



NORTHWEST TERRITORIES LEGISLATIVE ASSEMBLY

6th Session

Day 12

16th Assembly

HANSARD

Wednesday, August 17, 2011

Pages 6745 - 6776

The Honourable Paul Delorey, Speaker

Legislative Assembly of the Northwest Territories

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Published under the authority of the Speaker of the Legislative Assembly of the Northwest Territories

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YELLOWKNIFE, NORTHWEST TERRITORIES**Wednesday, August 17, 2011****Members Present**

Mr. Abernethy, Mr. Beaulieu, Ms. Bisaro, Mr. Bromley, Hon. Paul Delorey, Mrs. Groenewegen, Mr. Hawkins, Mr. Jacobson, Mr. Krutko, Hon. Jackson Lafferty, Hon. Bob McLeod, Hon. Michael McLeod, Hon. Robert McLeod, Mr. Menicoche, Hon. Michael Miltenberger, Mr. Ramsay, Hon. Floyd Roland, Mr. Yakeleya

The House met at 1:37 p.m.

Prayer

---Prayer

SPEAKER (Hon. Paul Delorey): Good afternoon, colleagues. Welcome back to the Chamber. Before we begin, colleagues, I'd like to draw your attention to the visitors' gallery to a former Member, former Sergeant-at-Arms, former Minister, former Commissioner, and presently an honorary table officer, Tony Whitford is with us in the gallery.

---Applause

Accompanying Mr. Whitford today is Joe and Sophie Stockal from Wainwright, Alberta, friends for 45 years with Mr. Whitford. They were teachers in the late 1960s in Fort Smith and Inuvik, so Members may remember them from there.

---Applause

Welcome to the Assembly.

Orders of the day. Item 2, Ministers' statements. The honourable Minister responsible for Finance, Mr. Miltenberger.

Ministers' Statements**MINISTER'S STATEMENT 33-16(6):
FISCAL AND ECONOMIC UPDATE**

HON. MICHAEL MILTENBERGER: Mr. Speaker, as this is the last session of the 16th Legislative Assembly, I would like to take this opportunity to update Members and NWT residents on our fiscal and economic outlook, and to describe the difficult decisions that will be facing the 17th Legislative Assembly.

Let me first say, our Assembly has a lot to be proud of. We made some tough choices to reduce in some areas to provide funds for the key priorities of this Assembly. By the end of its term, the 16th Legislative Assembly will have invested almost \$297 million of new initiatives funding in priority programs to support the economy, protect the environment, reduce the cost of living, invest in NWT residents, build sustainable communities, and create affordable government. This includes the four-year \$60 million Energy Investment Plan to provide energy programs and infrastructure

designed to help lower the cost of energy in the NWT and reduce the territory's reliance on fossil fuels.

Work on the 2011-12 public infrastructure investments of \$155 million is well underway. Together with our infrastructure investments in 2009-2010 and 2010-2011, the GNWT will have invested over \$1.1 billion in roads, bridges, schools, health centres, housing, and other critical infrastructure in the NWT.

Our careful planning to keep expenditures under control and the difficult decisions we made to raise some taxes meant that we had the fiscal resources necessary to manage our way through the most serious economic downturn since the Great Depression. Our record-breaking levels of infrastructure spending helped stabilize the economy while NWT businesses and industry made decisions to ensure their viability over the longer term.

However, this level of investment is not sustainable and our fiscal reality will not permit us to relax our willpower if we want to preserve our accomplishments. We are very close to the federally imposed borrowing limit, especially by the end of 2011-12 and 2012-13. Without careful adherence to a fiscal strategy that maintains discipline in controlling expenditure growth, we will have no leeway to deal with unexpected revenue declines or expenditure shocks, such as a severe forest fire season or higher energy prices.

I would remind Members that our fiscal strategy is based on the following planning assumptions:

- Capping expenditure growth at 3 percent a year. This provides for only \$32 million a year to address increased program costs and demands, as well as funding for strategic investments.
- Reducing capital investment levels starting in 2012-13 to \$75 million per year.
- Incurring short-term debt when needed. Long-term debt may need to be considered, but only if it is sustainable within the parameters of the fiscal responsibility policy.
- Does not currently include revenue increases or reductions in current programs or services.

While the fiscal strategy is designed to recoup cash resources and ensure we achieve a moderate operating surplus to finance our capital plan, it does not address the continued demands to increase programs and services. Moreover, the reduced level of capital investment will not keep up to our growing infrastructure needs for medical facilities and equipment, highways, and housing. Over the next five years, our list of large capital needs is estimated to be \$2.7 billion, or \$530 million per year. Significantly higher than what we are currently planning for.

We are also fully aware of the slowness of the economic recovery and how NWT employment, corporate profits and government revenues are recovering even more slowly. The GDP, labour force, and employment rate continue to remain below pre-recession 2007 levels.

The 17th Legislative Assembly may find its choices are limited by the federally imposed borrowing limit. Borrowing our key infrastructure priorities, especially if long-term operation savings could be demonstrated, would be an option if we were not constrained by the borrowing limit. Fiscal sustainability could be assured without the borrowing limit through adherence to the Fiscal Responsibility Policy.

The inadequacy of our capital budget and our borrowing limit are just a couple of the challenges that the 17th Legislative Assembly will be facing.

Continuing the current fiscal strategy allows the GNWT to move away from the debt limit, while still allowing for some minimal investment to support priorities identified by the 17th Legislative Assembly.

This approach, however, does not provide for the additional investments that are needed to address infrastructure needs or for other demands for investment without either more extensive reductions to existing programs and services or revenue increases.

Every Assembly faces its set of unique challenges and opportunities. Every Assembly builds off the work of the previous Assembly. The 17th Assembly will be no different. We have successfully managed our way through some extremely difficult times and we will continue to do so. That is what Northerners do. Thank you.

MR. SPEAKER: Thank you, Mr. Miltenberger. The honourable Minister responsible for Transportation, Mr. Michael McLeod.

MINISTER'S STATEMENT 34-16(6):
INUVIK TO TUKTOYAKTUK HIGHWAY

HON. MICHAEL MCLEOD: Mr. Speaker, I rise today to talk about another potentially significant development in our northern transportation system. On Monday, June 6, 2011, the Government of

Canada announced funding for the construction of an all-season road between Inuvik and Tuktoyaktuk.

Mr. Speaker, this investment not only builds momentum behind a dream long held by residents of the region, to drive on an all-season road between the communities, but it also realizes the first step to complete the construction of the Mackenzie Valley Highway project.

As the celebrating and the handshaking were underway, Mr. Speaker, the Department of Transportation was already hard at work to ensure momentum continues to move forward for the project. Mr. Speaker, maintaining that forward momentum may be challenging, considering the 16th Assembly will dissolve at the end of this sitting and a general election will be called in September.

Mr. Speaker, some of the more substantive project planning activities for the Inuvik to Tuktoyaktuk highway that have to be completed include the environmental assessment now being conducted by the Environmental Impact Review Board; discussions with Canada on the funding agreement, and with the Inuvialuit Land Administration on a purchase agreement for the highway right-of-way.

Mr. Speaker, completing these high-level activities at the official's level will provide Members of the next Legislative Assembly with the information they will require to make a decision on this project. Completing this work will demonstrate to the federal government, the Inuvialuit Regional Corporation, and to residents in the communities of Tuktoyaktuk and Inuvik how important the project is to the Government of the Northwest Territories. This recognition was also made when the 16th Assembly unanimously passed a motion in support of a Mackenzie Valley Highway to Tuktoyaktuk.

These are exciting times for Northerners. The federal government's investment in transportation infrastructure will promote regional economic and employment opportunities, through road construction and maintenance. This investment will improve access to oil and gas resources, it will create community access and mobility, and it will advance Canada's ability to assert sovereignty over lands occupied by our Aboriginal ancestors for generations.

With determination and patience, the Department of Transportation has been building the Mackenzie Valley Highway one section at a time. While new road construction in the territory remains a federal responsibility, the Government of the Northwest Territories has not been sitting on its hands waiting for Canada to build the highway.

Instead, the Department of Transportation has been making considerable progress since the 1950s, when Prime Minister Diefenbaker's government first recognized the Canadian advantage of having a

highway connecting the country from coast to coast to coast. In 1995 the Department of Transportation completed the all-weather highway as far north as Wrigley, and began operating the N'Dulee ferry. In 2001 the department began investing in grade improvements and permanent bridge construction along the Mackenzie Valley winter road.

Thirty-five bridges later, and with another two planned for this season, the winter road season has been dramatically extended and stabilized, and the environmental and safety risks associated with ice crossing construction have been reduced.

Finally, in 2008 the Department of Transportation and the Hamlet of Tuktoyaktuk partnered under the Building Canada Plan to construct a 19-kilometre access road to Gravel Source 177. Hamlet residents are now using the road to access the gravel source, to access the land, and other opportunities. With some upgrading, the road will become a section of the Inuvik to Tuktoyaktuk highway.

Once complete, the stretch of highway linking the two communities may be the first 137 kilometres of the Mackenzie Valley Highway; an aspiration Northerners have held for more than five decades. All these improvements ultimately serve the future all-weather Mackenzie Valley Highway.

The Department of Transportation continues to work toward the dream of connecting the Mackenzie Valley to the Arctic coast, and has made significant progress in the last 10 years. With the federal announcement, Northerners are one step closer to driving the length of the Mackenzie Valley from Wrigley to Tuktoyaktuk.

MR. SPEAKER: Thank you, Mr. McLeod. The honourable Minister responsible for Industry, Tourism and Investment, Mr. Bob McLeod.

MINISTER'S STATEMENT 35-16(6):
PACIFIC NORTHWEST ECONOMIC REGION
IN YELLOWKNIFE

HON. BOB MCLEOD: Thank you, Mr. Speaker. We are joined today by members of the Executive Committee of the Pacific Northwest Economic Region, or PNWER. They are here to visit our beautiful territory and capital city, and take part in the PNWER Capital Visit. I want to welcome our delegates and speakers from Alaska, Yukon, Washington, Idaho, Oregon, Alberta, British Columbia, and more. I would also like to recognize the president of PNWER, Mr. Michael Schaulfer. Later on today I will recognize the rest of the delegation.

Mr. David Ramsay, MLA for Kam Lake, and I will be joining the delegates in their deliberations over the next few days, and I hope they all enjoy their time here and take away a deeper understanding of the economic potential of the Northwest Territories.

The story of the North is still unfolding. We are a crucial part of the solution to many of the challenges facing Canada and North America today, from reinforcing our sovereignty, to climate change, to generating extraordinary opportunities for job creation and economic growth for future generations.

The Northwest Territories participation in PNWER exemplifies the Government of the Northwest Territories ongoing commitment to maximize northern opportunities for economic development as envisioned in the Northerners Working Together plan.

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

MINISTER'S STATEMENT 36-16(6):
MINISTER ABSENT FROM THE HOUSE

HON. FLOYD ROLAND: Thank you, Mr. Speaker. I wish to advise Members that the Honourable Bob McLeod will be leaving the House later today and will be absent for the remainder of the week to chair the Pacific Northwest Economic Region meetings in Yellowknife.

MR. SPEAKER: Thank you, Mr. Roland. Item 3, Members' statements. The honourable Member for Nunakput, Mr. Jacobson.

Members' Statements

MEMBER'S STATEMENT ON
CONDOLENCES TO CONSTITUENTS
WHO HAVE LOST LOVED ONES

MR. JACOBSON: Thank you, Mr. Speaker. I wish to take a moment to reflect on all the constituents who passed away in Nunakput since our last sitting.

Mr. Speaker, Matthew Steen was born January 25, 1993. He passed away July 1, 2011. He was the son of John and Joanne Steen, and brother to Shelby, John, Brandon, Julia, and Luke. To all the family and friends and the community members, I wish to express our deepest sympathy and condolences in respect to losing a youth so young in the community is especially hard. I know Matthew will be remembered not only in the community but also in the territory. Mr. Speaker, he was an awesome hockey player and he will be missed by the community of Tuk.

In the community of Ulukhaktok, Ida Kuneyuna passed away August 13th. She had two children: Mary Banksland and William Joss. She passed away with cancer. She will be sadly missed by the family and friends in the community of Ulukhaktok.

Mr. Speaker, Phillip Elanik was born February 14, 1978. He passed away August 10th. Mr. Speaker, he was the son of Sandra and Phillip Elanik, the brother to Janette, Shelley, Kendra, and Danny,

husband to Lorraine Elanik, and the father of six children: Grace, Phillip, Elaine, Mathias, Nigel, and Mason. He was a hero to many in the community of Aklavik and I think all of the territory, because just before Christmas there was a house fire in his house and he saved all his children. At that time he severely burned himself, so he should be given some sort of award, I think, coming up in the next sitting. He was a well-respected drum dancer. He danced with all he had, and was truly an inspiration to many. He passed away from cancer, which he was recently diagnosed with. He wanted everybody to know that he and Jesus made it, he said.

Lastly, deeply saddened by the loss of our dear elder, Mary Ivic Ruben, Lil' Nanuck. We will cherish the memories and all the times we spent together and the times I visited with her. She always had great stories to share. She was a good friend. Even when I was a young boy, we had memories of her coming to Tuk and spending time with my mom and dad in the community.

I seek unanimous consent to conclude my statement.

---Unanimous consent granted

MR. JACOBSON: She was always caring towards her family and the youth in the community. Ivic always had good advice and guidance. I will miss her for all the support she willingly gave. Although it's a difficult time today to see beyond the sorrow, may looking back in memory help and comfort the people and the family she left behind. May the loved ones always around her help to get through the days ahead. Mr. Speaker, we may not understand why she left us so soon or why we weren't ready to say goodbye, but little by little we begin to remember not that she died, but she lived, and that the life gave us the memories so beautiful we would not forget.

Lastly, our thoughts and prayers are with you and the family. May God bless you and keep you and the people of Paulatuk. Heartfelt sympathies going to the passing of Lil' Nanuck. Our communities are small and everyone knows everyone, Mr. Speaker. In Nunakput we are a very close-knit community. One person deeply impacts us all.

I, lastly, wish to give condolences to all the people in the Northwest Territories who lost loved ones in the past few months. Our prayers and thoughts are with the families. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Jacobson. The honourable Member for Nahendeh, Mr. Menicoche.

MEMBER'S STATEMENT ON
ROAD CONDITIONS OF HIGHWAYS
NO. 1 AND NO. 7

MR. MENICOCHÉ: Mahsi cho, Mr. Speaker. [Translation] I will speak again to you in my language of South Slavey. A lot of people in my

constituency complain about the dismal condition of the highways in the Nahendeh region. [Translation ends]

...urging our government to take a strategic approach and strategy in developing and creating the Deh Cho Trail, the route of highways No. 1 and No. 7, to national transportation standards. Another season on highways No. 1 and No. 7 has our travellers thinking these highways are like pie crusts: made to be broken. My constituents in Fort Simpson, Jean Marie River, Fort Liard, and Wrigley are upset that today the conditions are very poor. Why are they not maintaining and fixing our roads, is their concern to me.

For a short time, travellers in Nahendeh enjoyed a smoother ride when 40 kilometres of chipseal were laid down on this highway near Providence junction. I was very pleased to see this, as we worked hard in getting this into the capital plan. However, a recent article in the Deh Cho Drum highlights the poor conditions of chipseal on Highway No. 1, which our people drove over the course of this spring and summer. The reporter described the previous chipseal as a glorious stretch of road and a delight to drive on, after many dusty kilometres of travel. However, the chipseal began to crack, forcing tires into tracks and opening potholes that exceeded the bathtub sizes I spoke about previously in this House.

Residents are asking for safe, reliable, and well maintained highways. We need to explore all options to find cost-effective, long-term solutions to our road surfacing problems.

I have often made the case that expenditures in our highway systems is not just money out the door but an investment that will benefit our people, our communities, and our North. The benefits are long term, just like the marvellous bouncing buck concept. Many industries and areas will generate financial benefits from increased tourism and related businesses, to increased development opportunities. Also, because some trucking companies did not want to travel these roads, it actually increases the costs of goods to the people of Nahendeh, contrary to the goal of the Northwest Territories of reducing the cost of living.

This government has long promised investment to our highways. I call for a renewed commitment and strategy for safe, reliable, and modern transportation infrastructure for our people. I hope commitments and promises to serve the North will not be like pie crust, Mr. Speaker, and broken. Mahsi.

MR. SPEAKER: Thank you, Mr. Menicoche. The honourable Member for Great Slave, Mr. Abernethy.

MEMBER'S STATEMENT ON
STERILIZATION EQUIPMENT AT
STANTON TERRITORIAL HOSPITAL

MR. ABERNETHY: Thank you, Mr. Speaker. During the winter session of this 16th Legislative Assembly I and other Members asked a number of questions of the Minister of Health and Social Services on the problems the Stanton Territorial Health Authority was experiencing with their sterilization equipment. At that time the Minister acknowledged that Stanton had been experiencing problems with the sterilizers they use for the reprocessing unit.

As a result of these problems, Stanton had to cancel a number of elective surgeries. We were told that elective surgeries were cancelled as they were the only ones that Stanton could control, and thus ensure that sterile equipment was available for emergency and critical surgeries as well as acute care issues within Stanton. This was a reasonable direction, given the situation.

However, recognizing the difficulties that this decision would cause individuals on the waiting list for elective surgeries, I and others were adamant that the problem be resolved right away. In late February the then Minister of Health and Social Services informed the Regular Members that the problem had been resolved and that over the following months Stanton would be working through their backlog of elective surgeries.

This past June, two months ago, I was approached by a constituent who informed me that her elective surgery at Stanton had been cancelled for the third time in a row. The reason, Mr. Speaker, is sterilization equipment at Stanton was not working properly.

This was a significant surprise and was inconsistent with the previous statements from the department. I followed up with the department, who confirmed they were continuing to experience problems with their sterilization equipment. Needless to say, I was surprised that the Minister, knowing the importance of this issue to Regular Members, had failed to notify us. Regardless, the Minister did indicate that the staff at Stanton had been working around the clock to resolve these problems.

I was also told in July that Stanton believed that they had resolved the problem, and that testing would be underway throughout July, with an intent to resuming elective surgeries on August 12th, which was last Tuesday, if positive test results were achieved. This was good news. The problem is that we've heard it before.

I heard this week that the elective surgeries were not resumed on August 12th. As a result, later today I'll be asking the Minister responsible for Health and Social Services to confirm the current status of the sterilization equipment and elective surgeries at

Stanton Territorial Hospital, and I look forward to the answers. Thank you, Mr. Speaker.

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

MEMBER'S STATEMENT ON
REPORT ON HOMELESSNESS
IN YELLOWKNIFE

MS. BISARO: Thank you, Mr. Speaker. In June the City of Yellowknife Homelessness Coalition launched a report on homelessness, by Mr. Nick Falvo of Carlton University. I will table the report entitled "Homelessness in Yellowknife: An Emerging Social Challenge" later today.

The findings in Mr. Falvo's report are not surprising. Findings such as: 90 to 95 percent of homeless people are Aboriginal; social and economic factors are major causes of homelessness; those with poor mental health and users or abusers of alcohol and drugs are more likely to be homeless; and that homelessness contributes to high health care costs. These are all well known to government and service providers alike.

The report doesn't just describe the state of homelessness in Yellowknife, it offers recommendations to improve the situation. Because most of the funding for homelessness programs comes from federal and/or territorial governments, these recommendations are directed to the funders. That would be this government. That would be us.

Recommendation number one: create a homelessness secretariat. The GNWT must accept greater responsibility for the issue of homelessness. There needs to be a dedicated staff position within the GNWT to oversee and manage our response to homelessness.

Number two: develop shelter standards and provide sufficient implementation funding. The conditions in Yellowknife homeless shelters create risks for both the staff and the homeless people who use them. The GNWT must develop standards for emergency homeless shelters similar to the standards that have been developed for family violence shelters.

Recommendation three: create more affordable and supported housing for the homeless. Research shows that providing permanent housing for those with mental health conditions costs far less than housing them in emergency shelters, jails, or hospitals, and that it provides a much better quality of life. The NWT must develop more affordable housing, including more independent living and/or supported living units.

Number four: strike a public health task force on substance use and abuse. We in the NWT have high rates of alcohol and drug use, and the rate is highest among our homeless people. To quote the

report, "unsafe drug use presents a public health risk."

I seek unanimous consent to conclude my statement.

---Unanimous consent granted

MS. BISARO: To counter the public health risk, a task force should be established to conduct a needs assessment, investigate other successful programs across the country, and then develop a comprehensive policy response with the aim of reducing disease and producing positive health outcomes.

These are all recommendations that can and should be acted upon by this government. I will have questions for the Minister responsible for homelessness later on.

MR. SPEAKER: Thank you, Ms. Bisaro. The honourable Member for Kam Lake, Mr. Ramsay.

MEMBER'S STATEMENT ON APPLICATION OF CRIMINAL YOUTH JUSTICE ACT

MR. RAMSAY: Thank you, Mr. Speaker. Today I'm going to speak about an issue that I've brought up before in this House, and that is of the many youth who find themselves getting into serious trouble with drugs, alcohol, and crime, often resulting in addictions and an interaction with our justice system, which results in untold heartbreak for their parents, grandparents, and the family members who love them.

In the May session I talked about how a blind eye is turned to illegal behaviour of youth. The example I used was of two 15-year-old girls who were caught drinking in downtown Yellowknife. The RCMP simply gave them a warning and dumped the alcohol out. They didn't even phone their parents. The fact is, the message being sent is that if you're under 18, you can get away with breaking the law, oftentimes repeatedly, and face little to no consequence for your actions.

As a territory we are dealing with the same Youth Criminal Justice Act that every other jurisdiction in this country deals with. Why then does it seem, not only to me but to many others in this community and around the territory, that we are coddling young offenders in our territory? Is there not some type of analysis or survey on young offenders and how they are sentenced across this country that we can see?

I'd like to know where the Northwest Territories sits when it comes to sentencing repeat young offenders in our territory. Slaps on the wrist are not a deterrent. It is in the best interest of public safety, the offender, the victim, and our justice system to curtail the deviant behaviour early on in the process.

There has been much talk about the federal government's stance on getting tough on crime. Perhaps that may even mean the Youth Criminal Justice Act will be substantially amended or even replaced with a new act. I'd like to ask the Minister of Justice later on today if this subject has been brought up at the federal/provincial/territorial Justice Ministers table and what message exactly our government is delivering at that table.

MR. SPEAKER: Thank you, Mr. Ramsay. The honourable Member for Mackenzie Delta, Mr. Krutko.

MEMBER'S STATEMENT ON CONSTITUENCY CONCERNS IN THE MACKENZIE DELTA

MR. KRUTKO: Thank you, Mr. Speaker. During the break from last session a lot of issues have come up in talking with my constituents in my region. It's the social and economic situation we find ourselves, especially for people looking for work. The people are struggling just to make ends meet.

The cost of gas in Tsiigehtchic is \$1.71 a litre, yet that gas is subsidized by the Government of the Northwest Territories through petroleum products.

The road conditions and conditions of the Dempster Highway, which is now being called the Dumpster Highway because of the number of potholes on that road, is depreciating, and people are wondering what is being done by this government to maintain our infrastructure and make sure it is safe for the travelling public.

The issue of old age security. The elders that I've spoken to are seeing a very major decline in their old age pensions and they're wondering why that is. They already have a fixed income, and to have it cut even further is affecting their ability to maintain their lifestyle and their means they need to sustain themselves.

I also think it's important to realize that communities are requesting more involvement from the government to take over local housing authorities, which communities such as Tsiigehtchic still don't have. We have programs and services being delivered out of our communities, such as mental health and addictions, yet today those agreements haven't been changed in 10 years and some of those people are making less than people in similar fields as government employees.

The big issue that people are having is the changes to regulations by this government, especially when it comes to home heating and having to replace your fuel tanks to sustain your home. In some cases this costs well over \$1,500 and a lot of people don't have that.

The big issue that came out was the question of mould in our housing and the health of the people

that reside in those public housing units, the effect of mould on the individuals.

The big issue that a lot of people are having is that they're struggling to get into housing, and yet there still remains a lot of vacant units in our communities which are not being used.

Lastly, there are questions about the Elders on the Land Program to ensure the elders are able to sustain themselves through cultural means by way of having the On the Land Program that they had to ensure they have the ability to continue that practice. These are some of the areas that we will be dealing with over the next week.

MR. SPEAKER: Thank you, Mr. Krutko. The honourable Member for Sahtu, Mr. Yakeleya.

MEMBER'S STATEMENT ON INFRASTRUCTURE PROJECTS IN THE SAHTU REGION

MR. YAKELEYA: Thank you, Mr. Speaker. This is our final sitting in the House before the 16th Legislative Assembly will be closed. Some may say, where did the time go, while others may say, finally our time is up.

From the Sahtu's perspective, we have, and will continue to have, universal issues that need to be resolved with all Northerners. Matters such as the lack of housing units, assessments of people's health care, protection of our elders, and implementation of specific clauses in our land claim agreements and asserting our Aboriginal rights to the land and how we as Northerners work and live together.

There are many major projects in the Sahtu that need to be paid attention to, such as the Norman Wells health facility and the Sahtu long-term care facility. Also the Tulita new health centre. The Colville Lake airport is about to be completed and the Fort Good Hope new water treatment plant is now underway.

Our winter roads have improved substantially, and now the Deline winter road realignment must be done and completed, as well as other sections of the winter roads in the Sahtu. We need the Bear River Bridge as well as other key bridges in the Sahtu. We have seen the benefits of these bridges on our winter roads.

The Norman Wells natural gas situation is probably the most critical, pressing matter before us. We are appreciative that the government is part of the solution, however, we are not pleased to find out that most of the huge costs will be borne by the Town of Norman Wells. This is wrong. We could have done better to be there for our people. Instead we chose to rationalize our position by stating that the surplus in the Norman Wells savings account should go towards paying the bill. Is this our policy now from here on in?

We have done much in the Sahtu with much important key infrastructure, as well as other regions in the North. However, let's not cloud it as we have social issues, such as serious problems with our youth drinking and drugging. Who is guiding them? The outrageous standards of living in our small community and people who are living in warehouses and tents today. Much is yet to do in this sitting.

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

MEMBER'S STATEMENT ON GIANT MINE REMEDIATION PROJECT

MR. BROMLEY: Thank you, Mr. Speaker. We've heard repeated bad news lately on the Giant Mine Remediation Project. Citizens in the Weledeh riding in Yellowknife and those downstream have great cause for concern. Spring ice dams on Baker Creek have caused contaminated water to overflow from the tailings area. Northern Affairs released little and late information. The federal Department of Public Works person in Edmonton finally released some facts. The situation is bad, and DIAND is under legal direction to take action.

But things have just gotten worse. A large sinkhole has appeared, which could channel water to flood the underground arsenic-filled stopes, rendering the frozen block plan useless. Again, DIAND made no proactive announcement. The information came in media reports, thanks to a public registry posting.

These extremely troubling developments undermine confidence in the overall project. Site managers failed to control reasonably predictable flooding. They apparently had no idea a sinkhole was possible, so the people planning the perpetual containment of 200,000-plus tonnes of deadly arsenic cannot predict a routine flood or a site cave-in. That's perpetual care, meaning as long as there's human life on the planet.

These incidents are alarming, but the overlying concern that the project developer is also the regulator is the biggest underlying problem. With no independent watchdog for the public interest, the dual regulator/developer role is no good, as recent incidents show.

In 2009 the City of Yellowknife, the Yellowknives Dene, and a private citizen asked DIAND for minor funding to investigate how best to establish independent oversight of the project. DIAND refused, saying oversight is being considered in the environmental assessment and an independent study of oversight options would be redundant. The day-to-day revelations and the stubborn failure of DIAND to meet its public information and accountability responsibilities make independent oversight absolutely essential.

The GNWT has taken no position on such crucial issues as independent oversight, ongoing research, or reporting. We have considerable leverage when it comes to crafting the environmental assessment recommendations and whether they will be accepted, rejected, or modified.

I seek unanimous consent to conclude my statement.

---Unanimous consent granted

MR. BROMLEY: In four years I don't recall ever being given a departmental briefing on this project. We are not standing up for the public interest. It's time to start.

MR. SPEAKER: Thank you, Mr. Bromley. The honourable Member for Hay River South, Mrs. Groenewegen.

MEMBER'S STATEMENT ON DISCONTINUATION OF HAY RIVER GREYHOUND BUS SERVICES

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Thirty-seven years ago when I arrived in Hay River we had a daily 737 jet service and we had daily Greyhound bus service. Our population has not decreased but our transportation services sure have.

Today we are only served southbound by air with Northwestern Air Lease five days a week on a 15-passenger plane. A round trip costs between \$800 and \$1,000. The option, of course, exists to fly to Yellowknife on Buffalo or First Air, and catch one of the four carriers that fly out of Yellowknife on their ever popular seat sales. That is also not a cheap option for people in Hay River.

The deterioration of transportation services is further evidenced by the announcement that Greyhound will be pulling out of Hay River as of October 24th with their passenger service. Greyhound says they were losing too much money. Maybe bus service isn't the quickest and most comfortable way to travel south, but it was a great alternative for people who had the time and didn't have the financial resources to fly. Some people have medical conditions that make air travel a problem, and some of us don't actually even like flying.

It was a great option for students coming and going from holidays, and seniors on fixed incomes. It also connected Hay River to the Greyhound network that allowed passengers to travel into the Northwest Territories on Canada-wide passes. In the winter, many Asian students attending ESL, English second language, schools in southern Canada had an affordable means of crossing into the Northwest Territories, mostly for Aurora viewing. The Greyhound bus service has also provided an agency opportunity for Hay River, through Frontier Coachlines, for many years, and Frontier

Coachlines also provides further bus service out of Hay River, north, east, and west.

Greyhound says that they could not afford the northern route, but suggests that smaller operations will step into the newly opened market and take over some of the Greyhound routes even though they plan to continue carrying freight, taking away a lucrative part of that market. Greyhound is a national institution and a service. What next? Is Canada Post going to come up here and say it costs too much to operate in the Northwest Territories? We're privatized and we're deregulated, let's pull out of the Northwest Territories and only cherry pick the lucrative markets.

I believe that our government had a role to play in addressing this particular problem. I'm going to have questions for the Minister of Transportation on what our government said about this, because I understand that Greyhound still plans to go to Whitehorse and the Yukon. They lobbied hard. Did we? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mrs. Groenewegen. The honourable Member for Yellowknife Centre, Mr. Hawkins.

MEMBER'S STATEMENT ON ISSUANCE OF EMERGENCY PROTECTION ORDERS

MR. HAWKINS: Thank you, Mr. Speaker. The issue I'd like to discuss today is how a constituent's experience could have been handled much better. A few short weeks ago an emergency protection order was issued by the justice of the peace, but what makes this different and unusual is this was under false testimony, with the support and the assistance of a third party. At the time the EPO was issued, it moved swiftly through the justice system without a chance for my constituent to be heard, because if he had been heard, the accusations made against him may have warranted a balancing of other considerations to be weighed at the time the EPO was requested and then issued. However, for reasons not fully understood, the one-sided EPO was pushed forward and the transcripts were then sealed.

I'm not here to comment as to what the justice of the peace or the judge had heard, and I'm not here to question the credibility of testimony that was brought forward to them for their understanding due to the circumstances at the time, but what we have here is an experience that an accused was not heard and the accuser was able to paint a horrendous narrative of accusations against him and, surprisingly, a one-sided side of facts stood on record.

Now, I'm confident that the system was trying to act in good faith, but the problem here is the accuser has misled the justice system, so rather than using

the justice system to protect her, she used it to strike out at another person through an unspeakable accusation.

Now, it's always easy to look back at circumstances to say what should have been done, but in cases like this, the obvious questions start to surface, which is why is the person who is being accused of such a dreadful accusation not given a chance to comment on those accusations? Where's the fairness in that, Mr. Speaker?

Fortunately, the accused was relentless in his efforts and refused to yield to the injustice. In time it became clear that the accused was now becoming the victim. I know, as most people know, that almost all EPOs are both necessary and issued in good faith, but in this case when this one went bad it went really bad. Out of this experience the family has asked for two things: Firstly, they've asked for some type of review of the circumstances with the eye to ensure that the process of issuing EPOs can be brought forward in the best and appropriate manner. Mr. Speaker, does that mean that the third party should be advocating, or should it be in the hands of the RCMP? Let the review decide itself. Secondly, if the EPO is issued in error with false accusations, this order then puts the unfair obligation on the accused to clear their own name. There is no process to fix it for them that is automatic. It becomes a burden on the accused, who has become the victim.

Mr. Speaker, I will have questions later today for the Minister of Justice to see what we can do. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Hawkins. The Chair is not aware of a matter being before the courts, but I would caution Members that if any issue is before the courts, then we are limited to what we can talk about in this House.

The honourable Member for Tu Nedhe, Mr. Beaulieu.

MEMBER'S STATEMENT ON
PASSING OF FORT RESOLUTION ELDER
MR. GENE NORN

MR. BEAULIEU: Mahsi cho, Mr. Speaker. [English translation not provided]

Mr. Speaker, today I would like to pay tribute to an elder, Gene Norn of Fort Resolution. Gene Norn passed away on August 8, 2011. The community in Fort Resolution lost a wonderful, kind man in elder Gene Norn. Gene Norn was born on February 13, 1933, and passed away at the age of 78.

Mr. Speaker, Gene was a man that knew his history, and was always happy to share his wisdom and his knowledge in the stories that he told. I went to visit Gene Norn several times over the last four years that I have served as MLA for Tu Nedhe. It

was good to hear the way things were many years ago in Fort Resolution.

Mr. Speaker, Gene always had a great big smile for me each time I saw him. Gene dearly loved his family and always spoke of his children, his grandchildren, and his great-grandchildren, and would do this as he pointed to the many pictures he displayed in his home of his children and grandchildren and great-grandchildren.

Mr. Speaker, Gene is survived by three sisters, five daughters, five sons, 32 grandchildren, 15 great-grandchildren, and numerous nieces and nephews. Gene always spoke fondly of his brother Sam and missed him, and was deeply saddened by the loss of his son Irvin. Mr. Speaker, Gene will be sadly missed by his children, his great-grandchildren, his grandchildren, sisters, and many relatives and friends.

Mr. Speaker, I take this opportunity to pass my condolences on to the family and friends of Mr. Gene Norn. Gene has certainly left a gap in the community of Fort Resolution that cannot be filled. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Beaulieu. Item 4, returns to oral questions. The honourable Premier, Mr. Roland.

Returns to Oral Questions

RETURN TO ORAL QUESTION 73-16(6):
CONSENT FORM POLICY REGARDING
MLA REQUESTS FOR INFORMATION
FOR CONSTITUENTS

HON. FLOYD ROLAND: Thank you, Mr. Speaker. I have a return to oral question asked by Mrs. Groenewegen on May 13, 2011, concerning consent form policy regarding MLA requests for information for constituents.

The Access to Information and Protection of Privacy Act provides that a government office or public body may disclose personal information to a Member of the Legislative Assembly who has been requested by the individual to whom the information relates to assist in resolving a problem. The discretion to disclose rests with the public body, and the practice has been where the request is relatively straightforward, the information can typically be disclosed to the MLA. But when dealing with requests of a particularly sensitive nature such as personal information pertaining to medical, financial or legal matters, public bodies may elect to seek the written consent of the individual concerned before releasing the information to the MLA.

This practice is consistent with the ATIPP Policy and Guideline Manual first drafted in 1996 and made available to all access coordinators across government. The Minister of Justice has agreed to bring this issue to the interdepartmental Access and

Privacy Administration Committee to review the existing guidelines and practices to ensure the GNWT procedures and practices are helpful to NWT people, while also meeting our requirement to demonstrate due diligence in safeguarding personal information. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Roland. The honourable Premier, Mr. Roland.

RETURN TO ORAL QUESTION 79-16(6):
DECLARING THE RESIDENCE OF
BERN WILL BROWN
AS A CANADIAN HISTORIC SITE

HON. FLOYD ROLAND: Thank you, Mr. Speaker. I have a return to oral question asked by Mr. Yakeleya on May 13, 2011, regarding declaring the residence of Bern Will Brown as a Canadian historic site.

I have been informed that Mr. Brown's log buildings are not old enough to meet the criteria for commemoration by the Historic Sites and Monuments Board of Canada, but as this is a federal program managed by Parks Canada, Mr. Brown may wish to contact the Parks Canada in Inuvik, 867-777-8825, for further details.

I also want to suggest that the log buildings best chance for historical commemoration might be for Mr. Brown to approach the Behdzi Adha First Nation Band Council -- hope I said that right. In their role as designated municipal authority, they can issue a band council resolution designating the log buildings a local heritage resource. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Roland. The honourable Premier, Mr. Roland.

RETURN TO ORAL QUESTION 132-16(6):
NWT SPCA FUNDRAISING FOR
NEW ANIMAL SHELTER

HON. FLOYD ROLAND: Thank you, Mr. Speaker. I have a return to oral question asked by Ms. Bisaro on May 19, 2011, regarding NWT SPCA fundraising for new animal shelter.

While there is funding available to the SPCA to assist with volunteer development -- refer to MACA's Volunteer Development Coordination Policy at www.maca.gov.nt.ca -- no department in the GNWT has funding available to assist non-profit organizations with building construction costs.

I'm pleased to note that recent media stories have reported on this non-profit's progress at obtaining land from the City of Yellowknife for a new shelter. In addition, media stories have reported that the NWT SPCA has been awarded \$300,000 from the Aviva Community Fund and will obtain this funding once they have secured land for the shelter. It is encouraging to see this volunteer organization's

success at undertaking fundraising efforts to support its operation. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Roland. The honourable Minister of Municipal and Community Affairs, Mr. Robert McLeod.

---Interjection

HON. ROBERT MCLEOD: Yeah, 1-800...

---Laughter

RETURN TO ORAL QUESTION 134-16(6):
NWT SPCA FUNDRAISING FOR
NEW ANIMAL SHELTER

Mr. Speaker, I have a return to oral question asked by Ms. Bisaro on May 19, 2011, regarding whether or not the Department of Municipal and Community Affairs has ever considered funding veterinary services and programs within the Northwest Territories.

Amongst other activities, MACA's primary focus is community governments and providing community governments with relevant funding and legislative frameworks.

MACA administers the Dog Act, which has recently been amended to provide fines and punishment for conviction of cruelty to dogs. MACA does not have the authority or the mandate to look after the health of dogs or other animals. As a result, MACA has not considered funding veterinary programs and services in the NWT. Thank you, Mr. Speaker.

Recognition of Visitors in the Gallery

MR. SPEAKER: Thank you, Mr. McLeod. Item 5, recognition of visitors in the gallery. Colleagues, I'd like to draw your attention to the gallery today to the presence of Mr. Johannes Vervloed, the Consul General for the Netherlands, who is based in Vancouver. Please join me in welcoming Mr. Vervloed to the Northwest Territories on his first official visit to the Northwest Territories. Welcome to the Chamber.

Accompanying him is our protocol officer, Leslie Straker. Welcome.

My executive assistant Sue Tkachuk is up there in the gallery.

Also, it gives me great pleasure, the Speaker from the Ontario Legislature, Mr. Steve Peters, is with us today.

And his executive assistant, Maggie Head. Welcome to the Northwest Territories and welcome to the Chamber.

I'd also like to welcome a constituent of mine in the gallery today, Mr. Robert Bouchard is here with us today.

The honourable Member for Yellowknife South, Mr. Bob McLeod.

HON. BOB MCLEOD: Thank you, Mr. Speaker. First of all, I'm very pleased to recognize my wife and partner of 40-plus years, Melody.

I want to recognize a number of visitors from PNWER and I'll go through the list. Senator Cathy Giessel, State of Alaska Senate; Senator Lyman Hoffman, Alaska State Senate, and his wife, Lillian Hoffman; Mike Schaufler, president of PNWER from the Oregon Legislature; Max Black, State Legislator, State of Idaho; Mr. Jeff Morris, Washington House of Representatives; Mr. Bob Herron, Alaska State Legislature; MLA from Alberta, Ray Prins; Mr. Colin Smith representing British Columbia; Don Pumphrey, private sector representative from Yukon; Matt Morrison, CEO for PNWER; Ian Burkheimer, director of partnerships, PNWER; his dad, Art Burkheimer; Megan Levy, program coordinator, PNWER; Linda Ecklund, senior economist, ITI; Rob Earl from Alaska; Mike Pawlowski, Alaska; Carl Burges, Yukon; Steve Rose, Yukon. I also want to recognize my Yellowknife South constituent, Lona Hegeman, and I'd be remiss if I didn't recognize a long-time hockey builder and supporter and member of the Education Hall of Fame, Mr. Ed Jeske. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. McLeod. The honourable Member for Nunakput, Mr. Jacobson.

MR. JACOBSON: Thank you, Mr. Speaker. Today, probably in the first time in the last three and a half years, I have my whole family in the House. So I'd like to welcome my partner, my wife and my big support for when I'm not home, my wife, Jenny; my daughters Chelsey, Kirstin, and Mikayla, and my sons, Matthew and Mitchell. Welcome to the House. I'd also like to welcome Mr. Ian Burkheimer, as well, and Ray Prins, who worked with my dad in 1972 at Bar C between Tuk and Inuvik on the ice road. Welcome. Thank you.

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

MR. BROMLEY: Thank you, Mr. Speaker. It's my great pleasure to welcome Mr. Tony Whitford, resident of Weledeh. I think we all would agree that it's great to see that twinkle in the eye in the House again here today. I'd also like to recognize Vivian Squires and Ed Jeske, lifelong friends there. Welcome to the Pacific Northwest Economic Region representatives. I know that Ian's dad was having a walk in Weledeh today. I hope that went well. Thank you, Mr. Speaker.

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

MR. HAWKINS: Thank you, Mr. Speaker. It gives me great pleasure to recognize Mr. Hockey of

Yellowknife, Mr. Ed Jeske; the highly esteemed Anthony W.J. Whitford, as we all know him; and certainly the lovely Ms. Vivian Squires, who is accompanying Mr. Jeske on his visits here at the Legislative Assembly. I, too, at this time would also like to recognize Ms. Lydia Bardak. I believe I saw her there. She's a city counsellor as well as wearing many hats in helping the community. Ms. Lona Hegeman, and I would be remiss to not mention this person, although Minister McLeod already acknowledged her, but I'd like to say a special hello to the wonderful Melody McLeod.

MR. SPEAKER: Thank you, Mr. Hawkins. The honourable Member for Deh Cho, Mr. Michael McLeod.

HON. MICHAEL MCLEOD: Thank you, Mr. Speaker. I would like to take the occasion to recognize a former colleague from my time in RWED in my past life, Mr. Robert Bouchard. I understand Robert has developed a keen interest in politics and I want to wish him all the best. Of course, I want to recognize Melody McLeod, my sister-in-law, and say welcome.

MR. SPEAKER: Thank you, Mr. McLeod. If we've missed anyone in the gallery today, welcome to the Chamber. I hope you are enjoying the procedure. It's always nice to have an audience.

Item 6, acknowledgements. Item 7, oral questions. The honourable Member for Hay River South, Mrs. Groenewegen.

Oral Questions

QUESTION 135-16(6): DISCONTINUATION OF HAY RIVER GREYHOUND BUS SERVICES

MRS. GROENEWEGEN: Thank you, Mr. Speaker. We take it as a great loss in our community to not have the Greyhound bus pull into town everyday about 4:30. I note that this is as a result of deregulation that took place, that no longer requires Greyhound to operate in less lucrative markets, and as Greyhound themselves said, maybe some smaller carriers would move into these markets. I'm sure that the entrepreneurial and innovative-thinking people of Hay River will perhaps see this as an opportunity and move into this, but it will take time. There is also a loss of not having the affiliation of Greyhound to take advantage of those passes. There is a Discovery Pass that you can buy that will allow you to go anywhere in Canada within a certain amount of days for about \$199, which is great because Hay River was the end of the Greyhound. One little thing that we had that Yellowknife didn't have. You could go to Hay River, you could cross over the NWT border and come into Hay River on a Greyhound bus pass.

Mr. Speaker, I'd like to ask the Minister of Transportation what role did this government play in the discussions about the removal of the discontinuance of the Greyhound service into the Northwest Territories. The passenger service will now end in Edmonton. Thank you.

MR. SPEAKER: Thank you, Mrs. Groenewegen. The honourable Minister of Transportation, Mr. Michael McLeod.

HON. MICHAEL MCLEOD: Thank you, Mr. Speaker. The NWT is one of four jurisdictions that do not regulate passenger or bus industry. We certainly control and insist on safety and insurance requirements to provide service. However, in the last while since we were made aware of the bus service that came into Hay River, as the Member referred to, we are not going to provide passenger service anymore. We've taken the occasion to try to get as much information as we can to see what that meant in terms of are they also going to discontinue hauling freight. Are there other people out there that would step up to the plate to take over the service?

We had deputy ministers get together from all the jurisdictions, as this does not only impact the Northwest Territories, there are other jurisdictions, to see if there was any interest, to see if we could get any support from the federal government for a national program to try and subsidize the operations. That was not successful. So we are right now talking to some of the operators in the NWT to see if there is an interest. If we find there is an interest, we just need to know if it's going to include the hauling of freight. That's an area that we need some clarity on.

MRS. GROENEWEGEN: The comments reported in the news media attributed to Greyhound indicated that they will continue to be involved in hauling freight but they are dropping the passenger service. I think by doing that, what they are doing is keeping what they think makes money and dropping the part that they think does not make money, which makes it difficult for someone else in the private sector to go into that and still go head to head and compete with Greyhound on the freight side of things. So I would like to know what this government will plan to do. I think it's going to be difficult for the private sector to compete, but like I said, I have great confidence in the business sector in Hay River to consider and perhaps step into this gap.

I'd like to ask what role this government could play in assisting, cooperating... Sometimes it takes a while to get these things off the ground before they become financially viable. Does this government have an interest in assisting? There is already courier and freight service. Greyhound is only one of those services that comes into Hay River right now, or will as of October, but I'm mostly concerned about the passenger service. Is this something that

through Tourism or Transportation this government sees itself having a role in?

HON. MICHAEL MCLEOD: The reason the bus service is not going to haul passengers anymore is because the Alberta government deregulated their system. It is now allowing what was a monopoly up until now, to cancel some of the trips that are coming to the rural areas that have very low market volumes.

We have certainly an interest to communicate what the plans are from Greyhound. Our information coming from the local operators is they don't have a very good understanding as to what the Greyhound plans to do, whether they would step aside if an operator came forward from the Northwest Territories and operated up to Valleyview where the Greyhound services are going to be ending for passengers.

I think our role right now is to try to bridge that communication gap, to talk to Greyhound, to talk to the local operators and make sure we have a good understanding. We've already had some requests from operators to see if there was any way that we could subsidize. We're not at that point yet but we have to consider all options. We are very interested in having a service resume. We think it's also a good opportunity for our operators in the Northwest Territories to expand their routes and have passenger service continue.

As the Member has mentioned, it is a good service. It is targeted to people that are of low income. A lot of them are seniors, students, and others that are wanting to see the people... That's it.

MRS. GROENEWEGEN: As my colleague Mr. Bromley pointed out to me, too, it's also a mode of transportation that is more environmentally friendly than flying, and a lot of people are considering that these days. It's a way of a group of people getting together and travelling together and reducing the environmental footprint from that kind of travel. I'd like to ask the Minister, does he know anything about the negotiations that were taking place between Greyhound and B.C.? Whitehorse? It seems Greyhound wanted to cut out the northern B.C. and into the Yukon into Whitehorse, as well, but somehow they managed to avert closure of that route. How did that happen? Did he talk to his colleagues from the other jurisdictions?

HON. MICHAEL MCLEOD: Yes, I've talked to all my colleagues at the national level. It's a concern right across the board. The decision by Greyhound to continue their service into B.C. all the way to Whitehorse is a business decision. They have the market volumes there to warrant carrying of passengers. We had the jurisdiction of Manitoba look at doing one year of subsidies. They have since discontinued that and I'm not sure where they're going to go as next steps. We have looked

and talked with all our colleagues at different jurisdictions and are looking at all the options.

MR. SPEAKER: Thank you, Mr. McLeod. Final supplementary, Mrs. Groenewegen.

MRS. GROENEWEGEN: Thank you, Mr. Speaker. So just to summarize then, we have the commitment of this government to work together with other northern private businesspeople who may be able to come up with a solution for the passenger service into the North that will look at the potential revenue from freight, but also take into account the tourism aspect of this travel plus the costly travel mode available to Northerners as an option for getting in and out of the North as well. Is that what I'm to understand from the Minister's comments?

HON. MICHAEL MCLEOD: Overall, we think it's an excellent opportunity to the qualified businesses in the Northwest Territories to expand their service, to generate a revenue source. It may mean a different type of vehicle. It may mean a different schedule. It may mean convincing Greyhound to release some of their commitments to provide freight. All those discussions have to take place, and we certainly have to get a better understanding as to what is going to be coming in terms of what the Greyhound plans are. We don't have that all in our hands right now.

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

QUESTION 136-16(6):
GIANT MINE REMEDIATION PROJECT

MR. BROMLEY: Thank you, Mr. Speaker. My questions are for the Minister of Environment and Natural Resources. I mentioned earlier today that we've had a string of bad news, mostly from the media, on the series of new crises at the Giant Mine site. The public has been the last to know, or perhaps the second last as I haven't been seeing any information updating Members on the status and problems of this project. As both a fellow proponent and regulator, can the Minister say if the federal Northern Affairs department has been keeping his office updated on these developments?

MR. SPEAKER: Thank you, Mr. Bromley. The honourable Minister responsible for Environment and Natural Resources, Mr. Miltenberger.

HON. MICHAEL MILTENBERGER: Yes, Mr. Speaker, as far as I know.

MR. BROMLEY: I acknowledge the answer. It's not one that obviously builds a lot of confidence, if the Minister doesn't even know if he's being updated on this important project. To my knowledge this government has taken no public position on such crucial Giant Mine issues as independent oversight, ongoing research, or public reporting. Because of the way that DIAND is running this project, both as

regulator and proponent, other governments find themselves in a curious position when it comes to the environmental assessment.

Given the dismal recent record of DIAND on public accountability and refusal to support investigation of independent oversight, it's obvious that pressure needs to be applied to get this department to mend its ways and perhaps participate. What is the position of this government on the need for creation of an arm's length and independent oversight body to monitor and review project planning and implementation?

HON. MICHAEL MILTENBERGER: I indicated to the Member that as far as I was aware, our department is part of the operation that oversees the Giant Mine. We have \$27 million booked as our share and we have people at the right tables. We are, once again as far as I'm aware, from what I'm seeing, we're engaged in those processes. If the Member is wanting to advocate for an alternative structure, I'd be happy to look at that.

MR. BROMLEY: Given that this government is also in a position of conflict as both regulator and proponent, as the Minister has mentioned, and the fact that we've got \$27 million buried into this project, we need to take the high road.

Will the Minister commit to taking that high road and bringing independent oversight, as we would require for any other project that we are not both regulator and proponent on? An obvious conflict of interest.

HON. MICHAEL MILTENBERGER: As a matter of course, the Government of the Northwest Territories traditionally travels on the high road. This case is no different. I will discuss the issue with the deputy and officials and make sure, I'll confirm for my own satisfaction whether or not we're in conflict.

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

MR. BROMLEY: Thank you, Mr. Speaker. I appreciate the Minister's commitment there. I want to note that even though time is running out for this mandate, our mandate, under current plans, the Giant Mine issue is never going to go away. The federal government needs to be put on notice now, that they must make fuller information more proactively available, starting with the supply of information to these Members.

Will the Minister make a formal request to the federal Minister for a full briefing and an opportunity for the Members of our next Assembly to direct questions at the proponent/regulators of this project?

HON. MICHAEL MILTENBERGER: I'm sure that will be part of the transition document and planning. I can indicate that the opportunity will be there. I

can't at this point commit the next Minister, whoever that may be, to that, but the Member knows that if a request for briefing is made, the government will comply.

MR. SPEAKER: Thank you, Mr. Miltenberger. The honourable Member for Sahtu, Mr. Yakeleya.

QUESTION 137-16(6):
INFRASTRUCTURE PROJECTS
IN THE SAHTU REGION

MR. YAKELEYA: Thank you, Mr. Speaker. I talked about the infrastructure projects in the Sahtu and the projects that are underway. There is some commitment to some of them happening in the Sahtu and also to other communities in the Northwest Territories. I want to ask the Minister, in light of his ministerial statement on the fiscal and economic updates in the Northwest Territories and the challenges that are going to be facing the 17th Assembly, I want to ask the Minister in retrospect of the projects that are already committed in the Northwest Territories for this year and next year and the year after, that these dollars will be there to complete those projects. I want to ask the Minister, does this government have a good leg to stand on in terms of completing these projects?

MR. SPEAKER: Thank you, Mr. Yakeleya. The honourable Minister responsible for Finance, Mr. Miltenberger.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. As I indicated in my statement, the capital plan for this current year is well underway. Next year, as we have all agreed to, for the consideration of the 17th Assembly we have set a target of \$75 million. With that very modest sum coming down from \$1.1 billion over the last three years, the capital plan will be pretty well consumed by many of the existing multi-year projects. It will be up to the new Legislature to look at what opportunities are there to try to meet additional infrastructure needs.

MR. YAKELEYA: So we've put in the books the projects that we've agreed as the Assembly of this government, and now what I'm hearing the Minister saying to the people is that the projects that have already been agreed to, the multi-year funding projects may be in jeopardy. In light of what the Minister is saying to the House by stating the forecast that the government now will have to deal with the capital infrastructure expenditures, is that correct?

HON. MICHAEL MILTENBERGER: In my statement I indicated that we have needs of over about \$2.7 billion over the next few years, or about \$530 million a year of identified needs. We have, starting next year, \$75 million a year in the capital plan. So we have some very hard choices to make. There's going to be a need to make those choices and it's going to take more time at \$75 million a

year. In fact, as I indicated, we will probably never catch up at that rate, which is why one of the challenges for the 17th Assembly is going to be how we can possibly supplement that capital plan money.

MR. YAKELEYA: Is the Minister meeting with his federal counterpart or other Finance Ministers in Canada to look at this situation here in the North, in light of what we may be faced with? Can the Minister provide us with a brief update as to what type of actions or strategies this government is doing to see that some of these capital projects start and finish on time and on budget?

HON. MICHAEL MILTENBERGER: We're doing a number of things, as I've indicated publicly and to the Members. We have current discussions going on right now with the federal Finance in terms of borrowing limits. We are also looking actively at other pots of government money that may be there, federal government money such as a P3 funding, to look at some other projects that may apply under that particular fund. Of course, the other area that would possibly bring more money into the government coffers is the revenue side. We haven't looked at that specifically, but there is going to be a need to look not only at the expenditure but, as well, the revenue side. Thank you.

MR. SPEAKER: Thank you, Mr. Miltenberger. Your final, short supplementary, Mr. Yakeleya.

MR. YAKELEYA: Thank you, Mr. Speaker. Would the Minister lay out a little more of a clear path, I guess, in the transition document as to the funding that could be looked at in the 17th or closing this Assembly here as to what are some of the close certainties of the financial revenues that we may seek either from the feds or from our own sources in the Territories?

HON. MICHAEL MILTENBERGER: Yes, we will be leaving the detailed fiscal update. We'll be leaving details in all the program areas. We have to keep in mind, as well, as we look around the world, that we're now once again into very shaky, uncertain economic times with growth projections in some cases on the negative side. There's still trouble in the United States. There's trouble in Europe. We are not immune to those, so as we look at our own business, we have things we can look at. Some of the things we have to keep a very close eye on, of course, is the revenue side, where we have lots of multi-nationals that do business here, and hopefully their revenue side will stay up at the same time as we look to manage our expenditures. Thank you.

MR. SPEAKER: Thank you, Mr. Miltenberger. The honourable Member for Mackenzie Delta, Mr. Krutko.

QUESTION 138-16(6):

DEMPSTER HIGHWAY ROAD CONDITIONS

MR. KRUTKO: Thank you, Mr. Speaker. My question is directed to the Minister of Transportation in regard to the issues I raised in regard to road conditions, and more importantly, the Dempster Highway. It seems like they've been either very poorly maintained or the budget's been cut. I'd like to ask the Minister exactly what is the reason that we're seeing such a high number or the impact on maintaining highways. Has there been a decision in the department either to cut back on maintenance, or has there been a change by way of contracting practices, or is it because the number of roads that we are maintaining and not putting as much money as we need to maintain the roads and also realizing the condition we're under? I'd like to ask the Minister what has changed that is causing the maintenance of the highways in the Northwest Territories to decline to the point where people are concerned with regard to the conditions of those roads and the public safety aspect of driving those roads and the conditions that they're in.

MR. SPEAKER: Thank you, Mr. Krutko. The honourable Minister responsible for Transportation, Mr. Michael McLeod.

HON. MICHAEL MCLEOD: Thank you, Mr. Speaker. The Dempster Highway has been a priority for some time, and has been raised in the House by the Member on a number of occasions. We continue to focus on reconstruction of this highway, the Dempster Highway. We've done a lot of work on improving the roadway alignments, the roadbed and driving surfaces.

As I responded to this question by this Member on a number of occasions, the road needs to be reconstructed. We are attempting to do that with the resources we have on hand and we'll continue to focus on that. However, the reconstruction process for this length of highway with the investment we have is probably going to take in excess of another 10 to 12 years. It's going to be a long process.

If there is concern with maintenance, we certainly can review what our contractors are doing, and if he has any issues with contracts, we'd like to hear from him. Thank you.

MR. KRUTKO: Mr. Speaker, I like what I hear from the Minister, because I think it is time that we did review either the maintenance contracts or the maintenance practices that are being used and what type of equipment is being used or what type of equipment is not being used, and what type of materials are being used to apply to resurface the highway or try to maintain the surface on that highway.

I'd like to ask the Minister how soon can you investigate the condition of the roads and also the

contracts that are in place and also the method that's being used to maintain those highways.

HON. MICHAEL MCLEOD: We have people that provide oversight on all our roads on a regular basis. In the case of the Dempster, I think we've invested well over \$28 million in the life of this government and the previous government. There are a lot of discussions between ourselves, transportation officials of the NWT, and with the Yukon. If there are any concerns, certainly, we'd like to hear further of the specifics. If there is something that needs to be reviewed, we certainly can have our headquarters staff or somebody from the regional office and provide some investigation to look at the situation. But it is monitored on an ongoing basis.

MR. SPEAKER: Thank you, Mr. McLeod. Your final supplementary, Mr. Krutko.

MR. KRUTKO: Thank you, Mr. Speaker. Again, I'd like to ask the Minister, would you consider looking at the type of contracts that are in place either as an hourly-based contract, a monthly contract, and why is it that you'd have these different types of contracts. Is there a possibility of streamlining the contracts so they are being funded to do the job they have to do, and they're not being simply on an as-and-when basis, and that you'd consider a universal contracting system to maintain the highways of the Northwest Territories using a specific means of paying for the services for those contracts?

HON. MICHAEL MCLEOD: Yes, we could do that. That's something that the Member has some desire to get some results from any potential differences. We'll review it, and sit down with him and provide that information.

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

QUESTION 139-16(6):

ACTIONS TO ADDRESS YELLOWKNIFE HOMELESSNESS CONDITIONS

MS. BISARO: Thank you, Mr. Speaker. I spoke in my statement about a report on homelessness in Yellowknife, which was written by Mr. Nick Falvo. There were a number of recommendations in that report. I have some questions for the Minister responsible for homelessness with regard to some of the recommendations in that report. I appreciate that the Minister may not have had a chance to read the report, but I think he can respond to my questions relative to the recommendations as I outlined them in my statement.

The very first recommendation of the report is to establish a homelessness secretariat. I'd like to ask the Minister what plans this government has to coordinate our homeless programs, which are not now coordinated in one place. For instance,

coordinate with the Anti-Poverty Strategy, coordinate within government, and coordinate with our service providers. It will provide more effective programs to both more communities and be more efficient. I'd like to ask the Minister what plans there are to coordinate our homelessness programs. Thank you.

MR. SPEAKER: Thank you, Ms. Bisaro. The honourable Minister responsible for homelessness, Mr. Miltenberger.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. A two-part answer, I would suggest. There's homelessness within Yellowknife, where you have a lot of agencies and a lot of resources, and then there's the homelessness services outside of Yellowknife, which are coordinated and managed by the government and the various departments within government. There is a Homelessness Coalition in Yellowknife that we're part of and has a primary responsibility. We also look internally, monitoring and organizing those services. One of the things that existed in the 15th Assembly that may be worth considering again was that there was a social Ministers, envelope Ministers committee that met on an ongoing basis to deal with such issues that transcended a number of departments, be it homelessness or housing or other such broad issues. Thank you.

MS. BISARO: I'd like to thank the Minister for giving me a bit of a précis of information I already know and telling me what we already do. I know that, and I would like to know what we are going to do to try to coordinate homelessness, because it's not currently coordinated.

The oversight and the management of homelessness programs for this government are spread across many departments; at least three. They are handled by different people in each department and everybody is doing little bits and pieces here and there. So I would like to ask the Minister if this government will consider the establishment of a homelessness secretariat, as recommended in the report. Thank you.

HON. MICHAEL MILTENBERGER: I was under the assumption you never asked a question you didn't know the answer to. I'm trying to fill the Member in on issues that I know she's asked questions about, she's very conversant on.

In regard to the idea of a secretariat and the issue of homelessness, that will be, I believe, contained in the broader transition document within the seven days left that we have as sitting days and to the 4th when we are dissolved. There are no plans to move on any kind of setting up of any kind of secretariat. Thank you.

MS. BISARO: One of the other recommendations in the report was to establish a task force to look into the use of drugs and alcohol and the use of it

by our citizens, particularly our homeless. I see that task force as looking into far more than just homeless people, but I would imagine both the housed and the homeless would be looked at in terms of alcohol abuse.

I'd like to know from the Minister whether or not he is willing to discuss this recommendation with his staff. I appreciate no decisions will be made between now and the election, but I'd like to know whether or not he can do some preliminary analysis of the value of such a task force. Thank you.

HON. MICHAEL MILTENBERGER: I meet regularly with the Health and Social Services staff, the deputy and senior officials, so I will commit to have that item placed on the agenda so we can, in fact, have that discussion. Thank you.

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

MS. BISARO: Thanks, Mr. Speaker, and thanks to the Minister for that commitment. I appreciate that it will be at least considered.

One of the other recommendations was that shelter standards should be established. The family violence shelters have them, and I'd like to know from the Minister why should emergency shelters not have standards and what plans are there within the government to look at developing standards for our emergency shelters similar to our family violence shelters. Thank you.

HON. MICHAEL MILTENBERGER: As we continue to evolve as a government on the program delivery side and mature as a jurisdiction, clearly, standards become more and more pressing in a number of program areas, including the ones mentioned by the Member. That will be pursued as you move forward. There's a new strategic plan coming out of Health and Social Services, and as the 17th Assembly is set up, elected, and picks their government, those items I'm sure will be on their list of to do things. Thanks.

MR. SPEAKER: Thank you, Mr. Miltenberger. The honourable Member for Great Slave, Mr. Abernethy.

QUESTION 140-16(6):
STERILIZATION EQUIPMENT AT
STANTON TERRITORIAL HOSPITAL

MR. ABERNETHY: Thank you, Mr. Speaker. My questions today are for the Minister of Health and Social Services and are a follow-up to my Member's statement from earlier today.

In July, I believe, the Minister made an announcement that August 12th was the date that Stanton was targeting to resume elective surgeries once they were able to confirm that the sterilization equipment was in fact working to standard. I was very optimistic that would happen and I actually

hope that that did happen, but I heard a rumour that, in fact, the elective surgeries have not been recommenced as a result or due to the fact that sterilization equipment is still experiencing problems. I'd like some information from the Minister as to the status of the sterilization equipment and the status of the elective surgeries at Stanton Territorial Hospital. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Abernethy. The honourable Minister of Health and Social Services, Mr. Miltenberger.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. My information is that we targeted the 12th. As of August 15th, elective surgeries are being performed at Stanton. Thank you.

MR. ABERNETHY: I didn't quite hear the answer. I know the surgeries have been ongoing at Stanton during this entire process. I know that surgeries were never ceased. Emergency surgeries continued to go, it was elective surgeries. I didn't hear whether the Minister said elective surgeries. So just for clarification, did the Minister say that elective surgeries are once again occurring to full capacity at Stanton? Thank you, Mr. Speaker.

HON. MICHAEL MILTENBERGER: Yes, Mr. Speaker.

MR. ABERNETHY: That's fantastic news. I'm very happy to hear that.

The second part of this issue is the fact that there were well over 200 elective surgeries cancelled over the last couple of months, basically since January when all of these issues started to come up. I'm curious what type of communication plan or what kind of implementation plan Stanton is putting in place to get this backlog of elective surgeries through the system as quickly as possible.

The reason this is important, Mr. Speaker, is there are costs to people, their health, their livelihood, all of these things are affected by these potential surgeries that these individuals need to have. I think we owe it to our constituents and our residents to get them through these surgeries as quickly as possible, to help them get back to activities of daily living and normal living. So what is the process that they are going to follow to get these people through these elective surgeries in a timely manner?

HON. MICHAEL MILTENBERGER: Earlier in the winter there was over 360 surgeries of backlog, and since July we've whittled that number down to 102. I agree with the Member, we want to do this as quickly and expeditiously as possible, to let people get their lives back as quickly as possible. So now that we are back up to doing full surgeries, elective surgeries, I'm confident that list will be whittled down with even more alacrity and expediency. Thank you.

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

MR. ABERNETHY: Thank you, Mr. Speaker. I'm very happy that the Minister agrees; that's good. My question was more along the lines of what is the communications plan. What is the action plan to make this happen? There are 102 surgeries on top of all the surgeries that are already booked. How are we going to fit those 102 in? What are we going to do? What's the plan?

HON. MICHAEL MILTENBERGER: We have professionals, capable individuals that manage the scheduling of the operating rooms, that look at the schedules, the wait lists, what is elective and what's emergency, and they are doing all the things necessary. They've done a very good job, I would suggest, given the fact that we were struggling with some of the sterilization issues up until recently, and that that rate will increase as we pick away at that backlog now that the operating rooms are functional. Thank you.

MR. SPEAKER: Thank you, Mr. Miltenberger. The honourable Member for Kam Lake, Mr. Ramsay.

QUESTION 141-16(6):
APPLICATION OF CRIMINAL
YOUTH JUSTICE ACT

MR. RAMSAY: Thank you very much, Mr. Speaker. My questions today are for the Minister of Justice. During my Member's statement I talked about the Youth Criminal Justice Act. Obviously, it's in place across this country. The question that I have for the Minister of Justice is whether the application of that legislation is the same here in the Northwest Territories as it would be in Alberta, Saskatchewan, or even Ontario, and whether or not there is any evidence that sentences for young offenders here in the Northwest Territories are any lighter than they are in those other jurisdictions. Thank you.

MR. SPEAKER: Thank you, Mr. Ramsay. The honourable Minister of Justice, Mr. Lafferty.

HON. JACKSON LAFFERTY: Mahsi, Mr. Speaker. The YCJA, the Youth Criminal Justice Act, is federal legislation. So it is across the board and throughout Canada. We follow the same legislation through the venue of the RCMP in our jurisdiction and other jurisdictions, as well, with law enforcement. So we follow the same procedures. Mahsi.

MR. RAMSAY: Specific to the previous question was whether or not the YCJA was being applied the same here in the Northwest Territories as in other Canadian provinces or territories. Does the Minister have any evidence or anything related to statistics on length of sentences, what young offenders are getting for comparable crimes in Alberta, Saskatchewan that they are getting in the Northwest Territories? Thank you, Mr. Speaker.

HON. JACKSON LAFFERTY: The legislation applies, like I said, across Canada. YCJA is focussed on the youth criminals. We've had a few roundtable discussions at the FTP, federal/territorial/provincial, Ministers meeting. Across Canada, each jurisdiction is different with their stats. I don't have the stats with me right now, but I can provide that to the Member. Mahsi.

MR. RAMSAY: Since the YCJA was brought in to replace the Young Offenders Act in 2003, I'm just wondering if the Minister also has any statistical information on whether or not repeat young offenders is becoming an issue, and on an annual basis whether or not we're seeing an increased level of repeat young offenders in our territory. I'd like, maybe, the Minister to commit to getting that information for the House too.

HON. JACKSON LAFFERTY: Those stats have been addressed with the federal Minister. The federal Ministers, both Justice and Public Safety, are fully aware of our concerns that the youth are involved with the criminal acts in our jurisdictions. Some jurisdictions are high, some are low. So I can definitely provide that information that we have on hand. We continue to stress to the federal government that we need to change the Youth Criminal Justice Act so it reflects on those youth that are out of control.

MR. SPEAKER: Thank you, Mr. Lafferty. Final supplementary, Mr. Ramsay.

MR. RAMSAY: Thank you, Mr. Speaker. I know our time is short here. We have six sitting days left in the life of this government. Maybe if I could, the last question, at the federal/provincial/territorial Justice Ministers table, any new proposed federal legislation dealing with crime, I'm just wondering, the Minister alluded to it a little bit in response to another question I had, but where is the federal government at in the area of getting tough on crime. Maybe the Minister could give us a bit of an update on where that legislation initiative by the federal government is at.

HON. JACKSON LAFFERTY: I can provide the information that we've been receiving from the federal government on the federal government's initiative on fighting crimes. Not only that, there was Bill C-4 of the Youth Criminal Justice Act that has been discussed and that's been with the committee. Those are the information that we need to continue pushing with the federal government. I will definitely provide the information that the Member is requesting.

MR. SPEAKER: Thank you, Mr. Lafferty. The honourable Member for Nahendeh, Mr. Menicoche.

QUESTION 142-16(6):
ROAD CONDITIONS ON
HIGHWAYS NO. 1 AND NO. 7

MR. MENICOCHÉ: Thank you very much, Mr. Speaker. I'd like to ask the Minister of Transportation some questions with respect to Highway No. 1 and Highway No. 7. Typically in our government I think the priority is called the Deh Cho Trail. My long-term vision is to see the whole thing chipsealed. That way we can increase businesses and business opportunities with that. I'd like to know what the strategy is for the Department of Transportation, the long-range goal for this particular Deh Cho Trail.

MR. SPEAKER: Thank you, Mr. Menicoche. The honourable Minister responsible for Transportation, Mr. Michael McLeod.

HON. MICHAEL MCLEOD: Thank you, Mr. Speaker. We want that section of the highway to be a glorious piece of highway to drive. We have been working hard to accomplish that, given the age of the highway and the amount of work that's going to be required to reconstruct that whole section of highway on both Highway No. 1 and Highway No. 7. I think we've been working quite well with the Member in his riding.

Highway No. 7 has seen the investment, or will see it by the end of this summer, of about \$12 million that has been dedicated to that section of road. However, that's far short of what it needs to be reconstructed. We're probably a little over \$100 million to do that whole section.

This road was not designed for high traffic volumes. It was not designed to handle the industry resource development that's going to be coming forward in the next while. We have to always keep that in mind. As we construct portions of roads, we're seeing failures in others, as water is a huge issue. Drainage is a problem. We have done a design and review of Highway No. 7. We've identified the weak spots on Highway No. 1 from Providence junction towards Simpson. There are six sections that need attention and we'll continue to work towards that.

It was disappointing for myself, and I think everybody that travels that road, to hear that some of the chipseal that was done this past year and the year before failed. We have to address the causes. We don't want to chipseal it until we are completely satisfied that the road base is solid and strengthened and we deal with the drainage issues.

There is a lot of work to be done. We continue to move forward. We think there is enough investment for this coming year and it's going to require the next government to continue moving that forward.

MR. MENICOCHÉ: Several times in this House the government has said that there's a bleak economic future in terms of finance and fiscal restraint throughout the country. I still believe that we can

develop a nice strategy for the Deh Cho Trail. I think we're already using it for the Mackenzie Valley Highway, where we're adding a few bridges every year. That's the kind of investment that my constituents are looking for. They often tell me, as I travel to the communities, that they use the highways for living and for their life. I'd like to urge this government to continue developing a strategy specifically for the Deh Cho Trail. I'll ask the Minister again: is there a specific strategy to develop the Deh Cho Trail up to the National Transportation Standards?

HON. MICHAEL MCLEOD: We are working on the very request that the Member has raised. We are conducting a full engineering assessment. We're preparing a functional design on Highway No. 7. This will help us to develop the rehabilitation plan that's needed. This will also determine the next steps for meeting the current and future traffic needs of that area.

I believe we're all on the same page on this issue. There is still a lot of work, as I've stated before, that needs to be done before we have a final, complete design and plan with all the investment requirements in place.

MR. MENICOCHÉ: That's exactly what I was looking for. As long as the strategy is in place and we can find resources for it.

If I get down to a more local level, constituents have also been raising the issue of maintenance. I know that our government this year we're practicing passive restraint. Is that something that's affecting the department? Constituents are saying there's lower maintenance this year, or else maintenance continues to be deferred and it's really affecting the road to the travellers right up until today.

HON. MICHAEL MCLEOD: I'll have to check, but I believe our maintenance cycles are the same. We're being challenged by the age of the road. We're being challenged by the effect that water and rain storms are having on our road. Also the huge challenge is the drainage, especially on Highway No. 7 is not done and is not up to par. We are having a lot of pooling of water in our ditches and it doesn't seem to go anywhere. So that's all being reviewed and those things need to be addressed.

But I will commit to the Member that I will discuss this with my officials to see if there have been any reductions. As far as I know, I don't believe there are any reductions to the maintenance cycles.

MR. SPEAKER: Thank you, Mr. McLeod. Final supplementary, Mr. Menicoché.

MR. MENICOCHÉ: Thank you very much, Mr. Speaker. I'm pleased that the Minister will check into it. That's just observation from the constituents.

As well, the concern is also coming out of Wrigley that they feel that perhaps there's a reduced

maintenance schedule. If the Minister will commit also to look at Highway No. 1 that goes up Fort Simpson to Wrigley.

HON. MICHAEL MCLEOD: We are also trying to deal with the issues that are occurring on the Wrigley highway. We are, of course, being challenged this year with additional traffic due to the oil spill that happened along the pipeline route. We are discussing with the pipeline company to work with us, to partner up with us to address some of the issues that the road is receiving in terms of traffic volumes and heavy trucks on it. They have agreed, and I think we have an agreement. If we have not signed one, we will be signing one where we will try to jointly address some of the issues that are challenging that stretch between Simpson and Wrigley and in light of the additional traffic because of the oil spill.

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

QUESTION 143-16(6):
ISSUANCE OF EMERGENCY
PROTECTION ORDERS

MR. HAWKINS: Thank you, Mr. Speaker. Today in my Member's statement I spoke about a process problem that a constituent went through, and their experience of having an EPO issued against them. Fortunately for me and in this circumstance, this matter is not before any type of judicial consideration, and that gives me the ability here to talk about the process and the whole problem.

It's my view, and certainly the view of many, that apparently there was some unfair due process not fulfilled on this particular case. Training and the ability of third parties being able to advocate and certainly put forward EPOs may be an issue. Court time and process has an appearance to be abused in some manner or not. The judicial system may have been misled with false testimony. I would say there seems to be some competence process problem here that should warrant what I would call a comprehensive review in some manner. If anything, there are a ton of questions on this particular issue that should be answered and need to be answered by qualified individuals.

My question for the Minister of Justice is: would he be willing to have his department do a comprehensive review on this particular circumstance to make sure that emergency protection orders aren't issued in the circumstances as I've described them here today in my Member's statement?

MR. SPEAKER: Thank you, Mr. Hawkins. The honourable Minister responsible for Justice, Mr. Lafferty.

HON. JACKSON LAFFERTY: Mahsi, Mr. Speaker. This particular matter is before... Part of the matter is before the courts and I feel very uncomfortable speaking to this issue. I know the Member raised that issue about the constituent, and so I have to take the question as notice for now.

MR. SPEAKER: Thank you, Mr. Lafferty. Question has been taken as notice. The honourable Member for Kam Lake, Mr. Ramsay.

QUESTION 144-16(6):
ISSUANCE OF EMERGENCY
PROTECTION ORDERS

MR. RAMSAY: Thank you, Mr. Speaker. I have a question for the Minister of Justice. I'd like to ask the Minister if the department will look into the circumstances surrounding the issuance of EPOs, specifically the case cited earlier today by Mr. Hawkins.

MR. SPEAKER: Thank you. The Chair is reluctant to put that question to the Minister. The Minister has already indicated that he is reluctant to answer questions on this subject right now.

Item 8, written questions. Item 9, returns to written questions. Mr. Clerk.

Returns to Written Questions

RETURN TO WRITTEN QUESTION 7-16(6):
TERRITORIAL PARKS AND
TOURISM INITIATIVES

CLERK OF THE HOUSE (Mr. Mercer): Mr. Speaker, I have a Return to Written Question 7-16(6) asked by Mr. Yakeleya on May 16th to the Honourable Robert R. McLeod, Minister of Industry, Tourism and Investment, regarding territorial parks and tourism initiatives.

You had asked the following questions, and I can provide the following information:

1. Please provide a list of all community parks and territorial parks located in the Sahtu region.

Jackfish Lake Park is the single community park located in the Sahtu region and is operated by the Town of Norman Wells.

McKinnon Territorial Park is the only territorial park located in the Sahtu region. It is a three acre territorial park that exists within the boundaries of the Town of Norman Wells. This park is operated by the Department of Industry, Tourism and Investment (ITI).

In addition, the Department of ITI also contributed to a number of tourism projects in Tulita in 2010-2011, including renovations to the historic church, development of a hiking trail to Bear Rock, and new tourism signage added to the airports in Tulita, Deline, Fort Good Hope and Norman Wells.

2. Please provide a breakdown of the budget for the expenditures that will be contributed to all aspects of parks and other tourism initiatives for 2011-2012.

The total amount of ITI's budget for expenditures in support of parks and other tourism initiatives for 2011-2012 is \$7.184 million.

3. Please provide a strategy that outlines a plan to increase the presence of Government of the Northwest Territories (GNWT) parks and other GNWT tourism initiatives in the Sahtu for 2011-2012.

In 2011-2012 the Department of ITI implemented the first year of "Tourism 2015: New Directions for a Spectacular Future," which outlines a strategy to increase tourism enhancement in the Northwest Territories, including in the Sahtu region. The plan focuses on six investment areas: marketing, Aboriginal tourism, community and industry engagement, infrastructure, skills development, and tourism research and planning. It will guide investment by the GNWT in the tourism industry over the next four years. This is a plan for people, communities and business. It will build on the strength and experience of our tourism industry.

A copy of the "Tourism 2015: New Directions for a Spectacular Future" was provided to all Members of the Legislative Assembly and it was tabled in the House on Tuesday, February 22, 2011. It is also now available on the Legislative Assembly website and on the ITI website.

ITI is also taking steps to establish the Doi T'oh Territorial Park. The Sahtu Dene and Metis Comprehensive Land Claim Agreement included an obligation for the Government of the Northwest Territories to prepare a park management plan for the proposed territorial park. A park management plan was prepared, under the direction of a park management committee comprised of one representative from ITI and five representatives selected by Sahtu land claim organizations. The park management committee and its mandate were established in a memorandum of agreement between the Tulita Land Corporation and the GNWT. The committee's role concluded on January 22, 2007, when the Minister of ITI approved the Doi T'oh Territorial Park and Trail Management Plan.

ITI is currently investigating the transfer of land for the CANOL Heritage Trail and proposed Doi T'oh Territorial Park. Concurrently, work on remediation of the CANOL Heritage Trail has been initiated by the Department of Aboriginal Affairs and Northern Development through its contaminants and remediation division. Actual remediation and clean-up will not start until the summer of 2012 and could take as long as 10 years.

Later today, at the appropriate time, I will table the programs and operations maintenance budgets for

tourism and parks for 2011-2012, which will provide you with the information you are seeking.

RETURN TO WRITTEN QUESTION 8-16(6):
HEALTH HAZARDS IN PUBLIC HOUSING UNITS

Mr. Speaker, I have a Return to Written Question 8-16(6) asked by Mr. Yakeleya on May 18, 2011, to the Honourable Robert C. McLeod, Minister responsible for the NWT Housing Corporation, regarding health hazards in public housing units.

The health and safety of tenants in public housing is of primary importance to the Northwest Territories Housing Corporation (NWTHC), and concerns identified around mould and other health hazards in NWTHC units requires prompt action to ensure these types of issues are addressed on a timely basis.

NWTHC's technical staff are trained to identify moulds and other health hazards, when conducting property inspections. The NWTHC, with its community partners, the local housing organizations (LHOs), schedule unit condition inspections on each of its public housing units annually. These inspections, which are completed by October 31st of each year, identify any health and safety concerns, including mould and other potential health hazards. In addition, the condition of public housing units is also assessed when there is a change in tenancy and/or when a concern has been identified.

Once mould or any other health hazard has been identified, the extent of the matter is assessed and appropriate action is taken. The NWTHC follows nationally accepted procedures and guidelines established by the experts in the field, Health Canada, and the Canada Mortgage and Housing Corporation. These procedures outline how to deal with any given specific health issues, such as mould. The NWTHC also works with the Department of Health and Social Services as and when required when dealing with mould or other health hazards.

As a preventative measure, the NWTHC also carries out several activities to assist in both eliminating and reducing the risk of mould and similar health hazards, which include the following:

- The NWTHC has incorporated mould information into its Housing Choices Solutions to Educate People (STEP) education modules, which includes a home maintenance/repair course. Instructors explain to homeowners the causes of mould and how it can be prevented, as well as how mould can be removed.
- In an effort to increase public awareness, the NWTHC website www.NWTHC.gov.nt.ca has easily accessible information on strategies to prevent and clean up mould. Additionally, the NWTHC has circulated a mould information

brochure to the LHOs to provide to tenants and the general public. The NWTHC is currently updating the information, and it is anticipated that an updated brochure will be available to the general public by the end of 2011.

- The NWTHC's standard drawings and specifications, followed by detailed inspections by NWTHC technical staff during construction, also reduces the possibility of mould becoming an issue within the building assembly.
- The NWTHC also specifies in its construction contracts mould-resistant products, such as moisture-resistant drywall, be used in bathrooms to help reduce the possibility of mould.

RETURN TO WRITTEN QUESTION 9-16(6):
WATER QUALITY MONITORING

Mr. Speaker, I have a return to written question asked by Mr. Yakeleya on May 19, 2011, to the Honourable Michael Miltenberger, Minister of Environment and Natural Resources, regarding water quality monitoring.

Environment and Natural Resources does not have a mandate for water quality monitoring in the Northwest Territories; this is a federal responsibility. The information in this return to written question was provided by Environment Canada, and Aboriginal Affairs and Northern Development. All water quality monitoring programs presented here are subject to current and potential federal budget and resource constraints.

In the 2011-2012 fiscal year Environment Canada is planning on operating three water quality monitoring stations on the Mackenzie River: one each at Strong Point, Norman Wells, and Arctic Red River. Each of these will be sampled six times during the year.

Environment Canada's planned monitoring at the Slave River includes one station at Fort Fitzgerald. Environment Canada anticipates collecting eight water samples at this station in the 2011-2012 fiscal year. Samples will be analyzed for physicals, nutrients, major ions, total and dissolved metals, bacteriologicals, and polyaromatic hydrocarbons.

In addition, Environment Canada anticipates deploying five to six passive samplers throughout the open water season, and two to three passive samplers under ice. Finally, Environment Canada is considering future deployment of an automated water quality monitoring buoy, which will collect and transmit near real-time readings of conductivity, pH, dissolved oxygen, turbidity, temperature, and refined and crude fuels.

Aboriginal Affairs and Northern Development's Water Quality Monitoring Program for the 2011-2012 fiscal year includes three sites in the

Yellowknife area, Cameron, Marion, and Yellowknife rivers, that are sampled monthly; plus five sites in the Upper Coppermine catchment, Lac de Gras, Desteffany Lake, Yamba Lake, Point Lake, and Rocknest Lake; and three sites in the Upper Lockhart catchment, Lake of the Enemy, King Lake, and Mackay Lake. These sites are sampled in July, August, September, and March, and are analyzed for metals, major ions, physicals, and nutrients.

Aboriginal Affairs and Northern Development operates a water and suspended sediment sampling program on the Slave, Hay, Liard, and Peel rivers, for hydrocarbon and chlorinated contaminants. Each of these rivers are sampled on an approximately five-year cycle, with sample runs being made in spring, summer, autumn, and winter. The Hay River is scheduled for sampling in 2011.

In addition to this work, which is done by Aboriginal Affairs and Northern Development's Yellowknife staff, the Slave River is sampled at Fort Smith and above Fort Resolution in May or June and October, by Aboriginal Affairs and Northern Development's district office.

**RETURN TO WRITTEN QUESTION 6-16(6):
OFFICE OF CONSUMER AFFAIRS**

Mr. Speaker, I have a return to written question asked by Mr. Hawkins on May 12, 2011, to the Honourable Robert C. McLeod, Minister of Municipal and Community Affairs, regarding the office of consumer affairs.

The first request was for MACA to provide information, other than the MACA website, as to how the department publicly promotes the office of consumer affairs, along with the office's mandate.

MACA maintains partnerships and working relationships with other Canadian jurisdictions in many of our areas of responsibility. In the case of consumer protection, we actively work with the Consumer Measures Committee. This committee is representative of all Canadian jurisdictions and the federal government, and was established to facilitate a forum for the harmonization of consumer laws and as a mechanism to promote joint educational activities.

This has allowed the Government of the Northwest Territories to access materials cooperatively produced, such as the Canadian Consumer Handbook, materials related to identity theft, and most recently, a range of consumer information specifically directed to youth and seniors. Such information, when obtained, is distributed to libraries and health centres in the Northwest Territories. As well, information is available by request from MACA offices to NWT consumers.

MACA has also participated in the development of a Canadian web portal to help individuals find the

right government agency to best address their concerns. This portal is located at www.consumerinformation.ca. The Canadian Consumer Information Gateway gives consumers the tools they need to make informed decisions, safe and healthy product choices, alerts consumers to recalls and scams, and provides contacts to seek recourse on a range of consumer related issues. The NWT is represented on this system on a government-wide basis so departments with other consumer related mandates are also included.

Question two asked for the number of complaints or inquiries this office has had over the past two years, and question three asked for a summary of these complaints or inquiries for the past two years, along with any recommendations and actions taken.

I have provided Mr. Hawkins with written information in response to questions two and three, and this information can be summarized as follows:

- In the last two years, MACA has addressed 14 written consumer complaints: 10 from Yellowknife residents, two from Fort McPherson residents, one from a resident of Fort Simpson, and one from a resident of Inuvik.
- Of the 14 complaints received, two were from auto repair companies, two were from a transportation company, two were from an Internet-based service, two were from a recreational vehicle dealership, one was from a national advertising company, one was from a national auto financing company, one was from a Canadian vehicle manufacturer, one was from a propane supply company, one was from a general store, and one was from a plumbing and heating company.
- Of the 14 complaints received, the resolution ranges from the business responding favourably, to the issue being resolved between the company and the complainant, to the company not responding and no further action being taken.

MR. SPEAKER: Thank you, Mr. Clerk. Item 10, replies to opening address. Item 11, petitions. Item 12, reports of standing and special committees. Item 13, reports of committees on the review of bills. The honourable Member for Nahendeh, Mr. Menicoche.

**Reports of Committees
on the Review of Bills**

**BILL 10:
NORTHWEST TERRITORIES
HERITAGE FUND ACT**

MR. MENICOCHÉ: Thank you, Mr. Speaker. I wish to report to the Assembly that the Standing Committee on Government Operations has

reviewed Bill 10, Northwest Territories Heritage Fund Act. The committee wishes to report that Bill 10 is now ready for consideration in Committee of the Whole as amended and reprinted.

MR. SPEAKER: Thank you, Mr. Menicoche. The honourable Member for Kam Lake, Mr. Ramsay.

BILL 15:
AN ACT TO AMEND THE
DEH CHO BRIDGE ACT

BILL 17:
AN ACT TO AMEND THE
TERRITORIAL PARKS ACT

BILL 18:
AN ACT TO AMEND THE
PUBLIC UTILITIES ACT

BILL 19:
COST OF CREDIT DISCLOSURE ACT

MR. RAMSAY: Thank you, Mr. Speaker. I wish to report to the Assembly that the Standing Committee on Economic Development and Infrastructure has reviewed Bill 15, An Act to Amend the Deh Cho Bridge Act; Bill 17, An Act to Amend the Territorial Parks Act; Bill 18, An Act to Amend the Public Utilities Act; and Bill 19, Cost of Credit Disclosure Act. The committee wishes to report that Bills 15, 17, 18 and 19 are now ready for consideration in Committee of the Whole.

BILL 7:
COMMUNITY PLANNING
AND DEVELOPMENT ACT

BILL 16:
AN ACT TO AMEND THE
MOTOR VEHICLES ACT

Mr. Speaker, I wish to report to the Assembly that the Standing Committee on Economic Development and Infrastructure has reviewed Bill 7, Community Planning and Development Act; and Bill 16, An Act to Amend the Motor Vehicles Act. The committee wishes to report that Bills 7 and 16 are now ready for consideration in Committee of the Whole as amended and reprinted.

BILL 9:
WILDLIFE ACT

Mr. Speaker, I wish to report to the Assembly that the Standing Committee on Economic Development and Infrastructure has reviewed Bill 9, the Wildlife Act. The committee wishes to report Bill 9 to Committee of the Whole and recommends that Bill 9 not be further proceeded with in its current form.

MR. SPEAKER: Thank you, Mr. Ramsay. The honourable Member for Tu Nedhe, Mr. Beaulieu.

BILL 20:
VITAL STATISTICS ACT

MR. BEAULIEU: Thank you, Mr. Speaker. Mr. Speaker, I wish to report to the Assembly that the Standing Committee on Social Programs has reviewed Bill 20, Vital Statistics Act, and Bill 20 is ready for consideration in Committee of the Whole.

BILL 21:
AN ACT TO AMEND THE
EMPLOYMENT STANDARDS ACT

Further, Mr. Speaker, the Standing Committee on Social Programs has reviewed Bill 21, An Act to Amend the Employment Standards Act, and wishes to report that Bill 21 as amended and reprinted is also ready for consideration in Committee of the Whole.

MR. SPEAKER: The honourable Member for Tu Nedhe, Mr. Beaulieu.

MOTION TO MOVE BILL 20 AND BILL 21
INTO COMMITTEE OF THE WHOLE,
CARRIED

MR. BEAULIEU: Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the Member for Frame Lake, that Bill 20, Vital Statistics Act, and Bill 21, An Act to Amend the Employment Standards Act, will be moved into Committee of the Whole for consideration today.

MR. SPEAKER: Thank you, Mr. Beaulieu. The motion is on the floor. The motion is in order. To the motion.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question is being called.

---Carried

MR. SPEAKER: Bill 20 and Bill 21 will be moved into Committee of the Whole for consideration today.

Item 14, tabling of documents. The honourable Minister of Finance, Mr. Miltenberger.

Tabling of Documents

TABLED DOCUMENT 44-16(6):
ALL PROGRAM OPERATIONS AND
MAINTENANCE BUDGETS FOR
TOURISM AND PARKS 2011-2012

HON. MICHAEL MILTENBERGER: Mr. Speaker, further to Written Return 7-16(6) I wish to table the following document entitled "All Program Operations and Maintenance Budgets for Tourism and Parks 2011-2012."

TABLED DOCUMENT 45-16(6):
GNWT RESPONSE TO MOTION 39-16(5),
EMPLOYMENT FOR PERSONS
WITH DISABILITIES

As well, Mr. Speaker, I wish to table the following document entitled "Government of the Northwest Territories Response to Motion 39-6(5), Employment for Persons with Disabilities."

MR. SPEAKER: Thank you, Mr. Miltenberger. The honourable Minister responsible for Education, Culture and Employment, Mr. Lafferty.

TABLED DOCUMENT 46-16(6):
GNWT RESPONSE TO MOTION 6-16(6),
INCREASE TO STUDENT FINANCIAL
ASSISTANCE LIVING ALLOWANCE

HON. JACKSON LAFFERTY: Mahsi, Mr. Speaker. I wish to table the following document entitled "Government of the Northwest Territories Response to Motion 6-16(6), Increase to Student Financial Assistance Living Allowance."

TABLED DOCUMENT 47-16(6):
GNWT RESPONSE TO MOTION 8-16(6),
REVIEW OF ACCESS TO INFORMATION
AND PROTECTION OF PRIVACY ACT

Further, Mr. Speaker, I wish to table the following document entitled "Government of the Northwest Territories Response to Motion 8-16(6), Review of the Access to Information and Protection of Privacy Act."

TABLED DOCUMENT 48-16(6):
GNWT RESPONSE TO CR 5-16(6),
REPORT ON THE REVIEW OF THE 2009-2010
ANNUAL REPORT OF THE INFORMATION
AND PRIVACY COMMISSIONER

Finally, Mr. Speaker, I wish to table the following document entitled "Government of the Northwest Territories Response to Committee Report 5-16(6), Report on the Review of the 2009-2010 Annual Report of the Information and Privacy Commissioner."

MR. SPEAKER: Thank you, Mr. Lafferty. The honourable Minister of Municipal and Community Affairs, Mr. Robert McLeod.

TABLED DOCUMENT 49-16(6):
GNWT RESPONSE TO CR 7-16(5),
REPORT ON THE REVIEW OF BILL 16,
AN ACT TO AMEND THE DOG ACT

HON. ROBERT MCLEOD: Mr. Speaker, I wish to table the following document entitled "Government of the Northwest Territories Response to Committee Report 7-16(5), Report on the Review of Bill 16, An Act to Amend the Dog Act."

MR. SPEAKER: Thank you, Mr. McLeod. Mr. Clerk.

TABLED DOCUMENT 50-16(6):
RESPONSE TO PETITION 1-16(6),
FUNDING UPGRADES FOR THE
LIARD HIGHWAY

CLERK OF THE HOUSE (Mr. Mercer): Mr. Speaker, I would like to table a response to a petition provided by the Honourable Michael McLeod, Minister of Transportation, in response to a petition tabled by Mr. Kevin Menicoche on May 11, 2011.

TABLED DOCUMENT 51-16(6):
RESPONSE TO PETITION 2-16(6),
SAVE THE JOE GREENLAND CENTRE

Mr. Speaker, I would like to table a response to a petition provided by the honourable Michael Miltenberger, Minister of Health and Social Services, in response to a petition tabled by Mr. David Krutko on May 11, 2011.

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

TABLED DOCUMENT 52-16(6):
HOMELESSNESS IN YELLOWKNIFE,
AN EMERGING SOCIAL CHALLENGE

MS. BISARO: Thank you, Mr. Speaker. I would like to table a document entitled "Homelessness in Yellowknife, An Emerging Social Challenge," a report by Mr. Nick Falvo. Thank you.

MR. SPEAKER: Thank you, Ms. Bisaro. Item 15, notices of motion. The honourable Member for Hay River South, Mrs. Groenewegen.

Notices of Motion

MOTION 10-16(6):
SETTING OF SITTING HOURS BY SPEAKER

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, I give notice that on Friday, August 19, 2011, I will move the following motion: I move, seconded by the honourable Member for Thebacha, that the Speaker be authorized to set such sitting days and hours as the Speaker, after consultation, deems fit to assist with the business before the House.

Mr. Speaker, at the appropriate time I will seek unanimous consent to deal with this motion today.

MR. SPEAKER: Thank you, Mrs. Groenewegen.

MR. SPEAKER: Item 16, notices of motion for first reading of bills. The honourable Minister of Justice, Mr. Lafferty.

Notices of Motion for First Reading of Bills

BILL 22:
AN ACT TO AMEND THE
TERRITORIAL COURT ACT

HON. JACKSON LAFFERTY: Mahsi, Mr. Speaker. I give notice that on Friday, August 19, 2011, I will move that Bill 22, An Act to Amend the Territorial Court Act, be read for the first time.

MR. SPEAKER: Thank you, Mr. Lafferty. The honourable Minister of Justice, Mr. Lafferty.

BILL 23:
TOBACCO DAMAGES AND HEALTH CARE
COST RECOVERY ACT

HON. JACKSON LAFFERTY: Mahsi, Mr. Speaker. Mr. Speaker, I give notice that on Friday, August 19, 2011, I will move that Bill 23, Tobacco Damages and Health Care Cost Recovery Act, be read for the first time.

MR. SPEAKER: Thank you, Mr. Lafferty. Item 17, motions. The honourable Member for Hay River South, Mrs. Groenewegen.

MRS. GROENEWEGEN: Mr. Speaker, I seek unanimous consent to deal with the motion I gave notice of earlier today. Thank you.

MR. SPEAKER: The Member is seeking unanimous to deal with the motion she gave notice of earlier today. Are there any nays? You may proceed with your motion, Mrs. Groenewegen.

Motions

MOTION 10-16(6):
SETTING OF SITTING HOURS BY SPEAKER,
CARRIED

MRS. GROENEWEGEN: Thank you, Mr. Speaker.

I MOVE, seconded by the honourable Member for Thebacha, that the Speaker be authorized to set sitting days and hours as the Speaker, after consultation, deems fit to assist with the business before the House. Thank you.

MR. SPEAKER: Thank you, Mrs. Groenewegen. The motion is on the floor. The motion is in order. To the motion.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question is being called.

---Carried

MR. SPEAKER: Item 18, first reading of bills. Item 19, second reading of bills. Item 20, consideration in Committee of the Whole of bills and other matters: Bill 20, Vital Statistics Act; Bill 21, An Act to Amend the Employment Standards Act, with Mr. Bromley in the chair.

Consideration in Committee of the Whole of Bills and Other Matters

CHAIRMAN (Mr. Bromley): I'd like to call Committee of the Whole to order. Committee, we have before us Bill 20, Vital Statistics Act, and Bill 21, An Act to Amend the Employment Standards Act. What is the wish of committee? Mrs. Groenewegen.

MRS. GROENEWEGEN: Thank you, Mr. Chairman. The committee would like to deal with Bills 20 and 21 today in Committee of the Whole.

CHAIRMAN (Mr. Bromley): Thank you, Mrs. Groenewegen. Does committee agree we will deal with Bills 20 and 21 today?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Bromley): Thank you, committee. We'll take a short break.

---SHORT RECESS

CHAIRMAN (Mr. Bromley): I'd like to call Committee of the Whole together. Committee, we have before us Bills 20 and 21, I believe. Committee agree that we start with Bill 20? Agreed?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Bromley): Thank you, committee. I'd like to call on the Minister responsible to see if he would like to introduce comments on the bill. Mr. Miltenberger.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Chairman. I am here today to present Bill 20, Vital Statistics Act.

Mr. Chairman, the current legislation evolved from the Vital Statistics Ordinance that was enacted in January 1927. There have only been minor amendments to this act over the years and, as a result, the administrative processes are extremely outdated and do not reflect best practices. The registration procedures in this proposed act will make the process to register an event more efficient and easier for the public and will also remove the provisions in the existing act that are discriminatory.

The bill addresses the birth registration issues that make the current act vulnerable to legal challenge. The proposed act recognizes the constitutional right of a father to have his information listed on his child's birth record despite being unacknowledged by the mother, and is modernized to reflect recent advances in assisted human reproduction technologies. The person who is in a spousal relationship with the mother at the time of conception will be able to register as a parent at the time of birth, whether the spouse is male or female. The registration process will be substantially the same, whether the child was conceived by assisted

or natural reproduction to ensure that the child's birth is registered and legal parentage is established as soon as possible after birth.

This will meet the obligations under the United Nation's Convention on the Rights of the Child, of which Canada is a signatory.

The proposed registration process recognizes the birth mother link, the spousal relationship with the mother at the time of conception and the intent to parent the child. These principles are consistent with 10 years of policy and legal analysis around legal parentage done at a federal/provincial/territorial level that has culminated in the recent adoption of the Child Status Act by the Uniform Law Conference of Canada. Consequential amendments to the NWT's Children Law Act are being proposed in Bill 20 so that the GNWT framework respecting parentage is consistent.

In keeping with the approach in the Child Status Act, complex registrations will require the involvement of the court. The Registrar General of Vital Statistics does not have the capacity to weigh evidence concerning the rights of the child and parents. Such matters are better left to a judge to consider in ensuring that the best interests of the child are met. The proposed act contains provisions to direct the Registrar General to amend birth registrations according to parentage decisions directed by the court.

The proposed Vital Statistics Act continues to provide for the registration of marriage, death and stillbirth, and amendments to records based on adoption orders and changes of name that occur in the NWT. The language of these provisions was updated and now better reflects modern administrative practices used in other jurisdictions.

The proposed death registration section now includes the ability to register a death without a body. Mr. Chairman, this provision would only be used in rare circumstances described in the Coroner's Act where a body is not recoverable. An example might be a person being witnessed falling through the ice. Under the Coroner's Act, the coroner has the authority to investigate such a death but the current Vital Statistics Act does not give the Registrar General the discretion to register the death.

Lastly, Mr. Chairman, the proposed new act also includes specific information management provisions to protect vital statistics records and to give the Registrar General authority to enter into information sharing agreements where necessary and appropriate. For example, death registrations of residents born in another jurisdiction are routinely shared between vital statistics offices in Canada so that birth registration documents can be notated. This reduces the possibility of identity theft as a flag is raised when a birth certificate of a deceased

person is applied for. Formal information sharing agreements will ensure that the use of the information provided is restricted to a specific purpose. For this reason, where there is a conflict with the Access to Information and Protection of Privacy Act, the Vital Statistics Act provision will be paramount.

I look forward to discussing this important piece of legislation with the Members. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Bromley): Thank you, Mr. Miltenberger. Next I would like to invite Chairman Beaulieu, Standing Committee on Social Programs, to make comments on the bill.

MR. BEAULIEU: Thank you, Mr. Chairman. The Standing Committee on Social Programs held a public hearing on August 15, 2011, to review Bill 20, Vital Statistics Act.

This is an important new act to replace one that was seriously out of date, and sets out the process of registering the most important events in people's lives: births, deaths, marriages, adoptions and name changes. It is modern legislation that takes into account recent court rulings respecting same sex partners and other matters. There are provisions for electronic records and more efficient administration.

Following the clause-by-clause review with the Minister, a motion was carried to report Bill 20 to the Assembly as ready for consideration in Committee of the Whole.

This concludes committee's general comments on Bill 20. Individual committee members may have questions or comments as we proceed. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Bromley): Thank you, Mr. Beaulieu. I would like to ask the Minister if he wishes to bring in witnesses. Mr. Miltenberger.

HON. MICHAEL MILTENBERGER: Yes, Mr. Chairman.

CHAIRMAN (Mr. Bromley): Thank you, Minister. I'd like to ask if committee agrees.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Bromley): Thank you, committee. I would like to ask the Sergeant-at-Arms to please escort the witnesses into the Chamber.

Minister Miltenberger, if you would introduce your witnesses.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Chairman. I have with me Lisa Cardinal, director of policy, planning and evaluation, and Mr. Mark Aitken from the Department of Justice. Thank you.

CHAIRMAN (Mr. Bromley): Thank you, Minister. Welcome, witnesses. Next we will go to general comments on the bill. General comments?

SOME HON. MEMBERS: Detail.

CHAIRMAN (Mr. Bromley): Thank you, committee. No general comments. Request for detail. Does committee agree we go clause by clause?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Bromley): Thank you, committee. We'll go to a clause-by-clause review of the bill. If committee agrees, we'll go in groups of 10. There are quite a number of clauses in the bill. Committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Bromley): Thank you. We'll start by turning to page 11. Committee, clauses 1 to 10.

---Clauses 1 through 10 inclusive approved

CHAIRMAN (Mr. Bromley): Clauses 11 to 20.

---Clauses 11 through 20 inclusive approved

CHAIRMAN (Mr. Bromley): Clauses 21 to 30.

---Clauses 21 through 30 inclusive approved

CHAIRMAN (Mr. Bromley): We are on page 25. Clauses 31 to 40.

---Clauses 31 through 40 inclusive approved

CHAIRMAN (Mr. Bromley): Clauses 41 to 50.

---Clauses 41 through 50 inclusive approved

CHAIRMAN (Mr. Bromley): Clauses 51 to 60.

---Clauses 51 through 60 inclusive approved

CHAIRMAN (Mr. Bromley): Clauses 61 to 70.

---Clauses 61 through 70 inclusive approved

CHAIRMAN (Mr. Bromley): Clauses 71 to 80.

---Clauses 71 through 80 inclusive approved

CHAIRMAN (Mr. Bromley): Clauses 81 to 90.

---Clauses 81 through 90 inclusive approved

CHAIRMAN (Mr. Bromley): Clauses 91 to 100.

---Clauses 91 through 100 inclusive approved

CHAIRMAN (Mr. Bromley): Clauses 101 to 110.

---Clauses 101 through 110 inclusive approved

CHAIRMAN (Mr. Bromley): Clauses 111 to 116.

---Clauses 111 through 116 inclusive approved

CHAIRMAN (Mr. Bromley): The bill as a whole.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Bromley): Does committee agree that Bill 20 is ready for third reading?

---Bill 20 as a whole approved for third reading

CHAIRMAN (Mr. Bromley): I'd like to thank the Minister and witnesses. I'd like to ask the Sergeant-

at-Arms to please escort the witnesses from the Chamber.

Is committee agreed that we go to Bill 21, private member's public bill, An Act to Amend the Employment Standards Act?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Bromley): I'd like to begin by asking the sponsoring Member, Mr. Abernethy, if he has any comments to introduce the bill.

MR. ABERNETHY: I do, thank you, Mr. Chairman. Good afternoon. I'm happy to be here today to present to the committee Bill 21, An Act to Amend the Employment Standards Act. This bill provides members of the Reserves Force with an entitlement to unpaid leave from their employment when they're required to be absent from work for the purpose of service with the force. This bill also prohibits an employer from terminating an employee or changing the conditions of his or her employment because an employee is a member of the Reserves Force.

There are approximately 620 Reserves Force members in the Northwest Territories; 558 of these are Canadian Rangers located in 21 different communities throughout the Northwest Territories; 26 are instructor officers with cadet programs offering training opportunities for our youth; 10 are primary Reserves members with the 440 Squadron; and 26, as of March 23, 2011, are reservists of the Loyal Edmonton Regiment "C" Company based here in Yellowknife. The Yellowknife company was established in 2009 and is expected to grow to 150 members by 2019.

As you are likely aware, NWT-based reservists take part in a wide variety of activities here in the Northwest Territories. These include sovereignty operations, surveillance, disaster and humanitarian relief, as well as search and rescue. These are important services to residents of the Northwest Territories and to Canada.

In addition, the Canadian Rangers are an important source of local knowledge and land experience, and are considered vital to Canada's assertion of Arctic sovereignty. In remote areas these reservists often provide important first response.

Recognizing the valuable role that our northern reservists play here in the Northwest Territories, I bring forward this legislation for your consideration today.

Currently, the Northwest Territories and Nunavut are the only two Canadian jurisdictions that do not have this type of leave and protection available for reservists in Canada. Every other province and territory has this type of leave.

In drafting this legislation, we reviewed the related legislation currently utilized in all of these other jurisdictions. From there, and keeping northern

realities in mind, we drafted this piece of legislation. The original draft was shared with local businesses, as well as the NWT Chamber of Commerce, the Yellowknife Chamber of Commerce, and the Canadian Forces Liaison Council, CFLC, as well as Company "C" here in Yellowknife for their comments and consideration. All of their comments were carefully considered and incorporated where possible.

In addition, prior to the introduction in the House last May, the draft bill was shared with the Department of Education, Culture and Employment, who is responsible for the administration of the Employment Standards Act. More recently the bill was reviewed by the Standing Committee on Social Programs. As a result of these reviews and suggestions from the Minister of Education, Culture and Employment, the Standing Committee on Social Programs, as well as CFLC, a hardship clause was included. I concurred with this direction and feel that this hardship clause makes this a stronger, more responsive bill. I thank both the Minister and committee for their thoughts and recommendations.

A hardship clause for employers provides a measure of flexibility and control for smaller organizations or for organizations whose reservist employee is a one-of or crucial member of the company, or an employee whose absence could have a detrimental impact on the organization. A hardship clause helps employers avoid the possibility of discriminating with regard to the hiring of reservists, or the employment and/or promotion of an employed reservist.

While this legislation may result in a greater availability of reservists, much in fact continues to depend on the relations between individual reservists and their employers. No legislation can, nor should, replace the goodwill that employers demonstrate towards the reservist employees. The CFLC encourages employers to consider including a military leave policy as part of their overall Human Resource Management Strategy. This legislation we are discussing today will assist reservists and employers to make informed decisions when requesting or supporting a military leave of absence.

There is some fear that this type of leave may be abused. To date the CFLC is not aware of any abuses of job protection legislation by reservists or their employers. The Canadian Forces rely on cooperative working relationships with employers. If a situation were to arise, the CFLC's Reservist Assistance Program, the RAP, would assist. This program helps prevent conflicts between reservists and employers and assists in the resolution when necessary.

This is important legislation for reservists and for their employers. I'm happy to answer any questions that you may have.

CHAIRMAN (Mr. Bromley): Thank you, Mr. Abernethy. Next I'd like to call on Mr. Beaulieu, chairman of the Standing Committee on Social Programs, for any remarks on the bill.

MR. BEAULIEU: Thank you, Mr. Chairman. The Standing Committee on Social Programs held a public hearing on August 15, 2011, to review Bill 21, An Act to Amend the Employment Standards Act. The purpose of this bill is to create a new type of leave from work called reservists leave. It enables civilian members of the Canadian Military Reserves to take unpaid time off to serve without fear of repercussion at their regular workplaces.

The bill would prohibit employers from terminating a reservist or changing his or her conditions of employment due to military service.

Witnesses appearing before the committee included chair and vice-chair of the Canadian Forces Liaison Council North and retired Canadian Forces members. The committee also received correspondence supporting the bill from the NWT Chamber of Commerce. The committee would like to thank all of the witnesses for their oral and written submissions.

Hundreds of Northerners serve our country proudly as Canadian Rangers and primary reservists. Northern employers have a fine record for releasing reservists for duty and this bill provides legal recognition of that tradition.

The committee's clause-by-clause review was also completed on August 15, 2011. Three amendments to improve the bill were made, with the consent of the bill's sponsor and the Member for Great Slave, Mr. Abernethy. A clause was added allowing the Minister to deny reservists leave if it would adversely affect public health or safety, or would cause undue hardship to the employer. The second amendment clarified that part-time employees can become eligible for reservists leave. The final amendment delayed the coming into force provision to allow adequate time for implementation of the bill.

The standing committee then adopted a motion to report Bill 21 as amended to the Assembly as ready for consideration in Committee of the Whole.

This concludes committee's general comments on Bill 21. Individual committee members may have questions or comments as we proceed.

CHAIRMAN (Mr. Bromley): Thank you, Mr. Beaulieu. I'd like to call on the sponsor of the bill, the Member for Great Slave, Mr. Abernethy, to see whether you wish to bring witnesses into the House.

MR. ABERNETHY: Yes, I do, Mr. Chairman.

CHAIRMAN (Mr. Bromley): Is committee agreed that we can bring witnesses in?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Bromley): I'd like to call on the Sergeant-at-Arms to please bring in the witnesses.

Mr. Abernethy, if I can get you to introduce your witness.

MR. ABERNETHY: Thank you, Mr. Chairman. With me today is Kelly McLaughlin, legislative counsel with the Department of Justice.

CHAIRMAN (Mr. Bromley): Thank you, Mr. Abernethy. Welcome to the witness. I'd like to throw the floor open for general comments on Bill 21. Ms. Bisaro.

MS. BISARO: Thank you, Mr. Chairman. I just have a couple of brief comments. At the outset I want to commend the Member for Great Slave, Mr. Abernethy, for bringing forward these amendments to the Employment Standards Act. It's a relatively simple change. We are adding another type of leave to the Employment Standards Act. I think with the addition of the hardship clause, which amendments were made at committee and which were concurred to by the sponsor, this is an excellent piece of legislation. The amendments are going to serve our reservists in the NWT very well.

We are the only jurisdiction other than Nunavut who does not currently have reservists leave in our legislation and we have now corrected that for us. Hopefully Nunavut will fall closely behind.

I just would like to say that this is a great move on the part of Mr. Abernethy and I fully support this private member's public bill.

CHAIRMAN (Mr. Bromley): Thank you, Ms. Bisaro. Mr. Krutko.

MR. KRUTKO: Thank you, Mr. Chairman. I'd just like to note for the record that there was no consultation with the rural and remote communities, the Aboriginal governments. The consultation process in which the majority of the Members you talk about are Aboriginal by way of the Rangers program. I think it's important to realize that that level of government has not been consulted. The only consultation that has taken place was here in Yellowknife. I think it's important that any legislation that comes through this House, every effort should be made to consult with all residents of the Northwest Territories and not only here in Yellowknife.

I think because of that, that's why we requested that you do implement the hardship clause, because the Rangers in our communities do play a very important role not only in the areas of being Rangers, but they are the key employers or employees in our communities that operate the municipal governments. They also serve in the different fields such as housing maintainers. I think

because of the importance of these individuals in a lot of our communities, that if they happen to leave for a long period of time, it could have a major implication on the operation and maintenance of community delivered programs and services. That's why I insisted that there has to be a hardship clause in there, to ensure that we do allow for the communities and the individuals to realize that you have an important role in both fields, not only as a Ranger but as a community provider by way of programs and services that we depend on.

Again, I'd just like to note for the record that there was no consultation with First Nations governments, yet we hear a lot about groups or percentage of groups in the Northwest Territories that haven't been consulted. In this case it's a good illustration of how we forgot about the 50 percent of the population that we represent and only consultation taking place here in Yellowknife.

CHAIRMAN (Mr. Bromley): Thank you, Mr. Krutko. I guess we'll stick with the protocol of rolling up general comments and then getting Mr. Abernethy to respond. Next on my list is Mr. Jacobson.

MR. JACOBSON: Thank you, Mr. Speaker. For myself, I'm happy to see this coming forward. I've been a Ranger for 21 years now and I'm a proud Ranger. The program is an awesome program, because we work together with the local community and the RCMP when called upon for search and rescue and anything that's needed in the community. It's not only for the Rangers, but for all the reservists I think it's a good thing, because at least you know you're going to come home and have a job at the end of the day. It's not being held over your head now. It's either you do and you go, or you're not. It's a support system that's going to be good. We're supporting our Rangers and Joint Task Force North in supporting all of the reservists across the North. For myself, there are a lot of good role models that come out of that.

I compliment Glen. I know you didn't get the chance to go to the communities, but the uptake of this is going to be good. I thank you for bringing it forward for all Rangers and all reservists in the Northwest Territories. I'm in full support of this. Thank you for your time.

CHAIRMAN (Mr. Bromley): Thank you, Mr. Jacobson. Committee, we're on general comments. Before I go to Mr. Abernethy, any further general comments? Seeing none, I will go to Mr. Abernethy to respond.

MR. ABERNETHY: Thank you, Mr. Chair. I would like to thank the Members for their comments and support. With respect to Mr. Krutko's comments, when we did take the bill out, I did go to the military and to the reserve units, and some of those individuals that we had talked to had a significant amount of experience with Rangers throughout the Northwest Territories. We also did go to the NWT

Chamber of Commerce to get their perspective from a territorial perspective.

The Member is right, though; it would have been beneficial to go to some of the local governments to get their input, and in the future I would encourage anyone doing a private member's bill to do such. But I do feel that we do have the territorial perspective on this bill and people from around the Territories were involved. It was also opened through the committee process to go out for review, and everybody had an opportunity to submit their input and feedback, and people did.

So that's all I have on that. Thank you to committee for considering this bill.

CHAIRMAN (Mr. Bromley): Thank you, Mr. Abernethy. If there are no further general comments, does committee agree to go clause by clause?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Bromley): Thank you, committee. We'll go clause by clause, Bill 21, An Act to Amend the Employment Standards Act. We'll start on page 1, clause 1.

---Clauses 1 through 8 inclusive approved

CHAIRMAN (Mr. Bromley): Bill as a whole.

---Agreed

CHAIRMAN (Mr. Bromley): Does committee agree that Bill 21 is ready for third reading?

---Bill 21 as a whole approved for third reading

CHAIRMAN (Mr. Bromley): Thank you, committee. Bill 21, a private member's public bill, An Act to Amend the Employment Standards Act, is now ready for third reading. I'd like to thank Mr. Abernethy for bringing this forward, and your witness. Please escort the witnesses from the House, Sergeant-at-Arms.

And the wish of the committee, Mrs. Groenewegen?

MRS. GROENEWEGEN: Mr. Chairman, I move that we report progress.

---Carried

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

Report of Committee of the Whole

MR. SPEAKER: May I have the report of Committee of the Whole, please, Mr. Bromley.

MR. BROMLEY: Mr. Speaker, your committee has been considering Bill 20, Vital Statistics Act, and Bill 21, An Act to Amend the Employment Standards Act, and would like to report progress, and that Bills 20 and 21 are ready for third reading. Mr. Speaker,

I move that the report of Committee of the Whole be concurred with. Mahsi.

MR. SPEAKER: Thank you, Mr. Bromley. The motion is on the floor. Do we have a seconder? The Member for Mackenzie Delta, Mr. Krutko.

---Carried

Item 22, third reading of bills.

Colleagues, before we conclude with orders of the day, it is my duty to advise the House that I have received the following message from the Commissioner of the Northwest Territories. It reads:

Dear Mr. Speaker,

I wish to advise that I recommend to the Legislative Assembly of the Northwest Territories, the passage of:

- Supplementary Appropriation Act (Infrastructure Expenditures), No. 2, 2011-2012;
 - Supplementary Appropriation Act (Operations Expenditures) No. 2, 2011-2012
- during the Sixth Session of the 16th Legislative Assembly.

Yours truly, George Tuccaro, Commissioner.

Thank you, colleagues. Madam Clerk, orders of the day.

Orders of the Day

PRINCIPAL CLERK OF COMMITTEES (Ms. Knowlan): Orders of the day for Thursday, August 18, 2011, at 1:30 p.m.:

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

19. Second Reading of Bills

20. Consideration in Committee of the Whole of Bills and Other Matters

21. Report of Committee of the Whole

22. Third Reading of Bills

- Bill 20, Vital Statistics Act
- Bill 21, An Act to Amend the Employment Standards Act

23. Orders of the Day

MR. SPEAKER: Thank you, Madam Clerk. Accordingly, this House stands adjourned until Thursday, August 18, 2011, at 1:30 p.m.

--ADJOURNMENT

The House adjourned at 4:21 p.m.

