknife Frame Lake is seeking unanimous consent to deal with his motion on setting the sitting hours. Are there any nays? There are no nays. Mr. Dent, you have unanimous consent.

Motion 23-13(7): Setting Hours of Speaker

**HON. CHARLES DENT:**

Thank you, Mr. Speaker, honourable Members.

I move, seconded by the honourable Member for Yellowknife North, that the Speaker be authorized to set such sitting days and hours as the Speaker, after consultation, deems fit to assist with the business before the House.

**MR. SPEAKER:**

Thank you. The motion is in order. Question has been called. All those in favour? All those opposed? The motion is carried. Motions. Item 17, first reading of bills. Mr. Kakfwi.

**ITEM 17: FIRST READING OF BILLS**

**HON. STEPHEN KAKFWI:**

Mr. Speaker, I seek unanimous consent to proceed with first reading of Bill 22, Access to Information and Protection of Privacy Statutes Amendment Act.

**MR. SPEAKER:**

The Member for Sahtu is seeking unanimous consent to deal with Bill 22. Do we have any nays? There are no nays. Mr. Kakfwi, you have unanimous consent.

Bill 22: Access to Information and Protection of Privacy Statutes Amendment Act

**HON. STEPHEN KAKFWI:**

Thank you. Mr. Speaker, I move, seconded by the honourable Member for Thebacha, that Bill 22, Access to Information and Protection of Privacy Statutes Amendment Act, be read for the first time. Thank you.

**MR. SPEAKER:**

Thank you. The motion is in order. To the motion. Question has been called. All those in favour? All those opposed? The motion is carried. Bill 22 has had first reading. First reading of bills. Mr. Dent.

**HON. CHARLES DENT:**

Thank you, Mr. Speaker. Mr. Speaker,

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I seek unanimous consent to proceed with first reading of Bill 23, Supplementary Appropriation Act, No. 2, 1999-2000.



**MR. SPEAKER:**

The Member for Yellowknife Frame Lake is seeking unanimous consent to deal with Bill 23. Do we have any nays? There are no nays. Mr. Dent, you have unanimous consent.

Bill 23: Supplementary Appropriation Act, No. 2, 1999-2000

**HON. CHARLES DENT:**

Thank you, Mr. Speaker, honourable Members. Mr. Speaker, I move, seconded by the honourable Member for Inuvik, that Bill 23, Supplementary Appropriation Act, No. 2, 1999-2000, be read for the first time.

**MR. SPEAKER:**

Thank you. The motion is in order. To the motion. Question has been called. All those in favour? All those opposed? The motion is carried. First reading of bills. Mr. Dent.

**HON. CHARLES DENT:**

Thank you, Mr. Speaker. Mr. Speaker, I seek unanimous consent to proceed with first reading of Bill 24, An Act to Amend the Access to Information and Protection of Privacy Act.

**MR. SPEAKER:**

Thank you. The Member for Yellowknife Frame Lake is seeking unanimous consent to deal with Bill 24. Do we have any nays? There are no nays. Mr. Dent, you have unanimous consent.

Bill 24: An Act to Amend the Access to Information and Protection of Privacy Act

**HON. CHARLES DENT:**

Thank you, Mr. Speaker, honourable Members. I move, seconded by the honourable Member for Nahendeh, that Bill 24, An Act to Amend the Access to Information and Protection of Privacy Act, be read for the first time.

**MR. SPEAKER:**

Thank you. The motion is in order. To the motion. Question has been called. All those in favour? All those opposed? The motion is carried. First reading of bills. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:**

Thank you, Mr. Speaker. I seek unanimous consent to proceed with first reading of Bill 25, An Act to Amend the Workers' Compensation Act.

**MR. SPEAKER:**

The Member for Thebacha is seeking unanimous consent to deal with Bill 25. Do we have any nays?

**SOME HON. MEMBERS:**

Nay.

**MR. SPEAKER:**

There is one nay. You do not have unanimous consent. First reading of bills. Item 18, second reading of bills. Mr. Kakfwi.

**ITEM 18: SECOND READING OF BILLS**

**HON. STEPHEN KAKFWI:**

Mr. Speaker, I seek consent to proceed with second reading of Bill 22, Access to Information and Protection of Privacy Statutes Amendment Act.

**MR. SPEAKER:**

Thank you. The Member for Sahtu is seeking consent to deal with Bill 22. Do we have any nays?

**SOME HON. MEMBERS:**

Nay.

**MR. SPEAKER:**

I think we have more than two. You do not have unanimous consent. Second reading of bills. Mr. Dent.

Bill 23: Supplementary Appropriation Act, No. 2, 1999-2000

**HON. CHARLES DENT:**

Thank you, Mr. Speaker. I move, seconded by the honourable Member for Inuvik, that Bill 23, Supplementary Appropriation Act, No. 2, 1999-2000, be read for the second time. Mr. Speaker, this bill makes supplementary appropriations for the government of the Northwest Territories for the fiscal year ending March 31, 2000.

**MR. SPEAKER:**

Thank you. The motion is in order. To the principle of the bill. Question has been called. All those in favour? All those opposed? The motion is carried. Bill 23 has had second reading, and accordingly the bill stands referred to a committee. Second reading of bills. Item 19, consideration in committee of the whole of bills and other matters. Tabled Document 31-13(7). Bill 19, Bill 20, and Bill 23 with Mr. Krutko in the chair.

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

**CHAIRMAN (Mr. Krutko):**

The committee is considering tabled document 31-13(7), Bill 19, and Bill 20. What is the wish of the committee? Mr. Morin.

**MR. MORIN:**

Thank you, Mr. Chairman. I would like to report progress.

**CHAIRMAN (Mr. Krutko):**

Mr. Morin is making a motion to report progress. The motion is non-debatable. All those in favour? All those against? The motion is defeated. How does the House wish to proceed? Mr. Erasmus.

**MR. ERASMUS:**

Mr. Chairman, I would like to suggest we have a 20 minute break.

**CHAIRMAN (Mr. Krutko):**

The Member is suggesting a 20 minute break. I concur. We will take a 20 minute break.

-- Break

**CHAIRMAN (Mr. Ootes):**

I will call the committee back to order. The Chair recognizes a quorum and the Chair also recognizes the clock. I will now get up and report progress to the speaker. Thank you.

**MR. SPEAKER:**

The House will come back to order. Good evening. We are on item 20, report of the committee of the whole. Mr. Ootes.

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

**MR. OOTES:**

Mr. Speaker, your committee has been considering tabled document 31-13(7) and Bill 19 and Bill 20 and I would like to report progress. Mr. Speaker I move that the

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report of the committee of the whole be concurred with. Thank you.

**MR. SPEAKER:**

Seconded by Mr. Henry. The motion is in order. To the motion. Question has been called. All those in favour? All those opposed? The motion is carried. Item 21, third reading of bills. Item 21, orders of the day. Mr. Clerk.

**ITEM 21: ORDERS OF THE DAY**

**CLERK OF THE HOUSE:**

Mr. Speaker, there will be a meeting at 9:30 a.m. tomorrow of Caucus and at 10:00 a.m. of the Government Operations Committee and at 12:00 noon of the Special Committee on Western Identity.

Orders of the day for Wednesday, July 28, 1999:

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

13. Tabling of Documents
14. Notices of Motion
15. Notices of Motion for First Reading of Bills
16. Motions
17. First Reading of Bills
  - Bill 18, Loan Authorization Act, 1999-2000
18. Second Reading of Bills
  - Bill 22, Access to Information and Protection of Privacy Statutes Amendment Act
  - Bill 24, An Act to Amend the Access to Information and Protection of Privacy Act
19. Consideration in Committee of the Whole of Bills and Other Matters
  - Committee Report 2-17(7), Report on Bill 15: An Act to Amend the Legislative Assembly and

Executive Council Act

- Tabled Document 31-17(7), Report to the Minister, Public Works and Services, April 15, 1999,

Regarding Issues Raised in the Report of the Conflict of Interest Commissioner

- Bill 15, An Act to Amend the Legislative Assembly and Executive Council Act
- Bill 19, An Act to Amend the Labour Standards Act
- Bill 20, Municipal Statutes Amendment Act
- Bill 23, Supplementary Appropriation Act, No. 2, 1999-2000

20. Orders of the Day

**MR. SPEAKER:**

Thank you. This House stands adjourned to Wednesday July 28, 1999 at 1:30 p.m.

--ADJOURNMENT