



**NORTHWEST TERRITORIES
LEGISLATIVE ASSEMBLY**

5th Session

Day 74

17th Assembly

HANSARD

Tuesday, March 10, 2015

Pages 6103 – 6138

The Honourable Jackie Jacobson, Speaker

Legislative Assembly of the Northwest Territories

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YELLOWKNIFE, NORTHWEST TERRITORIES**Tuesday, March 10, 2015****Members Present**

Hon. Glen Abernethy, Hon. Tom Beaulieu, Ms. Bisaro, Mr. Blake, Mr. Bouchard, Mr. Bromley, Mr. Dolynny, Mrs. Groenewegen, Mr. Hawkins, Hon. Jackie Jacobson, Hon. Jackson Lafferty, Hon. Bob McLeod, Hon. Robert McLeod, Mr. Menicoche, Hon. Michael Miltenberger, Mr. Moses, Mr. Nadli, Hon. David Ramsay, Mr. Yakeleya

The House met at 1:30 p.m.

Prayer

---Prayer

SPEAKER (Hon. Jackie Jacobson): Good afternoon, colleagues. Item 2, Ministers' statements. Honourable Premier, Mr. McLeod.

Ministers' Statements

MINISTER'S STATEMENT 183-17(5):
PASSING OF TOM BUTTERS

HON. BOB MCLEOD: Mr. Speaker, the North lost one of the true pioneers of governance in the NWT with the passing of Tom Butters. Tom served in the Legislative Assembly from 1970 to 1991. As one of the longest serving MLAs in the North, his respectful and steady approach was admired by those who served with him.

The flags outside the Legislative Assembly have been lowered to half-mast today out of respect for Tom Butters and all he did for the people of the Northwest Territories.

Born in Vancouver, BC, in 1925, Mr. Butters moved North in 1947. He was a prospector in the Yukon and worked on the Alaska Highway with the Department of National Defence before joining the federal Department of Northern Affairs and Natural Resources as a northern services officer in Ottawa, Churchill and Baker Lake.

He moved to Inuvik in 1961 and became regional administrator in 1963. He left the government two years later to establish the local weekly newspaper, the Drum – now the Inuvik Drum – to serve the Inuvik area, and he established a travel business in the Western Arctic. Tom also served a term on Inuvik town council, where he was deputy mayor, before running in the 1970 territorial election.

Tom Butters was elected five times by the people of Inuvik and served in 13 different ministerial portfolios including:

- Minister of Natural and Cultural Affairs
- Minister of Economic Development and Tourism
- Minister of Social Services
- Minister of Health

- Minister of Education, Justice and Public Services
- Minister of the Public Utilities Board
- Minister of Finance
- Minister of Government Services
- Minister of Energy, Mines and Resources Secretariat
- Minister of Housing Corporation
- Minister of Municipal and Community Affairs

It was during his time as Finance Minister that Tom took on the responsibility for the GNWT finances. Until that time the Commissioner, appointed by Ottawa, had controlled the financial portfolio. Tom worked tirelessly to ensure a smooth transition. Notably it was during his tenure as Minister that the northern residents tax deduction was introduced.

Tom was a hard worker and famous for his early breakfast meetings, something that appears to be a necessary characteristic for any Finance Minister. He was a very good listener and a fair man. He was soft-spoken, open to others' ideas and treated everyone with respect.

It is fitting, and certainly no coincidence, that such a man played a key part in the independence of the Northwest Territories. This earned him membership in the Order of Canada in 1994.

Mr. Speaker, I invite Members to join me in thanking Tom Butters for all he contributed to the Northwest Territories and Nunavut, for the legacy he left every one of us, even those who never met him. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Premier McLeod. The honourable Minister of Education, Culture and Employment, Mr. Lafferty.

MINISTER'S STATEMENT 184-17(5):
IMPROVING THE
INCOME SECURITY PROGRAM

HON. JACKSON LAFFERTY: Mr. Speaker, the Department of Education, Culture and Employment provides a better quality of life for some of the most vulnerable residents of the Northwest Territories through its Income Security Program. I'd like to speak today about a significant improvement that is being made to the Income Assistance program as well as two very important initiatives that are underway.

Starting in April 2015, income assistance clients will receive more money for food and incidental expenses. These benefits will continue to increase each year for the next four years. The increases to these benefits will allow our clients to receive benefit levels that reflect the actual cost of healthy foods for their families regardless of the community they live in. Healthy, educated people who are free from poverty is a goal of this Assembly, and making this vital enhancement to the Income Assistance program will help meet this goal.

I am also pleased to report on a joint initiative that is underway with our colleagues at the Northwest Territories Housing Corporation. ECE will be transferring the NWT Housing Corporation responsibility for administration of 75 market housing units available to income assistance clients. There will be 55 units in Yellowknife, 10 units in Inuvik, and 10 units in Hay River. Income assistance clients in these units will have reduced rent, and resources are being transferred from ECE to the NWT HC to operate them, so it will be cost neutral to the GNWT. People in these units will also experience an easier transition to the workforce due to the Housing Corporation's graduated rent to income scheme.

Mr. Speaker, I've said before that our people are our territory's greatest resource. Having more skilled NWT residents entering the workforce will strengthen our economy.

We are working to improve the NWT labour force through the creation of five new employment officer positions. These positions will provide individual support to employable income assistance clients so they are able to gain employment or enter into training programs. The intent of these new positions is to further reduce income assistance caseloads, which have continued to decrease over the past five years.

Mr. Speaker, addressing high living costs and giving Northerners the tools they need to find and keep work, including stable housing, are priorities for this government. I am proud of the innovative approaches and work completed to support and contribute to this Assembly's goals of Northerners leading healthy successful lives free from poverty. Mahsi, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Lafferty. The honourable Minister of Environment and Natural Resources, Mr. Miltenberger.

MINISTER'S STATEMENT 185-17(5):
RENEWED GNWT APPROACH TO
CONSERVATION PLANNING IN THE
NORTHWEST TERRITORIES

HON. MICHAEL MILTENBERGER: Mr. Speaker, with more than 4,338 interrelated species and counting, the state of biodiversity in the Northwest

Territories provides us a rare chance unavailable in most other regions in Canada or the world: the ability to proactively plan a healthy future for land, water, wildlife and people. Our land, rich in biodiversity, contributes to the high quality of life we all enjoy in the NWT. Our food security and traditional economy rely on maintaining biodiversity and ecosystem integrity in the North. Making sure land in the NWT remains healthy for future generations is a priority of the Government of the Northwest Territories.

A key premise of devolution is that decisions influencing our economy and environment are best guided and managed by the people who live here. As such, the GNWT developed the Land Use and Sustainability Framework for lands management. This means making balanced, collaborative decisions respectful of Aboriginal and treaty rights in the context of sound environmental stewardship. To do this, we consider ecological, social, cultural and economic values in our decision-making to ensure maximum benefits to current and future generations.

We acknowledge the significant contributions of our regional and community partners through the Protected Areas Strategy. We have worked together to successfully define the natural capital of many special areas, initiate discussions on the management and monitoring of candidate areas and, in many instances, have begun the important collaborative decision-making phase of the establishment process.

We are proceeding with a made-in-the-North approach to conservation planning to ensure biodiversity and ecosystem integrity are maintained into the future. Devolution has provided an opportunity for the people of the NWT to create new conservation areas using "northern tools," allowing for increased participation in and accountability for the management of these areas.

We have adapted conservation science methods used elsewhere in Canada and around the world to identify the NWT's ecologically representative core areas and assess gaps. We will work with communities to outline mutual objectives for territorial designations, shared governance and management. Objectives that support balanced land decisions made collaboratively by Northerners and fit within a broad comprehensive conservation planning approach, one that includes land use planning, park and protected areas establishment, and ecological representation network planning. Collectively, these initiatives will ensure the progress of responsible economic development in the context of sound environmental stewardship.

As we proceed with our northern approach to conservation planning, we will be looking for partners. Some of the most successful initiatives in the NWT, such as the transboundary water

negotiations, the Species at Risk Conference of Management Authorities, or the new Wildlife Act, were only possible through collaboration. We know that in order to be successful, to create the best conservation network possible, true collaboration and partnerships must continue.

The timing is right to prepare for our future. It is important to take advantage of the science behind best practices, such as ecological representation for managing land use and creating core areas, and combine it with traditional knowledge from our Aboriginal partners. When we work together using the best information available, we ensure the development of a culturally, environmentally and economically sustainable Northwest Territories.

People of the NWT want a healthy land for their grandchildren. The NWT has a rare opportunity to be a leader in conservation and apply lessons learned elsewhere in the world and across Canada to achieve sustainable resource management. It is far more efficient to preserve land now than try to restore land later. A new NWT conservation network not only maintains our unique northern landscapes, it also provides more clarity and certainty for developers, industry, residents of the NWT and beyond. Thank you, Mr. Speaker.

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

Members' Statements

MEMBER'S STATEMENT ON AUDITOR GENERAL REPORT ON CORRECTIONS IN THE NORTHWEST TERRITORIES – DEPARTMENT OF JUSTICE

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Today I just want to make a few brief comments on the Auditor General's report on Justice and corrections that was tabled, and there was a press conference last week with the folks from the Auditor General's office.

The work of any of the departments in our government, including the Department of Justice, is an ongoing work in progress. We all know that none of these departments is everything they can be, but anything that we're trying to build and trying to improve is a work in progress.

We elect Members of this Assembly from amongst ourselves to represent us on the other side of the House to take on responsibility for various aspects of the work that this government does. Many of them are not just representing one area; many of them are representing many areas. So, in the Minister's comments yesterday, he mentioned we cannot support change by ourselves, it takes support by our leaders, our communities and other

service providers and it also takes the support of Members on this side of the House.

The spirit and intent with which the Auditor General's report was delivered, I believe, was to point out and identify things that can be done differently and that can be done better. The way this report was received by our Minister of Justice, I believe, was in that same spirit and intent. It was received humbly and it was received with dignity and admission that there's more that we can do.

Sometimes we do have to stop and celebrate some of the things that have occurred, some of the things that Members on this side of the House are very interested in such as a Wellness Court. That's something that we, together with the Minister of Justice, worked towards and we made progress on during the 17th Assembly and we need to celebrate that as well as another specialized court, a Domestic Violence Treatment Court, and some of the healing programs that have been initiated out there.

Mr. Speaker, we have many challenges before us in all areas of work that we do as leaders and as legislators. When criticism is necessary, I think it should be constructive criticism. I think that we, at the same time, need to admit that no one on this side of the House or on the other side has a magic wand. It is a work in progress that is building on the work of former Ministers of former governments of former leadership in departments and we advance the goals and the outcomes of these departments as we work together.

I would like to say that I appreciate the work of the Auditor General's office and sometimes it isn't always good news, but I would be reluctant to politicize it, as sometimes the media does, by referring to it with words like "scathing" and that somebody should be taken to task. Mr. Speaker, we need to advance the cause of justice together. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mrs. Groenewegen. Member for Range Lake, Mr. Dolyunny.

MEMBER'S STATEMENT ON NWT HOUSING CORPORATION CARE PROGRAM

MR. DOLYNNY: Thank you, Mr. Speaker. Sometimes policies make sense and sometimes, well, they don't. Point in question, let's look at the widely popular NWT Housing Corporation Housing Choices suite of programs. This suite of programs is offered to all residents of the Northwest Territories, helping to maintain and manage a sustainable housing environment. Assistance is provided at various levels based on the applicant's income, helping NWT residents not only become more independent but also assist them in becoming successful homeowners.

One such housing choice is the CARE program, which stands for Continuing Assistance for Repairs and Enhancements. By offering forgivable loans up to \$90,000, CARE helps homeowners make necessary repairs to ensure a safe and healthy residence and to increase the useful economic life of their homes.

Mr. Speaker, all good so far, so what's my concern? Well, it's the little caveat on the NWT Housing website that says, "Generally, applicants can't have outstanding arrears with the NWT Housing Corporation." The word "generally" had me raising some red flags, so I decided to do some investigation.

Well, it seems if you owe money on your land lease or property tax and you live in a market community, you are ineligible for a free forgivable loan. This makes sense to me. However – and this is the kicker – if you owe less than \$5,000 on your land lease or property tax and you live in a non-market community, you're not eligible for this loan program. This is the one that does not make sense to me.

How is it you can have two sets of rules, depending on your market, on money you owe, and still qualify for more free funding? This does boggle the mind.

Furthermore, to the legality of such asininity, how does a policy like this stack up constitutionally?

I'll be asking the Minister later today for some clarity on this policy. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Dolynny. Member for Deh Cho, Mr. Nadli.

MEMBER'S STATEMENT ON TOURISM OPPORTUNITIES IN THE DEH CHO

MR. NADLI: Thank you, Mr. Speaker. We know that tourism is an important industry in the Northwest Territories. In its 2014-15 Marketing Plan, NWT Tourism has identified several major focus categories, including outdoor adventuring, Aboriginal travel, and sport hunting and fishing. Growth in the German, Swiss and British markets show particular interest in Aboriginal cultures in a natural environment. It's a great sign for regions like the Deh Cho. But at the same time, we also know that for both Canadian and international travelers, travelling north can be expensive. As a result, our tourism strategies must convince travellers not to only turn their NWT dreams into realities but also deliver the authentic northern experiences these travellers seek.

As exciting as international tourism can be, in reality 80 percent of visitors to the NWT come from within Canada, primarily from Alberta, British Columbia and Ontario. Often, too, these travellers come by road, either in regular motor vehicles or in RVs designed for touring. Travellers cover a range of demographics from adventurous students to

vacationing families, to retirees. In fact, tourism planning for the region often highlights the Deh Cho Travel Connection, a circular driving route that travels through multiple provinces and territories including ours. Surely our goal must be to make the NWT worth notable stops, including the beautiful Alexandra and Louise Falls, the highlight of this route.

With noted tourism priorities for authentic northern experiences, spectacular landscapes, educational opportunities, opportunities in Aboriginal cultures and road touring, the Deh Cho is primed to offer enticing options to all manner of adventurers and explorers, including minimal impact activities that allow visitors to appreciate our spectacular territory without leaving a large footprint.

But not all the pieces are in place. The deteriorating condition of the Liard Highway is noted as having a significant impact on the traffic in the Deh Cho. With so many road travellers, not to mention our own residents, highway infrastructure is a clear priority.

We also know that natural disasters can impede tourism. I hope that our tourism strategies continue to promote the NWT as a safe and viable destination after last year's forest fire season.

Finally, I'm proud to highlight two residents of my riding, Vi and Eric Bartlett, who won the 2014 Hospitality Award for their work at the 60th Parallel Visitors Centre. Thanks to their hard work, tourism presence at the NWT and Alberta border is strong. But further down the Mackenzie Highway...

Mr. Speaker, I seek unanimous consent to conclude my statement. Mahsi.

---Unanimous consent granted

MR. NADLI: To build tourism in the NWT, there is room for growth and improvement in and around the hamlet of Enterprise and throughout the NWT and Deh Cho. Tomorrow I'll speak further about the hamlet, and later today I'll have questions for the Minister of Industry, Tourism and Investment. Mahsi.

MR. SPEAKER: Thank you, Mr. Nadli. The Member for Yellowknife Centre, Mr. Hawkins.

MEMBER'S STATEMENT ON COST OF LIVING ISSUES

MR. HAWKINS: Thank you, Mr. Speaker. Before I begin, I want to thank the good folks at the NWT Bureau of Stats. They're a very important pillar of our government because they provide very important information each and every day to folks like me so I can do my job.

Because of that very important information, I can see that 35 people left the NWT last year when I compare the final quarter of 2013 against 2014. That really comes down to one person in the Northwest Territories left every 10 days. That's a

net loss. We're losing transfer payments. That's an additional \$25,000 per person walking out of the Northwest Territories every 10 days. That potential also means we've lost tax filers in the North, we've lost community vitality. Every community is not immune from that suffering of people leaving.

The question is, why are they leaving? Well, you don't have to look too far to the announcement the other day that the NWT Power Corp once again said another increase is on its way. The continued tsunami of increases weighs very heavily on the everyday family trying to get by.

Now, I know the government dreams, it may dream big some days when they say they want to attract 2,000 people to the Northwest Territories, but let's be clear, I don't know how they're going to come when we pay some of the highest costs across Canada.

No, I don't blame the good folks at the NWT Power Corp. I know many of those people and I know many of them do their job very well every day. They try as hard as they can to ensure that our system is accountable and reliable. To that, they certainly deserve and get my respect. That is not the issue. It comes down to the government's mismanagement of this particular problem. The government has to start to realize that it can't just let this essential service, as described by the Minister of Finance, become such a cost it's too prohibitive to live here. There's not a day goes by that somebody starts to tell me or sends me an e-mail or bumps into me at the Co-op or the other grocery store and says, "You know what? I can't afford to live here anymore."

We must make choices. So when Northerners pay two, three, four times or more on our power bills, how is the everyday family going to get by because our salaries are not two, three and four times they are in equal and comparable jurisdictions.

I'm going to end by saying it's time this government become the master of its own destiny with some social engineering that helps Northerners live in their own homes. Thank you.

MR. SPEAKER: Thank you, Mr. Hawkins. The Member for Frame Lake, Ms. Bisaro.

MEMBER'S STATEMENT ON LANGUAGES LEGISLATION

MS. BISARO: Thank you, Mr. Speaker. For some time now we've had an Official Languages Act which specifies that there shall be two languages boards, an Aboriginal Languages Board and a Languages Revitalization Board. Although these two boards and their membership is clearly laid out in the Official Languages Act, the GNWT is not following its own legislation, nor is the government, specifically the Department of Education, Culture and Employment, heeding the advice of the 16th Assembly Standing Committee on Government

Operations, which did a thorough and comprehensive review of the Official Languages Act in 2009.

That review resulted in an excellent report, titled "The Final Report on the Review of the Official Languages Act, 2008-2009, Reality Check: Securing a Future for the Official Languages of the Northwest Territories." In that report there were recommendations for, one, amendments to the Official Languages Act and, two, a new structure for language governance and management.

To his credit, the Minister for ECE has made some changes in the management of languages. We now have a secretariat for French language and a secretariat for Aboriginal languages. These changes go some way towards acknowledging the recommendations from the 2009 report, but it has put in place two secretariats where one was recommended.

What has not been acknowledged at all by the department is the need to make legislative changes to the Official Languages Act. The 2009 report recommended the amalgamation of the two languages boards into one languages board. As far back as October 24, 2012, the Minister stated in the House, "We are exploring legislative options to change roles and structure of the two existing Aboriginal languages boards."

Now, two and a half years later, there have been no changes to the legislation governing these two boards. Instead, the Minister has changed the composition of the boards to suit the results of negotiations with the Federation Franco-Tenoise and the establishment of the two languages secretariats within his department. The Minister now flouts the law his very own department is responsible for. The Official Languages Board does not have any representatives for either English or French language as is required by the act, and the Aboriginal Languages Revitalization Board now operates without any representation from Inuktitut language communities.

We're well past the time for some action in regard to legislative change for the Official Languages Act. The 2009 report made firm recommendations for change which have been ignored for too long. The Minister must do one of two things: heed the requirements of the Official Languages Act or bring forward the necessary legislative changes.

I will have questions for the Minister at the appropriate time.

MR. SPEAKER: Thank you, Ms. Bisaro. The Member for Inuvik Boot Lake, Mr. Moses.

MEMBER'S STATEMENT ON
MENTAL HEALTH
PREVENTATIVE SERVICES

MR. MOSES: Thank you, Mr. Speaker. I too had a look at the Auditor General's report on some of the issues dealing with the Department of Justice and corrections, and it got my attention in terms of the rehab services, mental health services, and just the treatment that our inmates need to go through or lack or don't have. However, I want to take a different route on this one.

When I was reading this, I was conflicted in the sense that we have people who are in the jail who have mental health issues, and if we actually had the services in the communities, they might not be there. As my colleague mentioned, they referenced the report as scathing, and it's been getting a lot of media attention. It has been getting media attention here in the Northwest Territories, Nunavut and the Yukon. Like I said, if we had those services in the communities, we can't forget about the people who are struggling in the communities.

I know some Members from this government did a tour of the North Slave Correctional Centre and it was great. Inmates had three meals a day, they had a fitness centre, they had programs, services, stuff that we don't have in our communities. It makes me go to wonder: do we have to get the Auditor General to do a report on our small communities to get the services there? Because when an Auditor General report comes out we jump all over it, we say we've got to do this, we've got to do that, and it's binding, but we fight for every service on this side of the House throughout the year, throughout the government, but sometimes we don't see anything, nurses, RCMP, mental health, psychiatrists. But when it comes out in a report, then we jump all over it and say it needs to be in place, it needs to get done.

We can't forget about the communities that need these services, and we need to look at how we can put some of these programs and services that we are putting into the institutions that can help the people who need the help. We've got to find ways to prevent people from going to the institutions now rather than later and wait for another Auditor General report to say we have to do it again.

I will have questions for the Minister of Justice on how we're preventing people from going into the institution and how we're rehabbing them back into the communities so that they can become a member of society once again.

MR. SPEAKER: Thank you, Mr. Moses. The Member for Weledeh, Mr. Bromley.

MEMBER'S STATEMENT ON
PEDESTRIAN SAFETY ON HIGHWAY NO. 3
AT NIVEN LAKE ACCESS

MR. BROMLEY: Thank you, Mr. Speaker. A primary function of government is to ensure citizens are safe. In my mind, we are failing on at least one front and within sight of this building yet. I am speaking about the stretch of Highway No. 3 from the Niven Lake access to 49th Avenue.

While GNWT and the city have argued over jurisdiction of this piece of highway and the costs associated with remediation and maintenance of it, an entire subdivision has been built and grown into a busy and vital community right across the highway. But thousands of Niven Lake residents have been left without safe, convenient pedestrian access to downtown, despite increasing highway traffic and narrow shoulders which increase the danger every year.

After seven-plus years since this issue was first raised, the Explorer Hotel is slated for expansion and another hotel has started development, further congesting this area with yet more traffic and destruction of some existing trails. This unacceptable delay has put the residents of Niven Lake, who commute to downtown by walking or bicycling, in an unnecessarily and increasingly dangerous plight. There is no safe time for pedestrian commuters between the Niven Lake access and downtown where so many work or go to school, but the situation is much worse in winter when it is dark. They are walking with parka hoods up, roads are slippery and windshields may be fogged. A proper walking trail or sidewalk and a safe, regulated crossing are required for safe passage of people walking with their children, dogs and arms full of groceries.

Encouraging people to live a healthy lifestyle, reduce their carbon footprint, leave the car at home and walk when possible are all legitimate suggestions from the government, but we must do our part and ensure they can be done safely.

Eight years of luck without an accident is blessing enough without prolonging this issue further. Another summer is approaching, with walkers on the shoulder, dashing across the highway with little protection from vehicles. Both foot and vehicle traffic along this treacherous piece of road will be increasing again. It is only a matter of time before someone gets seriously hurt. I have suggested one temporary partial solution of a crossing light, but the Minister of Transportation was hardly encouraging. After almost a decade of saying no, when will the Department of Transportation say yes?

When will we do what it takes and make this walking/biking route a safe one for our people, both walkers and drivers? Surely for the safety of our families, and recognizing our clear responsibility here, we can come up with something workable in

the time left of this Assembly for such priorities. Let's not risk serious regret any further. Let's act now. Mahsi.

MR. SPEAKER: Thank you, Mr. Bromley. Member for Sahtu, Mr. Yakeleya.

MEMBER'S STATEMENT ON
ECONOMIC BENEFITS OF
RESOURCE DEVELOPMENT

MR. YAKELEYA: Thank you, Mr. Speaker. Today I want to talk about the potential of the resource development we have in the Northwest Territories. We have seen it in the Sahtu region. Like any new technology, there's always risk. We deal with that every day, from the time that Henry Ford came out with the Model T car to the vehicles we deal with today. There's always potential risk with the technology that's coming out.

Do we have the tools to manage these risks? I believe so. Again, like the vehicles, we have the tools to manage those risks. There are risks going to be involved.

We also need more research over time to look at some of these new technologies and the risks that they could be.

In the Sahtu, last year we had experience with the fracking with two wells at Conoco. Surprisingly, I didn't know that in the early '70s the first acid frack was in the Cameron Hills. Fracking has been happening since the '40s. Over a million wells have been fracked in the United States, and 175,000 in Canada, most in Alberta, Saskatchewan and BC.

Oil and gas development has changed over the years. It's been well documented. Regulatory has been well defined over the years. They were looking at how to minimize the risks, tracking what's happening in the oil and gas field. Strict regulations, strict liabilities are in place in oil and gas.

We in the Sahtu are in the driver's seat, as we've been told when we went down to North Dakota at Falcon's fields. "You guys are in the driver's seat. You can control it."

When we see this vast potential in the North with the oil and gas, we must seize the opportunity with the tools that we have at hand. I want to say that the Sahtu people are now experiencing the downfall of the low oil prices. There is no work and it's stressful for our people.

Mr. Speaker, I'll have questions for the Minister of ITI on this potential in the Sahtu.

MR. SPEAKER: Thank you, Mr. Yakeleya. Member for Nahendeh, Mr. Menicoche.

MEMBER'S STATEMENT ON
AGRICULTURAL LAND STRATEGY

MR. MENICOCHÉ: Thank you very much, Mr. Speaker. I believe we are missing a significant opportunity to live better, eat better, diversify our economy, create local jobs and be more independent in the Northwest Territories. We must grow in quantity more of our own food.

A constituent tells me, "Have you ever thought what happens when the food trucks stop coming north?" We tend to forget that the southern half of our territory is very sunny and has some potentially good agriculture land. Hay River has had some degree of success and so could Fort Simpson and probably other communities as well. It is a vision shared by some of my constituents and others throughout the North. The problem is access to land. We have a huge and great land, but the rules for using them are pretty heavy duty, especially considering that farms are so common all over Canada and they have easier access.

I'm not sure if devolution of land and the taking over of a federal application process has complicated things. In the Deh Cho for a lease or sale of Commissioner's land, the GNWT must seek the approval of the affected Dehcho First Nation. That's fine; it's only a 30-day process, in theory anyway. It is set out in the Interim Measures Agreement.

Where the Dehcho Land Use Planning Process fits in is not so clear. The planning committee's website refers to economic and political barriers to agriculture, and that's about it. Then we have our departments of Lands, and Industry, Tourism and Investment. ITI is working gung-ho, well, sort of, on the Agriculture Strategy, and Lands department seems to have a bunch of rules they may or may not be sorting out.

But let's not leave out the Mackenzie Valley Land and Water Board, the purveyor of permits under federal rules. As I understand it, if land needs to be cleared with heavy machinery, then a would-be farmer has to apply for a land use permit and then wait for it. On the other hand, if land is already cleared, it seems no land use permit is required. To me, it looks like anyone who wants to farm or wants to grow healthy food for us all to eat had better be a darn good lawyer as well. The rules are not clear. It is no wonder applicants are frustrated.

I will have questions later on for the Minister of Lands during question period. Mahsi cho, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Menicoche. Member for Mackenzie Delta, Mr. Blake.

MEMBER'S STATEMENT ON
ON-THE-LAND PROGRAM
IN THE MACKENZIE DELTA

MR. BLAKE: Thank you, Mr. Speaker. Earlier in this session I asked about the progress of the on-the-land program as the closing date for expression of interest was the end of January.

As we get closer to spring, I am hopeful we have this program in place as the spring is, in my opinion, the best time to be out on the land. This is a good opportunity for those in our corrections facilities, and I'm positive there will be a lot of interest.

I'll have questions for the Minister later today. Thank you.

MR. SPEAKER: Thank you, Mr. Blake. Item 4, returns to oral questions, Mr. Ramsay.

Returns to Oral Questions

RETURN TO ORAL QUESTION 742-17(5):
AUDITOR GENERAL REPORT ON
CORRECTIONS IN THE NORTHWEST
TERRITORIES – DEPARTMENT OF JUSTICE

HON. DAVID RAMSAY: Thank you, Mr. Speaker. I have a return to oral question asked by Mr. Dolyunny on March 4, 2015, regarding the Auditor General Report on Corrections in the NWT – Department of Justice.

This government is committed to supporting an environment of continuous improvement in the corrections service and throughout the GNWT. The annual performance audits conducted by the office of the Auditor General support this commitment and provide us with an opportunity to receive valuable feedback on our programs and services.

The office of the Auditor General conducts independent audits and studies that provide objective information, advice and assurance to the federal and territorial governments. There was no mention by this independent and respected office in the report or in any of the numerous meetings held between the staff of the office and departmental officials of any wrongdoing by the Department of Justice or its staff.

I've accepted all of the recommendations in the Auditor General's report on corrections in the NWT. Indeed, as the Premier stated in the Assembly last week, several changes have already been implemented or are underway, and if an audit were conducted today, the findings would be quite different. I'm confident that the steps taken by the Department of Justice, and it's planning that is underway, will address the concerns highlighted in the Auditor General's report.

Respectfully, any suggestion that we should investigate laying charges against the very people

in the corrections service that we know are doing the hard work to make the improvements required is both unnecessary and demoralizing. If the Member has specific questions or concerns about the audit report, I'm sure that these can be addressed either by me or by the department staff during the hearings of the Standing Committee on Government Operations that will be coming up in May. Thank you.

MR. SPEAKER: Thank you, Mr. Ramsay. Item 5, recognition of visitors in the gallery, Mr. Bromley.

Recognition of Visitors in the Gallery

MR. BROMLEY: Thank you, Mr. Speaker. I'm very pleased to greet a resident of Weledeh, Karen Johnson, and, of course, her daughter is serving as a Page today in the House, Linnea Stephenson, and I'd also like to recognize Jacob Schubert who is also a resident of Weledeh. Mahsi.

MR. SPEAKER: Thank you, Mr. Bromley. Mr. Miltenberger.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. I'd like to recognize Ernie Bernhardt, a former Member of the Legislative Assembly but, more importantly, my roommate back in residential school many, many, many years ago. I welcome him to the Assembly.

MR. SPEAKER: Thank you, Mr. Miltenberger. Mr. Premier.

HON. BOB MCLEOD: Thank you, Mr. Speaker. I'm very pleased to recognize two Pages from Yellowknife South, Megan Vu and Lucas Heal, and also – we went to Grandin College together – Ernie Bernhardt. Thank you.

MR. SPEAKER: Thank you, Mr. McLeod. I'd also like to welcome Mr. Bernhardt into the House with his son. Welcome to the House today, and welcome everybody here. Thank you for taking an interest in our public hearings today.

Item 6, acknowledgements. Item 7, oral questions. The Member for Nahendeh, Mr. Menicoche.

Oral Questions

QUESTION 774-17(5):
AGRICULTURAL LAND STRATEGY

MR. MENICOCHÉ: Thank you, Mr. Speaker. I just want to follow up on my Member's statement. It's about agricultural lands and the application process. I would like to ask the Minister of Lands again about what role the Lands department is playing in ITI's Agriculture Strategy.

I would like to know how the two departments are coordinating their efforts so that this strategy actually works and makes agricultural lands easier for our residents to apply for. Thank you.

MR. SPEAKER: Thank you, Mr. Menicoche. Minister of Lands, Mr. McLeod.

HON. ROBERT MCLEOD: Thank you, Mr. Speaker. Lands role in that would be to take the applications and go through the process with them. My understanding is that we distribute the application for comments from the local First Nations governments and other people who are involved and we take those comments and decide what next steps we have to do and whether to proceed with the application or not, or if there are other requirements that the applicant has to fill out. Thank you.

MR. MENICOCHÉ: What help is available for residents who want to access land for farming and are struggling with the rules and red tape? It seems that the application process is cumbersome with the guidelines and procedures.

What kind of help does the department have with an applicant working through the application process? Thank you.

HON. ROBERT MCLEOD: This is where they would work with the local lands office. If they go in there and seek help we'd be able to assist them in trying to guide them through some of the requirements and the processes of filling out the applications. Thank you.

MR. MENICOCHÉ: I'd just like to know, how does the Department of Lands work with the affected First Nations to process potential leases for agricultural lands? Is there a separate process when somebody applies for agricultural land when working with the First Nations as opposed to say industrial development or different development? Is there a separate process when the application is for agricultural land? Thank you.

HON. ROBERT MCLEOD: My understanding is all applications are vetted through a pretty similar process where we do our consultations with the local First Nation government to gather comments and concerns on the project proposal and it usually takes about 45 days to go through this process. So again, my understanding is the application process is pretty well the same. Thank you.

MR. SPEAKER: Thank you, Mr. McLeod. Final, short supplementary, Mr. Menicoche.

MR. MENICOCHÉ: Thank you very much, Mr. Speaker. I'd like to ask the Minister if the current application process is something that we inherited as a result of devolution, because it seems so cumbersome and it's a whole different process when constituents throughout the North are applying for agricultural lands. Is that something that can be reviewed as well? Thank you.

HON. ROBERT MCLEOD: I will commit to the Member that I will review with the officials the application process and whether it's part of our

process or if it's one we inherited and if there are opportunities to review it and make some necessary changes so we'll be able to assist people out there with their applications. Again, there is always the option of, if they have some questions, to come quietly to our lands office and get some assistance from them. But I will commit to the Member that we will review it and I will report back to committee.

MR. SPEAKER: Thank you, Mr. McLeod. The Member for the Sahtu, Mr. Yakeleya.

QUESTION 775-17(5):
ECONOMIC BENEFITS OF
RESOURCE DEVELOPMENT

MR. YAKELEYA: Thank you, Mr. Speaker. I talked about the potential for the economic resource benefits in the Northwest Territories. I want to ask the Minister of ITI, on the assessment, has his department done an assessment of the oil and gas potential in the Northwest Territories? That is a remarkable resource. Canada right now has 8.8 billion barrels of oil that could be marketed. Has he done any assessment in the Northwest Territories?

MR. SPEAKER: Thank you, Mr. Yakeleya. The Minister of Industry, Tourism and Investment, Mr. Ramsay.

HON. DAVID RAMSAY: Thank you, Mr. Speaker. There have been assessments done of the oil potential in the Sahtu and, in fact, in the Northwest Territories. We continue to move forward with the development of an Oil and Gas Strategy for the Northwest Territories. We are also going to conduct some work on the corridor concept down the Mackenzie Valley, communication, energy, transportation corridor. Of course, we've had the Mackenzie Gas Project that currently is on the shelf but our hope is that at some point in time Mackenzie gas will see market and we will get it out of the Beaufort-Delta. We have to look at this corridor concept and the fact that it can bring great economic potential all the way down the valley and into the Beaufort-Delta.

MR. YAKELEYA: From our experience from the oil and gas development, and specifically I now want to focus in on the Sahtu region, has the Minister, through his department, done an assessment on the economic benefits around the oil and gas activity that happened in the last five years?

HON. DAVID RAMSAY: Yes, we continue to be involved with the Sahtu partnership. I've supplied some information to the Member recently about the investment that the government has made in his riding. It is substantial. It covers a number of different departments. While the downturn in oil price has happened, I think now is the time to continue to move forward with the development of our strategy. It's time to get training put in place for

people in the Sahtu and around the Northwest Territories so that when the price does come back and the companies come back and the drilling continues, we will have jobs for people and they'll be trained to take advantage of those opportunities.

MR. YAKELEYA: Hydraulic fracking in the Sahtu and in the North here has been highly controversial. The issue of the hydraulic fracking, I want to ask the Minister, in his experience and in his term as the Minister, are there safe regulations right now, today, over the years that we have looked at this new technology in the Sahtu in the Northwest Territories that says, yes, it can be done, we can manage it, we can deal with the risks? Are we dealing with the facts rather than the fears?

HON. DAVID RAMSAY: Our belief is that, yes, it can be done safely. It can be done, and we've seen it done here in the Northwest Territories. I know the Member highlighted other jurisdictions in Canada that have seen great success, Alberta, Saskatchewan, British Columbia, in using horizontal fracking. We are moving forward with regulations around hydraulic fracturing and we will have the best regulatory response in Canada when it comes to hydraulic fracturing, because we believe it can be done safely and soundly here in the Northwest Territories.

MR. SPEAKER: Thank you, Mr. Ramsay. Final, short supplementary, Mr. Yakeleya.

MR. YAKELEYA: Mr. Speaker, I want to ask the Minister, given that we know for a fact that in the 1970s there was the first acid fracking in Cameron Hills, and today we are starting to realize that we want to continue doing more research around this horizontal fracking, has his department seen any type of shift in the land or in the area where fracking has taken place where there were downhole injections in the past in the areas that I've listed here? Thank you.

HON. DAVID RAMSAY: Undoubtedly, we do need baseline data, and that is data that will be sought. We are going to continue to move forward with the regulations here in the Northwest Territories. I have made a commitment to the Members that we are moving that forward. That is where that stands.

As far as research goes, we do know what's happened here in the past. Of course, we've got our Devolution Agreement last April. We are now responsible for those regulations and managing the resource development in the territory. We, again, want to have the most robust, sound regulations when it comes to hydraulic fracturing and we will be going out, seeking public input on those draft regulations. Thank you.

MR. SPEAKER: Thank you, Mr. Ramsay. Member for Weledeh, Mr. Bromley.

QUESTION 776-17(5):
HIGHWAY NO. 3 AT NIVEN LAKE
PEDESTRIAN SAFETY

MR. BROMLEY: Thank you, Mr. Speaker. I'd like to follow up on my Member's statement earlier today. I have a very simple question for the Minister of Transportation. I'm sure he anticipates it.

Will he in fact finally address the Highway No. 3 issue between Niven access road and downtown Yellowknife for the safety of our residents during the life of this Assembly? Mahsi.

MR. SPEAKER: Thank you, Mr. Bromley. Minister of Transportation, Mr. Beaulieu.

HON. TOM BEAULIEU: Thank you, Mr. Speaker. Back in 2011 there was a Public Transit Fund that was given to the city to try to resolve the issue of the crossing at Niven Lake. After carefully examining the project – they were looking at an underpass, actually – after carefully examining that and having some difficulty with getting some land on the Niven Lake side of the road, it was determined to be unfeasible and the money was spent on another transit project within the city. Thank you.

MR. BROMLEY: I didn't hear an answer to my question there, but I haven't been totally unsuccessful. Over the seven-plus years I've been working on this, we got traffic slowed down a little with the new speed limit and we actually got some streetlights. So there's been a little progress there, which I appreciated. This is over the course of many Transportation Ministers.

Heroes do not grow on trees. I ask the Minister, would he like to be a hero? Thank you.

HON. TOM BEAULIEU: Mr. Speaker, I apologize for not answering the question the first time. We have been looking for a solution. It's a very difficult situation. The thing is that we have to get the people from the Niven side of the road to this side of the road, on this side of the Assembly at some point before they get to the rock cliff on which the Explorer sits, because at that point there's no more room on that side of the road. So at any time you get walking traffic, people who are walking across the road, which was fairly high speed traffic right up to here – it was 60 kilometres – so the signs were moved to the other side of Niven and the speed was decreased to 45 all the way to the other side of Niven to slow the traffic down. Like the Member said, lights and traffic seem to be as far as we've been able to come.

Any time we are encouraging individuals to walk across – it's not officially a highway, it's a Yellowknife access road, actually – at any of those speeds, especially in the wintertime and the way they're facing the traffic, or with their back to the traffic, it becomes difficult. It's just not a simple solution. We don't think that putting up flashing

yellow lights actually makes it any safer for the pedestrians who are accessing that to come to the city. Our suggestion is that they use an alternative route to get to the city. Thank you.

MR. BROMLEY: I realize this is not an easy issue, but I also recognize that there's been darn little done in the seven-plus years and people are unsafe. So, the opposite of a hero is somebody who fails to act and is responsible for accidents, where people get injured or killed. We already know that not far down the line this has happened already.

Is the Minister willing to accept that responsibility without doing anything? He's got the experts. I'm throwing ideas out there. That's fine. If my ideas don't work, come up with one.

Will the Minister come up with a good interim solution and put things in place to get this done as soon as possible? Mahsi.

HON. TOM BEAULIEU: Like I indicated, there's no easy solution. Even if we were to build an underpass, again, that would be fine for individuals returning to Niven because they would be facing traffic and then going under the underpass to get home to their proper side or the Niven side of the road. But that doesn't solve the issue of the people coming to the city because their backs will be to the traffic. Then, as most people know, the highway becomes sort of a three lane as you turn into the Legislative Assembly and the museum. So, again, that's a little bit of an unsafe area for pedestrians to be walking.

At this point, I realize that pedestrians are being vigilant to ensure their own safety, and I'm saying that we are looking at the possibility of putting up the flashing lights and the crossing, but we're not sure that that is the safest thing to do. So, we will continue to look at it and try to come up with a solution. Thank you.

MR. SPEAKER: Thank you, Mr. Beaulieu. Final, short supplementary, Mr. Bromley.

MR. BROMLEY: I don't know what to say, Mr. Speaker. What is it going to take? We have a brand new hotel going in this summer; we have the Explorer Hotel being expanded; we have the increasing size of Niven as more and more development takes place there. Somebody is going to get hurt.

When will the Minister fix this situation and protect our people? Thank you.

HON. TOM BEAULIEU: The solution most likely lies outside the jurisdiction of the Minister of Transportation; however, we will meet with the city. We will talk to our MACA counterparts. If there's going to be a new hotel built in there, maybe there's a solution where there could be a trail coming off this end of the Niven Lake development, coming

into the area near the Explorer. That's the only solution.

Any time you start having traffic on a road that has fast-moving vehicles, it is an unsafe situation. It would be similar to just having people walk on the road down Franklin as opposed to walking on the sidewalk. So, what I'm saying is unless we're able to find room to build a sidewalk on the other side, which would be probably pretty expensive, considering the rock face at Explorer, we would most likely find a solution between ourselves, MACA and the city, which will probably mean a trail. Thank you.

MR. SPEAKER: Thank you, Mr. Beaulieu. Member for Inuvik Boot Lake, Mr. Moses.

QUESTION 777-17(5):
REHABILITATION AND
PREVENTION SERVICES

MR. MOSES: Thank you, Mr. Speaker. I have questions today for the Minister of Justice. Yesterday in his Minister's statement, he mentioned that we had some individuals who are participating in the Wellness Court. There were five that he mentioned and 13 were actually referred. If five are participating and 13 were actually referred to the Wellness Court, what programs do the five who are participating in the Wellness Court, what kind of diversion programs are they participating in instead of being institutionalized? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Moses. Minister of Justice, Mr. Ramsay.

HON. DAVID RAMSAY: Thank you. It's quite possible that each of them is in a different scenario, and a care plan would be established for each one of those individuals. So, I could get that level of detail for the Member if he so wishes. Thank you.

MR. MOSES: It just shows anybody who's having addiction issues or mental health issues that they don't have to be institutionalized, that there are other streams of helping these individuals out so that they don't go into the system. However, of the 13 who got referred by the same, and, yesterday, it sounds like there were eight who were institutionalized. For these eight individuals who didn't get referred through the Wellness Court system, what kind of plan of care is given to these individuals who were referred from the Wellness Courts but didn't meet the requirements? When they get into the same North Slave Correctional Centre, what's in place for them so that they can get the rehabilitation services that they need? Thank you.

HON. DAVID RAMSAY: Thank you. Again, that's a bit of a level of detail that I don't have here, but if they are ending up in our facilities, it's incumbent upon us to have the programs and the services required to treat them when they're in our facilities

and after the OAG's report, we do have some work to do in that area and I have given my commitment to the House and the Members that that work will continue and that we will have programs and services that are going to address the needs of the inmates that we have in our facilities. Thank you.

MR. MOSES: In terms of individuals who do fall out of the Wellness Court system or don't even get to the Wellness Court system, they do become institutionalized and spend some time in the North Slave Correctional Centre, or any of our institutions for that matter.

I was wondering if the Minister had any information on how much it costs to house one inmate per day in the North Slave Correctional Centre. Thank you.

HON. DAVID RAMSAY: To my recollection, it's just over \$303 per day. That's to house federal inmates. Our own inmates, the number may be a little bit different, but when we invoice the federal government for housing federal inmates it's \$303.08 a day.

MR. SPEAKER: Thank you, Mr. Ramsay. Final, short supplementary, Mr. Moses.

MR. MOSES: Thank you, Mr. Speaker. When some individuals commit a big crime, they'll get put in jail for a very long time. I just did some quick calculations here and at \$303 for a year, that's about \$110,000 per inmate within our correctional system, which is equivalent to a job position, possibly a part-time nurse in a community, just to put it out there.

But I want to ask, what is the Minister doing to work in the communities to develop some type of treatment or counselling program, especially in our small communities, to prevent individuals from having to eventually come to the end result, which is being institutionalized in our North Slave centre? Thank you.

HON. DAVID RAMSAY: Community justice committees have been successful in the communities. Tomorrow, in fact, we have proponents who have expressed interested in the on-the-land program. They will be meeting here in Yellowknife tomorrow. So we're hopeful that out of this meeting tomorrow we will arrive at a proponent that we can work with that we can see the program get up and running somewhere here in the Northwest Territories. So we are doing that, and we also are looking at mental health first aid for our staff in our facilities. We also have three psychologists on staff in our five facilities across the Northwest Territories and we will continue to provide the required help that the inmates who are incarcerated in our facilities need and deserve. Thank you.

MR. SPEAKER: Thank you, Mr. Ramsay. Ms. Bisaro.

QUESTION 778-17(5):
LANGUAGES LEGISLATION

MS. BISARO: Thank you, Mr. Speaker. My questions are addressed to the Minister of Education, Culture and Employment. I want to follow up on my Member's statement and ask a few questions about the Official Languages Act and our languages boards and the lack of movement on making changes.

In the wake of the report in the 16th Assembly by the Committee on Government Operations into the Official Languages Act, in response to that report, at some point, the Minister promised to table an official languages strategy and I'd like to ask the Minister, first off, was that strategy ever tabled? Thank you.

MR. SPEAKER: Thank you, Ms. Bisaro. Honourable Minister, Mr. Lafferty.

HON. JACKSON LAFFERTY: Mahsi, Mr. Speaker. Since 2009 the Standing Committee on Government Operations released a final report on the Review of the Official Languages of the Northwest Territories. There have been several meetings since then with key stakeholders, such as FFTs, Aboriginal language groups and even as far as reaching out to both the Revitalization and Official Languages boards, talking about the amalgamation. Those are discussions that we will be having. This year I will be meeting with the board, seeking their input about the amalgamation prospects.

This has been a long time in the making. We made a lot of changes. This is a working document that we are currently working with the Aboriginal groups, and we'll continue to do so. Mahsi, Mr. Speaker.

MS. BISARO: Thanks to the Minister. I understand that there's been lots of talk; there's been lots of getting together. However, there's been no change. I asked the Minister about what he called an official languages strategy that he mentioned he was going to table in this House.

I again ask the Minister, does that strategy exist and has it ever been tabled? Thank you.

HON. JACKSON LAFFERTY: When it comes to Aboriginal languages, this is an area that's obviously dear to my heart. I speak the language. I speak fluently in my language. I feel that we need to do more in this area.

When it comes to the Official Languages Act for the Northwest Territories, we have to deal with Aboriginal language groups. Sometimes it can be a very complex situation where Aboriginal language... There is a five-year strategic plan that's been developed by Aboriginal language and we have to work with that. I am of the view that we need to have an integrated approach, coordinated

approach with Aboriginal groups, and that's what is happening now.

We've made changes to our contribution. We've increased our funding to \$3.4 million to Aboriginal languages groups so they can hire their own coordinator and also deal with the language nests at the community level. So, we are making substantial changes along the way. This is a strategy that we need to work with all Aboriginal language groups. Mahsi.

MS. BISARO: I have to assume that there is no strategy; the Minister has not referenced it at all. I appreciate the work that Education, Culture and Employment has done in regards to languages, and I also, like the Minister, think Aboriginal languages and the preservation and advancement of Aboriginal languages is extremely important, and we are starting to work in that direction. But the Official Languages Act is a law, a piece of legislation, and the regulations that follow it require representation on our languages boards. It specifically asks for specific representation.

I'd like to ask the Minister, knowing that these recommendations go back more than five years now, why has the Minister allowed these boards to continue to operate in contradiction to our law? Thank you.

HON. JACKSON LAFFERTY: These two boards exist so they can provide advice to the Minister responsible for Official Languages – in that case the Minister responsible is myself – and seeking their advice throughout the Northwest Territories. Due to the fact we've devolved various changes to our overall official languages, one of them is the Francophone Language Secretariat, the Aboriginal Languages Secretariat is another one, and we've increased our contribution agreements to the Aboriginal governments. Those are changes based on their recommendation.

As I stated earlier, the next meeting of the boards will be at the end of this month, and I'm looking forward to the discussion of amalgamating the two boards into one. This work has been ongoing for quite some time now, based on the feedback that we received from the general public and Aboriginal language groups, and we're moving forward on that. Mahsi.

MR. SPEAKER: Thank you, Mr. Lafferty. Final, short supplementary, Ms. Bisaro.

MS. BISARO: Thanks, Mr. Speaker. Thanks to the Minister. I have to say it's a little late. It's been five years since that recommendation was made by the standing committee in the 16th. I appreciate these changes that are happening, but if the Minister wants the boards to operate the way they are right now, he needs to have brought forward legislative change.

Why has the Minister waited this long? He's presumably going to do something next week, but why has he waited and not brought forward a legislative proposal or suggestions for legislative change? Thank you.

HON. JACKSON LAFFERTY: We will be having a meeting with the board at the end of this month to seek their input, and then we'll move forward on that. Mahsi.

MR. SPEAKER: Thank you, Mr. Lafferty. Member for Yellowknife Centre, Mr. Hawkins.

QUESTION 779-17(5):
POWER RATES AND DISTRIBUTION

MR. HAWKINS: Thank you, Mr. Speaker. I'm going to use the occasion to once again return to the cost of living under the context of power bills, and I'm going to ask questions to the NWT Power Corp Minister.

Let's start off by examining the cost of power and its distribution here in the Northwest Territories. I'd like to ask the Minister, would he be able to speak to the rates of return to Northland Utilities and the NWT Power Corp in both the thermal, non-thermal and the hydro zones here? If he could do that breakdown on the cost that Northerners are paying to get their power. Thank you.

MR. SPEAKER: Thank you, Mr. Hawkins. Minister responsible for the NWT Power Corporation, Mr. Miltenberger.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. I'll get that information and provide it to the Member. Thank you.

MR. HAWKINS: That's okay. I have it here, so the Minister doesn't have to do it. Rate of return for Northland Utilities is just over 9 percent; rate of return for the thermal zone is zero percent through the NWT Power Corp; and rate of return on the NWT Power Corp in a non-thermal zone is 8.5 percent.

I'm going to ask the Minister of the NWT Power Corporation, noting that we can adjust rates of return on our equity that go back to the Power Corp, what type of influence, power stabilization is the NWT Power Corp Minister doing to ensure that zones like the Yellowknife region and the hydro zones below the South Slave are getting fair value for their money? This government can socially engineer power rates in other jurisdictions, why aren't we working across the Territories to stabilize all costs? Thank you.

HON. MICHAEL MILTENBERGER: We did a rate restructuring a number of years ago. We have the thermal zone and the hydro zone. The rates for the thermal zone are pegged to the Yellowknife rate. In the hydro zone the cost of business is done and the rates set through the Public Utilities Board.

I appreciate the Member's question. We are looking at how we are structured as a system. We are looking at generation issues that we know we need to address that would help bring down the cost of living as it relates to the price of energy. We are looking at all those major areas as we look to the fundamental government priority of lowering the cost of living. Thank you.

MR. HAWKINS: I'll allow the Minister to correct me if I'm incorrect on this point, which is I believe power to the golden gates of Yellowknife is delivered at about 18 cents a kilowatt and I think that there's a big margin between that and the end user who picks up their power bill monthly.

Can the Minister confirm what the power rate is delivered to the Jackfish plant that comes available for Northland Utilities to pick it up for its distribution cost, and how we can help narrow that gap so Northerners can afford a power increase, especially knowing that in a couple short days we'll be receiving another 6.2 cent increase on top of the high power rates we're already receiving? Thank you.

HON. MICHAEL MILTENBERGER: The rate of power in Yellowknife is governed by the fact that, one of the reasons is that power is generated by the Power Corporation and it is distributed by Northland Utilities, and that rate is set through the Public Utilities Board. As we look to the future, we look at that issue; we look at the issue of the cost of power, the fact that we've had a number of incidents here in Yellowknife with low water, turbine failure on the Snare system that have all driven up the cost of business and generating power in Yellowknife. Thank you.

MR. SPEAKER: Thank you, Mr. Miltenberger. Final, short supplementary, Mr. Hawkins.

MR. HAWKINS: Thank you, Mr. Speaker. The next question is: What are we doing to analyze our power distribution to ensure that not only our structure is most efficient but our equipment is most efficient? When I refer to the equipment, often I hear people talk about when the new meters came in, their power bills all jumped. I'm wondering what type of analysis the NWT Power Corp has done on that type of trend. It's not that I've heard this from one person; I've heard this from several people who said that when the new infrastructure rolled in, their power bills jumped.

Has the NWT Power Corp done any analysis on these types of trends, because Northerners can't afford their power bills and if we have meters that cause the prices to jump it makes the cost of living unbearable here in the North.

HON. MICHAEL MILTENBERGER: The issue of meters is a critical one. Every jurisdiction has to meter. You can't manage what you can't count, and you can't bill what you can't count. The issue of are

they accurate, from everything I've seen and heard there is not an issue with faulty meters. I will, in fact, raise the issue and will follow up with the Power Corp and see if there have been concerns raised in that area and what redress was taken.

MR. SPEAKER: Thank you, Mr. Miltenberger. The Member for Deh Cho, Mr. Nadli.

QUESTION 780-17(5):
SUPPORTING THE TOURISM INDUSTRY

MR. NADLI: Mahsi, Mr. Speaker. The 2014-15 Marketing Plan noted the challenges of dealing with unforeseen events including natural disasters. My question is to the Minister of ITI.

How does NWT Tourism plan to build tourism in the Deh Cho following last year's destructive fire season?

MR. SPEAKER: Thank you, Mr. Nadli. The Minister of Industry, Tourism and Investment, Mr. Ramsay.

HON. DAVID RAMSAY: Thank you, Mr. Speaker. We have some fantastic facilities in the Deh Cho and in the Member's riding. We continue to support those efforts. I know the campground in Fort Providence was highlighted during last summer's fire season and the bad fire that we had around Fort Providence and the service that the park provided. We have to continue to support the operators and the infrastructure that we have on the ground in the Member's riding.

MR. NADLI: The Marketing Plan notes that each region is budgeted to receive \$50,000 for advertising initiatives of their choice working with the NWT Tourism marketing director to align with the territorial strategy.

What other NWT tourism plans and strategies support region-directed growth in tourism?

HON. DAVID RAMSAY: We have our Aboriginal Tourism Marketing Strategy that would certainly look to support efforts in the Member's riding. We also have Tourism 2020, a new plan that we've come up with that is going to earmark money for tourism around the Northwest Territories. We've recently received money from CanNor. We also will be looking for additional federal funding as we move forward. Through the EOS, we're also able to provide more money for tourism, and I think our overall spend on tourism now is near \$10 million per year.

MR. NADLI: How will the NWT components of the Deh Cho Travel Connection be promoted and emphasized?

HON. DAVID RAMSAY: I didn't hear the Member's question. If he could repeat the question, that would be great.

MR. SPEAKER: Thank you, Mr. Ramsay. Could you repeat your question, Mr. Nadli?

MR. NADLI: Thank you, Mr. Speaker. How will the NWT components of the Deh Cho Travel Connection be promoted and emphasized?

HON. DAVID RAMSAY: My ears are a little bit plugged. I'm not feeling the best, but I thank the Member for repeating the question.

We will continue to work with the region through the Fort Simpson office and also in Hay River on opportunities to promote the Deh Cho Connection. I know MLA Mr. Menicoche has talked about this in efforts to support Highway No. 7 and the tourism route that is the Deh Cho Connection. It is a wonderful opportunity for people to not go back the same way and do a loop through the Northwest Territories. It's important that it is marketed and it is promoted, and through NWT Tourism that happens, as well, through their regional offices.

MR. SPEAKER: Thank you, Mr. Ramsay. Final, short supplementary, Mr. Nadli.

MR. NADLI: Thank you, Mr. Speaker. The Minister has stated that there will be continued work with the operators. Aside from that, are there any plans within the 2015-16 season to see if campgrounds and tourism facilities within my riding would be enhanced?

HON. DAVID RAMSAY: I don't have the capital plan in front of me for this coming year but I believe there is some additional funding for facilities in the Member's riding, and I can get him that information.

MR. SPEAKER: Thank you, Mr. Ramsay. Member for Range Lake, Mr. Dolynny.

QUESTION 781-17(5):
NWT HOUSING CORPORATION
CARE PROGRAM

MR. DOLYNNY: Thank you, Mr. Speaker. Earlier today in my Member's statement I made reference to an NWT Housing Corporation Housing Choices funding program eligibility criteria. It seems that there are two sets of rules pertaining to this CARE funding program which deserve some scrutiny. Apparently if you live in a non-market community and you owe less than \$5,000 in land lease or property tax arrears, you still qualify for up to \$90,000 in forgivable loans. My questions today are for the Minister responsible for the NWT Housing Corporation.

Can the Minister explain to the House how is it you can owe money for land lease and property tax arrears and still qualify for a forgivable loan in this day and age? Thank you.

MR. SPEAKER: Thank you, Mr. Dolynny. Minister of Housing, Mr. McLeod.

HON. ROBERT MCLEOD: Thank you, Mr. Speaker. This Assembly and the previous Assembly recognize the challenges the small communities are facing in trying to access some of the programs that we offer. There was a time when if you had any land tax owing at all, you weren't able to qualify for any of the programs in the small communities. We heard from Members; we addressed that; and we allowed them to carry some taxation.

In the taxation area, part of the problem that we face is because it's a tax-based community they're able to do tax sales. So if somebody were to lose their home based on a tax sale, then the Housing Corporation would be out that investment that we made into the property. Thank you, Mr. Speaker.

MR. DOLYNNY: I appreciate the Minister's reply. My next question might need a little bit more clarification from what he's just indicated here. Clearly, this CARE policy segregates both market and non-market residents with two separate rules and criteria.

Can the Minister inform the House, what is the rationale for having those two sets of rules? Thank you.

HON. ROBERT MCLEOD: I just said that we recognize some of the challenges that are faced in the small communities. We try to tailor many of our programs to get as many people into the programs as we can. In some of the larger jurisdictions, especially the market communities, they have easier access to bank financing and resale value of their units, a type of luxury that we don't have in many of the smaller communities. So, that is the rationale for this and we believe it's one that's working fairly well. Thank you, Mr. Speaker.

MR. DOLYNNY: I appreciate the Minister clarifying that. It is a bit confusing, especially when you have a whole suite of programs out there.

Nothing is mentioned on the website for the NWT Housing Corporation about having a repayment plan for arrears in place prior to further funding. Therefore, can the Minister elaborate, does the NWT Housing Corporation have any terms or conditions or prerequisites that must be in place prior to seeking any forgivable loans or other funding? Thank you.

HON. ROBERT MCLEOD: Mr. Speaker, I believe the Member is referring to the smaller communities, repayment plan for the smaller communities, or all communities in general. Maybe if I could just ask the Member to clarify which part of the market he's speaking to, then I will respond accordingly. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. McLeod. Final, short supplementary, Mr. Dolynny.

MR. DOLYNNY: Thank you, Mr. Speaker. I guess that's one way of doing it. My question was for all communities. Again, when we're dealing with this, I want to make sure that the department had a plan in place for looking at repayment for any member of our Housing Corporation before we're going to be providing further funding. Again, if I may add, Mr. Speaker, with your indulgence, is this constitutionally sound the way we have it set up? Thank you.

HON. ROBERT MCLEOD: As far as the repayment plan goes, that's something that the land owners would have to work out, I think, in some of the smaller communities with Finance, because I believe it's through Finance that it's administered. In some of the larger communities it's through the community government.

As far as the second part goes, I'm not going to attempt to answer that because I'm really not sure. We have a whole suite of programs that have different rules for market and non-market communities, zone A, B and C. We have different criteria for a lot of different areas across the NWT. We try to tailor it so folks in those communities are able to take advantage of a lot of the programs that we run. I'm just going to keep going, Mr. Speaker. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. McLeod. Member for Mackenzie Delta, Mr. Blake.

QUESTION 782-17(5):
ON-THE-LAND PROGRAMS
IN THE BEAUFORT-DELTA

MR. BLAKE: Thank you, Mr. Speaker. In follow-up from my Member's statement I have two questions for the Minister that I'll just refer to the Premier. As the Premier might recall, there were on-the-land programs through Justice.

Did the department select a person or group to operate the on-the-land program in the Beaufort-Delta region? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Blake. The honourable Premier, Mr. McLeod.

HON. BOB MCLEOD: Thank you, Mr. Speaker. I'm not aware of anybody being selected as of yet. I do know that they've gone out for expressions of interest, and I understand there are seven proposals that have been received, and I expect that very soon they'll go to requests for proposal. Thank you, Mr. Speaker.

MR. BLAKE: The requests for proposal ended in January. I'd just like to ask, is the department waiting until April 1st to begin this program? Thank you, Mr. Speaker.

HON. BOB MCLEOD: My understanding is that there were two rounds of requests for proposal. The first round there were none that passed muster.

With the second round, my understanding is that as soon as they review them and, if they qualify, they will start, I believe, very soon after April. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. McLeod. Member for Hay River North, Mr. Bouchard.

QUESTION 783-17(5):
INCREASES IN
INCOME SECURITY PROGRAM

MR. BOUCHARD: Thank you, Mr. Speaker. I have questions for the Minister of Education, Culture and Employment. I made a statement today on income security programs. I'd like the Minister to give us a little more detail on income... He indicated income assistance clients will receive more money for food and incidental expenses.

Can the Minister indicate what the level of increase will be and what the increases over the next four years will be? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Bouchard. Minister of Education, Culture and Employment, Mr. Lafferty.

HON. JACKSON LAFFERTY: Mahsi, Mr. Speaker. The increases are for food, clothing and other incidental expenses to ensure clientele receive adequate benefits to meet their needs and that it stays current with the high cost of living in the Northwest Territories. I can provide that detailed information to the Member on the actual cost of each factor and we're willing to provide that to the Member. Mahsi.

MR. BOUCHARD: Mr. Speaker, I'm wondering if the increases over the next four years that the Minister indicated, are those a percentage, like we're seeing a CPI index there, or do we have a specific percentage that we're expecting? Thank you, Mr. Speaker.

HON. JACKSON LAFFERTY: It is a combination. We're dealing with the cost of living in the Northwest Territories and the high costs in especially the small, isolated communities. We felt that there's a need for increase in our overall subsidy program with income assistance. It is based on a combination of a percentage of CPI within the Northwest Territories, and this is the feedback that we received from the general public and organizations, that it's time for an increase. Mahsi, Mr. Speaker.

MR. BOUCHARD: My next question is about the second part of the Minister's statement about the market housing units that they're going to be renting, I guess, for income security clients.

Can the Minister give me an indication, we're transferring that to Housing, but that's money that we used to provide to income clients? Thank you, Mr. Speaker.

HON. JACKSON LAFFERTY: The funding that has been allocated is to subsidize the rentals in the Northwest Territories. There are some units that are high costs to manage. We've had some challenges with having a public unit available. So, we are partnering and transferring our funding to the NWT Housing Corporation so we can have a coordinated approach to have these market housing units available in Yellowknife and surrounding communities, as well, for income support clientele. So, those are some of the discussions that we've been having, and we've joined forces and now we're moving forward and delivering 75 public housing units into the Northwest Territories. Mahsi.

MR. SPEAKER: Thank you, Mr. Lafferty. Final, short supplementary, Mr. Bouchard.

MR. BOUCHARD: Thank you, Mr. Speaker. My next question would be: Is the department looking at expanding this concept of the market housing into other communities, other than to regional centres and Yellowknife? Will they be implementing this into some of the smaller communities maybe on a request basis?

HON. JACKSON LAFFERTY: As you know, this is very preliminary. We need to do an analysis of the small communities as well. So far the transferring of the administration of the funding through the NWT Housing Corporation will give us an indication if it's meeting the needs of our clientele. If it's working successfully, then, by all means, we'll be open to having discussions and possibly working with the Housing Corporation in other small communities as well. Those are just some of the discussions that we need to have down the road. Mahsi.

MR. SPEAKER: Thank you, Mr. Lafferty. Member for Frame Lake, Ms. Bisaro.

QUESTION 784-17(5):
NIVEN LAKE PEDESTRIAN SAFETY

MS. BISARO: Thank you, Mr. Speaker. I'd like to follow up on the questions asked by my colleague Mr. Bromley, and I have some questions for the Minister of Transportation with regards to the piece of road between Niven Gate and 49th near downtown.

You know, the Minister explained how difficult this problem is, how complicated it is. I have a very simple solution for the Minister. The city and the GNWT have been talking about this stretch of road for many years. So, my first comment to the Minister is that there's a simple solution to this very complex problem: fix the road, which is what needs to be done, bring it up to code, bring it up to standard, and turn it over to the city.

Is the Minister willing to do that before the end of the 17th Assembly? Thank you.

MR. SPEAKER: Thank you, Ms. Bisaro. Minister of Transportation, Mr. Beaulieu.

HON. TOM BEAULIEU: Thank you, Mr. Speaker. We're going to meet with the city, myself and the MACA folks. I've been sitting here arranging something where we can get together and sit down and meet with the city. We want to come up with a solution. I don't want to stand here and say that the solution is for us to fix it and give the road to the city. That is something that I think we're going to work on together. Thank you.

MS. BISARO: I can tell the Minister that that is the solution that the city is quite willing to accept. The issue of trails, the issue of lights, the city is willing to take that on. The city simply needs to have the road brought up to the proper standard, transferred from GNWT to the city, and the city will then take over and put in the safety measures that are necessary.

There have been meetings between the city and GNWT for quite some time. What is the holdup with the GNWT agreeing to do the necessary roadwork? Thank you.

HON. TOM BEAULIEU: I wasn't aware that that was a substandard access road. So, the reason that we weren't fixing it is because I didn't know it was a substandard access road.

Like I said, we are going to meet with them. The Member is correct; this road has been discussed for a long time, since that development has occurred, and we're all concerned about the safety of the pedestrians who are using that road to access the city. We want to sit down with the city and MACA and come up with a solution that will be feasible and will work for the safety of the people accessing that road. Thank you.

MS. BISARO: To the Minister: I have to express my surprise and my huge concern that the Minister is not aware that this stretch of road needs upgrading. It's not an access road; this is a GNWT highway, a territorial highway. Albeit, it's in the city of Yellowknife, but at the moment it's a territorial highway, and if the Minister doesn't know that it needs upgrading, it's no surprise that we haven't had any success.

To the Minister: he's going to have this meeting. At this meeting is the Minister willing to commit to provide funds to get the repair work done that's needed on this road? Thank you.

HON. TOM BEAULIEU: If that's a new project, then it will have to come to the House for approval. Thank you.

MR. SPEAKER: Thank you, Mr. Beaulieu. Final, short supplementary, Ms. Bisaro.

MS. BISARO: Thank you, Mr. Speaker. So that's not going to happen for about five years, then, if we go through the capital process. It's well beyond that. This is not a new project. It's something that's been on the books for quite a long time.

So, if the GNWT is not willing to do the work, will GNWT accept the bill from the city when they do the work and hand over the bill? Thank you.

HON. TOM BEAULIEU: Like I indicated, we will meet with the City of Yellowknife. If a solution is for the City of Yellowknife to improve the road, if it needs improvement and it's agreed on this side of the House and that side of the House that we can do a supplementary appropriation to pay for the road that's been rebuilt to standard by the city, then that's the direction we'll go. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Beaulieu. Member for Yellowknife Centre, Mr. Hawkins.

QUESTION 785-17(5):
MISSING AND MURDERED
ABORIGINAL WOMEN AND GIRLS

MR. HAWKINS: Thank you, Mr. Speaker. On February 9th I asked the Premier a question on whether he forwarded on the motion to other Premiers. That motion was the one that was passed in this House regarding the missing and murdered indigenous women. Of course, the Premier says he acts on all motions passed in this House and said he would check on it. He offered to forward me all the copies of the letters. I said I don't need all of the copies, I just need a note to say that they've done this. I also accepted that maybe if it had not been done at that time, to ensure it was done.

Mr. Speaker, I've waited a month, technically a month and a day to find out if this motion was ever sent. I am wondering what the Premier has done with that request from February 9th that goes back to the earlier motion that was passed in this Assembly to send the motion to other Premiers in Legislatures to encourage them to pass a motion of a similar type. Thank you.

MR. SPEAKER: Thank you, Mr. Hawkins. Honourable Premier, Mr. McLeod.

HON. BOB MCLEOD: Thank you, Mr. Speaker. The letters have not gone as of yet and the planning for the Round Table on Missing and Murdered Aboriginal Women, the advice we received was that to introduce the concept of a motion at this stage would confuse and complicate the planning for the round table. So now that the Round Table on Missing and Murdered Aboriginal Women has occurred, we will be proceeding forthwith to send out the letters to all of the provincial and territorial Legislatures. Thank you, Mr. Speaker.

MR. HAWKINS: Just to be very clear, the letter will be sent out to all Legislatures and all Premiers. Will you be sending out our motion suggesting they do something similar? I just want to be clear on the record. Thank you.

HON. BOB MCLEOD: That was my understanding. We will follow the direction that was outlined in the motion that was passed by this House. Thank you, Mr. Speaker.

MR. HAWKINS: I understand, and some days I like to think I'm reasonable in the area of things happening.

Can the Premier explain why it's taken this long to address this matter that was directed by the House? Was there a technical issue? I didn't quite understand the confusion part he was referring to when he gave his first answer about different directions. If we could get a clear answer about why it took this long, thank you.

HON. BOB MCLEOD: In the planning for the Round Table on Missing and Murdered Aboriginal Women, it was felt that an interjection of this motion to all the provinces and territories would be a complicating factor, because if we sent it out to all the provinces and territories, some of them may think it would be sufficient to just pass a motion in their Legislative Assembly rather than participate in the Round Table on Missing and Murdered Aboriginal Women. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. McLeod. Final, short supplementary, Mr. Hawkins.

MR. HAWKINS: Thank you, Mr. Speaker. I wish the Premier had let us know that earlier. My question and concern is who would have authority over the House authority to provide the direction? Would it be staff who said this? Has the Premier decided, or would it be multiple... I'm trying to appreciate and understand and get to the bottom of who would have the authority to override this House's discretion and decision to pass a motion and encourage you to forward it on to the other Legislatures. It just seems odd without letting us know. Thank you.

HON. BOB MCLEOD: As I indicated, we will be sending out the motion to all the provincial and territorial Legislatures. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. McLeod. Item 8, written questions. Mr. Bromley.

Written Questions

WRITTEN QUESTION 27-17(5):
HORIZONTALLY FRACTURED WELLS
IN THE NORTHWEST TERRITORIES

MR. BROMLEY: Thank you, Mr. Speaker. My questions are for the Minister of Industry, Tourism and Investment. For each horizontally fractured well in the Northwest Territories to date:

- a) What was the source of the water used and how much was consumed?

- b) What was the quantity of greenhouse gases emissions due to flaring, and how many days did flaring occur?
- c) What was the amount and composition of each additive used during fracking, and how is the flow of unrecovered produced water tracked underground?
- d) How much produced water has been recovered to date, what chemicals are in the recovered water, how is it being transported and disposed of, and what NWT communities does it travel through?
- e) What monitoring of methane gas leakage from the well pipe stems was carried out and what has been the amount of methane leakage that occurred during and following the fracking operations?

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Bromley. Item 9, returns to written questions. Item 10, replies to opening address. Item 11, petitions. Item 12, reports of standing and special committees. Mr. Moses.

Reports of Standing and Special Committees

COMMITTEE REPORT 13-17(5): REPORT ON THE REVIEW OF BILL 42: AN ACT TO AMEND THE RESIDENTIAL TENANCIES ACT

MR. MOSES: Thank you, Mr. Speaker. Mr. Speaker, your Standing Committee on Social Programs is pleased to provide its Report on the Review of Bill 42: An Act to Amend the Residential Tenancies Act and commends it to the House.

Introduction

Bill 42, An Act to Amend the Residential Tenancies Act, makes substantial improvements to the Residential Tenancies Act. The Standing Committee on Social Programs commends the Minister for presenting the bill. It is the result of extensive consultation with stakeholders and the public.

Bill 42 will amend the act in a number of ways, including: allowing decisions of the rental officer to be enforced as an order of the Supreme Court of the Northwest Territories; allowing for early termination of a tenancy where family violence has occurred; establishing that termination procedures for public housing apply to monthly tenancies; requiring landlords to provide rent receipts on request; providing a remedy for improper termination resulting from a notice of rent increase; and clarifying that a condominium corporation may make applications to the rental officer.

Bill 42 was referred to the committee on November 6, 2014. The public hearing was held on February 2, 2015, and the clause-by-clause review was held on March 9, 2015. During the clause-by-clause review, the committee passed two motions to amend the bill, with the Minister's agreement. These amendments are discussed below.

The committee heard from 10 stakeholders, including the Northwest Territories rental officer and the deputy rental officer; the Northwest Territories Information and Privacy Commissioner; Northern Properties Real Estate Investment Trust; the Salvation Army; the Northwest Territories Human Rights Commission; and a handful of private citizens and community advocates. While stakeholders indicated broad support for the bill, they also raised concerns. The remainder of this report addresses these concerns and recommends several courses of action.

Enforceability of the Rental Officer's Decisions

Public consultation on proposed amendments to the Residential Tenancies Act took place in 2013. One prominent theme was the act's failure to adequately support the enforcement of orders of the rental officer. While the act allows for orders to be filed with the Territorial Courts, these courts lack the broader enforcement powers of the Supreme Court of the Northwest Territories. Separate legal steps are often required if a landlord or tenant fails to obey an order filed with the Territorial Court. This results in additional work and delays.

The committee is pleased that Bill 42 will strengthen enforceability by allowing any decision of a rental officer, including an eviction order, to be filed with the Supreme Court of the Northwest Territories.

However, the committee urges the department to address the potential for increased costs by, first, creating a separate fee schedule for enforcement of rental officer orders and, second, ensuring that Supreme Court fees remain in line with existing Territorial Court fees.

Transitional Housing

The Residential Tenancies Act does not apply to certain types of accommodations, such as transitional housing, hotels and assisted-living units. In such arrangements, landlords and tenants do not have rights, obligations or protections under the act.

The committee found that stakeholders were divided in their views on transitional housing, including how to define it and whether to exempt it from the act. The Salvation Army's written submission recommended an exemption for transitional housing. This would give transitional housing providers clear discretion to ban individuals who pose a safety risk. On the other hand, the rental officer and one community advocate argued

that transitional housing tenants should be protected just like market housing tenants. The community advocate further noted that facilities such as Bailey House and YWCA shelters charge substantial rent and use formal rental agreements, yet tenants must comply with very restrictive rules.

The committee subsequently asked the department to clarify its position on transitional housing. The department's view was that transitional housing should be exempt from the act. It noted that subsection 6(2) effectively exempts transitional housing because it excludes shelters that house people temporarily and housing used for therapeutic or rehabilitative purposes. In other jurisdictions, the department continued, exemptions for transitional housing are common.

The department explained that transitional housing tenants who wish to seek redress can bring complaints to any of the following: the provider of the transitional housing; the Human Rights Commission; Members of the Legislative Assembly; the Minister responsible for funding the provider; or the Supreme Court of the Northwest Territories.

The department also advised against including a definition for transitional housing, providing three reasons: first, it would require further consultation with stakeholders; second, it may have unintended consequences such as reducing the level of support individuals now enjoy; and third, the act, in its current form, already effectively exempts transitional housing.

The committee ultimately determined that any amendments pertaining to transitional housing were outside the principle, or scope, of the bill. According to parliamentary convention, the committee is bound by the decision of the House in favour of the principle of the bill at second reading and is unable to amend the bill in a manner that is inconsistent or beyond the principle or scope of the bill.

However, the committee agreed to put forward three recommended actions pertaining to transitional housing. First, the committee is urging the department to provide a definition for transitional housing in the next round of statutory amendments.

Second, the committee is urging the department to establish a definition for transitional housing under the regulations. As an interim measure, this would assist the rental officers in the course of their duties and eliminate ambiguity for transitional housing providers and the people they house.

Third, the committee is urging the department to provide protection for transitional housing tenants outside of the Residential Tenancies Act. The committee believes it is not fair that transitional housing tenants pay market rates, or close to market rates, and yet are not protected against

unreasonable restrictions on personal freedom and arbitrary evictions.

Mr. Speaker, at this time I would like to pass the report on to my colleague Mr. Dolyunny.

MR. SPEAKER: Thank you, Mr. Moses. Mr. Dolyunny.

MR. DOLYUNNY: Thank you, Mr. Speaker. Thank you, Mr. Moses.

Provisions for Victims of Domestic Violence

During the 2013 public consultation, stakeholders asked for a special provision that would allow victims of domestic violence to apply for early termination of a tenancy agreement. The department complied. Bill 42 relies on the definition of domestic violence provided in the Protection Against Family Violence Act and includes new provisions allowing a victim of family violence to apply for early termination. The application must be accompanied by a valid court document.

The Information and Privacy Commissioner cautioned that there may be significant consequences if a landlord or rental officer fails to keep confidential the information pertaining to such an application. The committee looked into the matter and determined that, in the absence of an explicit offence provision, the act would merely establish a mandatory duty to keep information confidential but would not make a breach of confidentiality a punishable offence. For this reason, the committee requested an explicit offence provision. The Minister agreed, and a motion in support of the amendment was passed at the clause-by-clause review.

Other stakeholders raised questions about these provisions. A community advocate recommended an amendment to ensure that the violent spouse can be removed from a tenancy agreement and that the victim of violence is entitled to remain in the unit. The committee confirmed that provisions in the Protection Against Family Violence Act ensure that an applicant of a protection order or an emergency protection order cannot be evicted by a landlord simply because they are not a party to the tenancy agreement. The community advocate also recommended that police reports or convictions qualify as evidence for a domestic violence application, and the committee is making a recommendation to this effect.

The Northwest Territories Human Rights Commission recommended incorporating a provision to ensure that a victim of domestic violence is not held financially responsible for damage caused by a violent spouse. The department noted that a statutory remedy is already available through a separate application to the rental officer.

The deputy rental officer recommended a change to the act pertaining to the assignment of a new tenancy agreement where domestic violence has occurred. She noted that current provisions for assigning a new tenancy require the consent of the landlord, the current tenant and the new tenant. This, she indicated, is clearly impossible where the current tenant and new tenant have been ordered by the court not to have contact. However, the committee noted that Bill 42 explicitly allows a landlord to enter into a new tenancy arrangement with a victim of family violence.

The deputy rental officer also recommended a consequential amendment to the Protection Against Family Violence Act to clarify the distinction between sole and joint tenancies. The committee looked into this matter and found no need for such an amendment. The Protection Against Family Violence Act allows a court to grant a victim exclusive occupation of a family residence even if the victim is not a party to the rental agreement. It also prohibits a landlord from evicting the victim solely because the victim is not a party to the tenancy agreement. It further gives the victim the option of taking over the tenancy agreement. Any landlord who wishes to proceed with an eviction must do so under the terms of the Residential Tenancies Act and have grounds for eviction under the act.

Through you, Mr. Speaker, I'd like to turn this over to Mr. Yakeleya.

MR. SPEAKER: Thank you, Mr. Dolynny. Mr. Yakeleya.

MR. YAKELEYA: Thank you, Mr. Speaker. Thank you, Mr. Dolynny.

Security of Tenure

In market housing, a landlord who wishes to end a tenancy must generally obtain the agreement of the tenant. This means the tenant has security-of-tenure. However, since 2010, a new provision in the act allows a public housing landlord to end a fixed-term tenancy by giving 30 days' notice, with a reason for termination. This provision contrasts with the security-of-tenure enjoyed by market housing tenants.

The committee noted that the matter of differential treatment for subsidized housing received considerable attention prior to the 2010 amendments. The rental officer and numerous organizations viewed it as discriminatory. On the other hand, the Northwest Territories Housing Corporation, NWT HC, viewed it as essential for effective delivery of social housing.

During the review of Bill 42, the rental officer recommended repealing the provisions which effectively deny public housing tenants security-of-tenure. The department disagreed, stating that these provisions allow flexibility to deal with

changing circumstances of those occupying public housing and also ensure that public housing is reserved for low-income tenants.

At the request of the committee, the department clarified its rationale for excluding public housing tenants from security-of-tenure provisions and provided a discussion paper written by the NWT HC. The discussion paper made three main points. First, because fixed-term agreements for public housing tenants do not include security-of-tenure, the NWT HC can give high-risk tenants a second chance where such tenants would be unable to secure a market rental. The NWT HC requires a mechanism for ending the tenancy if the problem behaviour continues. If the provision were to be removed, the NWT HC would have to discontinue its practice of giving high-risk tenants a second chance. The NWT HC maintains that this would not be in the public interest.

Second, the NWT HC believes that a reversal of the current provisions would have a cascade effect. For example, it would be difficult to rent out a unit when the primary tenant is away at school and wishes to return to the unit. As well, fixed-term agreements allow for short-term tenancies in an alternate unit if a fire or flood has damaged the tenant's primary unit.

Third, if a tenant's fixed-term agreement is terminated, there are numerous options for tenants who feel they have been unfairly treated: they can raise the issue at a public meeting of the local housing office, LHO; they can raise the issue with the NWT HC's district office; they can launch an appeal; or they can request assistance from Members of the Legislative Assembly.

The department further asserted that security-of-tenure provisions for subsidized housing in the Northwest Territories are generous compared to those in many other jurisdictions, citing British Columbia, Alberta, New Brunswick, Newfoundland, Nova Scotia, Manitoba and Nunavut as examples.

In the matter of security-of-tenure provisions, the committee members' views were not uniform. Some believe that, in the case of market rentals, security-of-tenure provisions are too onerous for landlords.

I will now pass it on to my colleague Ms. Bisaro.

MR. SPEAKER: Thank you, Mr. Yakeleya. Ms. Bisaro.

MS. BISARO: Thank you, Mr. Speaker. Thank you, Mr. Yakeleya.

Additional Considerations

A number of other matters were raised by stakeholders. First, a community advocate asked the committee to ensure that amendments align with human rights legislation. Specifically, he sought to ensure that Aurora College students have the right to receive a copy of their tenancy

agreement. Some students have been denied this request in the past, which prevented them from voting. He further recommended ensuring that landlords do not have the right to enter student premises without notice or a police warrant. The committee noted that the act exempts student accommodations which do not have a self-contained bathroom and kitchen facilities.

Second, a Hay River constituent provided a written submission and gave an oral presentation at the public hearing. He outlined his concerns regarding the rental officer and recommended that Bill 42 be tabled until his case has been heard by the Supreme Court of the Northwest Territories. The committee did not consider this request reasonable. The gentleman further opposed the bill because he believes it will give the rental officer power to overturn decisions of the Supreme Court of Northwest Territories and give the rental officer the same powers as the Supreme Court of Northwest Territories. The committee noted that this is not the case. An order may be registered, and as such is fully enforceable as an order of the court. However, the order may still be challenged by application to the Supreme Court. The committee regretted that many of this individual's concerns were outside the scope of its review.

Finally, at the Minister's request, the committee passed a motion to address a technical concern that had been identified during the drafting process. The change will ensure that no one can file an order or decision of the rental officer, with the exception of an eviction order, with the Supreme Court until the 14-day appeal period has expired. This will allow all parties to exercise their right to appeal.

Recommended Actions

The Standing Committee on Social Programs recommends the following courses of action:

- 1) That the Department of Justice develop a communication campaign to ensure that stakeholders are aware of new statutory requirements;
 - 2) That the Department of Justice establish a definition for transitional housing in the regulations;
 - 3) That the Department of Justice provide a definition for transitional housing in the next round of statutory amendments and clarify its position on an exemption for this type of housing;
 - 4) That the Department of Justice provide better protection for transitional housing tenants against unreasonable restrictions on personal freedom and arbitrary evictions;
- 5) That the Department of Justice ensure that fees are reasonable and align with fee amounts in other jurisdictions;
 - 6) That the Department of Justice increase its support for the rental office to ensure that applications are handled in a timely manner;
 - 7) That the Department of Justice allow police reports or convictions to qualify as evidence for an application for early termination due to domestic violence;
 - 8) That the Department of Justice address the potential for increased costs of filing with the Supreme Court of the Northwest Territories by creating a separate fee schedule specific to enforcement of rental officer orders and by ensuring that Supreme Court fees are in line with existing Territorial Court fees; and
 - 9) That the Department of Justice work with the Department of Education, Culture and Employment to ensure that any students who reside at Aurora College are provided with a copy of their tenancy agreement on request and therefore not unduly prevented from voting.

Recommendations

Recommendation 1

That the Government of the Northwest Territories provide a comprehensive response to this report within 120 days.

Mr. Speaker, I'd like to pass the reading of the report for the conclusion to the chair of our committee, Mr. Moses. Thank you.

MR. SPEAKER: Thank you, Ms. Bisaro. Mr. Moses.

MR. MOSES: Thank you, Mr. Speaker, and thank you, colleagues.

Conclusion

The Standing Committee on Social Programs thanks all stakeholders who provided comments on Bill 42 or attended the public hearing.

The committee advises that it supports Bill 42 as amended and reprinted and presents it for consideration to Committee of the Whole.

MOTION TO RECEIVE COMMITTEE REPORT 13-17(5) AND MOVE INTO COMMITTEE OF THE WHOLE, CARRIED

Mr. Speaker, that concludes the presentation of our report. Therefore, I move, seconded by the honourable Member for Range Lake, that Committee Report 13-17(5), Report of the Standing Committee on Social Programs on the Review of Bill 42: An Act to Amend the Residential Residences Act, be received by the Assembly and

moved into Committee of the Whole for further consideration. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Moses. Motion is in order. To the motion.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question has been called. The motion is carried.

---Carried

Mr. Moses.

MR. MOSES: Mr. Speaker, I seek unanimous consent to waive Rule 93(4) to have Committee Report 13-17(5), Report of the Standing Committee on Social Programs on the Review of Bill 42: An Act to Amend the Residential Tenancies Act, moved into Committee of the Whole for consideration later today.

---Unanimous consent granted

MR. SPEAKER: Committee Report 13-17(5) is moved into Committee of the Whole for today. Thank you, Mr. Moses. Item 13, reports of committees on the review of bills. Item 14, tabling of documents. Mr. Bromley.

Tabling of Documents

TABLED DOCUMENT 221-17(5): RULES OF THE LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES DATED MAY 27, 2015

MR. BROMLEY: Thank you, Mr. Speaker. I wish to table the Rules of the Legislative Assembly of the Northwest Territories, dated May 27, 2015.

Mr. Speaker, this document reflects the comprehensive review of the rules undertaken by the Standing Committee on Rules and Procedures to modernize our rules and to better reflect our current practices and procedures. Mahsi, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Bromley. Mr. Hawkins.

TABLED DOCUMENT 222-17(5): PRIVATE MEMBER'S BILL – AN ACT TO AMEND THE MENTAL HEALTH ACT

MR. HAWKINS: Thank you, Mr. Speaker. I'd like to table, for the public's interest, a copy of a private member's bill I would eventually like to read into this House. It is An Act to Amend the Mental Health Act and it's pretty self-explanatory. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Hawkins. Mr. Dolynny.

TABLED DOCUMENT 223-17(5): MICRO-BREWERY TAXATION MODELS

MR. DOLYNNY: Thank you, Mr. Speaker. I wish to table a three-page document, entitled "Micro-brewery Taxation Models." My office has compiled a complete regime of micro-brewery taxation models in Canada and I'll be speaking to this on Wednesday, March 11, 2015. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Dolynny. Item 15, notices of motion. Mr. Bromley.

Notices of Motion

MOTION 41-17(5): REPEAL AND REPLACE RULES OF THE LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

MR. BROMLEY: Mr. Speaker, I give notice that on Thursday, March 12, 2015, I will move the following motion: Now therefore I move, seconded by the honourable Member for Great Slave, that this Legislative Assembly repeal the Rules of the Legislative Assembly of the Northwest Territories originally adopted on April 1, 1993, and adopt the newest version of the Rules of the Legislative Assembly of the Northwest Territories, identified as Tabled Document 221-17(5);

And further, that the new Rules of the Legislative Assembly of the Northwest Territories, upon adoption of this motion, come into effect May 27, 2015. Mahsi.

MR. SPEAKER: Thank you, Mr. Bromley. Mr. Yakeleya.

MOTION 42-17(5): EXTENDED ADJOURNMENT OF THE HOUSE TO MAY 27, 2015

MR. YAKELEYA: Mr. Speaker, I give notice that on Thursday, March 12, 2015, I will move the following motion: I move, seconded by the honourable Member for Thebacha, that notwithstanding Rule 4, when this House adjourns on Thursday, March 12, 2015, it shall be adjourned until Wednesday, May 27, 2015;

And further, that any time prior to May 27, 2015, if the Speaker is satisfied, after consultation with the Executive Council and Members of the Legislative Assembly, that the public interest requires that the House should meet at an earlier time during the adjournment, the Speaker may give notice and thereupon the House shall meet at the time stated in such notice and shall transact its business as it has been duly adjourned to that time. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Yakeleya. Item 16, notices of motion for first reading of bills. Mr. Miltenberger.

Notices of Motion for First Reading of Bills

BILL 50:
APPROPRIATION ACT
(OPERATIONS EXPENDITURES), 2015-2016

HON. MICHAEL MILTENBERGER: Mr. Speaker, I give notice that on Thursday, March 12, 2015, I will move that Bill 50, Appropriation Act (Operations Expenditures), 2015-2016, be read for the first time.

BILL 51:
SUPPLEMENTARY APPROPRIATION ACT
(INFRASTRUCTURE EXPENDITURES),
NO. 5, 2014-2015

Mr. Speaker, I give notice that on Thursday, March 12, 2015, I will move that Bill 51, Supplementary Appropriation Act (Infrastructure Expenditures), No. 5, 2014-2015, be read for the first time.

BILL 52:
SUPPLEMENTARY APPROPRIATION ACT
(OPERATIONS EXPENDITURES),
NO. 3, 2014-2015

Mr. Speaker, I give notice that on Thursday, March 12, 2015, I will move that Bill 52, Supplementary Appropriation Act (Operations Expenditures), No. 3, 2014-2015, be read for the first time.

BILL 53:
SUPPLEMENTARY APPROPRIATION ACT
(INFRASTRUCTURE EXPENDITURES),
NO. 1, 2015-2016

Mr. Speaker, I give notice that on Thursday, March 12, 2015, I will move that Bill 53, Supplementary Appropriation Act (Infrastructure Expenditures), No. 1, 2015-2016, be read for the first time.

BILL 54:
AN ACT TO AMEND THE
FOREST MANAGEMENT ACT

Mr. Speaker, I give notice that on Thursday, March 12, 2015, I will move that Bill 54, An Act to Amend the Forest Management Act, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Miltenberger. Item 17, motions. Item 18, first reading of bills. Item 19, second reading of bills. Mr. Beaulieu.

Second Reading of Bills

BILL 49:
AN ACT TO AMEND THE
DEH CHO BRIDGE ACT

HON. TOM BEAULIEU: Thank you, Mr. Speaker. I move, seconded by the honourable Member for Kam Lake, that Bill 49, An Act to Amend the Deh Cho Bridge Act, be read for the second time.

Mr. Speaker, this bill amends the Deh Cho Bridge Act to make use of terminology that is more consistent with the Motor Vehicles Act, remove provisions concerning annual reporting with respect to collection of tolls for each fiscal year, clarify when drivers and owners of motor vehicles are liable for non-payment of tows, clarify powers and duties of a transport officer, add provisions that allow the admissibility of evidence of camera systems and weigh systems, change the regulation-making authority and remove a consultation requirement for proposed regulations. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Beaulieu. The motion is in order. To the principle of the bill.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Bill 49, An Act to Amend the Deh Cho Bridge Act has had second reading.

---Carried

Item 20, consideration in Committee of the Whole of bills and other matters: Bill 12, Employee Benefits Services Pension Plan Act; Bill 36, Health and Social Services Professions Act; Committee Report 10-17(5), Standing Committee on Government Operations Report on the Review of the 2013-2014 Annual Report of the Information and Privacy Commissioner of the Northwest Territories; Committee Report 11-17(5), Standing Committee on Government Operations Report on the Review of Bill 12: Northern Employee Benefits Services Pension Plan Act; Committee Report 12-17(5), Standing Committee on Social Programs Report on the Review of Bill 36: Health and Social Services Professions Act; and Committee Report 13-17(5), Report of the Standing Committee on Social Programs on the Review of Bill 42: An Act to Amend the Residential Tenancies Act, with Mrs. Groenewegen in the chair.

By the authority given to me as Speaker by Motion 10-17(5), I here authorize the House to sit beyond the daily hour of adjournment to consider business before the House.

Consideration in Committee of the Whole of Bills and Other Matters

CHAIRPERSON (Mrs. Groenewegen): I'd like to call Committee of the Whole to order. What is the wish of committee? Ms. Bisaro.

MS. BISARO: Thank you, Mrs. Chair. We wish to deal with Bill 12; Committee Report 11-17(5), which deals with Bill 12; Bill 36; Committee Report 12-17(5), which deals with Bill 36; and, time and energy permitting, Committee Report 10-17(5). Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Ms. Bisaro. Does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mrs. Groenewegen): Thank you, committee. We'll take a brief break and commence after that.

---SHORT RECESS

CHAIRMAN (Mr. Bouchard): I'll call Committee of the Whole back to order. Committee, we'll start with consideration of Committee Report 11-17(5), Standing Committee on Government Operations Report on Review of Bill 12, Northern Employee Benefits Services Pension Plan Act. First I'll go to the chair responsible for the Standing Committee on Government Operations, Mr. Nadli, for a few comments.

MR. NADLI: Thank you, Mr. Chair. The Standing Committee on Government Operations has been considering Bill 12, Northern Employee Benefits Services Pension Plan Act. Members will recall that a substantive report on the committee's review of Bill 12 was presented to the Legislative Assembly on March 5, 2015. By motion, the House received the report and it was moved into Committee of the Whole for further consideration.

Bill 12 sets out the legislative framework for Northern Employee Benefits Services, NEBS, Pension Plan to continue as a multi-employer, multi-jurisdictional public sector pension plan for employees of approved public sector employers in both the Northwest Territories and Nunavut.

Because NEBS Pension Plan operates in both Northwest Territories and Nunavut, the circumstances of its review are rather unique. At the same time we are conducting our review, our counterpart in Nunavut, the Legislative Assembly of Nunavut's Standing Committee on Legislation, is conducting a concurrent review of Bill 1. Bills 1 and 12 are basically identical statutes and both are required for NEBS to require business in two separate jurisdictions.

Over the course of the winter, the standing committee worked closely with the Minister of Finance, Minister Miltenberger, and with the Standing Committee on Legislation with the Nunavut Legislative Assembly on amendments to improve Bill 12. These amendments were promoted by public input received on Bill 12 when the Standing Committee on Government Operations conducted a public review on September 25, 2014.

The standing committee would, once again, like to take the opportunity to thank everyone who participated in the review of Bill 12. This collaboration exemplifies participatory democracy in action and has, in the view of the standing committee, produced an act that fairly balances the needs of all stakeholders.

A clause-by-clause review of Bill 12 was held on February 19, 2015. Following the committee's review, a motion was carried to report Bill 12 as amended and reprinted to the Assembly as ready for consideration in Committee of the Whole.

Mr. Chair, this concludes the committee's comments on CR 11-17(5) and Bill 12. Individual Members may have individual questions or comments as we proceed. Mahsi, Mr. Chair.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Nadli. I will just remind the general public to turn off their cell phones and other electronic devices.

I'll open the floor to general comments on the committee report. General comments? Does committee agree that we have concluded consideration of Committee Report 11-17(5)?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Bouchard): I'll turn to consideration of Bill 12: Northern Employee Benefits Services Pension Plan Act. I will go to the Minister responsible. Minister Miltenberger, do you have opening comments?

HON. MICHAEL MILTENBERGER: Thank you, Mr. Chairman. I am here to present Bill 12, Northern Employee Benefits Services Pension Plan Act, which is legislation that was identified as a priority in the 17th Legislative Assembly.

The Northern Employee Benefits Services Pension Plan, or NEBS, is a defined benefit plan similar to the one Government of the Northwest Territories employees have designed for public sector and non-profit employees working throughout the Northwest Territories and Nunavut.

There are 42 NWT employers now active in the plan supporting their staff to make retirement plans that will meet their needs. In the NWT there are 712 active members, 320 deferred members and 143 pensioners in the NEBS Pension Plan.

Bill 12 is a result of a unique collaborative effort between the government, the Government of Nunavut and NEBS. This legislation is required to address the absence of an existing legislative framework to guide the NEBS Pension Plan as it currently operates and also to provide stability and structure for the pension plan.

Bill 12 supports the 17th Legislative Assembly vision of strong individuals, families and communities sharing the benefits and responsibilities of a unified, environmentally sustainable and prosperous Northwest Territories. I believe that this bill is

evidence of a strong, independent North built on collaborative partnerships in an environment intended to sustain present and future generations.

I appreciate the efforts of the respective standing committees in each jurisdiction in working with the governments and NEBS in order to find ways to improve the legislation which resulted in the reprinted bill before us today.

This bill is essential in that it provides a framework of shared responsibility for retirement planning that supports residents not covered by other existing pension plans that work in the public sector. It will enable NEBS to work with northern communities and non-profit organizations to provide their workforce with benefits, opportunities and choices they might not otherwise be able to obtain or possibly even afford.

In short, this bill will be beneficial to Northwest Territories residents.

That concludes my opening remarks.

CHAIRMAN (Mr. Bouchard): Thank you, Minister Miltenberger. Do you have witnesses to bring into the Chamber?

HON. MICHAEL MILTENBERGER: Yes, Mr. Chair.

CHAIRMAN (Mr. Bouchard): Does committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Bouchard): Sergeant-at-Arms, please escort in the witnesses.

Thank you, Minister Miltenberger. Could you please introduce your witnesses.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Chairman. I have with me the deputy minister of Finance, Mike Aumond; the director of the Management Board Secretariat, Jamie Koe; and Ken Chutskoff, legislative counsel from the Department of Justice.

CHAIRMAN (Mr. Bouchard): Thank you, Minister Miltenberger. Committee, we've already heard from the committee chair. We'll go directly into the clause-by-clause review of Bill 12. Any general comments? Mr. Bromley.

MR. BROMLEY: Thank you, Mr. Chair. I also would like to commend committee and the Minister on all the work done on this bill. I think it has come a long ways from when we first saw it, and I think a lot of people were startled about the amount of consultation with the people being affected that had been done and the shortcomings in that process. I'm sure we've all learned from that and that we can't expect any entity to speak for the people other than the people themselves when we go out and do our consultations. I think that's a lesson learned in this. Had we been more thorough on that front, I don't think we would have needed to have put near

the process into amending this bill as was engendered here, but I'm happy with the way things are going.

I did have one question. The Minister mentioned 42 NWT employers now active in the plan. Do all of these employers provide 50 percent of the pension plan or less and expect the employees to provide the other 50 percent or more? My impression was in the past we have had employers who provided more than 50 percent. I know certainly the GNWT, which is not a member of this plan, which I suppose could be but it's not, and they have had periods in history when they provided more than 50 percent, for example. Are any of these 42 NWT employers in the plan now providing more than 50 percent of the contributions for the pension plans?

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Bromley. Minister Miltenberger.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Chairman. This is a 50/50 split for the contributions. That's the way it is structured and that's the way the employers and employees share the cost.

MR. BROMLEY: I realize that and committee has had extensive discussions on opening it up to the possibility of employers contributing more, because we believe that there were, in fact, some that did. My question is: Are there any that do provide more than 50 percent?

HON. MICHAEL MILTENBERGER: No, not that I'm aware of.

MR. BROMLEY: I'll accept that and maybe just ask the Minister to confirm that so that he does know later. I'm willing to go forward for now.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Bromley. Committee, general comments. Ms. Bisaro.

MS. BISARO: Thank you, Mr. Chair. As was stated by the Minister, this bill was a real collaborative effort. I noted in the Minister's opening comments, he said it was a priority of the 17th Assembly. I'm very glad that it was and I'm very glad we're to this point, because it has been some 10 years that NEBS has been trying to get legislation to govern their operations, and it's very gratifying that we are finally to this point where we're just about ready to see third reading for this bill.

I want to echo the comments that have already been made about the uniqueness of the process. It certainly was unusual. It has been done before, but unusual for me that we were dealing with a bill and trying to mirror a bill in another jurisdiction at the same time that we were dealing with our bill. The collaboration between both governments and both standing committees was excellent. I have to compliment the work of the Law Clerks on both sides of this issue, both in the NWT Assembly and

in the Nunavut Assembly. They did a huge amount of work, and also the Clerk staff did a huge amount of work to coordinate things, the back and forth, talking about language and getting the language the same and making sure that the bills are exactly the same.

We did delay the first reporting. The first deadline for reporting came and went. We asked for an extension and got that. I think it was an excellent decision and I'm glad the House supported that, because it allowed us the time to coordinate with Nunavut and also allowed us to comprehensively look at the concerns which had been brought forward by the many stakeholders that we heard from.

It has been said that maybe we were a little surprised by the interest, and the consultation can be viewed both ways. Some people thought there was lots of consultation and other people thought there was none. I think, as Mr. Bromley stated, it means that the government, any time they bring a bill forward, needs to probably think outside the box in terms of their consultation. They need to make sure that they do more consultation rather than less and consider who they're consulting with and if it really is going to get to the people who are going to be affected by the piece of legislation. In this case the consultation may have been done by NEBS, but it certainly didn't translate into what the actual pension holders heard as any kind of a concern until we kind of came to the 11th hour.

But that said, there were a very large number of concerns that were raised, very valid concerns. As a committee, with the extra time we were able to consider those concerns in depth, we were able to get advice from both our Clerk and from the Law Clerk and to consider whether or not changes were necessary. I think it's 12 motions that we brought forward during the clause-by-clause review, all 12 of which were supported by the Minister.

It's led us to a far better piece of legislation than what we started out with. It addresses the concerns of the stakeholders; it addresses the concerns of the sponsors of the bill; and I think it's going to be a piece of legislation that's going to last without amendment for a fairly long period of time, at least I hope it will.

It certainly gives certainty to NEBS, who runs the program, to the pension committee that does all the work for the pension holders, and I think for the pension holders and the employees and the employers it's going to provide much more certainty than we had before.

I think that's it, Mr. Chair. I'm just really pleased that we are to this point. I look forward to NEBS operating as well as they have in the past as we go forward.

I guess I did want to say that there's absolutely no concern on the part of me, and I think most of committee, that we had any concerns with how NEBS has been operating the plan over the last number of years without legislation. They've done an excellent job. But they requested the legislation, we knew that the legislation needed to be put in place, and now that it's here, it's just going to provide certainty, as I said, for everybody involved. Thanks, Mr. Chair.

CHAIRMAN (Mr. Bouchard): Thank you, Ms. Bisaro. Next on my list I have Mr. Dolynny.

MR. DOLYNNY: Thank you, Mr. Chair. I would again like to welcome the Minister and the department here today. Like my colleagues have already indicated, we're very pleased with the final end product, but I think it's an opportunity at this time to do a little bit of rear-view mirror analysis of how we got here today.

The Minister was right; this was a very unique and collaborative effort right from the get-go. I have to admit that there was a bit of concern in terms of how the GNWT's close involvement with NEBS in the development of this bill may have compromised, to some degree, the objectivity of the department and the bill being presented as it is. I'm hoping that in the future if the department is to undertake such initiatives and using co-sponsors to the bill that we may want to be very careful to go down that road again. I believe we need to have objectivity moving forward, and having the ability of a non-elected, non-political contributor that is sitting at the table with the Minister during public hearings that might have set I almost consider a dangerous legislative precedent, which may prompt other interest groups to expect to enjoy a similar close relationship with the Minister and department in developing legislation. I'm trying to keep impartiality at bay in saying that.

As I said, using a rear-view mirror approach, the term "meaningful consultation" came to mind. Although the committee was presented the fact that there was, or at least indicated that there was meaningful consultation, it was clear on two separate occasions, the first of which was on September 25, 2014, and then on October 17, 2014. It was apparent with the turnout of stakeholders who were here to demonstrate their concerns for the bill, clearly showed that there was a lack of consultation. Again, I do caution the department; I do caution Ministers who are bringing forward bills that consultation could be considered an important attribute that we need to look at. We not only have to walk the talk, we also have to make sure that we are living true to those terminologies.

At the end of the day, I'm pleased with the final result. I think that we did have some ambiguity at the beginning of this process within the definitions

of “defined” and “targeted.” I think we’ve got that clear now. I think the stakeholders who have been involved in providing committee the recommendations, now see clarity in those terminologies. So I believe, moving forward, we may not yet have every aspect of every stakeholder’s wish in terms of bringing all those wishes forward. But I could assure the public and I can assure Members that the committee looked at every aspect and tried to be fair and balanced in taking into consideration all consultation and public input.

I’m really pleased with the final result. As I said, we may not hit a home run with every stakeholder who had a concern, but I think at the end of the day, when you add up all the dots, we have a bill before us and we have a bill before Nunavut which clearly echoes and mirrors the wishes of the residents it serves. With that, those are my comments. Thank you.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Dolynny. Next I have Mr. Yakeleya.

MR. YAKELEYA: Thank you, Mr. Chair. I too want to lend my support to our committee chair, Mr. Nadli, for the guidance and working with the Members here to have this bill before us. I also congratulate Mr. Miltenberger and his team for bringing this forward and having the flexibility and the foresight to see to this day here that the bill could come forward. It required some of the NEBS membership, also, and the hard work they’ve done with putting together with our Nunavut counterparts.

Also, more important were the hearings that we had here in Yellowknife that brought out some of these issues that make it what it is today. I certainly want to say that this bill will benefit a lot of people. I think most of my colleagues said some good things in this bill here, so I just want to say it was good work by all parties that had to be involved in this process here. That’s it, Mr. Chair.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Yakeleya. Next on my list I have Mr. Moses.

MR. MOSES: Thank you, Mr. Chair. Along with the members from committee, I’d also like to just acknowledge the hard work of our staff. Law Clerks and research were doing all the work and obviously coordinating with the staff in Nunavut to bring this bill before us.

It is history in terms of having mirror legislation between two jurisdictions and working with the department to make sure that we get the best piece of legislation out there for the ones who are going to be affected by this bill. I think it goes to show that there was definitely interest in terms of, as Mr. Dolynny put it, with the consultation or lack of consultation that was discussed when we had our public meeting on September 25th of last year. I think it was very well done on the part of committee,

to take those steps necessary to look at those concerns that were brought from the stakeholders. I think, from some of the comments that were made on our second view in the clause-by-clause, a lot of the stakeholders were happy in terms of the amendments that were made.

As you’ve heard earlier, there are about 12 amendments that were brought forth. I think committee and the government and all parties involved deserve credit for all the hard work that was done. I know this has been a long process for committee as well as previous governments. I just appreciate the work that everybody put into this. Thank you, Mr. Chair.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Moses. Committee, we’re looking for general comments.

SOME HON. MEMBERS: Detail.

CHAIRMAN (Mr. Bouchard): Is committee agreed we’ll do the clause-by-clause review of Bill 12?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Bouchard): Is committee agreed that we’ll go through the clauses 10 at a time?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Bouchard): Clauses 1 to 10.

---Clauses 1 through 63 inclusive approved

CHAIRMAN (Mr. Bouchard): Bill as a whole?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Bouchard): Does committee agree that Bill 12 is ready for third reading?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Bouchard): Bill 12 is now ready for third reading. Thank you, Minister. Thank you, witnesses. Sergeant-at-Arms, please escort the witnesses out of the Chamber.

Alright, committee, next we will be working on Committee Report 12-17(5), Standing Committee on Social Programs Report on the Review of Bill 36: Health and Social Services Professions Act. I will go to the chair responsible for Social Programs, Mr. Moses, for opening comments.

MR. MOSES: Thank you, Mr. Chair. The Standing Committee on Social Programs has been considering Bill 36, Health and Social Services Professions Act. Members may recall last week we read a five-page report on the committee’s review of Bill 36 that was presented to the Legislative Assembly on March 5, 2015.

By motion, the House received the report and it was moved into Committee of the Whole for further consideration. The committee commends the Minister for developing the bill as a result of five years of hard work by the Department of Health and

Social Services, professional stakeholders and the public.

The committee believes the act will enhance public safety, improve the level of care and professionalism in the Northwest Territories and bring our jurisdiction into step with other parts of Canada. During the committee's review of the bill, comments were received from over a dozen stakeholders. Overall, these stakeholders believe this legislation will enhance public safety and improve the level of professionalism in our jurisdiction.

The committee's substantive report on Bill 36 elaborated on stakeholder comments and included several recommendations pertaining to implementation of the new legislation.

The standing committee would, once again, like to take the opportunity to thank everyone who participated in the review of Bill 36. A clause-by-clause review was held on January 19, 2015. Following the committee's review, a motion was carried to report Bill 36 as amended and reprinted to the Legislative Assembly as ready for consideration in Committee of the Whole.

Mr. Chair, this concludes the committee's opening remarks on Committee Report 12-17(5) and on Bill 36. Individual Members may have comments or questions as we proceed. Thank you, Mr. Chair.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Moses. I will open the floor to general comments on the committee report. General comments? Has committee agreed we have concluded Committee Report 12-17(5)?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Bouchard): I will turn to consideration of Bill 36, Health and Social Services Professions Act. I will go to Minister Abernethy. Do you have opening comments?

HON. GLEN ABERNETHY: Thank you, Mr. Chair. I do.

CHAIRMAN (Mr. Bouchard): Go ahead.

HON. GLEN ABERNETHY: Thank you, Mr. Chair. I am pleased to be here to discuss Bill 36, Health and Social Services Professions Act. The Health and Social Services Professions Act is a result of five years of work by the department and reflects significant feedback from professionals as well as the public. This act will provide the foundation for future regulation of health and social services professions in the Northwest Territories.

If passed, this legislation will enable the Government of the Northwest Territories to regulate numerous professions under one legislative framework. This includes modernizing existing and outdated legislation as well as adding newly regulated professions.

The bill includes a process for designation and a list of criteria that will be considered to help government prioritize which professions should be regulated and when. Above all, the proposed act will help ensure the public is protected. Only qualified individuals will be licenced and a complaints and discipline process will be established that is fair, balanced and consistent with best practices in Canada.

The Health and Social Services Professions Act mirrors six other umbrella acts across Canada, making us the seventh jurisdiction to have legislation of this importance. If passed, it will be a great accomplishment for the 17th Legislative Assembly.

I would like to take the opportunity to thank the members of the Standing Committee on Social Programs, numerous professionals throughout the Northwest Territories and their significant contribution to the development of this bill. We look forward to working with you again as we develop profession-specific regulations in the future. I would be pleased to answer any questions that committee may have. Thank you.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Abernethy. We've already heard from the chair of the Standing Committee on Social Programs. Mr. Minister, do you have witnesses to bring into the Chamber?

HON. GLEN ABERNETHY: I do, Mr. Chair.

CHAIRMAN (Mr. Bouchard): Sergeant-at-Arms, please escort the witnesses into the Chamber.

Minister Abernethy, please introduce your witnesses, for the record.

HON. GLEN ABERNETHY: Thank you, Mr. Chair. With me today on my right is Lisa Cardinal, director responsible for health and social services professional licensing; and on my left is Thomas Druyan, legislative counsel. Thank you, Mr. Chair.

CHAIRMAN (Mr. Bouchard): Thank you, Minister Abernethy. I will open the floor to general comments. Mr. Dolynny.

MR. DOLYNNY: Thank you, Mr. Chair. I'd like to welcome the Minister and the department here today. This is a perfect example where government works well and works right and understands the needs of its people. As someone who has practiced in the area of health care most of my adult life in the Northwest Territories, I have had the pleasure of working independently and now as a legislator on a number of acts pertaining to the health profession. So, when I saw this come through, as an MLA I was very impressed and very thankful to be able to put my hands on it as a committee member and work in conjunction with the department to bring forth what I think is an incredible piece of umbrella legislation. Again, I am very pleased to see that we are actually

making history. We are with a very select number of provinces and territories in Canada that have this type of uniqueness and allow a number of different professions and disciplines to finally work under some scrutiny. The public should feel assured and safe knowing the government is taking great care looking at the needs of its citizens.

I just want to say, Mr. Chair, I am very happy with this act. I think it hits all the high notes that we have. I know we have a number of professions in the wings waiting to have regulations drafted around their professions and nature. Far and none, I believe the department will live up to its reputation in working in a very positive way, working with these professions so that, with time, we will see a number of these professions come on board and have the ability to regulate and be legal contributing members to society under, I guess, some form of structure.

Again, I just want to commend the department for a job well done. I appreciate the consultation that took place and I am looking forward to seeing a number of these professions come on line as soon as we can. Thank you, Mr. Chair.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Dolynny. Next I have Mr. Bromley.

MR. BROMLEY: Thank you, Mr. Chair. This issue, this concern, this opportunity was first raised in the 16th Assembly. I know the Minister will recall that, as well as my colleagues. Work was started then.

I would also like to add my voice saying job well done. I would like to thank the professions that have also contributed quite a bit, as well, and the heavy lifting that's done by our legal department and all involved in getting legislation to this point.

I know there are a number of professions that are waiting to be added. I know the public is going to appreciate this regulation of professions so they can have some confidence that standards are being met.

Again, I want to express appreciation to the professions that are out there and are gradually being brought into the fold at their willingness to work towards establishing high standards and maintain them in the Northwest Territories.

Yes, the seventh in Canada. I'm happy to be in that position and moving forward with this, and I look forward to incorporating other professions as we go along. I'll be supporting the bill. Mahsi.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Bromley. Next I have on the list Mr. Yakeleya.

MR. YAKELEYA: Thank you, Mr. Chair. I also want to lend my support in this important bill, and my colleague Mr. Bromley said it very well that in the 16th we started this work, the Members who are here and continue on. This is almost two Assemblies now. We have done some good work

under the leadership of the Minister. I appreciate the support and the work that has been done to this date along with the Social Programs committee members on this side here, too, who put this bill here.

Again, as my colleague has said, there are others in the field of the professions who would love to also become part of this whole seventh group of the jurisdiction to do a lot of good work. I saw it in my small communities where there are other professions right now that are not in the deck, but they are being looked at and considered after we get our house in order on this legislation here.

I just want to say, good job, Minister and staff, on this legislation. This is a really good day for us. It's a really good day for people who will benefit from this profession. There are really good people in the North who are doing some good work. Thank you, Mr. Chair.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Yakeleya. Next I have on the list Ms. Bisaro.

MS. BISARO: Thank you, Mr. Chair. This was another bill that required a fair amount of work on the part of committee, and it was another bill where we ended up with a better product than what we started with. There was good cooperation from the department and committee both, and some back and forth which allowed us to get to a good place.

I just want to mention a couple of concerns that are raised in the report that are not specifically dealt with in the bill. We had quite a lot of representation from stakeholders at our public hearing and they raised quite a number of issues, which again, like the previous bill, committee considered very carefully. A couple of them are ones which are not going to end up in legislation but they are concerns that the practitioners brought to our attention.

One of them that seems kind of mundane, but it is important that it be mentioned, has to do with the fees that are paid when a profession is registered or when a professional registers under this bill. Of course, there's a fee that needs to be paid, an annual fee, but I think we have to recognize that many practitioners in the Northwest Territories also register with perhaps another provincial body but certainly with a national body as well. We have to make sure that we keep our fees down to a reasonable amount of money so that we're not pretty much putting people out of business through the fees that we're charging them.

The other thing that I want to mention and that I think is extremely important – it certainly was important to the stakeholders – there will be regulations developed for every profession that ends up being registered. These four that we're starting with, there will be regulations developed for each one of these four professions. It is imperative, and I believe the department agrees, but it is

imperative that the professionals are involved in the development of regulations. For instance, the emergency medical service providers, when the regulations are developed for their profession, the practitioners of that profession need to be involved in the development of regulations. I think that that is something which the department, I believe, has told us that, yes, that is what they're going to do, but I feel the need to state it again.

Lastly, I want to mention that, in discussing with stakeholders about the complaints process, there was a feeling from the stakeholders that any complaints committee needs to have... A majority of members of that committee need to be professionals from that profession. That's not always possible because we have some very small groups of professionals for some of the professions within the NWT, but where possible, there needs to be a majority on the committee who are practicing professionals of the profession that is being investigated. Again, it seems like kind of a small thing, but they are the ones who know their profession best. They are the ones who can best evaluate any concern that has been brought to the attention of the committee.

It's understood that there will be times when we have to go outside to get representatives of the profession. I think the Minister mentioned in one of our hearings that one or I think there is a profession that has one or perhaps two practitioners, so there's absolutely no way we're going to get a committee of one or a committee of two. They're going to be investigating themselves. So it is understood that we will sometimes have to go outside. But where we don't need to, or we have enough numbers, we absolutely have to have territorial practicing professionals be the complaints committees.

I think that's about all I wanted to say. I'm pleased again that there was enough back and forth with this bill that we have a better product than what we started with. I know it's been a very long time coming. I'm particularly pleased that the Minister and the department acceded to the pressure from Regular Members and included naturopathic doctors in this first group of four that are going to be regulated. Members felt very strongly that they ought to be included. I'm very glad that the Minister has done so. I think I'll leave it at that. Thank you, Mr. Chair.

CHAIRMAN (Mr. Bouchard): Thank you, Ms. Bisaro. Minister, did you have any comments?

HON. GLEN ABERNETHY: Not at this time.

CHAIRMAN (Mr. Bouchard): Thank you. General comments on the bill.

AN HON. MEMBER: Detail.

CHAIRMAN (Mr. Bouchard): Is committee agreed we have concluded the general comments on the bill?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Bouchard): We will go clause-by-clause review of the bill. Again, I will go in groups of 10, if that's agreeable to committee.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Bouchard): Clauses 1 to 10.

---Clauses 1 through 69 inclusive approved

CHAIRMAN (Mr. Bouchard): Bill as a whole?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Bouchard): Does committee agree that Bill 36 is ready for third reading?

---Bill 36 as a whole approved for third reading

CHAIRMAN (Mr. Bouchard): Minister Abernethy.

HON. GLEN ABERNETHY: Thank you, Mr. Chair. I just want to take this opportunity to thank the Standing Committee on Social Programs for their thorough review and debate on this bill. I believe, as many of them have said, that this is an incredibly important bill. I really appreciate being here to help bring this bill across the finish line. I really appreciate the Members and support from all the Members. Thank you so much. We're moving forward. There were a number of recommendations put out to us in the committee report and we will be responding to committee on all of those. Thank you, Mr. Chair.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Abernethy. Thank you, witnesses. Sergeant-at-Arms, please escort the witnesses out of the Chamber. Thank you.

Thank you, committee. We'll move on to Committee Report 10-17(5), Standing Committee on Government Operations Report on the Review of the 2013-2014 Annual Report of the Information and Privacy Commissioner of the Northwest Territories. We will go first to the chair of Government Operations, Mr. Nadli.

MR. NADLI: Thank you, Mr. Chair. The Standing Committee on Government Operations submitted its Report on the Review of the 2013-2014 Annual Report of the Information and Privacy Commissioner of the Northwest Territories to the House on February 12, 2015. A motion was adopted by the House to receive the report and move it into Committee of the Whole for further consideration.

The committee would like to acknowledge the continued hard work and dedication of Ms. Elaine Keenan Bengts in her role as Information and Privacy Commissioner. Ms. Keenan Bengts highlighted three legislative issues in her report: implementation of new health information privacy

legislation, access by design issues, and ATIPP legislation for municipalities.

The Standing Committee on Government Operations continues to support the recommendations put forward by the Commissioner and remains committed to bringing these important issues forward to the Assembly. In addition, the committee supports a comprehensive review of the current Access to Information and Protection of Privacy Act and shares the Commissioner's concern regarding timely response to access requests.

The Standing Committee on Government Operations has included several recommendations in its report and committee members will be introducing those motions here today.

The concludes my opening comments on Committee Report 10-17(5). Other Members may have comments.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Nadli. I'll open the floor to general comments. We're on Committee Report 10-17(5). General comments. Mr. Dolynny.

MR. DOLYNNY: Thank you, Mr. Chair. I'd like to take this opportunity to publicly thank our Information and Privacy Commissioner for a lot of hard work that goes on behind the scenes for someone who, up until now, was in a part-time position. We know, moving forward, we will have the luxury of having someone in the office full time. I think this is going to be a huge step in terms of providing transparency and accountability to all stakeholders across the Northwest Territories. For that, I want to say I'm very pleased that we're going to be looking at a full-time Privacy Commissioner in the near future.

One of the things that I wanted to echo, and it's probably not going to be captured in the motions and it probably was not captured in the report. It's something of an observation that, as we move forward, I think the Information and Privacy Commissioner serves an important role for someone who should be scrutinizing a lot of our acts in the infancy stage of an act or basically when the act is being brought into draft stage. I feel that if we're able to bring the Privacy Commissioner in early on, it will probably negate a lot of concerns when the bill is tabled and when the bill goes out for public consultation. I'm going to challenge the government. I'm going to challenge the departments and Ministers to make sure that their offices work directly with the Information and Privacy Commissioner as her role becomes more definitive in a full-time capacity.

That said, I also want to echo the fact that with the health-specific privacy legislation coming on board, I believe this fall, we're going to see a lot more intervention when our health care system is being

put into action and also being tested for its accountability and its issues around circle of care and custodian of information. I know the Information and Privacy Commissioner is going to be playing a very key and pertinent role and, again, as a committee member, I'm looking forward to her astute judgment and observation at a high level and protecting the public's information and their privacy.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Dolynny. Ms. Bisaro.

MS. BISARO: Thank you, Mr. Chair. I want to take this opportunity, as well, to thank the Information and Privacy Commissioner for the work that she does and for her report.

I want to just highlight a couple of things. Some of them have already been highlighted by the chair in his remarks, but a couple of other things. I want to support Mr. Dolynny's comment about using the Information and Privacy Commissioner at the front end of the development of legislation. I would recommend, as he does, that the government consult with the Information and Privacy Commissioner at the time that an LP is developed, and certainly at the time that the actual act itself is developed.

There were a couple of things in her report which I want to highlight. One is that the number of complaints that came to the office have... I shouldn't say the complaints have gone down, the number of organizations that she was dealing with went down. There were also two organizations which proactively notified her office of a breach of privacy, which tells me that we're becoming a little more aware of information and privacy issues and that organizations and departments and governments are recognizing that maybe there has been a breach and are choosing to go to the Commissioner with that issue as opposed to waiting until somebody makes a complaint. I think that's a good advance.

The other thing that I wanted to highlight is that one of her concerns was that quite a few complaints related to delays in a response, and a request for information took an extremely long time. I think it's something that we as a government need to address. It kind of goes to the issue of looking at access by design and, I think, as a government, there's a bit more mindset to make more information available to the public. But certainly, when we get information requests from the public, very often there's a very long time period before the person who has made the request actually gets their answer, and that needs to be fixed. We need to be responding to the public in a fairly short period of time.

We also, I think, have to have a greater mindset with regard to the dissemination of information and making government information available to the public. We're starting to go there and I think the

Department of Finance, through the office of the chief information officer, are advancing that. We have more and more departments that are providing things online and allowing residents to access things online, but we need to, I think, have a mindset that our first thought is to make information accessible. Not that our first thought is to keep information from the public.

I'm very sorry, I guess, and sad to see that we still do not have any action on access to information and protection of privacy legislation for municipalities. This has been an issue that the Information and Privacy Commissioner has brought up probably almost 10 years in a row now. I believe the government is starting to work on it, but it's something which should have been in place certainly by the end of the 17th Assembly, and we're not there yet for sure.

I echo Mr. Dolynny's thoughts about the workload that's going to be required with the implementation of the Health Information Act and the fact that the Privacy Commissioner is moving to a full-time position is a good thing. It's going to be necessary in order to ensure that looking after our health information is done in the right and proper way.

That's, I think, it. This is, again, a good report. I think I've seen a good report every time the Information and Privacy Commissioner has put one forward for us. I guess I look forward to seeing some progress, I hope, on the ATIPP for municipalities in the very near future. Again, I just thank the Commissioner for her work.

CHAIRMAN (Mr. Bouchard): Thank you, Ms. Bisaro. I'll go to Ms. Bisaro.

COMMITTEE MOTION 106-17(5):
INFORMATION AND PRIVACY
LEGISLATION FOR MUNICIPALITIES,
CARRIED

MS. BISARO: Thank you, Mr. Chair. I have a motion. I move that this committee recommends that the Government of the Northwest Territories complete the work necessary to bring municipalities under access to information and protection of privacy legislation;

And further, that the Government of the Northwest Territories renew its commitment to produce and table a full and final report on this issue no later than August 2015, identifying the steps and resources necessary to complete this work in a timely manner;

And furthermore, that a proposal be included for phasing in this work such that tax-based municipalities be brought under the access to information and protection of privacy legislation without delay and leave open the possibility that smaller communities may be incorporated at a later date.

CHAIRMAN (Mr. Bouchard): Thank you, Ms. Bisaro. The motion is on the floor and being distributed now. The motion is in order. To the motion. Ms. Bisaro.

MS. BISARO: Thank you, Mr. Chair. I don't need to comment much more than I already have. This motion is the result of the work of committee and the need that we felt to support the Information and Privacy Commissioner in her desire to get legislation for access to information and protection of privacy legislation for municipalities. This is the result of that work.

CHAIRMAN (Mr. Bouchard): Thank you, Ms. Bisaro. To the motion.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Bouchard): The motion is carried.

---Carried

Mr. Dolynny.

COMMITTEE MOTION 107-17(5):
COMPREHENSIVE REVIEW OF ATIPP ACT,
CARRIED

MR. DOLYNNY: Thank you, Mr. Chair. I move that this committee recommends that the Government of the Northwest Territories provide an updated progress report to this Assembly on work done towards a comprehensive review of the Access to Information and Protection of Privacy Act;

And further, that the Government of the Northwest Territories undertake a review of all previous recommendations made regarding proposed revisions to the Access to Information and Protection of Privacy Act and include in the progress report a status report on how the committee's recommendations are being addressed. Thank you, Mr. Chair.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Dolynny. The motion is on the floor. The motion has been distributed. The motion is in order. To the motion.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Bouchard): Question is being called. Motion is carried.

---Carried

Mr. Moses.

COMMITTEE MOTION 108-17(5):
ACCESS TO PRIVACY BY DESIGN,
CARRIED

MR. MOSES: Mr. Chair, I move that this committee recommends that the Government of the Northwest Territories work with the Information and Privacy Commissioner to incorporate access by design considerations into the design phase of program,

policy and legislation development, giving particular thought to how these considerations can be built into the legislative proposal process. Thank you, Mr. Chair.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Moses. The motion is on the floor. The motion has been distributed. The motion is in order. To the motion. Mr. Moses.

MR. MOSES: Thank you, Mr. Chair. I think you've heard from my colleagues in support of the office of the Information and Privacy Commissioner to have input into how we develop our legislation here within the Government of the Northwest Territories and not to have her give input during the consultation phase after second reading or also with our policies as we develop them. One case in particular was the online registration. She made reference to how that was put forth without any information on online registration for vehicles without any input from her. With all the work and information that's being shared over the line now, I think it's almost imperative that we get her feedback as we move forward in creating legislation as it pertains to the government. Thank you, Mr. Chair.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Moses. To the motion.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Bouchard): Question is being called. Motion is carried.

---Carried

Mr. Yakeleya.

COMMITTEE MOTION 109-17(5):
IMPLEMENTATION OF THE
HEALTH INFORMATION ACT,
CARRIED

MR. YAKELEYA: Mr. Chair, I move that this committee recommends that the Government of the Northwest Territories work more actively and closely with the Information and Privacy Commissioner on the implementation on the Health Information Act. Thank you, Mr. Chair.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Yakeleya. The motion is on the floor. The motion has been distributed. The motion is in order. To the motion.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Bouchard): Question is being called. Motion is carried.

---Carried

Mr. Nadli.

COMMITTEE MOTION 110-17(5):
DELAYS AND BREACHES UNDER ATIPP,
CARRIED

MR. NADLI: Thank you, Mr. Chair. I move that this committee recommends that the Government of the Northwest Territories work closely with departments to help them improve their response times under the Access to Information and Protection of Privacy Act and that the GNWT make clear what sanctions will be imposed for departments that fail to meet their statutory commitments. Thank you, Mr. Chair.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Nadli. The motion is on the floor. The motion has been distributed. The motion is in order. To the motion.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Bouchard): Question is being called. Motion is carried.

---Carried

Mr. Nadli.

COMMITTEE MOTION 111-17(5):
COMPREHENSIVE RESPONSE
WITHIN 120 DAYS,
CARRIED

MR. NADLI: Thank you, Mr. Chair. I move that this committee recommends that the Government of the Northwest Territories provide a comprehensive response to this report within 120 days. Mahsi, Mr. Chair.

CHAIRMAN (Mr. Bouchard): Thank you, Mr. Nadli. The motion is on the floor. The motion has been distributed. The motion is in order. To the motion.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Bouchard): Question is being called. Motion is carried.

---Carried

Committee, do you agree that we have concluded the review of Committee Report 10-17(5)?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Bouchard): Ms. Bisaro.

MS. BISARO: Thank you, Mr. Chair. I move that we report progress.

---Carried

CHAIRMAN (Mr. Bouchard): I will rise and report progress.

MR. SPEAKER: Good afternoon. Item 21, report of Committee of the Whole. Mr. Bouchard.

Report of Committee of the Whole

MR. DOLYNNY: Thank you, Mr. Speaker. Your committee has been considering Committee Report 11-17(5), Standing Committee on Government Operations Report on the Review of Bill 12: Northern Employee Benefits Services Pension Plan Act; Bill 12, Northern Employee Benefits Services Pension Plan Act; Committee Report 12-17(5), Standing Committee on Social Programs Report on the Review of Bill 36: Health and Social Services Professions Act; Bill 36, Health and Social Services Professions Act; and Committee Report 10-17(5), Standing Committee on Government Operations Report on the Review of the 2013-2014 Annual Report of the Information and Privacy Commissioner of the Northwest Territories, and I would like to report progress with six motions being adopted and that Committee Reports 11-17(5), 12-17(5) and 10-17(5) are concluded and that Bills 12 and 36 are ready for third reading. I move that the report of Committee of the Whole be concurred with. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Dolynny. Do I have a seconder? Mr. Blake.

---Carried

Item 22, third reading of bills. Mr. Clerk, orders of the day.

Orders of the Day

CLERK OF THE HOUSE (Mr. Mercer): Orders of the day for Wednesday, March 11, 2015, at 1:30 p.m.:

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Recognition of Visitors in the Gallery
6. Acknowledgements
7. Oral Questions
8. Written Questions
9. Returns to Written Questions
10. Replies to Opening Address
11. Petitions
12. Reports of Standing and Special Committees
13. Reports of Committees on the Review of Bills
14. Tabling of Documents
15. Notices of Motion
16. Notices of Motion for First Reading of Bills
17. Motions

- Motion 39-17(5), Domestic Violence Death Review Committee
 - Motion 40-17(5), Wellness Centre at Stanton Hospital
18. First Reading of Bills
 - Bill 48, An Act to Amend the Mental Health Act
 19. Second Reading of Bills
 20. Consideration in Committee of the Whole of Bills and Other Matters
 - Bill 42, An Act to Amend the Residential Tenancies Act
 - Committee Report 13-17(5), Standing Committee on Social Programs Report on the Review of Bill 42: An Act to Amend the Residential Tenancies Act
 21. Report of Committee of the Whole
 22. Third Reading of Bills
 - Bill 12, Northern Employee Benefits Services Pension Plan Act
 - Bill 36, Health and Social Services Professions Act
 23. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. Accordingly, this House stands adjourned until Wednesday, March 11th, at 1:30 p.m.

---ADJOURNMENT

The House adjourned at 5:14 p.m.

