



NORTHWEST TERRITORIES LEGISLATIVE ASSEMBLY

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The Honourable Paul Delorey, Speaker

Legislative Assembly of the Northwest Territories

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YELLOWKNIFE, NORTHWEST TERRITORIES**Tuesday, August 23, 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 1:38 p.m.

Prayer

---Prayer

SPEAKER (Hon. Paul Delorey): Good afternoon, colleagues. Welcome back to the Chamber. Orders of the day. Item 2, Ministers' statements. The honourable Minister of Industry, Tourism and Investment, Mr. Bob McLeod.

Ministers' Statements

**MINISTER'S STATEMENT 47-16(6):
INVESTING IN OUR ECONOMIC FUTURE**

HON. BOB MCLEOD: Mr. Speaker, one of the key goals of the 16th Assembly is having a diversified economy that provides opportunities and choices for our residents. I believe this Assembly has made tangible progress toward that goal.

The past few years have been challenging. Our territory did not emerge unscathed from the global economic recession. However, we are recovering from the recession, and although our economy faces challenges, we know these challenges come with opportunities.

Through the life of the 16th Legislative Assembly, the Department of Industry, Tourism and Investment promoted the development of mineral and energy resources, particularly through the work of the Northwest Territories geoscience office. Over the past four years, in partnership with Canadian Northern Economic Development Agency (CanNor) and Aboriginal Affairs and Northern Development Canada (AANDC), we provided over \$6 million to better understand the Northwest Territories mineral and petroleum resources.

Projects emerged across the territory, which ensured residents reaped these benefits. We have also seen record sales of oil and gas parcels over the last four years.

Mineral development and exploration potential is high. Our diamond mines in the North Slave region continued to hire Northwest Territories residents and support Northwest Territories businesses, facilitated through socio-economic agreements with this government. Just yesterday the Government of the Northwest Territories and Canadian Zinc Corporation signed an agreement on the proposed

Prairie Creek mine that will ensure benefits of development go directly to the community level. We will continue to build Northwest Territories employment at the diamond mines through the Workforce Memorandum of Understanding.

Mr. Speaker, one of the most significant achievements of this government was the development of an updated Diamond Policy Framework. The update demonstrated this government's efforts to build a sustainable diamond manufacturing industry, and we will continue to work to develop this industry.

Another major accomplishment is the progress made with the Mackenzie Gas Project. Earlier this year the National Energy Board issued a Certificate of Public Convenience and Necessity. We will continue to engage with the federal government and the proponents to move this important project forward.

More than any other industry, tourism has the greatest potential for sustainable development in just about every area of the territory. The Government of the Northwest Territories has made significant investments to grow this industry during the past four years.

Our government wants all business sectors to flourish and has taken many steps to diversify our economy, support our small businesses, and assist residents and communities to become more sustainable.

Over the past four years the Government of the Northwest Territories has:

- introduced the Support for Entrepreneurs and Economic Development (SEED). Interest in the policy continues to increase and this year ITI provided \$3.6 million in SEED policy contributions.
- approved \$100,000 in dedicated annual funding for the Northwest Territories film industry.
- raised the profile of Northwest Territories art and artists at Canada's Northern House at the Vancouver Olympics.
- helped to increase local employment and provided support to small businesses through annual support for community economic

development officers and Community Futures development corporations.

- launched BizPal in Fort Smith, Hay River, and Fort Simpson. This on-line service provides entrepreneurs with one-stop access to the information they need to start or expand their businesses.
- ensured the traditional economy stayed strong in our smaller northern communities by doubling our contribution for the Community Harvesters Assistance Program.
- expanded the Take a Kid Trapping program due in large part to the support of this government, elders, educators, and Government of the Northwest Territories staff. Over 10,000 youth have enrolled in the program since it began.
- increased fur sales and supported over 700 Northwest Territories trappers a year through the Genuine Mackenzie Valley Fur Program. During the past five years trappers have garnered an impressive \$5 million in sales.
- dedicated additional programming and funding to develop community gardens, agriculture infrastructure, and support the harvesting, processing, and marketing of locally produced fish and meat in the Northwest Territories.
- launched a successful awareness campaign in 2010 to promote the Northwest Territories as a place to live and work. "Come Make Your Mark" is still running in partnership with 77 businesses in the private sector.

Mr. Speaker, I am confident the investments made over the course of this government have diversified our economy, provided our residents with opportunities and choices, and helped build sustainable, vibrant communities consistent with the plans of the Government of the Northwest Territories and this Assembly.

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

MINISTER'S STATEMENT 48-16(6):
ADVANCED EDUCATION

HON. JACKSON LAFFERTY: Thank you, Mr. Speaker. The Department of Education, Culture and Employment is committed to enhancing accessibility to post-secondary education for all Northerners. Through a Student Financial Assistance review and the development of northern university options, we continue to strive for a strong, prosperous, educated society.

The primary objective of the Student Financial Assistance program independent review is to determine whether the program benefits adequately support students with rising living costs, how the

program contributes to the government's objective to develop a healthy educated workforce, and providing skills development and resources to meet the needs of our northern communities.

In May 2011, Members of the Legislative Assembly were given the opportunity to provide feedback on the terms of reference for the review. The department has since completed the request for proposal process and hired an independent consultant to complete the review.

After completing initial research on student financial assistance, the consultant will contact current and previous students, Aboriginal organizations, and various other interested parties to consult on the program. The department has formed a steering committee to lead the project and established a working group to assist the consultants with the review process.

Once the review is complete, final recommendations will be developed for consideration.

Canada's three northern territories share the same interests with post-secondary opportunities for northern students and what opportunities are available. In June the governments of Yukon, Northwest Territories, and Nunavut signed a memorandum of understanding to explore various models for northern university development.

An appointed working group examined models from around the world to learn about what other countries have done. Based on this research, the working group is preparing a discussion and options paper for the three territorial governments to review and discuss in the fall.

Our goal is to increase northern students' access to local university-level programming in the North by building on existing resources. A university model has the potential to build capacity for all Northerners, including First Nations, Inuit, and Metis peoples.

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

MINISTER'S STATEMENT 49-16(6):
PROGRESS TOWARDS AN ENVIRONMENT
THAT WILL SUSTAIN PRESENT
AND FUTURE GENERATIONS

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. As we move into the last session of the 16th Legislative Assembly, I would like to take the opportunity to highlight some of the significant progress this Legislature has made toward achieving its goal of an environment that will sustain present and future generations.

During the past four years we developed a Water Stewardship Strategy and Action Plan for the

Northwest Territories. The strategy has been acclaimed by water managers and experts from around the world. Our focus must now shift from planning to implementation. This will include a number of initiatives such as negotiating transboundary water agreements with neighbouring jurisdictions, establishing community-based water monitoring programs, and developing community source-water protection plans in the NWT.

All NWT residents and Members of this Legislature can be very proud of the work we have collectively done to ensure our waters will remain clean, abundant, and productive for all time.

We have developed a new Greenhouse Gas Strategy for the Northwest Territories that will be tabled later today.

The 2011-2015 strategy sets out actions governments, communities, and industry can take to control and reduce greenhouse gas emissions and our dependence on fossil fuels in the next five years. The Joint Climate Change Committee, made up of Members of Cabinet and Regular Members, was instrumental in guiding our work to meet the challenges and impacts of global climate change.

The continued success of our waste recovery reduction programs highlights our residents' commitment to our environment. This has been demonstrated by the overwhelming success of the expanded Beverage Container Program and reusable bag programs. We have recycled over 150 million beverage containers since 2005. We have moved away from single-use bags and have made milk containers eligible for a deposit refund. The expansion of these programs is dramatically reducing the amount of litter in our communities and garbage in our landfills.

The 16th Legislative Assembly passed the first species at risk legislation for the Northwest Territories. It was developed using a cooperative legislative drafting model to ensure it respected and incorporated provisions in settled land claims agreements, Aboriginal and treaty rights. Implementation is underway and the Species at Risk Committee has identified 29 species for assessment and an assessment schedule for the next five years.

Mr. Speaker, one of the most critical issues we dealt with during the past four years was the decline in our barren-ground caribou herds.

By working together and making tough management decisions, today we have seen increases in the Porcupine and Bluenose-East herds, the Cape Bathurst and Bluenose-West herds have stabilized, and the Bathurst herd may have stabilized. Other herds, the Tuk Peninsula, the Beverly and Ahiak, have yet to recover. But by completing harvest management and implementation plans for the Porcupine herd and

the draft management plans for the Cape Bathurst, Bluenose-West, and Bluenose-East, we are well on our way to establishing plans for all our herds. The efforts of renewable resources boards, Aboriginal governments, communities, and residents allow us to take this vital step in conserving and protecting this valuable resource for current and future generations.

Mr. Speaker, this is the most environmentally conscious Legislature in the history of the Northwest Territories. Many communities, businesses, and residents are taking advantage of the energy efficiency and alternative energy technology programs and services available through the Arctic Energy Alliance and our government. Biomass, solar, and wind are all being used to reduce energy costs and greenhouse gas emissions. Recent research on mini-hydro, wind, and geothermal energy sources indicate these could be viable alternative energy sources for some communities and businesses.

Mr. Speaker, during the past four years we have embarked on efforts to review and update our forest management policies and legislation.

Recommendations from a recent wildfire program review are being implemented with communities to ensure the program is addressing the needs of communities and residents, particularly in determining the values at risk and the value placed on wildlife habitat. In addition, wildfire protection plans have either been completed or will be completed this year for all communities in the forested areas of the Northwest Territories.

Mr. Speaker, these are just some of the highlights of the past four years. We have seen progress in a number of areas including energy and climate change, governance, wildlife and forest management, the Protected Areas Strategy, waste reduction and reuse, and water stewardship.

During the life of this 16th Legislative Assembly we've learned how important it is for all Northerners to work together to deal with the important issues facing us.

The progress made to date could only have been accomplished by working with our many partners and forging collaborative and cooperative relationships with Aboriginal governments and organizations, renewable resource boards, communities, industry, academic institutions and, of course, residents.

As a department, Environment and Natural Resources has employees in almost every community. These men and women are very passionate about their work, about conserving and protecting our natural environment, and about working with communities and organizations. I would like to thank them for their unwavering dedication and hard work over the past four years.

Finally, Mr. Speaker, I would like to thank the Members of this Assembly. Your advice, recommendations, questions and suggestions have helped us make sure our environment will sustain present and future generations.

Conserving and protecting our environment is a shared responsibility and it is encouraging to know that so many organizations and people are accepting and acting on this responsibility.

The progress made through the collaborative and cooperative management approach we have used with our many partners provides a solid foundation for the work of the 17th Legislative Assembly. Mahsi.

MR. SPEAKER: Thank you, Mr. Miltenberger. Item 3, Members' statements. The honourable Member for Yellowknife Centre, Mr. Hawkins.

Members' Statements

MEMBER'S STATEMENT ON GNWT SUMMER STUDENT HIRING PRACTICES

MR. HAWKINS: Thank you, Mr. Speaker. During the May sitting Regular Members made it very clear to the government that summer students are a priority to us. While I'm interested to hear the number of students the government was able to hire this year, I'm even more interested to hear what, if any, lessons were learned so that we can make improvements for the next year's wave of summer students looking for employment.

Mr. Speaker, improvements are clearly needed, not glossy reports or strategic documents, but real-life practical improvements to the practices and hiring procedures, because I still hear stories that some departments are ignoring candidates who are studying relevant programs and instead they are in favour of hiring students because they feel like it, who don't study relevant programs. It now begs the question: what's the point of having Human Resources responsible if the department just ignores what HR does by them trying to help?

Mr. Speaker, to date I don't see any plans to ensure that we've figured out how to organize early hiring, how to identify jobs early, and how to get this organized so students know what's going on. I know it's been a long time since many of us were summer students looking for work and, Mr. Speaker, it's been a long time for many of us in this building, and I think that people have a tendency of forgetting what's important when you're a summer student. I think our Members have to remember that these are important jobs and these students are very anxious for these opportunities. So they're waiting for phone calls, but yet nothing comes. They're waiting for direction and hope, but yet nothing comes.

Our government is ignoring a huge opportunity: our young future workforce. So here's an idea: what about taking all of the bilingual students and using their efforts to help improve service delivery? We often hear about how important languages are. Well, why aren't we taking advantage of our bilingual students? What about helping students with their job search skills, which is real-world networking and tailoring skills for their resumes that need to be done? But right now the Government of the Northwest Territories discourages that practice. So they say just put all your resumes into a pool and we'll figure it out from there.

There are real practical solutions out there and I certainly hope that Human Resources does a huge review at the end of this summer student season to ask themselves are we doing this the best way possible. I can tell you, I don't think we are at this time.

So the summer students will be going soon and they will be back next year looking for opportunity. So let us not treat our young students, who will be the workforce of tomorrow, so badly, and let's give them the best experience and opportunity they so rightly deserve. Thank you, Mr. Speaker.

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

MEMBER'S STATEMENT ON ACCESS TO HEALTH CARE ASSESSMENTS IN SMALL COMMUNITIES

MR. YAKELEYA: Thank you, Mr. Speaker. I've been in the Legislative Assembly for the past eight years and throughout the years there are programs and services that continue to be front and centre in our work. For example, the ever pressing matters of housing, education, and health seem to be the core ones.

Today I'd like to speak about the access to appropriate health care assessment in our health centres.

Too many of my people have been diagnosed with cancer in my region. Something is not right, Mr. Speaker. In the Sahtu we have four health centres and one nursing station. At these health centres we are limited to the type of assessments that can be done, even more restrictive to the care at our nursing station in Colville.

You would think that with the number of people in my region recently being diagnosed with cancer and other related terminal diseases, there would be a shift in the Health department to begin the early detection of cancer, or have a policy in place to send people out to Yellowknife or Edmonton for assessments when the nurse does not know what's going on with that person. Usually it's too late, far too late for the families.

Mr. Speaker, in our health centres we are not yet at the same level of other health care in other regions. We can only go so far with programs and services. I'm often told why didn't the health centre send this person out or do a more thorough check. Some are told to take Tylenol or aspirin, or simply because symptoms of their living are directly related to drinking or smoking too much or whatever. It's like taking your car to the garage and a mechanic saying you're driving too much or using too much oil without really checking it. Our health centres are only as good as the tools and resources we provide them.

You see, whether in Yellowknife or in Colville Lake or in Fort Good Hope, we should be treated equal and have equal access to health care. No more, no less.

Mr. Speaker...

MR. SPEAKER: Mr. Yakeleya, your time for your Member's statements has expired.

MR. YAKELEYA: I seek unanimous consent to conclude my Member's statement.

---Unanimous consent granted

MR. YAKELEYA: Thank you, Mr. Speaker. Thank you, colleagues. Health costs continue to rise, meaning that it will come to a point where money to maintain it will be a serious question in the North and the future Legislative Assembly.

With so many changes to our diet, changes to our water, and changes to our lifestyle, we are seeing a real need to provide health care workers and our people with early detection programs start assessing our people right now for cancer.

I will ask the Minister later on what types of programs are in place to start saving lives in our communities. Thank you.

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

MEMBER'S STATEMENT ON NEED FOR PRESCHOOL PROGRAMS AND FACILITIES IN TU NEDHE COMMUNITIES

MR. BEAULIEU: Thank you, Mr. Speaker. I wish to once again stress the need for daycare and preschool programs along with the facilities to operate these programs in Tu Nedhe.

In Lutselk'e there are many parents who wish to work but because there is no daycare, they have no choice but to stay at home. There are also times when parents had to give up jobs because they had difficulty finding a sitter for their children.

As for children who have no preschool experience, they start kindergarten not being school ready. This is a fact and in the screening process for school readiness for instruction in school environment, a lot of children fall way below the necessary basic

literacy and math skills. These children would benefit tremendously from daycare and preschool.

A preschool prepares children for primary school and teaches these children socialization skills, interaction skills, motor skills such as to dress themselves and tie their own shoes. It teaches them how to recognize colours, learn their ABCs and numbers. These skills make the transition from preschool to kindergarten a lot easier.

Some children have none of these skills upon entering kindergarten, and when this is the case, it becomes a conflict with the teacher who has to juggle between concentrating on pre-ready and non-ready students. It can also become very frustrating in different areas for the children themselves who do not have the benefits of preschool.

Although Fort Resolution presently has a daycare preschool program, the facility, staff, and funding in place can only accommodate eight preschoolers. There are currently 16 children on the waiting list in order to accommodate a total of 24 children. There is a definite need for a larger facility, more staff, and more government funding. Fort Resolution could use at least one more preschool teacher and possibly a daycare worker.

Good support for daycare and preschool will assist students to enter kindergarten on a more positive note and these students will benefit from the programs right through high school. Not long ago I read a story about families in the suburbs of Vancouver who believe in having their children in preschool, and that they would drive across the city for three hours to get their children into preschool. Along with the extra four-hour drive they spend their day travelling to the preschool...

MR. SPEAKER: Mr. Beaulieu, your time for your Member's statement has expired.

MR. BEAULIEU: Thank you, Mr. Speaker. I seek unanimous consent to conclude my statement.

---Unanimous consent granted

MR. BEAULIEU: Along with the extra four hours a day they spend on travel to get their children to and from preschool, they would even pay up to \$1,200 a month to have their children attend preschool.

I believe this government has made a commitment to increase high school graduates. Let's start at preschool and I'm sure the benefits will be there in the future.

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

MEMBER'S STATEMENT ON
GNWT SUPPORT FOR THE
NWT FILM INDUSTRY

MR. ABERNETHY: Thank you, Mr. Speaker. Over the last couple of years I and some of my colleagues have worked hard to highlight to the Minister of Industry, Tourism and Investment and his department the significant advantages supporting a home-grown film industry will bring to the Northwest Territories. I believe that this multi-million dollar industry is good for the people of the NWT in many ways.

First, it employs a significant number of Northerners, and with support will potentially employ more.

Second, film and media produced and developed by our talented Northerners highlights the cultural diversity and unique aspects of our great territory: the people, the places, the events, and our environment; all things we should be very proud of.

Third, it helps circulate money throughout the Northwest Territories as film and media producers travel to different locations within our territory and engage other small local businesses for assistance in their productions.

Fourth, it creates an awareness of the territory as a whole. It makes the realities of the Northwest Territories accessible to all people, both inside and outside of the Northwest Territories, and both within Canada and around the world. Clearly, this industry is and should be a real and sustainable portion of our economy.

I was very pleased on July 18, 2011, when the Minister of Industry, Tourism and Investment announced that his department, recognizing that the filming industry has become one of the territory's most promising sectors, has restructured the Film Commission to provide support to the NWT film industry to better serve aspiring northern filmmakers. In addition, the department announced that \$100,000 in new dedicated annual funding has been made available to NWT film industry projects. It's clear that the Minister was listening to the industry. This is a great first step, and I thank the Minister and his department for their hard work and dedication.

Recently I was talking to a filmmaker who indicated that he has been working closely with the newly organized, efficient, and very helpful Film Commission that is helping to put Yellowknife and the NWT on the map as a place where high-level, professional, and economically rewarding film production can happen. Clearly, the northern-grown film industry, with government help, is going in a positive direction.

I would like to once again thank the Minister for his support on this file and hopefully this kind of open-mindedness can be seen within other sectors like

agriculture and biomass production in the territory in our future.

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

MEMBER'S STATEMENT ON
PROPOSED AMENDMENTS TO THE
MACKENZIE VALLEY
RESOURCE MANAGEMENT ACT

MR. KRUTKO: Thank you, Mr. Speaker. As we are all aware, there is a major proposed amendment to the Mackenzie Valley Resource Management Act and again the process seems to be driven from outside in, from the big boys in Ottawa. Again the legislation, regarding the drafting of legislation, was done by land claims organizations in the Northwest Territories along with the Government of the Northwest Territories and the federal government to come up with the Mackenzie Valley Resource Management Act made in the North, for the North, and designed for the North.

Just reviewing the information that I've had access to, I believe that the changes will very much undermine the intent of the drafting that took place, especially in the area of duty to consult, as we heard from a lot of small communities, whether it's Trout Lake or the Aboriginal organizations not being consulted, especially when it comes to the changes and the developments that are taking place in northern Canada.

The duty to consult is clear. The Aboriginal consultation recommendation, under guidelines of the federal officials, fulfill duties to consult and recognize that there's a need for policies that need to be working and also through regulatory boards in northern Canada to work with First Nations governments to ensure that takes place.

I think it's important to realize that the Government of the Northwest Territories, who seem to be now in the driver's seat, is now suggesting their own changes in regard to the Mackenzie Valley Resource Management Act without even consulting Members on this side of the House on what those changes are going to be, more importantly how they will affect our constituents and the people of the Northwest Territories.

I believe that the Government of the Northwest Territories has to fulfill its obligation to consult, but more importantly, understand that we have rural and remote communities that don't have the resources to fully participate in the regulatory systems in the Northwest Territories, and we have the right to accommodate, regardless through financial means or allowing them access to legal advisors and people that understand the legislation, and to ensure that their rights and communities are

protected socially, economically, and culturally by these developments that are going to take place.

At the appropriate time I will be asking the Minister questions in regard to where the government is coming from on the Mackenzie Valley Resource Management Act.

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

MEMBER'S STATEMENT ON
INEQUALITY OF SERVICE DELIVERY
BETWEEN SMALL COMMUNITIES
AND REGIONAL CENTRES

MR. JACOBSON: Thank you, Mr. Speaker. Today I'd like to try to address an important and somewhat complicated issue. That is providing services to small and remote communities from our regional centres. Situations such as these are a result of fairly complicated charges but the same premise is simple.

When there are shortages, especially doctors, therapists, counsellors, and nurses, the first things that are cut are small and remote communities. This is wrong. According to the community leaders of Nunakput, every time there's an expected shortage, we just accept it. They will get cut off of services for an indefinite period of time. What does this government allow? Our small and remote communities always get the shaft on services that are in jeopardy.

I went so far as to say that for recruitment of officers, these departments don't have to replace vacant medical positions, because they never know where they're living in small and remote communities. They don't know what it's like to have medical appointments cancelled time after time for elders and people on dental and just different surgeries.

The equalities between the major centres and small communities are huge and it seems to be getting worse. The regional offices get funding to provide services to our communities, but the cuts have been made. It's always on the backs of our communities. In addition, I don't think all of the staff with these offices realize that they're supposed to service from remote communities. Many community leaders have said the same staff even think their first priority is the servicing of the major centres first, the small communities second. It's a real shame. However, if the case of servicing the small communities is second place, then this government needs to come clean and state that. This government needs to ensure that the shortages of experienced small and remote communities aren't always bearing the brunt of it all for these positions. This government needs to devote resources to ensure problems such as administrative policies and procedures...

I seek unanimous consent to conclude my statement.

---Unanimous consent granted

MR. JACOBSON: Like I said, this government needs to devote the resources to ensure that the problems such as administrative policies and procedures are not hindering our medical and administrative staff from providing the services that we desperately need in all of the communities; not just Yellowknife, not just Inuvik, but all.

I will have more questions for the Minister of Health and Social Services at the appropriate time.

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

MEMBER'S STATEMENT ON
QUALITY OF HEALTH SERVICES FOR ELDER
RESIDENTS IN SMALL COMMUNITIES

MR. MENICOCHÉ: Thank you very much, Mr. Speaker. Today I would like to speak about the quality of health services delivered in my riding of Nahendeh. Specifically I want to speak about how these services are provided to our elders.

I share my colleagues Mr. Yakeleya and Mr. Jacobson's concerns that people are not being examined properly and are being misdiagnosed. We know that as we age, our bodies require more care, we need to see the doctor more often, and we need health professionals to take us seriously when we say that something is wrong. We may not be able to diagnose ourselves, but we know our bodies. If something is wrong, we need to be taken seriously.

Our elders are not receiving the quality of care they require. Many elders in the Nahendeh riding don't understand the medical system. They don't speak English well enough to communicate what is happening with their body. They also don't understand what health professionals say to them about their health. As a result, I believe a late constituent passed away as a result of late diagnosis of cancer. He said people are dying before their time because they cannot convey their ailments properly and are being misdiagnosed.

Also people are being turned away at our health centres not once or twice but three times in a row. There is no one advocating for them to tell them that their ailments are real and they must be treated properly.

Adding to this situation is the inability to develop a relationship with doctors in the region because doctors change every six months or so and elders do not have the opportunity to build trust with the doctor before they have to explain their health situation all over again.

We require trained translators to accompany our elders to their doctor appointments; trained

translators whose role is to ensure that the elders are receiving what they require. This means that they need to be fluent in the Slavey language and have some health training as well. They need to understand medical terms, be able to aid an elder in understanding what the diagnosis is and what they have to do to stay healthy.

We also need doctors that come to our regions for longer periods of time and ideally be permanent residents of our communities.

During question period I will be asking the Minister of Health and Social Services questions that pertain to this statement.

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

MEMBER'S STATEMENT ON DEVELOPMENT OF COMPREHENSIVE ANTI-POVERTY STRATEGY

MS. BISARO: Thank you, Mr. Speaker. I want to bring attention today to a very slow moving government project. That project is the development of an Anti-Poverty Strategy.

As early as February 2010, I began urging the government to recognize the need for a government-wide comprehensive Anti-Poverty Strategy and to take action on it. I've made statements in the House many times since. To its credit, the government has taken some action in the last year and a half, but it's been too little and taken much too much time to get going.

A motion was passed in this House on February 11th last year which called for the development of a comprehensive NWT Anti-Poverty Strategy, and on May 19th the Premier in his statement that day said, "Mr. Speaker, we're prepared to undertake the work required to develop an overarching discussion paper that would address issues of defining and measuring progress on poverty, summarize current programs and strategic direction related to reducing poverty areas for further action." That was 15 months ago, Mr. Speaker, and we have yet to see that paper.

As of October last year when no action had been taken to start the promised work, concerned NWT residents, the No Place for Poverty Alliance, organized and held a very successful workshop, the results of which were published in the No Place for Poverty report. That report again urged the GNWT to begin development of an Anti-Poverty Strategy. Another period of inaction followed until the Premier, in February of this year, announced the establishment of a GNWT working group which would produce the discussion paper he'd promised a year before. As of today, Members have not seen that paper and indications are the report on the development of a strategy will be handed off to the 17th Assembly.

I have to ask, Mr. Speaker, when will we see that paper, because it is long overdue. I can only interpret the government's delay as a stalling tactic; that the hope is the issue will go away if they wait long enough. Well, that's not about to happen, Mr. Speaker. The benefits of such a strategy to the government, to our staff and to our residents are immeasurable. This issue is supported by the No Place for Poverty Alliance, a group comprised of 29 diverse organizations who represent people right across the NWT. An Anti-Poverty Strategy is important to me, as well, Mr. Speaker, but how important is it to other Members of this House? Well, we will soon know.

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

---Unanimous consent granted

MS. BISARO: At a press conference this morning the alliance launched its anti-poverty election tool kit. They will be asking each candidate in the October 3rd election to take a pledge to make an Anti-Poverty Strategy a key priority for the 17th Assembly. The Alliance will then publish the results for voters' consideration.

I have to commend the Alliance for their election initiative and fully support their stand. The development of this strategy must be a top priority for the next Assembly. It's an issue which will not go away. Our residents need it. Our NGOs and local governments want it and are asking for it. I have to ask: will the Assembly rise to the challenge brought to us by the people? We shall see. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Ms. Bisaro. Colleagues, before I go to the next Member for Members' statements I'd like to draw your attention to the gallery and the presence of a former Member of the House, Mr. Henry Zoe is with us today.

The honourable Member for Weledeh, Mr. Bromley.

MEMBER'S STATEMENT ON RESOLUTE BAY TRAGEDY CONDOLENCES

MR. BROMLEY: Thank you, Mr. Speaker. I rise with enormous sadness today to offer words of sympathy to the families and friends of Yellowknifers who lost their lives in the tragedy of First Air flight 6560. I offer these condolences in concert with my colleagues and in the absence of a sitting Member for the riding of Range Lake where they resided.

Ute Merritt was a flight attendant who perished in the Resolute Bay disaster. Daughter Samantha of Weledeh has noted that in every picture of her, Ute is smiling. Ute's prowess as a sailor is well known, and she and Jim were virtually unbeatable in the regular races on the bay. My heartfelt condolences to Ute's husband, Jim, and to their children, Victoria, Nicolas, Devan, Carl, and Samantha.

Dave Hare, a well-respected first officer with First Air, was a former Weledeh constituent. Dave put priority on spending time with his children and was an outdoor and hunting enthusiast. I offer my deepest condolences to his wife, Jane, and to their children Lily, Adelyn, and Genevieve, and to Dave and Jane's parents who are in Yellowknife supporting their family.

Anne Marie Golding was purser and flight attendant on the First Air flight and was a long-term nurse at Stanton Hospital. She was very highly regarded, with many friends in the community. To Anne Marie's children, Ashley and Bradley, and to her parents, Linda and Harry of Yellowknife, I extend my deepest sympathies.

While we mourn the loss of these parents and community members, let's also give thanks for the miraculous survival of Nicole Williamson and Robin Wyllie, both of Yellowknife, and seven-year-old Gabrielle Eckalook.

The service and sacrifice of those in our aviation industry should also be recognized. In our small and tightly-knit northern society these losses hit hard and sadness ripples throughout our community. Though we may not have been personally acquainted with these lost, we know they were our community partners and fellow citizens. This kind of tragedy cuts deep.

I know all Members join me in expressing the most profound regret at these families' losses and our prayers that with the help of their community and loved ones they will find comfort in their grief. Mahsi.

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

MEMBER'S STATEMENT ON GOLF NORTHWEST TERRITORIES SPORT ORGANIZATION

MR. RAMSAY: Thank you, Mr. Speaker. I'd like to speak today about a new sports organization in the Northwest Territories called Golf Northwest Territories. This organization was spearheaded by a group of individuals from a number of communities across the NWT. The founding members of Golf NT are Carl Bird and Gordon Brayton from Yellowknife, Quinn Groenhyde and Mike King from Hay River, Jean Soucy from Fort Smith, and Conan Donahue from Fort Simpson.

Their idea was to create a territorial organization that would help promote the benefits of the wonderful game of golf.

The main goal of Golf NT is to encourage youth to participate so that we can continue to see the growth of our game in our territory amongst our youth.

In April of this year Golf NT applied to become a recognized territorial sport organization, or TSO. With this status, Golf NT will now have access to funding to help promote the game of golf, develop junior golfers, and oversee competitions around the territory. Current membership is over 650 and is concentrated in the four communities that have well-established golf courses: Yellowknife, Hay River, Fort Smith, and Fort Simpson. There are also members from Gameti, and interest has been shown from golfers in Norman Wells and Inuvik.

Golf NT held its second annual NWT championships where an under-17 team was chosen to compete at the recently held Western Canada Summer Games, a first ever for the NWT. The NWT golf team consisted of Brandon Tuckey from Fort Smith, Jeff Groenhyde and Kieran Kipling from Hay River, Devon Hinchey and Emily Hamm from Yellowknife. Gord Brayton, the general manager and pro at the Yellowknife Golf Club, acted as the coach, and Nicole Hamm of Yellowknife was the team manager.

I want to take this opportunity, Mr. Speaker, to wish Golf NT every success in the future. The growth of the game amongst our youth is a direct result of the dedication and determination of the coaches, parents, and other golfers that help our youth get involved in sports and in golf in particular, and grow this sport here in the Northwest Territories. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Ramsay. Item 4, returns to oral questions. Item 5, recognition of visitors in the gallery. The honourable Member for Monfwi, Mr. Lafferty.

Recognition of Visitors in the Gallery

HON. JACKSON LAFFERTY: Mahsi, Mr. Speaker. It gives me great pleasure to recognize my leadership: Tlicho Grand Chief Eddie Erasmus is here with us; also Chief Alphonse Nitsiza of Whati; Chief Charlie Football of Wekweeti; and also an elder from Gameti, Louie Zoe is here with us. Also staff members along with the leadership: John B. Zoe, Bertha Rabesca-Zoe and Henry Zoe.

Also, I'd like to recognize another lady that came from outside the territory: Bonnie George. She's a...(inaudible)...chief of the Wet'suwet'en First Nation of British Columbia. She's visiting Yellowknife as part of a practicum towards her master's degree curriculum developing Aboriginal studies and she's here to witness how this government operates. I'd like to welcome everybody here. Mahsi.

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

MS. BISARO: Thank you, Mr. Speaker. It's my great pleasure today to recognize a representative

of one of the organizations for the No Place for Poverty Alliance, Ms. Julie Green, director of community relations for the YWCA. Welcome.

MR. SPEAKER: Thank you, Ms. Bisaro. The honourable for Inuvik Boot Lake, Mr. Roland.

HON. FLOYD ROLAND: Thank you, Mr. Speaker. Yesterday I had the opportunity to recognize a few folks that are down doing some work around caribou issues as well as Wildlife Act issues. Further today I'd like to also recognize James Firth. I believe he's about to be chairman of the Gwich'in Renewable Resource Board. Thank you.

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

MR. KRUTKO: Thank you, Mr. Speaker. I, too, would like to recognize James Firth, acting chair of the Gwich'in Renewable Resource Council and former chief of the Inuvik Native Band. Welcome.

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

MR. JACOBSON: Thank you, Mr. Speaker. Again, I'd like to welcome Mr. Frank Pokiak, the chair of the Inuvialuit Game Council; and Mr. Larry Carpenter, chair of the Wildlife Management Advisory Council of the NWT. Thank you and welcome.

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

MR. YAKELEYA: Thank you, Mr. Speaker. I'd like to recognize the president of the Deline Land Corporation, Mr. Peter Menacho. I'd also like to recognize our chair of the Sahtu Renewable Resources Board, Mr. Walter Bayha; and I believe the Renewable Resource Council member, a real good fisherman, Paul Modeste in the gallery, all from Deline.

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

MR. HAWKINS: Thank you, Mr. Speaker. I'd like to recognize Edward Esau. He's a Page here helping us do our business of the Assembly. He's most notably known as the son of one of our staff members, Phoebe Esau. Thanks for your help here today. Thank you.

MR. SPEAKER: Thank you, Mr. Hawkins. If we've missed anyone in the gallery today, welcome to the Assembly. I hope you're enjoying the proceedings. It's always nice to have an audience in here.

Item 6, acknowledgements. The honourable Member for Yellowknife Centre, Mr. Hawkins.

Acknowledgements

ACKNOWLEDGEMENT 7-16(6): FAMILIES IMPACTED BY RESOLUTE BAY TRAGEDY

MR. HAWKINS: Thank you, Mr. Speaker. Today, with great sadness, I wish to pause and make special note to the First Air flight that met with tragic ends on its approach into Resolute Bay this past Saturday.

As we all know, 12 of the 15 people on board didn't make it and, without any doubt, the impact of this tragedy will have significant and lasting effects on all Northerners.

I know that this experience has affected two families directly in the riding of Yellowknife Centre, both the Golding and Merritt families. My heart goes out to them as well as all the other families that lost loved ones on that flight that day. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Hawkins. Item 7, oral questions. The honourable Member for Nahendeh, Mr. Menicoche.

Oral Questions

QUESTION 176-16(6): DELIVERY OF HEALTH SERVICES TO ELDERS RESIDENT IN SMALL COMMUNITIES

MR. MENICOCHÉ: Thank you very much, Mr. Speaker. I just want to follow up on my questions with regard to my Member's statement on the delivery of health services in Nahendeh to the Minister of Health and Social Services.

For the last eight years I've been continuing to raise about the ability of having translators, about having cultural training workshops for staff. It appears that it has taken a relapse again, so to speak. I know it comes in waves, cross-cultural training. I'd like to ask the Minister if there is consistent cross-cultural training that happens with the front-line health staff in our communities. Thank you.

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

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. That is the intent, recognizing, of course, as the Member pointed out along with other MLAs, that one of the challenges is the rapid turnover in staff and often the use of locums or casual nurses. It is a challenge.

I appreciate the Member's comments and feedback. I intend to follow up with the board chair and the deputy minister. Thank you.

MR. MENICOCHÉ: I appreciate the Minister's answers. I think just one of the solutions that must be done is we have to have consistent cultural training and awareness training programs for our front-line staff.

I spoke in my Member's statement about our elders being turned away not once or twice but three times as you go to the health centres. They are being given Tylenol, like Mr. Yakeleya says. It is the same in my riding. They are going there and being given Tylenol. They are not being diagnosed or even examined properly. They are just saying they are sick, so here's some Tylenol. I'd like to ask the Minister if he's aware of this and what can be done to stop this type of practice and do proper medical examinations on our constituents. Thank you.

HON. MICHAEL MILTENBERGER: Once again, this is an important issue. The Member has written to me on some specific cases. I would point out that there are thousands of patients seen successfully every day across the Northwest Territories. We do have the occasions where things don't quite work as planned. The issue of being more responsive and sensitive to the needs of seniors are cautions that are worthy of note. Once again, as I follow up on some of the concerns the Member is raising, that would be on the list. Thank you.

MR. MENICOCHÉ: I would think that doing a proper medical examination would be the first thing you do, because people are saying they are going there and getting cursory examinations and given Tylenol. I'd like the Minister's commitment that the front-line staff must do this to our residents and constituents.

The other issue is about having proper translators and training for the front-line translators that are there. What type of training program is available to the front-line workers that deal with people on a daily basis? Thank you.

HON. MICHAEL MILTENBERGER: Once again, some of those services are available usually at the larger centres, the health centres, the larger facilities, the long-term care facilities. The issue of translators in the small communities is more problematic. Once again, if the front-line staff is experienced and from the region, it's a different issue than if they are just in town for a few weeks. The Member, once again, raises an issue where we don't have the complete solution. Thank you.

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

MR. MENICOCHÉ: Thank you very much. I know we are beefing up our Aboriginal Languages Training Program, working with the Minister of Education. That is a commitment of this government. I think it's time we start doing a coordinated approach. Perhaps the Minister of Health could work with the Department of

Education. Let's get these terminology courses happening in all our Aboriginal languages provided to our front-line workers, Mr. Speaker. Will the Minister commit to do that? Thank you.

HON. MICHAEL MILTENBERGER: Yes, I will discuss with our deputy and the Minister of Education to make sure we are coordinated and connected on that important initiative. Thank you.

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

QUESTION 177-16(6):
DEVELOPMENT OF COMPREHENSIVE
ANTI-POVERTY STRATEGY

MS. BISARO: Thank you, Mr. Speaker. My questions today are addressed to the Premier and I'd like to ask some questions with regard to the Anti-Poverty Strategy or the development of, or maybe I should say lack of development of.

I'd like to ask the Premier initially if he could advise, give us -- the House -- an update or advise the status of the report on the Anti-Poverty Strategy discussion paper. Thank you.

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

HON. FLOYD ROLAND: Thank you, Mr. Speaker. I think the Member will be happy to hear that, in fact, I've just signed off a letter to forward the discussion paper to the Standing Committee on Social Programs. Thank you.

MS. BISARO: I am very pleased to hear that. I want to thank the Premier for that response. It's coming at the last hour, but better that it come than it not come at all.

In this next period through the election period and through October until the next Assembly gets up and running, I'd like to know whether or not there are any activities relative to the development of this paper or the Anti-Poverty Strategy planned during the next several months. Thank you.

HON. FLOYD ROLAND: The work that we've done in forwarding the discussion paper to committee, we'll await their response. Clearly, as I've indicated to Members, this will be part of the transition that we will be preparing for the 17th Assembly.

MS. BISARO: Thanks to the Premier for that. That was my next question, was relative to the transition document from the government. I'm really pleased to hear that it's in there. It's really unfortunate that we couldn't have had greater work done in the 16th Assembly. What kind of a priority is assigned to the development of an Anti-Poverty Strategy in the transition document to the 17th Assembly? Thank you.

HON. FLOYD ROLAND: The transition document itself will cover quite a number of areas: the work that we've been doing as the 16th Assembly, the work that's ongoing. This will fall into that category of ongoing work and put it before them. I can't weight a priority of the next government, but it will be part of that document of transition and a commitment from the 16th Assembly. Thank you.

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

MS. BISARO: Thanks, Mr. Speaker. Thanks to the Premier. I would sincerely hope that all candidates in this upcoming election will seriously consider whether or not they can pledge to make the Anti-Poverty Strategy a top priority in the next Assembly, should they end up here.

To the Premier, I don't know whether he can answer this question or not, but since the paper has just gone to standing committee, can he give us any indication of when the paper might be released to the public? Thank you.

HON. FLOYD ROLAND: The work that we're doing by handing it over to the committee for their initial look and being part of the transition I can't commit to a public release. We would have to, as we transition this to the next government, leave it to the new government to decide if they will distribute it publicly after hearing from the committees in the 17th Assembly.

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

QUESTION 178-16(6):
PROPOSED AMENDMENTS TO THE
MACKENZIE VALLEY
RESOURCE MANAGEMENT ACT

MR. KRUTKO: Thank you, Mr. Speaker. My questions are directed to the Minister of Environment with regard to the proposed amendments to the Mackenzie Valley Resource Management Act. I know the Minister mentioned that this government is requesting three additional changes to be considered in light of what's being recommended by the Mackenzie Valley Land and Water Board and also the other boards and agencies. I think the big issue or challenge that we face is that as the Northwest Territories I don't think it's the fault of the board. If anything, the boards are doing what they've been told, but without having the adequate resources to do their jobs. Especially integrating land and water management systems and looking at the timelines for consultation of which we have 42 days to deal with a Class A and 15 days for Class B licences. Yet there are regions in the Northwest Territories that don't have land claims, regarding the Tlicho and Dehcho and the South Slave. Without having the appropriate

structures in place it is a challenge on different regions.

I'd like to ask the Minister what we are doing with regard to the government's suggested changes to find ways to integrate these different systems to streamline them so they're more workable.

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

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. This issue of regulatory reform and changes to the process have been under discussion now for many years. Our request to the government, to Minister Duncan, has been that there be no changes initiated now that we've signed the agreement-in-principle so that the devolution process can take place, and then at that point, once there's been a transfer, if there are changes necessary to sign on by Northerners, that Northerners would have that right and authority to make those changes, whatever they may be, should it be so determined by Northerners.

MR. KRUTKO: I think one of the fundamental elements that are missing, especially in the majority of the region which there's only one region that has a land use plan through their land use planning commission planning process, which is the Gwich'in Settlement Region, but again that whole system of land use plans is a tool that can be used by the different management authorities to help them and assist them in making those decisions.

I'd like to ask the Minister exactly why it is that this government is not supporting land use plans where they're presently being integrated, and supporting the Dehcho and Sahtu in integrating their land use plans into the system.

HON. MICHAEL MILTENBERGER: In fact, the Government of the Northwest Territories strongly supports the idea of land use planning. We are working as a government on our own land use framework that will get our thinking clear as a government so that we can be as constructive and supportive as possible at the various tables. We are involved at the various tables right now. The key for us is to make sure that we have an organized, coherent message and plan going forward. We recognize the distinct importance of the land use plans. That's why we're doing things like the Water Strategy. That's why we're doing things like improving our legislation to deal with species at risk and the Wildlife Act, is to be able to, within the broad land use planning framework, have the tools necessary to make them work.

MR. KRUTKO: Another area I think has to be clarified is the whole area of inspection and enforcement. That's the part that falls below the waistline when it comes to actually getting the work done. A lot of times the blame goes to the

regulatory boards, which they don't have that authority. That authority is with Indian and Northern Affairs. I'd again like to ask the Minister, with regard to the Mackenzie Valley Resource Management Act, that's another area I feel has to be concluded and fulfilled. I'd like to ask the Minister if he's had discussions to ensure that component is looked at in regard to the government's suggested amendments.

HON. MICHAEL MILTENBERGER: That and a number of other issues have been discussed. The money that was identified to do things like cumulative impact studies and assessments. The main fundamental concern is that there be no significant changes, or changes of any kind while we're in an election process. Now, since we've signed the AIP and we're in a transition phase where we're going to be taking over from the federal government that there not be any significant changes until that process is concluded so that it will be Northerners that will decide on what changes are necessary, if any, once that process is complete.

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

MR. KRUTKO: Thank you, Mr. Speaker. As I noted earlier in my comments, the government is suggesting looking at three additional issues for consideration. Can the Minister elaborate on those three particular areas for consideration for changes in the Mackenzie Valley Resource Management Act?

HON. MICHAEL MILTENBERGER: I've indicated what our request to the federal government is. There has been a number of initiatives underway. There has been our view, starting back with Mr. McCrank. There's been the federal government at work. We have pressed the federal government Minister Duncan to hold off on any changes to the regulatory regime while we have these other processes underway and given the fact, as well, that we are going to be soon in the middle of an election process. At this point that is where we are with the issue of the regulatory reform and any proposed or possible changes.

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

QUESTION 179-16(6):
GNWT SUPPORT FOR THE
NWT FILM INDUSTRY

MR. ABERNETHY: Thank you, Mr. Speaker. My questions today are for the Minister of Industry, Tourism and Investment and are in follow up to my Member's statement earlier today.

On March 23rd I attended a meeting between industry and government on the NWT film industry,

and at that time the GNWT, or the department committed to a number of items with respect to the film industry. One of them was to encourage greater cooperation between ITI and ECE, one was to dedicate some seed funding for film and media arts, one was to invest in a website, one was to invest in the formation of an association for the industry, and one was to establish a mandate for the NWT Film Commission. I'm happy to say that most of this has been done by the Department of Industry, Tourism and Investment and I'm very happy with the progress.

I do have a couple of questions. I know that a website has been developed. I have had an opportunity to go on line and see it. It's really quite good and it is early days. My question is, at the beginning stage of this website development, I've gone in to look at it and in one section it's called Suppliers Guide and it basically outlines all the different organizations that are available to help the filming industry. Animal handlers, carpenters, caretakers, directors, equipment rental, these types of things. I've gone through and opened each one of them up to see what's on there. Right now, unfortunately, it appears that all of the people identified within these lists are from Yellowknife, which is great, but a film industry for the Northwest Territories is supposed to be NWT-wide. I'm curious; is the department committed to going out to the other communities and regions of the Northwest Territories to gain some professionals that are providing these types of services and get them included in this territorial website?

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

HON. BOB MCLEOD: Thank you, Mr. Speaker. We are talking about an NWT film industry, so it's our intention to go across the Territories and we'll probably do it on a regional basis and update our website as we go along.

MR. ABERNETHY: I was hoping that would be the answer and I encourage the Minister to have his staff at the Film Commission start to go out and research the other communities. I do know that there are a lot of filmmakers in the other communities, people who can do duplication and things like that.

The other area -- and this is an area that came up an awful lot during the consultation -- was the relationship between ITI and ECE and how these two departments really need to work together in order to really enhance the film industry in the Northwest Territories. They do have similar mandates, but they do have different mandates. I'm wondering what the department is doing to encourage their relationship with Education, Culture and Employment with respect to the NWT film industry and arts in general.

HON. BOB MCLEOD: We do work very closely with the Department of Education. As a matter of fact, our offices are right next door to each other so we interact on a regular basis. We work together very closely on a number of these strategies. We developed the NWT Arts Strategy and we all participated at NWT House. We've been working on a cured show, and it is our intention to work very closely on promoting and developing the NWT film industry. We will be meeting as we go forward and work together to promote this.

MR. ABERNETHY: One of the items that was discussed at that March 23rd meeting was the possible need, or need, in fact, of an industry association. At that time there was a lot of talk about the department working with some key individuals in the film industry that exist today about trying to find a way to create an industry association in the Northwest Territories. I was wondering if the Minister could tell me if there's been any progress on that front.

HON. BOB MCLEOD: I would say that without the involvement of the different filmmakers we would never have gotten this far. They have been working with us every step of the way. Now that we've identified funding, they've been working with us to develop the criteria. Certainly I would want to continue to work with them and I would certainly like to see such an organization be developed, so we'll work on that area.

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

MR. ABERNETHY: Thank you, Mr. Speaker. I'd like to thank the Minister. Clearly it's the commitment of the film industry, representative of the film industry and the departments of both ITI and ECE that have led to the success in this area. One of the areas that they talked about or the Minister has touched on is the funding that is now available to the film industry through SEED. It's \$100,000, which is, clearly, great. I'm wondering what kind of mechanism they have to assess the value of those dollars that we're spending, how we're going to track those dollars to make sure that they are in fact bringing back benefit. Is there any plan in the future, if we can prove clear benefit to increase that money so that we can get greater benefits?

I believe, personally, that \$100,000 spent by the GNWT in the film industry will allow us to help the industry circulate hundreds and hundreds of thousands if not possibly millions. So I'd like to see in the future that increase, but before we do that, I'd like to know if there's a mechanism to assess the effectiveness of that spending.

HON. BOB MCLEOD: In the past when we looked at developing the NWT film industry, we had concerns that we wanted to make sure that the Northwest Territories benefitted. Through the work

of the consultant, we were able to identify that NWT filmmakers were causing the Northwest Territories to benefit to the order of magnitude of \$9 million, and that was without the government investing any money.

We do have the approach to collecting this information. We'll continue to do it. We will collect it on a regular basis. It's our intention to continue to invest, and invest more money as we go along and as our government financial picture continues to improve.

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

QUESTION 180-16(6):
NEED FOR PRESCHOOL PROGRAMS AND
FACILITIES IN TU NEDHE COMMUNITIES

MR. BEAULIEU: Mahsi cho, Mr. Speaker. In my Member's statement I talked about the importance of preschool. I have questions for the Minister of Education, Culture and Employment. There seems to be a lot of people not only in the Territories but outside the Territories, in the country, that believe in the positive impacts of preschool. I'd like to ask the Minister if his department has done any studies or reports or looked at any sort of best practices to look at the success on high school graduates as a result of preschool.

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

HON. JACKSON LAFFERTY: Mahsi, Mr. Speaker. With respect to preschool in the Northwest Territories, there has been some work in different areas such as the Aboriginal Student Achievement Initiative. We visit all forums and all regions in the Northwest Territories. We've heard from people the importance of having these early childhood development programs. Not only that but there's also a framework that has been in the works since last year, the Early Childhood Development Framework for Action. The report is currently being drafted. With that in mind, there is all this different research that has been initiated and part of the discussion will be within this framework as well as the Aboriginal Student Achievement Initiative. Those are the tools that we will be having for the next government to consider. Mahsi.

MR. BEAULIEU: I'd like to ask the Minister if in the early childhood development work that the department's engaging in, if there has been some discussions with the teachers and the principals of the schools where there are preschools available and in schools where there are no preschools available. Thank you.

HON. JACKSON LAFFERTY: Mr. Speaker, I can definitely find out the actual detail of who they've talked with across the Northwest Territories. My

understanding is that they've initiated discussion with educators in the Northwest Territories and those communities with or without the daycare or the preschool, because we needed to hear their perspective as well. But I can provide more detailed information to the Members. Mahsi.

MR. BEAULIEU: Mr. Speaker, I'd like to ask the Minister if there are any early indications that the attendance at preschool is helping the students as they enter into primary school, secondary and high school. Thank you.

HON. JACKSON LAFFERTY: Mr. Speaker, part of the research that we've done does reflect on that where a child learns at the early stages and does well and is successful as they grow into secondary and postsecondary studies. Those are areas that we've highlighted and captured into our ASAI, Aboriginal Student Achievement Initiative, and also the framework that I've referred to. Those are the important pieces of work that have been discussed and have been captured within the agreement as well. Mahsi.

MR. SPEAKER: Thank you, Mr. Lafferty. Your final supplementary, Mr. Beaulieu.

MR. BEAULIEU: Thank you, Mr. Speaker. Will the Minister ensure that all early childhood development studies or reports or anything that pertains to preschool and the positive impacts of preschool are placed in the transitional documents for the next government? Thank you, Mr. Speaker.

HON. JACKSON LAFFERTY: Definitely, that's one of the priorities that we have with the Aboriginal Student Achievement Initiative. That's a first priority as early childhood development and also child care development. Definitely, this is an area that has been the prime focus in the childhood discussion among the forums in the Northwest Territories among the regions. We'll keep the Members posted as we move forward. Mahsi.

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

QUESTION 181-16(6):
INEQUALITY OF SERVICE DELIVERY
BETWEEN SMALL COMMUNITIES
AND REGIONAL CENTRES

MR. JACOBSON: Thank you, Mr. Speaker. Today, Mr. Speaker, this is regarding services provided by the health centres in the small and remote communities. Mr. Speaker, has the government addressed any medical services professional staff shortages all across the Northwest Territories, not just in Nunakput, in the Beaufort-Delta, and what solutions are being implemented to try to fix the problem? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Jacobson. The honourable Minister responsible for Health and Social Services, Mr. Miltenberger.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. There is an ongoing search and recruitment for doctors and nurses especially to provide service outside of Yellowknife. The challenge is, of course, filling the positions, finding the staff that is trained. There is work being done in terms of trying to better coordinate and centralize the decision-making so that we can look at the coverage with doctors.

We've invested millions of dollars in training northern nurses. The issue is to get them trained up enough to work in the small communities so that they can provide the services and that we don't have this issue of gaps in services because there is no available staff. Thank you.

MR. JACOBSON: Mr. Speaker, exactly how many positions in the Northwest Territories that are related to medical services, especially in the small and remote communities, are vacant? Committing and expanding the staff, pumping more resources is one thing, but hiring is another, Mr. Speaker. Thank you.

HON. MICHAEL MILTENBERGER: The issue is not so much, in my opinion, the need for additional resources. It's to try to fill the positions that are already there to avoid the circumstances, that the Member talked about in his statement, where there's lack of services. The small communities tend to not get the services that they're expecting on a regular basis, which is a gap that we try to avoid. Thank you.

MR. JACOBSON: The Minister said it himself that we're not getting the services. Mr. Speaker, the policies when dealing with medical conditions and regular checkups are so vulnerable for our elders and our youth, especially for dental and elders for checkups, you know, causing cancer. In cases such as doctor and other staff shortages, the regular procedures should not apply. What is the government doing?

HON. MICHAEL MILTENBERGER: We are making, as I indicated, constant and significant efforts on the recruitment side. We are recruiting from a number of different sources, from the various Internet sources that are available, by word of mouth, looking with ads, we go to fairs, and we continue to train up nurses, as I indicated. But we continue to struggle, as does every jurisdiction in the country, with adequacy, especially when it comes to services in small communities. Thank you.

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

MR. JACOBSON: Thank you, Mr. Speaker. You know that the communities bear the brunt of all shortages across the territory when it comes to doctor shortages and nursing. What are the government plans? Is it possible to hire nurses in

the communities for long term, and the second part of this is, the checkups are a big thing because they're sending too many, like Mr. Menicoche said, we're sending too many people home with just aspirin and they're not being properly assessed. That scares a lot of people, Mr. Speaker. It's not, first of all, but it should be taken care of. Is the Minister willing to try to implement to the nursing staff that in the small communities that proper checkups should be done and not just sent home with aspirin or Tylenol? Thank you, Mr. Speaker.

HON. MICHAEL MILTENBERGER: As I indicated to the Member for Nahendeh, I will raise this issue not only with the deputy minister but I'll be talking to the board chairs about the concern and who, in turn, can talk to the senior staff to deal with the issues and pass on the concern and ensure that every effort is made to provide all the services necessary and that we avoid these types of circumstances. But recognizing, as I said earlier, that over the course of any given day thousands of Northerners successfully go through the doors of health centres. We have to be concerned about those situations that the Member has mentioned and we will take those steps. Thank you.

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

QUESTION 182-16(6):
GNWT SUMMER STUDENT
HIRING PRACTICES

MR. HAWKINS: Thank you, Mr. Speaker. In my Member's statement today I cited a number of concerns with the summer student hiring process. The process is more than just how many students we've hired; it's about how we hire them and, of course, what type of promise and opportunity we provide them. I think it's quite understood that we have an obligation to ensure that our future workforce is certainly prepared for the opportunities before them, and I think it's an important role.

Mr. Speaker, HR at present doesn't have the official coordination powers and authority to, in my view, fully manage the summer student problems. So in other words, they're the gatekeeper. They get a big pile of resumes and it's almost like they reach in the bucket, grab 10 and give them to the department. I think that better coordination and management of these types of resumes needs to be done.

Before I get into the lengthy types of questions that I'd like to get some really good detail on from the Minister, the first question I'd really like to ask is how is the Minister going to assess this year's hiring process of summer students, and is the Department of Human Resources working towards true authority about hiring summer students with that type of authority and coordination. Thank you.

MR. SPEAKER: Thank you, Mr. Hawkins. The honourable Minister responsible for Human Resources, Mr. Bob McLeod.

HON. BOB MCLEOD: Thank you, Mr. Speaker. It's our intention to review the Summer Student Program the way we do every year. We've discontinued the hiring of students as of August 15th. We'll review our practices. We will review the exit interviews that were done with summer students and we'll assess how successful we have been. We think we've been successful this year, considering our fiscal situation. We've increased the hiring of the number of summer students from last year. We're not aware of any significant staffing issues when it came to the hiring of summer students and we will incorporate that into next year's Summer Student Hiring Program. Thank you.

MR. HAWKINS: I want to thank the Minister for that particular answer. Mr. Speaker, quite often I've heard, as well as I know other MLAs have heard, the hiring practice is quite often based on who you know, and as I've cited in my statement and I certainly want to cite here, is that HR provides probably the most friendly experience for these summer students ever to apply at any job, going forward that is, because, I mean, it's quite competitive out there. So what is Human Resources doing to have the students apply for jobs in a normal fashion where they're posted, where they actually tailor a resume and cover letter to directly show relevant experience, and ensure that we're actually hiring students with the appropriate background and maybe even a little bit of experience and study areas, that they're being hired in the appropriate areas as opposed to what I've heard on a few occasions that students are being hired, again, just because of who they're known by? Thank you.

HON. BOB MCLEOD: As I've said many times, our staffing in the Government of the Northwest Territories is based on merit. If the Member has any incidences where he's seen hiring done because of who you know, well, we certainly want to be made aware of it so that we can investigate.

In every instance we try to follow the merit principle. As far as hiring of summer students, if he wants to hire only the most experienced summer students, only summer students that are in the fourth year of their programs... We try to make sure that we have a mix of summer students and we try to make sure that we hire as many summer students as we can. Thank you.

MR. HAWKINS: I want to thank the Minister for that particular lead in to my next question because he's right in the context of how do we balance that fairly. We're well aware of students being hired by the same departments year after year, not giving a break to new students. Some never even get opportunities at territorial government jobs and

we're all well aware of students being hired in February and March, even before the summer student application process begins. So in other words, they're all scooped up, the old returnees continue to return to the same jobs and I'm concerned about fairness.

Will the Minister of Human Resources, in his exit interview and sort of 360 positions where they examine the whole process from start to finish if that's going to be the detail they do as a wrap-up, will they be investigating on how this works? I think it ties rightly back to the authority issue; departments will do what they will do. So, Mr. Speaker, will the Minister address those types of concerns I'm raising? Departments will just keep hiring the same people they just want to.

HON. BOB MCLEOD: Thank you. I think looking at the statistics, in this year we hired 286 students. Fifty-nine percent of the summer students hired were Aboriginal students or P1s, 40 percent were non-Aboriginals that lived more than half their life in the Northwest Territories, what we call P2s. So I'm not sure what the Member is suggesting the problem is. Is he suggesting that we should only hire high school graduates for one year so that we can hire the most students without any experience? I'm not sure what the objective of his line of questioning is. So maybe if he could clarify that, we can make some better recommendations going forward. Thank you.

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

MR. HAWKINS: Mr. Speaker, I think it was amply clear. I think the answer was not amply clear. To put it in a different way, I'm well aware and I have no doubt that this Minister is well aware of many people who are summer students who keep coming back to the same jobs. They're being given job offers in February and March even before the summer student season starts.

Mr. Speaker, the whole line of questioning is about trying to ensure that there's fairness here, and if it smells funny, that tells me that something should be investigated. I'll tell you when people are told that folks already have jobs in February and the summer student season hasn't even started, something tells me something's awry here and there's not fairness. So, Mr. Speaker, that's the whole line of questioning.

I'd like the Minister to see what he can do to make some recommendations for the future years that we ensure we have a full accountable process that shows students we're being fair and honest with them. Thank you.

HON. BOB MCLEOD: Thank you. I guess the reason summer students are hired in January and February is we ask summer students to put in their applications by the end of December of every year.

So for 2012 we ask the summer students to put in, those interested in getting summer employment, to put in their applications by December of 2011. So we're quite prepared to look at the process. If it means that we should wait until April for summer students to put in their applications and have everybody compete for every job and if we think that works out in the best interests, we'll be prepared to look at that and see. To me, I don't see where there's a lot of unfairness in the system, and if it does come out that it's unfair, then we would certainly look at different ways of trying to improve it. Thank you, Mr. Speaker.

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

QUESTION 183-16(6):
ACCESS TO HEALTH CARE
ASSESSMENTS IN SMALL COMMUNITIES

MR. YAKELEYA: Thank you, Mr. Speaker. I want to follow up on my colleagues Mr. Jacobson and Mr. Menicoche and myself on the issue of health care in our smaller communities. The three of us represent 15 communities in total. So that says something to the Minister when he meets with the chairs of the health boards, but also with the senior officials of the Health department. I want to ask the Minister specifically if there are any types of discussions going on for any type of early detection program on cancer in our communities.

MR. SPEAKER: Thank you, Mr. Yakeleya. The honourable Minister responsible for Health and Social Services, Mr. Miltenberger.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. There's a constant effort to try to improve services in the community. In fact, myself and Premier Roland and Minister Michael McLeod were around in the days when the Sahtu was still part of the Inuvik region and we made the decision to move it into their own separate region. We set up the infrastructure, we had doctors come in there, we've added nurses, we put in all the support services that we have money to do, we're looking at a long-term care facility, we're looking at an improvement and replacement to the health centre. So, Mr. Speaker, there are very ambitious plans to improve health services in the Sahtu.

The Member has been very persistent in advocating for his constituency and he should be commended for his hard work and perseverance, but that is the general plan going forward. Thank you.

MR. YAKELEYA: Thank you, and certainly we appreciate the wise decisions of the past government to move the Sahtu into its own authority, just like any other authority in the Northwest Territories.

Mr. Speaker, finally the government has seen the light. Still, I hope that Colville Lake will get some improved services as it's still back in the medieval times of health care services.

So I want to ask the Minister, given all that he's given us in the House, will he talk to the chairs, talk to his deputy officials today and state that there is or could be an early detection cancer assessment program in our communities? People are being misdiagnosed, and people, the nurses, for whatever reason -- lack of resources, no support -- are handing Tylenol to people who should be assessed in Edmonton or Yellowknife for cancer. Can the Minister provide an answer for me?

HON. MICHAEL MILTENBERGER: Thank you. I will extend the commitment that I made to the Member for Nahendeh as well as the Member for Nunakput about discussing this issue with the deputy minister and the board chairs.

I'd like also to point out that we're spending millions of dollars in electronic health records, medical records, telehealth. We have a very ambitious plan for a fibre optic line down the valley that would provide fibre optic link to all the communities and give them the best cutting-edge communication services so, in fact, their telehealth systems would work at full capacity. Children would be able to go on line and use all the resources and materials that are available on line. There would be cell phone, Internet, TV, all those systems in the community. There's a lot of work by this government to improve services in communities.

MR. YAKELEYA: I certainly look forward to the day that the initiatives that the Minister has indicated in the House become a reality. The fact of the matter is that I want to ask the Minister, in light of research projects that tell us there is contaminated fish in the Sahtu and other areas of the Northwest Territories, people are now starting to see new diseases coming up, can the Minister at least put a few million dollars of all the hundreds of millions of dollars that are going into fibre optics, television, TV, whatever, maybe take a little money out of the Deh Cho Bridge and put it into where they can save lives in our community?

I take this issue very personally because it happened to someone I love very much in my family. I saw the service that was being provided. It's never been resolved. I ask the Minister if he would give a strong message to the nursing health centres to support our nurses. Can they have a program to start beginning to detect diseases like cancer? Something's got to start now.

HON. MICHAEL MILTENBERGER: I indicated that I would follow up with the deputy minister and the chairs of the various boards and authorities to talk about this issue. The Member raises some issues about resources. Health will continue to be the largest department in government, with over a

\$300 million budget that grows on an annual rate that is higher overall than the standard and ceiling kept in place for other departments as we try to control our costs. There's a new accord being negotiated with the federal government for health transfers and social transfers, so money will continue to be put into health and social services. Keeping in mind there will never be enough money, I appreciate the Member's concern about timely assessments and everybody being given the proper care when they come through the door. I will follow up on that issue.

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

MR. YAKELEYA: I do believe the Minister when he said he will follow up and talk to his officials. I believe the Minister will do that. We have just about completed our Assembly here and shortly we'll all be going up to reapply for our jobs if we want to come back to this career here.

I want to ask the Minister, in this short time frame and in discussions with the chairs and deputy minister, is there any type of campaign that will be initiated or going out to our communities to encourage and support people that when they do go to the health centres to ask, they have the right to ask for a proper assessment? If they don't think that the nurse, for whatever reason, is giving them a proper diagnosis, that they demand that they get a better assessment, a second opinion to look at some of the issues. They know their bodies. I ask the Minister if we could start that short type of instructions to the nurses and also let our people know they have the right to a proper assessment.

HON. MICHAEL MILTENBERGER: I will follow up, as I've already committed to, and I would point out, as well, that we have very many campaigns about patients' rights, about the right to know, to take part and know what's happening with your own care. We've got initiatives on healthy living, Get Active. We've been pushing people on personal choices to deal with lifestyle, eating, drinking, don't abuse alcohol, don't smoke, get some exercise would go a long way to promoting better health in our communities. All those things are ongoing, but I will pass on the urgency of the situation that has been raised here by a number of my colleagues here today.

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

QUESTION 184-16(6):
RENEWABLE ENERGY
CONVERSION PROJECTS

MR. BROMLEY: Thank you, Mr. Speaker. My questions are for the Minister of energy, Minister Bob McLeod. It follows up on a statement from the

other day on the conversion of communities to gas energy systems.

Norman Wells and Inuvik are up against the wall with their natural gas energy systems and, of course, we know the high cost of converting communities, yet we appear to be going down the road of committing new communities to the inevitable end of non-renewable energy supplies. Feasibility studies have been prepared on the conversion of Tulita, Fort Simpson, and Fort Good Hope to natural gas as the principal community energy supply. In this day and age I'm wondering why these contracts were not written to provide a comparative cost-benefit analysis of at least two options: conversion to gas or development of a local renewable energy infrastructure.

MR. SPEAKER: Thank you, Mr. Bromley. The honourable Minister responsible for the Energy Coordinating Committee, Mr. Bob McLeod.

HON. BOB MCLEOD: Thank you, Mr. Speaker. At the time -- and we have to remember that this process started about 10 years ago -- it was envisioned that it would be a stand-alone community gasification process and it was proceeded on that basis. We've gone forward with those communities where it seemed to be feasible. During our interventions, during the Joint Review Panel hearings we made representation that provisions should be made to offload from the pipeline to convert these communities to natural gas if it was deemed fit to proceed. That's the reason we proceeded on that basis.

MR. BROMLEY: I do appreciate the Minister reminding me of the history; he was dead-on there. I guess I would note that the information out of Norman Wells indicates that even if the community can transit to propane, the cost will be high, future costs will remain volatile. Because of costs, the propane conversion can only be considered a stopgap there.

As I've pointed out repeatedly, and as demonstrated in thousands of communities across the globe, employment and investment opportunities from renewables can be the basis of strong, local, sustainable economies and drive down living and business costs. Taking into consideration the Minister's comments and the reminder of the history here, will the Minister work with his MACA and Environment and Natural Resources colleagues to consider this opportunity to take Norman Wells and other communities onto the path of renewable energy as a viable option that needs equivalent feasibility studies?

HON. BOB MCLEOD: With the recent developments in new technologies in renewable and alternative forms of energy, I think it would be appropriate for us to do so. Our only consideration is we've been working mainly at the behest of the communities and we would want to go back to the

communities and indicate that we want to take another look at... I guess to me I think the best course would be to find a way to use all forms of energy. I know we talked to different provinces and they're using alternative and renewable energy to reduce their reliance on fossil fuels. There are certainly new capacities in storage of electricity. I think that it would certainly be incumbent upon us to look at all those alternatives. We do have to come up with a time frame for the National Energy Board for energy conversion, so we would have to take that into consideration. This was something that was decreed through the Joint Review Panel process.

MR. BROMLEY: I appreciate the Minister's willingness to look at this. I think he brought forward some good points. I think a suite of energy sources is probably the way to go. We need to transition to a greater and greater proportion of renewable or at least low-carbon sources. I think the Minister is well aware of that. I'd like to note that in those communities there's already been feasibility projects going, for example, for a pellet manufacturing plant out of Simpson, geothermal, hydro projects and so on that the Minister himself has been involved in. Given his comments again and this recognition of the need for a suite of energy sources transitioning to renewable, will the Minister pursue these feasibility studies and incorporate in them and re-examine the gas ones to look at what the local benefits are to the local economy and employment opportunities as well as the environmental benefits?

HON. BOB MCLEOD: I think we can do this relatively quickly because we know, as the Member has indicated, Inuvik has gone to gasification and they're having some issues. I know Tuktoyaktuk has been looking at converting to community gasification by doing the same thing as Inuvik. Norman Wells has been looking internally what they can do to reduce their reliance on fossil fuels, and we've been doing a lot of work both in the private sector and in the government on biomass. I think we can look at all those various suites of energy generators and see what the best way forward is when we can do that fairly quickly.

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

MR. BROMLEY: Thank you, Mr. Speaker. Thank you to the Minister for those comments. I guess my last point really is to see if the Minister might ensure that these are profiled in any transition documents, the need to transit to the heavier low-carbon sources, especially renewable, and work to make sure that that appears in any implementation of the Greenhouse Gas Strategy as well.

HON. BOB MCLEOD: I know that there are some transition requirements due to our energy priorities plan, so we would take that into consideration

there. I don't know if we can incorporate it into the Greenhouse Gas Strategy because I think that's pretty well close to completion and release. We'll certainly endeavour to put it through the transition plan.

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

QUESTION 185-16(6):
STATUS ON BORROWING LIMIT DISCUSSIONS
WITH FEDERAL GOVERNMENT

MR. RAMSAY: Thank you very much, Mr. Speaker. My questions today are for the Minister of Finance and it goes back to last week when the Minister provided to the House his fiscal and economic update.

One of the things that I read in there, with great interest, was continuing the current fiscal strategy allows the Government of the Northwest Territories to move away from the debt limit while still allowing for some minimal investment to support priorities identified by the 17th Legislative Assembly. I think the financial situation for the incoming government is going to be quite tight. The first question I'd have for the Minister of Finance is: I know he talked about the borrowing limit in his fiscal update but he didn't mention where exactly the discussions are with the federal government on that borrowing limit today, and I'd like to get an update from the Minister where exactly those discussions are at.

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

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. There are currently discussions and work underway with Finance Canada and the three territories, including the Northwest Territories, on the basic first step of defining what is going to be meant by debt and the treatment that's going to be given to different kinds of debt, which is in itself a very important, somewhat complex subject, but that is where we are. The intent is to try to have everything concluded with the three territories by the end of this fiscal year.

MR. RAMSAY: As we all know, we're very close to that borrowing limit of \$575 million. We have a number of capital projects on the horizon. We've just had a briefing at lunch time on the Tuk-Inuvik highway and our portion that we'll have to come up with for that. There's the Stanton Hospital here in Yellowknife and the upgrades for that. We can't afford to wait much longer to get a reply or an answer from the federal government.

We've been talking about the borrowing limit and these negotiations now for about nine months, maybe even 12 months. I'd like to ask the Minister if they can put the pressure on the federal government to at least give us an answer so that

we can have some hope for finding some more dollars to accomplish the things that the next government is going to have to set out to accomplish.

HON. MICHAEL MILTENBERGER: We share the urgency of the Member in terms of resolving this issue. The capital plan for next year is \$75 million for the whole Government of the Northwest Territories. The majority of that money is already subscribed to with multi-year programs. I agree we need to have this issue resolved. We're working with the Department of Finance, the federal Department of Finance, and the Premier will be taking the opportunity when he meets with the Prime Minister here on Thursday to raise the issue, as well, to impress upon him the urgency of this and that the North stands ready to invest in a lot of the infrastructure projects in our future, including the Tuk-Inuvik highway, but we need the flexibility to be able to do that, to make other appropriate investments, which at the current time, with the current structure and definitions and limits, we don't have that flexibility. Thank you.

MR. RAMSAY: I appreciate the Minister's response. I know he understands the urgency in this. Obviously, there's a great deal of urgency.

The next question I'd have for the Minister of Finance -- obviously, we are going to be headed into an election -- I'm just wondering what type of information is available on, like, a government-wide variance report or an exact fiscal picture, not only for Members of this House but potential candidates in the upcoming election, to see exactly where the territory's finances sit on the eve of this election and into the election campaign. I think it's important that that information gets out in as thorough a breakdown as possible, Mr. Speaker. Thank you.

HON. MICHAEL MILTENBERGER: There are a number of documents that are out there. If the Member is talking about some type of, sort of, fiscal update that would be new and separate, I would be glad to have that discussion with him to see what's possible. We have some information available on line. We also have whatever information and fiscal updates are provided here in this House in terms of the detail, some of the borrowing limit issues, the other pressures in terms of revenues and expenditures, and the broader economic landscape that we're all operating in, which could have a significant effect on our revenues, for example. Thank you.

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

MR. RAMSAY: Thank you, Mr. Speaker. Again, I thank the Minister for that. What I'd be looking for is the more detail the better, a complete breakdown of the territory's finances. I know we're about not even halfway through this fiscal year but, like I said, a variance report, where we're at at dissolution. I

think that's important not only for Members here but potential candidates that are out there so that everybody gets an idea of what they're getting themselves into. Thank you.

HON. MICHAEL MILTENBERGER: I'll commit to have a discussion with the members of the Financial Management Board to look at what might be possible in terms of trying to meet the request from the Member. Thank you.

MR. SPEAKER: Thank you, Mr. Miltenberger. The time for question period has expired. Item 8 written questions. Item 9 returns to written questions. Item 10, replies to opening address. The honourable Member for Weledeh, Mr. Bromley.

Replies to Opening Address

MR. BROMLEY'S REPLY

MR. BROMLEY: Thank you, Mr. Speaker. I want to reply to the opening address with comments regarding progress towards creation of an Anti-Poverty Strategy.

Inside the Government of the NWT, progress had been very disappointing. Members are well aware of the call for an Anti-Poverty Strategy from 29 organizations including the City of Yellowknife and a who's who of the NWT's social justice advocacy groups. It's perhaps unprecedented to see so many major groups come together with one voice on one issue calling so loudly for action by the territorial government. This is grassroots action at its finest.

Regular Members of this Assembly took up this call in a February 2010 motion calling upon the government to create a strategy in partnership with communities and business. The more than 80 participants at the October 2010 No Place for Poverty Workshop reinforced this appeal with detailed recommendations for how the government should proceed. That advice was largely ignored in the government's response, with promise of the development of a discussion paper for NWT-wide consultations. That process has laboured along and I'm told the government's next product will not be public until September or later, although insiders like us may get a look sooner than that.

The alliance of Anti-Poverty Strategy supporters is not letting this issue falter, despite government inaction. This morning representatives of the alliance unveiled plans to make this a major issue in the upcoming territorial election. They announced that they will be calling on all candidates to pledge their support to making an Anti-Poverty Strategy a top priority of the next Assembly. They will publicize the candidates' responses, and when the next Assembly gathers, remind successful candidates of their commitments.

Promoting and supporting creation of an Anti-Poverty Strategy has been one of the major

priorities of my work in this Assembly. Through my committee work, statements and questions, support of our Anti-Poverty Strategy motion, and participation in the public events promoting this initiative, I have stressed my support for urgent government action. We must attack poverty as the root of the many social ills crippling our society. Our GNWT response must be integrated across government and developed in full partnership with our communities, non-government organizations, and business partners.

I congratulate the grassroots commitment of this alliance and will be calling for the creation of an Anti-Poverty Strategy to be included in the transition recommendations we make to the next Assembly.

Finally, Mr. Speaker, I would like to briefly comment on the current disturbing situation regarding the Sport North Federation. I will be speaking more on this later in the Assembly but there is some urgency to comment today. Because of the complex, unclear, and even undefined processes of the sports recreational council, the Sport North Federation's current funding application has been held up and we are now almost six months into their fiscal year. The Sport North cannot survive without immediate resolution of this impasse. In speaking to the president of Sport North, he believes simply meeting with the Minister and his officials for one hour would allow the negotiation required to resolve the situation and allow them to continue their key service operations. Without that, their capacity to continue ends next month. I seek support from the Minister of MACA to meet with the Sport North Federation as soon as possible to deal with this pending situation.

I would also appreciate the opportunity to meet with the Minister of MACA to seek ways to resolve outstanding issues that create such situations, and thereby maximize our support to our youth and community residents.

That is all I have, Mr. Speaker. Thank you very much.

MR. SPEAKER: Thank you, Mr. Bromley. Item 11, petitions. Item 12, reports of standing and special committees. Item 13, reports of committees on the review of bills. Item 14, tabling of documents. The honourable Premier, Mr. Roland.

Tabling of Documents

TABLED DOCUMENT 64-16(6):
STATUS REPORT TO JUNE 2011:
ENVIRONMENT AND NATURAL RESOURCES
FRAMEWORK FOR ACTION 2008-2012

TABLED DOCUMENT 65-16(6):
2011-2015, A GREENHOUSE GAS STRATEGY
FOR THE NORTHWEST TERRITORIES

HON. FLOYD ROLAND: Thank you, Mr. Speaker. I wish to table the following two documents entitled Status Report to June 2011: Environment and Natural Resources Framework for Action 2008-2012; and 2011-2015, A Greenhouse Gas Strategy for the Northwest Territories.

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

TABLED DOCUMENT 66-16(6):
AGRICULTURE PRODUCTS MARKETING
COUNCIL 2010-2011 ANNUAL REPORT

HON. BOB MCLEOD: Thank you, Mr. Speaker. I wish to table the following document entitled Agriculture Products Marketing Council 2010-2011 Annual Report.

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

TABLED DOCUMENT 67-16(6):
GNWT RESPONSE TO CR 3-16(6), REPORT ON
THE REVIEW OF THE 2009-2010 ANNUAL
REPORT OF THE HUMAN RIGHTS COMMISSION

HON. JACKSON LAFFERTY: Thank you, Mr. Speaker. I wish to table the following document entitled GNWT Response to Committee Report 3-16(6), Report on the Review of 2009-2010 Annual Report of the Human Rights Commission.

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

TABLED DOCUMENT 68-16(6):
NO PLACE FOR POVERTY –
ANTI-POVERTY ELECTION 2011 TOOL KIT

MR. BROMLEY: Thank you, Mr. Speaker. I would like to table a series of documents in a package called No Place for Poverty: Everyone has a Right to Housing, Food and Dignity, Anti-Poverty Election 2011 Tool Kit, sponsored by Alternatives North and the YWCA. Thank you.

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

TABLED DOCUMENT 69-16(6):
ABORIGINAL SPORT CIRCLE – PROPOSAL TO
ENHANCE THE PROMOTION AND DELIVERY
OF SPORT AND RECREATION
ACTIVITIES TO THE ABORIGINAL POPULATION

MR. KRUTKO: Thank you, Mr. Speaker. I would like to table a document entitled Proposal to Enhance the Promotion and Delivery of Sport and Recreation Activities to the Aboriginal Population in the Northwest Territories.

MR. SPEAKER: Thank you, Mr. Krutko. Item 15, notices of motion. The honourable Member for Tu Nedhe, Mr. Beaulieu.

Notices of Motion

MOTION 13-16(6):
REAPPOINTMENT OF TWO MEMBERS TO
HUMAN RIGHTS ADJUDICATION PANEL

MR. BEAULIEU: Thank you, Mr. Speaker. On Thursday, August 25, 2011, I will move the following motion: I move, seconded by the honourable Member for Nunakput, that the following persons be recommended to the Commissioner of the Northwest Territories for reappointment as members of the Human Rights Adjudication Panel, effective on December 1, 2011, for a term of four years: Ms. Joan Mercredi of Fort Smith and Mr. Adrian Wright of Yellowknife. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Beaulieu. Item 16, notices of motion for first reading of bills. Item 17, motions. 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: Committee Report 6-16(6), Report on the Review of Bill 10, Northwest Territories Heritage Fund Act; Bill 9, Wildlife Act; Bill 10, Northwest Territories Heritage Fund Act; Bill 22, An Act to Amend the Territorial Court Act; and Bill 23, Tobacco Damages and Health Care Costs Recovery Act, with Mr. Krutko in the chair.

Consideration in Committee of the Whole of Bills and Other Matters

CHAIRMAN (Mr. Krutko): I'd like to call Committee of the Whole to order. We have Committee Report 6-16(6), Bills 9, 10, 22, 23. What is the wish of committee? Mrs. Groenewegen.

MRS. GROENEWEGEN: Thank you, Mr. Chairman. The committee today wishes to deal with Committee Report 6-16(6), Bill 10, Bill 22, and Bill 23. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Krutko): Committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): So with that, we'll take a short break.

---SHORT RECESS

CHAIRMAN (Mr. Krutko): I'd like to call Committee of the Whole back to order. Prior to the break we agreed to start with Committee Report 6-16(6), Report on the Review of Bill 10, Northwest Territories Heritage Fund Act. So at this time I'd like to ask the chair of the committee if he'd like to respond to the report. Mr. Menicoche.

MR. MENICOCHÉ: Thank you very much, Mr. Chair. The Standing Committee on Government Operations held a public hearing on May 21, 2011, to review Bill 10, Northwest Territories Heritage Fund Act. The clause-by-clause review of the bill with the Minister took place on August 12, 2011.

The committee wishes to thank interveners for their oral and written submissions, including the Canadian Federation of Independent Business, Alternatives North, West Point First Nation, Pembina Institute, Ecology North, and MLA Bob Bromley.

There was unanimous support for a Heritage Fund, but there was also a chorus wanting improvement to the act including management that is more independent.

In response to this input, the committee, with the Minister's concurrence, made four substantial amendments during its clause-by-clause review of the bill.

First, the purpose of the fund is spelled out to benefit future generations from economic development, including exploitation of non-renewable resources.

Second, the period of investment in the fund before any withdrawal was lengthened from 10 to 20 years.

Third, the requirement for annual public reporting is clarified.

Finally, and perhaps more importantly, there will be a review of the Heritage Fund Act in approximately 10 years, well before any money is withdrawn.

This review will include recommendations respecting independent oversight and management of the fund. All these changes strengthen the bill and it will be up to future governments to identify sources of funds to build the legacy it enables.

Following the clause-by-clause review a motion was carried to report Bill 10 as amended to the Assembly as ready for consideration in Committee of the Whole.

This concludes the committee's general comments on Bill 10. Individual committee members may have questions or comments as we proceed. Thank you, Mr. Chair.

CHAIRMAN (Mr. Krutko): Thank you, Mr. Menicoche. Any comments in regard to the report of the standing committee report on the review of Bill 10? General comments. Does the committee agree that Committee Report 6-16(6)... Mr. Hawkins.

MR. HAWKINS: Not yet, Mr. Chairman, I'm waiting for the vote. Thank you.

CHAIRMAN (Mr. Krutko): General comments in regard to Committee Report 6-16(6). Mr. Bromley.

MR. BROMLEY: Thank you, Mr. Chair. I just wanted to make a note that I am not a member of the Standing Committee on Government Operations, but I did participate in some of the review and I appreciate that opportunity. I had occasion to make a number of comments and have the committee consider those. I particularly appreciate the chair's willingness to consider a couple of suggestions for motions.

One of the things we've heard a lot from the public on various bills, but I would say particularly this one and another one before the House, is a desire to have some input to the regulations and this is not right now a standard operating procedure for committees to have regulations, which are typically developed well after the bills, come back to the committee for consideration, but in this case committee did support that suggestion. The public had mentioned a number of times materials that were provided during the public hearings and I believe included in the report in a couple of the recommendations. So I think the other aspect of that was the annual report. I believe we do have a mechanism through rules and procedures to actually implement a mechanism where annual reports are brought before committee for discussion. I think that happens in some of the Auditor General reports and Language Commissioner reports and so on. So I was particularly appreciative of committee putting forward a motion for that to be done in the case of the Heritage Act. So that's all I had, Mr. Chair, I just wanted to make those two comments on the committee report. Mahsi.

CHAIRMAN (Mr. Krutko): Thank you, Mr. Bromley. General comments in regard to Committee Report 6-16(6) in regards to the committee report, review of the Heritage Act. Comments? Mr. Hawkins.

MR. HAWKINS: Thank you, Mr. Chairman. I'm not speaking for committee, but I certainly am sure in some ways when I say this is a very exciting opportunity for the people of the Northwest Territories to have this fund come forward.

Mr. Chairman, I had hoped over the years, over the course of the last four years that the government would develop what I call a revenue stabilization fund to help assist with corporate revenues when

they go down due to downturns or re-filing of corporate taxes, and the problem with the Northwest Territories is we have a very challenging opportunity before us when we need to raise our own source revenues. So when \$10 million falls out of the kitty due to some re-filing of taxes or there's a downturn in the economy, it's really challenging for the Northwest Territories to respond. But in response to that request, the Finance Minister had suggested the Heritage Fund would be more likely the opportunity to respond to those types of needs, and I would say that that probably can be the solution, although it's not necessarily the one I think would work best, but the Heritage Act in and of itself is a brilliant piece of work, whereas we are developing a trust fund for the people in perpetuity that is.

There are some things that I'd wished were included and I'm sure you'll hear other Members in some ways or forms suggest that as well, that they wished things were slightly different than what's being proposed today. But I would say that today marks a clear and positive occasion for this Assembly that we're really doing something for future generations and I certainly believe that we will truly get the most out of resource revenues by banking them and putting them in this type of vehicle. I think over the long haul, well, certainly over the short-term, people won't see any significant gains on this, but this is about the long haul and I'm certainly glad that it's coming into existence. Thank you.

CHAIRMAN (Mr. Krutko): General comments in regard to Committee Report 6-16(6). Mr. Ramsay.

MR. RAMSAY: Thank you, Mr. Chairman. I just wanted to provide a few comments on Bill 10, the Heritage Act.

When I was first elected in 2003 it was one of the first issues I raised back eight years ago and I'm glad to finally see it move forward in a bill. I'm going to support Bill 10 moving forward. I think it is a move in the right direction, but it falls short of where, you know, when I envisioned a Heritage Act or a Heritage Fund, it would be more closely modeled on the permanent fund in the State of Alaska that pays a yearly dividend to each and every resident in the State of Alaska.

The Northwest Territories is a resource-rich territory. I think with devolution on the horizon we will be seeing much more in the area of resource royalties. If those are put in the right places, I think 20 or 30 years from now there's no reason why the Northwest Territories with a small population couldn't be looking at paying a dividend to each and every resident in the Northwest Territories to help offset the high cost of living here. I think for me that was one of the most important things, was that the money would go back to the people because really it does belong to the people. Of course, limiting

government's availing themselves of money to do with what they want, that was an important thing to try to mitigate that whenever we could.

So, again, I just wanted to put that on the record. I do support this bill and I'm glad to see that at least something is finally moving forward so we can get into a savings of some type. Although it seems a bit odd, given our financial status today, I can see a day when we might be able to actually put some money aside, when and if devolution is ever finally negotiated. That's probably three or four years away before we hammer out a final agreement with the feds, but it's definitely a step in the right direction. Thank you, Mr. Chairman. I'd like to thank the Standing Committee on Gov Ops, too, for the work that they've put into this. Thanks.

CHAIRMAN (Mr. Krutko): Any other general comments in regard to Committee Report 6-16(6)? Mr. Menicoche.

COMMITTEE MOTION 25-16(6):
REFERRAL OF ANNUAL REPORTS
TO STANDING COMMITTEE,
CARRIED

MR. MENICOCHÉ: Thank you, Mr. Chair. I move that this committee recommends that the 17th Legislative Assembly Standing Committee on Rules and Procedures strongly consider adding the automatic referral of the annual reports of the Northwest Territories Heritage Fund to the terms of reference of the appropriate standing committee. Thank you, Mr. Chair.

CHAIRMAN (Mr. Krutko): Motion is in order. To the motion. Mr. Bromley, to the motion.

MR. BROMLEY: Thank you, Mr. Chair. I'm very happy to see the committee proposing this motion. I think the basic relationship here is that we are proposing to move public funds into an investment fund until such time as we have a sufficient accumulation to draw from it, the interest of it, and basically it is destined to benefit future, largely future residents and to some extent existing residents. So I want to say that I very much support any measures we can take to ensure the clear and frequent opportunity for the public to have some input and some clear opportunities to express their views on how these public funds should be invested.

So, once again, I support this motion and I just want to point out the importance of these sorts of mechanisms to establish an opportunity for the public voice to be heard.

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

MS. BISARO: Thank you, Mr. Chairman. I, too, want to express my appreciation for this motion coming forward. I feel really strongly that any funds within the Heritage Fund belong to the people of the

NWT; they don't belong to the Assembly. I think that there needs to be a certain amount of public oversight on the fund itself and the reporting of the fund needs to be monitored to a certain extent by the public. I appreciate the recommendation from the Minister, and it was accepted by committee, that we don't need an arm's length body to monitor the fund in the first period while we are not withdrawing funds. I think this is sort of a good compromise that the reports from the Heritage Fund will go to a standing committee for review and for consideration. I would encourage that that standing committee would make it as public a process as possible. There certainly are organizations and individuals that live within the NWT who have an interest in monitoring what we do with the Heritage Fund, how it's performing, whether it's performing as they believe it should, and they need the opportunity for input. I'm really glad to see that this motion is here and I strongly support it.

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

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Krutko): Question has been called.

---Carried

CHAIRMAN (Mr. Krutko): Mr. Menicoche.

COMMITTEE MOTION 26-16(6):
DRAFT REGULATIONS
TO STANDING COMMITTEE,
CARRIED

MR. MENICOCHÉ: Thank you, Mr. Chairman. I move that this committee recommends that the government draft regulations for the operation of the Heritage Fund and refer them to the appropriate standing committee in a timely manner for review and feedback.

CHAIRMAN (Mr. Krutko): A motion is on the floor. To the motion. Mr. Bromley.

MR. BROMLEY: Thank you, Mr. Chairman. Once again I'm very pleased to support this motion and happy to see the committee bringing it forward. I think again it is an opportunity for the public to be heard on this.

I know that the committee is stepping out a little bit. This is not, again, a typical order of things, but it speaks to this being a different act that is dealing with the public purse and has the added responsibility of ensuring abundant opportunities for the public to be heard on their shepherding. Once again, I support this motion and I appreciate the committee bringing it forward. I will be supporting it.

CHAIRMAN (Mr. Krutko): Thank you, Mr. Bromley. To the motion.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Krutko): Question has been called.

---Carried

CHAIRMAN (Mr. Krutko): Mr. Menicoche.

COMMITTEE MOTION 27-16(6):
17TH LEGISLATIVE ASSEMBLY PROCESS
CONVENTION REFERRAL OF LIMITED
CATEGORY OF REGULATIONS
TO STANDING COMMITTEE,
CARRIED

MR. MENICOCHÉ: Thank you, Mr. Chairman. I move that this committee recommends that the Caucus of the 17th Legislative Assembly establish a process convention to facilitate the referral of a limited category of regulations to standing committee for review and comment prior to their final enactment.

CHAIRMAN (Mr. Krutko): Thank you, Mr. Menicoche. A motion is on the floor. To the motion. Ms. Bisaro.

MS. BISARO: Thank you, Mr. Chairman. Just a couple of brief comments here. I have felt for quite some time that the inability of either standing committee and/or the general public to have any input on the development of regulations is a fault with our system, and I think the consideration by Caucus of establishing a process convention to refer regulations, not all of them because there certainly is some legislation that will not require extensive regulations, but there certainly are some pieces of legislation which should allow for input from standing committee and the public into the development of regulations. I'm really glad to see this coming forward and I hope that the 17th Assembly follows through on this.

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

MR. ABERNETHY: Thank you, Mr. Chairman. I just want to follow up on the comments of my colleague Ms. Bisaro. Over the last four years it's come up many times where certain regulations would have benefited from a review of Regular Members prior to being enacted. I would say that often this would be the exception as opposed to the rule. Many regulations will not likely ever need to come to this level to be approved, but clearly, without question, there will be those certain or specific regs which would benefit from that public review as well as review by the Members of the Assembly. The reason it's here is because the Heritage Act is one of those regs that we feel would benefit significantly through discussion with the Regular Members. So I support this motion, recognizing that it is for some regs, not all regs, and it will be up to the 17th Assembly to decide what that regulation or protocol will look like in the future.

CHAIRMAN (Mr. Krutko): Thank you, Mr. Abernethy. To the motion. Mr. Hawkins.

MR. HAWKINS: Thank you, Mr. Chairman. I will be voting in favour of this particular motion, but I would like to caution Members, as well as future Members, who will be dealing with this type of challenge. We must clearly distinguish the role that we represent.

It's Cabinet's typical role of developing legislation, proposing it to the Members, and the Members will review it, respond to it, and dispose of it appropriately in the House. I caution this because if we are reviewing or commenting on regulations, I then beg to say on this particular case is the next logical step that our MLAs on the Members' side now developing policy and where does it continue? I think it's a slippery slope when the Members themselves are developing specific regulations or overseeing them. I think that's a strong role that should be left up to the departments and they have the authority to do that.

This motion specifically really looks at the process and convention to facilitate that, and I think that's the type of discussion that really needs to happen here and we need to make sure that the roles are clearly defined. I'm not sure if there's really an excuse for a particular occasion other than the fact that people want to be involved. I can appreciate that Members want to be involved in regulation writing but, quite frankly, they're not, on the Members' side, you're not mini-Ministers. People have to remember that. We're not a true opposition, which certainly makes this particular issue, I think, complicated, and I think we have to spend time examining again maybe the Members' role. Perhaps maybe there's a reason we should be involved, perhaps there isn't, but I do look forward to the future discussion on this particular issue and I think it would be very helpful going forward.

CHAIRMAN (Mr. Krutko): Thank you, Mr. Hawkins. To the motion.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Krutko): Question has been called.

---Carried

CHAIRMAN (Mr. Krutko): Does committee agree that we've concluded Committee Report 6-16(6)?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Committee Report 6-16(6) has been concluded. Next on our list is dealing with Bill 10, Northwest Territories Heritage Fund Act. At this time I would like to ask the Minister responsible for the bill to make any comments. Mr. Miltenberger.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Chairman. I am here to present Bill 10, Northwest Territories Heritage Fund Act. The

purpose of this act is to establish a trust fund for the future benefit and use of the people of the Northwest Territories.

This bill responds to our commitment to introduce legislation to establish a Northwest Territories Heritage Fund before the end of the 16th Legislative Assembly. During the October 2009 revenue options consultation and roundtable undertaken by the Department of Finance, we heard from many respondents that the NWT needs such a fund in anticipation of achieving control over our non-renewable natural resources. In response, in March 2010 we launched public discussions specifically on the concept of a Heritage Fund. The support received then for the creation of a fund, as well as the numerous indications of support from Members of the Legislative Assembly, has resulted in the bill that you have before you right now.

A Heritage Fund is a way to save for future generations. This legislation will establish a trust fund as a long-term investment fund into which surplus funds may be transferred at the discretion of the Legislative Assembly. Once transferred, these monies become part of the principal of the fund. For the first 20 years of the fund both the principal and income generated in the fund will be retained within the fund. After 20 years have passed transfers out of the fund into the Consolidated Revenue Fund may be made through a special act, although these transfers would still have to go through the regular budget process. The legislation will limit the transfer out of the fund to an annual withdrawal of 5 percent of the year-end balance of the fund, provided that the principal of the fund is not removed. Even after the 20-year period is complete annual deposits may continue to be made and will become part of the principal of the fund.

The Financial Management Board will be the fund's trustee under the proposed legislation and will monitor the performance of the Heritage Fund, appoint the auditor, and direct and supervise the secretary of the board in exercising the duties of investing and disposing of assets of the fund. This is in keeping with the structure used for other public agencies. This will not prevent the establishment of an arm's length investment management body to oversee the administrative and investment functions of the fund. However, in the first years while the fund is building principal there is no need to incur the cost of additional administration. The bill includes a requirement for the Legislative Assembly to conduct a review after 10 years of the provisions and operations of the Heritage Fund Act, including recommendations on how to seek public input and advice on expenditures from the fund and whether independent oversight and management of the fund is required.

The Legislative Assembly will receive an annual report on the performance of the Heritage Fund. While financial results will be disclosed separately from other accounts, the Heritage Fund's investment income, including any capital gains or losses, will be consolidated into the government's general accounts just as investment income from other government accounts is treated. Similarly, on the statement of financial position the Heritage Fund's assets will be included along with the government's other financial assets.

As reflected in this proposed legislation, the single objective of the Heritage Fund's investment policy is to maximize the long-term growth in the Heritage Fund while avoiding undue risk. The investment management will be guided by accepted investment principles.

We recognize that we are unlikely to be in a position to contribute to the Heritage Fund until we are in a surplus cash position. However, the recently concluded devolution agreement-in-principle is a first step to ensuring that NWT residents receive the fiscal benefits from the development of our territory's non-renewable resources. We will be prepared, when the day comes, to contribute toward a legacy for future generations of Northerners.

CHAIRMAN (Mr. Krutko): Thank you, Mr. Miltenberger. I believe that the Standing Committee on Government Operations already commented on the bill, so at this time I would like to ask the Minister if he will be bringing in any witnesses.

HON. MICHAEL MILTENBERGER: Yes, Mr. Chairman.

CHAIRMAN (Mr. Krutko): Does committee agree that the Minister can bring in his witnesses?

SOME HON. MEMBERS: Agreed.

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

Mr. Miltenberger, for the record, could you introduce your witnesses.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Chairman. I have with me Sandy Kalgutkar, acting deputy minister of Finance, Kelly Bluck from Finance, and Ian Rennie from Justice.

CHAIRMAN (Mr. Krutko): Thank you, Mr. Miltenberger. Welcome, witnesses. Just to get clarification on general comments, do you want to do it all at once or do you want a response from the Minister after every general comment? Let's agree to the rules up front.

SOME HON. MEMBERS: All at once.

---Interjection

CHAIRMAN (Mr. Krutko): Okay. Okey-dokey. General comments. Mr. Abernethy.

MR. ABERNETHY: Thank you, Mr. Chairman. I'd like to thank the Minister for bringing forward the Heritage Act. There certainly has been a lot of talk about the Heritage Act over the last four years and I think it's good that it finally came through. For me, as the purpose indicates, the Heritage Fund is to ensure that the future generations of people in the Northwest Territories benefit from ongoing economic development, including the development of non-renewable resources. Ultimately what this comes down to is this is for the people. This is for the people of the Northwest Territories both today, but more importantly in the future.

As we develop resources in the Northwest Territories and pull diamonds out of the ground, we need to ensure a legacy for the individuals who are going to come after us: our children, our children's children, and their grandchildren. I think an act like the Heritage Act will put some money in place so that when renewable resources are gone, there will be something for future generations.

Just for the record, I just have to go on the record and basically say to my colleague Mr. Ramsay that I do disagree with him on the concept of dividends. Dividends, in my mind, would only be a reasonable utilization of the Heritage Fund should the Heritage Fund grow to significant proportions. Otherwise, I think we should ensure that it's there to protect programs and services that are available to the people.

I did have an opportunity recently of talking to a number of state legislators of Alaska and we did have a conversation about their Heritage Fund, and the ones I was talking to encouraged extreme caution with respect to dividends. There have been some benefits but it has also caused significant numbers of problems. So future generations of this Legislature, future Legislatures should be very cautious about dividends and if they are going to explore them, they should be something that's only used should the Heritage Fund grow to mega proportions.

In the meantime we've got this thing in front of us and it's something that we do need to start thinking about, putting some money in, and there are some areas where there might be money available. There might be revenues generated out of the Opportunities Fund. That might be a reasonable allocation for this as a starting point. With devolution, should it be finalized, should we get to a final agreement and move forward, there may be money available to put into this thing in the future.

It is important. It is timely. No point waiting. I think the time is now and I'm happy to see this thing before us. There are lots of questions. There are lots of things that need to be done and decided with this thing, and hopefully, when the future government, the 17th Assembly starts developing some regulations, they will share the regulations

with the Regular Members, because this is a big picture item. This is about the future of the Northwest Territories and I think all Members should be involved in its design and future.

That's about it. Basically, I support the piece of legislation. I'm looking forward to its passage and I will look forward to the future of this fund. Thank you, Mr. Chair.

CHAIRMAN (Mr. Krutko): I'll allow the Minister to respond to the comments. Mr. Minister.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Chairman. I appreciate the Member's comments of support. Clearly, it is a starting point. The fund is structured to remain untouched for the first 20 years so it can build some critical mass, and then there will be ongoing debates, I'm sure, among citizens of the Northwest Territories and future legislators as to the best way to touch this money. You just have to look around the world at some of the other funds besides Alaska. You could look at Norway. You can look at other funds, as well, to see what may be in the best interests of the residents of the Northwest Territories, but clearly, we're contemplating a 20-year growth and building period. Thank you.

CHAIRMAN (Mr. Krutko): Thank you. Next, I have Mr. Beaulieu.

MR. BEAULIEU: Thank you, Mr. Chairman. I think that the government should have this Heritage Act, as I see it, like a savings account but only use this fund or put money into this fund when all of the communities have what is required for them to function as a community.

Right now I have mixed feelings about a fund such as the Heritage Fund, a fund such as this, when we know that there are still communities in the Northwest Territories that don't have basic essentials. The basic essentials that are afforded to larger communities in the Northwest Territories, that's not a problem. They can save, put money aside and put it away for the future. However, for us MLAs that represent small communities, we don't have the basic essentials needed in small communities. We don't have youth centres for all of the communities for the youth. I have many youth in Lutselk'e and there is no youth centre there. They're looking at using old buildings here and there that would be handed them by the government. We don't have youth workers. We need people, youth officers and so on in these communities. We don't have environment officers in the communities that could go there and work in the communities to protect the land. We don't have our land cleaned up from past explorations and so on.

It's a very tough act for me to support. I think it's a good idea if the government is not running a deficit, if the government is not approaching the debt wall, and if the government doesn't have to borrow

money to increase the debt wall in order to provide infrastructure. Those are good ideas. This I see as kind of like saving money on one hand while you have people that are hungry on the other hand, and that's the reality here. Instead of putting \$10 million into a Heritage Fund, why not put \$10 million into creating employment in small communities so that people don't have to go back to the government and ask the government for support to fix a doorknob or change their window or have to always rely on the government to provide income? They should be able to take the same money and put it into those programs or put it into something, because we need help now, not 20 years from now.

Small communities are finally getting an opportunity to turn around and get some of the things that are needed like having highways into our communities that are chipsealed, good highways into the community that lower the costs and a highway, not when you're leaving your community because you have to go to the neighbouring larger community to buy groceries to keep your grocery bill down, but you beat your car up. Communities that have no access. Communities that have only barge access. Communities that have winter road access only and the only opportunity to lower costs is driving out on winter roads and so on. Then, when all of those things are dealt with, then we should think about saving money.

But right now this is a hard bill for me as I represent the people of Tu Nedhe. It's a difficult bill for me to go to even the youth of Lutselk'e, the youth in Fort Resolution and say this government doesn't have any money to be able to provide a good, qualified youth worker that could help you in your future and so on, but at the same time we're going to save and put some money away, like, millions of dollars away that could be used immediately in small communities. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Krutko): General comments, Bill 10. Mr. Ramsay.

MR. RAMSAY: Thanks, Mr. Chairman. Just to reiterate some of my earlier comments on Bill 10, and I appreciate my colleague Mr. Abernethy's take on the dividend and what it means to people, but from the way I look at it, I was looking for an opportunity for the government to set aside money that would eventually end up in the pockets of our residents so that they could help offset the high cost of living, it would help attract potential employees, and it would give the residents across the territory a sense of us all being in this together. Instead of the government hiving off 5 percent as it sees fit after the initial 20-year period to do with what they want with the 5 percent share to go to programs and services, but it just evaporates into government largess and it doesn't end up, like I said, in the pockets of our residents where I think

we should have been going with this bill. But, again, it's a step in the right direction.

The regulations and everything that is associated with that will be worked out. There might come a day where that actually does happen. It's a ways off, but again, it's like we're opening a savings account but we don't have any money. It's a weird situation for us to be looking at this legislation, although I think the vehicle is right, it's just the fact of the matter is right now we have no money to put aside into this savings account, and Mr. Beaulieu has some very good observations on the needs that are out there in the small communities and the fact that it would be kind of strange for the government to take \$10 million, if we had it, and put it into this fund when we all know there are pressing social needs out there in almost all of the communities across the Northwest Territories. So, again, this is going to be good when we're flushed with cash, but right now we're not.

Again, I'm going to have to support it because I think it has to be the vehicle that is there that gets us started on saving some money for the future, which I think is a prudent thing to do and the right thing to do. With that, thank you, Mr. Chairman.

CHAIRMAN (Mr. Krutko): At this time I'll allow the Minister to respond to the comments and also at the same time you can respond to the comments by Mr. Beaulieu.

HON. MICHAEL MILTENBERGER: In regard to Mr. Beaulieu's comments and some of the MLA for Kam Lake, Mr. Ramsay, I think, yes, we have far more needs than we have resources from now as far into the future as we could plan we will need every cent we have. If we just want to keep spending everything we have, our capital demands everybody knows are far in excess of the capital budget for next year. Something like half a billion a year versus \$75 million, not to mention our program needs. So I would suggest that we have to do both; that we plan for our employees, we plan for pension funds, superannuation, we plan for the future and we encourage people to put money aside to be as self-sufficient as possible.

As a government we have to take something of a similar view, I would suggest, in planning for the future; that the resources that are here today may not be here tomorrow, that if we don't take the time to consciously put money aside, it will never be the right time. When it's too late and we look back on what we could have done, all we'll be able to do is look back with regret.

So I would suggest that as difficult as it may be, we're starting the process to set up the instruments and make those types of necessary decisions as we try to do both things.

The next Legislature will decide if they want to contribute anything to this fund, but I know that all

of us, for example, in our pensions and pensions of all our constituents that work are very important for them because it allows them to plan for the time in the future when they will have some needs they have to put aside today during their earning years.

So, Mr. Chairman, I appreciate the concerns. I think this is a good first step, as Mr. Ramsay indicated, and will be challenged moving forward on how do we make this work, along with meeting the day-to-day program needs. Thank you.

CHAIRMAN (Mr. Krutko): Thank you. Next I have Mr. Jacobson.

MR. JACOBSON: Thank you, Mr. Chair. I'm in favour of it, but the same lines as Mr. Beaulieu. Some of our communities there's so much that has to be done before some money is put aside. There's schools, there's roads, there's just basic youth facilities that are needed in the smaller communities and stuff that I'll probably never see in my lifetime, but at the end of the day we've got to try to keep providing services to our youth and giving them what's needed.

If the devolution deal goes through, within three years we'll have some money to do some good for all of the Northwest Territories, but the money that we're planning to set aside if we were in the upcoming 17th Legislative Assembly, I mean, we have people on income support that can't even provide for their children and that has to be looked at. We either look at almost increasing on income support per household and per client.

We have to create jobs in the communities, not just quick fixes, but long-term employment such as roads. If we're able to get the Tuk-Inuvik highway done, that opens up the North. In the Western Arctic, if we become a deep sea port, there's so much potential there. An LNG plant possibly going in to Tuk, a lot of jobs. The cost of living is going to go down regarding fuel oil for your private homeowners for your home and gasoline for your vehicle or your boat to go hunting. I'm in favour, but we're not in a position to do this and if we were to do this, it's going to be really minimal monies that are set aside until devolution is signed.

When the 17th Legislative Assembly comes in they really have to look at this on a go-forward basis, but the priority one is we've got to take care of the people we represent and make sure they've got a roof over their heads, they've got jobs and can provide for their families. I will be supporting it and we'll leave it to the 17th Assembly. Thank you, Mr. Chair.

CHAIRMAN (Mr. Krutko): General comments in regard to Bill 10. Mr. Bromley.

MR. BROMLEY: Thank you, Mr. Chair. I'm in favour of this bill in general. I don't think it's the best thing we could have done, but I think it's a very good start.

Really the issue at hand is our non-renewable resources in particular are being shipped out of the Northwest Territories typically with very little value added despite our best efforts, and at really an incredible rate, and these are some of our most finite resources. We've learned from others that if we're going to ensure intergenerational benefits, it must be done explicitly and with much forethought, and a Heritage Fund seems like a really appropriate way to make this happen.

Essentially what we are doing here is as we transform these assets, which are in the ground or on the land, into a financial form or some value that gets shipped immediately out we take some proportion of that value and nail it down, put it into this account and let it build in value for future residents who will not have the benefits that we do earlier in the process of extracting our renewable resources.

I think obviously filling the fund, getting some dollars in there is a key consideration, and I have not heard much clear thinking on that or consideration of how we're going to do that. I and others have made suggestions of such things as resource tax or a proportion of our corporate tax and so on. Wherever non-renewable revenues exist and flow, we should be somehow tapping into those to start putting dollars into these funds. Now we certainly will always need every cent, as the Minister says, and hard decisions do need to be made. So, really, my first question for the Minister is: how does this bill provide guidance for the development of regulations concerning the management of the fund and all of the decisions that must go into that?

CHAIRMAN (Mr. Krutko): Mr. Minister, do you want to respond to the comments?

HON. MICHAEL MILTENBERGER: Thank you, Mr. Chairman. We lay out some of the basic principles and approaches that we're going to take in terms of how the money is to be invested. There's no decision made in here or direction in terms of limiting future Assemblies as to how much money and where they want to take the money from to put into this fund. We'll be running it through the processes and policies that currently exist. Under clause 11 on regulations we lay out some of the basic points and processes to be followed. Thank you.

CHAIRMAN (Mr. Krutko): Mr. Bromley.

MR. BROMLEY: Thank you, Mr. Chair. Thanks to the Minister for that response. I believe the Minister's response reflects my general observation as we reviewed the bill, that it's a fairly unformed bill. It provides the basics but only the basics. A lot will need to be developed beyond, obviously, basic principles and running it through processes and policies. Many of these policies and processes don't exist at this time for a bill of this nature. I

suppose the implication of the Minister was that this would be done through regulations, and certainly highlights the thinking of committee as to why those regulations would need to come to committee and possibly through them to the public for some input and guidance in that development.

Committee has certainly spoken clearly on policy mechanisms for encouraging participation of the public in management of the fund. I'm wondering if the Minister could tell me what provisions are actually provided in the act to ensure public input on the management and use of these public funds which are being preserved, or proposed to be preserved, for future generations.

CHAIRMAN (Mr. Krutko): Mr. Miltenberger.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Chairman. If I could refer the Member to clause 4, that lays out some of the processes that are going to be available to deal with and interact with the public, get public feedback to provide direction and feedback on performance. The topic of holding public meetings to review investment activities in the performance of the fund. The monitoring of the performance. There will be an opportunity through that process to have public input. Of course, there's always the opportunity through MLAs and through committees as well.

MR. BROMLEY: I think it's good that the public be aware of clause 4 and be prepared to take advantage of the opportunities that presents, as well as the policies that committee is recommending.

I just would like to comment on the discussion that has taken place about the various existing heritage funds. There are three that I know have been thrown out in public consultation and that many of us have referred to all of us. The first one, of course, is the Norway Pension Fund. It's essentially the same thing referred to as a heritage fund. Its purpose is to invest parts of the large surplus generated by the Norwegian petroleum sector. I recognize that there's an obvious difference before devolution for us in this regard. It's to counter the effects of the future decline in income as their petroleum resources decline and to smooth out the disrupting effects of highly fluctuating oil prices, a phenomenon that we suffer from tremendously. That fund is at about \$473 billion last time I looked. It could be a bit more or less now. Obviously, it's very considerable and offers that country a security that we can only dream of. I think it's inspiring for us to be considering that sort of goal in mind.

Which brings me to the second one, which is the Alaska Permanent Fund. It's very similar. Also running around \$35 billion. Quite a bit substantially less by more than an order of magnitude from Norway. Despite the fact that they had almost completely tapped out their North Slope oil and the pipeline is running half empty now. The reason it's

so low is because, as my colleague has noted, Alaska gives out those dollars on a regular annual basis to every man, woman, and child in Alaska. As a result they do not have that for future generations.

Of course, the Alberta Heritage Savings Trust Fund is the third example that we all refer to and we know that has not got rave reviews from just about anybody. It's the lowest of all. I believe the last I heard it was about \$11 billion. It could be less now as they're running a deficit. They've clearly been unsuccessful at achieving the sorts of goals that we have in mind with the Heritage Fund Act.

My druthers would be that we focus on the Norway Pension Fund sort of model. That will become more viable, I think, as devolution transpires and we have the opportunity to nail down additional funds. It needs to be possibly discussed before then so that those funds can actually be directed, some proportion of those funds, into such a mechanism as our Heritage Fund. I know we did have early discussions on that but we didn't come to resolution. I wonder if I could ask the Minister, will he be taking that discussion forward as the next step. Will he be recommending to the 17th Assembly, for example, that we begin the process in those discussions? I grant that there's no emergency on that, but I would like to know if this government will be providing some encouragement in that direction.

HON. MICHAEL MILTENBERGER: Firstly, as we talk about the non-renewable resources sector, we have to as well not only put savings aside because of the depletion rate and the fact that there is not going to be any more once it's gone, but we also have to focus on opportunities like the fibre optic line up to Inuvik that would create a whole industry that's not based on the non-renewable resources sector that would allow us to have other forms of income, which I believe is what Norway has done as well. They've kept the money out of circulation so that it doesn't skew the economy so you don't have that sort of false economy tied strictly to the influx of oil dollars.

This is, as the Member has indicated, an instrument that starts the process. As it develops, there will be accompanying development of policy and more on the regulations, how things get managed, if there's money put aside. We have 21 years that the fund will be sitting there. I would suggest into that 21-year period there will be a review of where to next, so that we have this type of full discussion. I would suggest that myself for sure probably won't be around the table 10 years from now, but that discussion will have to take place by legislators of the day.

I will be, if we get this act passed -- which I'm assuming we will -- it will be on the table for the incoming government along with the all the fiscal information we have and all the work that's been

done in relation to this act. I, as well, am partial to the Norwegian model and think it has great merit.

CHAIRMAN (Mr. Krutko): Next I have Mr. Hawkins.

MR. HAWKINS: Thank you, Mr. Chairman. Just a few observations here. I really am concerned with the purpose not being sharp enough. I disagree with my colleague who thinks or believes strongly -- and I say that respectfully -- that dividends should be paid, but I think the purpose really needs to be narrowed down over the long haul. Although I don't necessarily think it needs to be done today, but one of the issues being is that if the purpose is truly for the people of the Northwest Territories, then it needs to be directed as such. I think this money needs to be targeted directly to our revenues that we need. Because ultimately this will be for hospitals, education, or even maybe general repairs of who knows what type of infrastructure. I mean, the demand is so long we'd be here all day talking about ideas of where to spend it long before we'd make any revenue on it. So I wouldn't support any ways of chopping it up because I think if our real goal is to make sure that it's for a communal sense for the people of the Northwest Territories, then what better way than to put it into a general revenue. I just would have hoped that it would have been sharper, as I pointed out. In my view this could respond to changes in corporate revenues.

One thing that I would say, it's almost as if we have to caution the public on potential expectations and what this can deliver. This is an important vehicle that's being developed and I think that can't be stated clear enough. It also isn't pennies from heaven where it will be endless. We have to know that this will probably start out very small and take quite a few years to grow and quite a few years to get large enough to have any really effective difference on the wishes or direction that the people of the Northwest Territories want at that time. Keeping in mind, as well, that it's 20 years from now and those expectations and beliefs may change as to the particular focus.

I think it's critical. It's a lesson that I hope in some form or manner every parent teaches their own children, which is start saving as quickly as possible, and those are lessons I think anyone can learn and teach their kids. I think here is a clear demonstration that we're living good values. I always think that some of the economics that we deal with here are really kitchen table economics, which is we have to make sure that we don't spend more money than we make and we have to also keep a keen eye as to what's important from a value sense. Putting away money as soon as possible in whatever increments is possible is important. That's what has brought us here today, which I think is very important.

One of the issues that we see here today is that it is an investment vehicle. Of course it has to be set up before we're able to direct revenues. This is the first step that is going to be probably one of several others. The challenge, of course, is deciding early as to where and what type of rate will investment revenues be pouring into this long-term bank account. It's been suggested, as well, how they should be managed and those are problems that are going to have to be reviewed through the regulations, and certainly I look forward to whoever is here at the day 10 years from now when they do a general direction of where the fund is going in 10 years, as is cited in the bill under a 10-year review.

I think the Minister agreeing to switch it from 10 years to 20 years really gives us a chance to do something with the savings. I'm very hopeful that the savings will become true opportunities for the future. I have fully supported the position that FMB should manage the fund, at least until the review has decided or dictated that there's a better way of doing this. Because I don't see that if it's just a fund sitting in a bank account, we have very smart money managers in our territorial government and they manage our money quite well. I have often said, and I strongly believe, that the Northwest Territories has a government that has money problems or investment problems, it's only based on political direction or decisions. It really doesn't come down to the fault of the staff. It's politics that always seem to play a role.

Just on the note of politics, although I was unsuccessful on trying to get into the bill the suggestion that a two-thirds majority should be involved in any change provided to this act whether it's an amendment to how the money should be spent or an amendment to make an amendment within the bill, I feel still today fundamentally strong that we must protect the bill at any cost. By suggesting a two-thirds majority of the House, as I believe was stated by Professor Hogg, I believe that is a valid position that could be taken. As we all know, it could be somewhat constitutionally controversial on the type of position if two-thirds majority is right or even legal, but it's been noted various times throughout the committee process as we've been moving forward on the review of this bill that it's not uncommon but not seen and used in the wrong way. In other words, it could be done. I was hoping we could have gotten that into the bill but it's not here today.

Just a last piece I do want to highlight on. In reviewing the bill I noticed a couple of typos and I've already brought it to the attention of staff and as I understand it, they don't get changed, but the one worth particularly noting is I caught under Summary and it points out to 20-year review -- sorry, 20-year transfer -- that the money is not allowed to be tapped into. In speaking with the officials who obviously know their jobs very well,

said you can't change the summary. So there will have what I would call an appearance of a contradiction. Even if the summary says 10 years the money can't be tapped into under the summary, it really has no effect on the mechanism and mechanics of the bill, as I think I understand it. That error has been carried through under headings, but as I've been informed, the headings can be adjusted and is certainly within the full purview of those who come up with the final draft. That was obviously from taking a very keen look and reading the bill word for word, very keen, with those hawkish eyes I've got.

Mr. Chairman, I think it would be understated that today is a good day. I think today is actually a brilliant day for some of the things we've done in government. It's a shame for most of us, and I'd dare to say probably none of us will be here in 20-plus years, but I'm hoping that in 20 years they'll look back and think the decisions made to move forward on this Heritage Fund were an extremely wise move. It may have caused some controversial issues as to how we should spend money on present-day problems, and I recognize that those are very important, as mentioned by my colleague Mr. Beaulieu, and I think in many cases he's right about emergency need versus trying to save money for the future. The balance of that is really a political decision and it's a challenging one. But I certainly hope that the generation that comes after us looks back and says we were a wise Assembly and we did things that really made a difference. I believe strongly today the Heritage Fund Act is one of those types of decisions that people will be grateful that we did. Thank you.

CHAIRMAN (Mr. Bromley): Thank you, Mr. Hawkins. Next on my list, Mr. Krutko.

MR. KRUTKO: Thank you, Mr. Chair. Again I think we've got the cart before the horse on this one, especially with the comments from the Minister with the recent conclusion of the Devolution Agreement-in-Principle. It's the first step but I don't think we're even close to concluding the devolution agreement without all the parties at the table. I think, for myself, that is a total miscarriage of justice in regard to how Aboriginal people are being treated especially up and down the valley when it comes to devolution. Now we're here in the House talking about a Heritage Fund to put all this cash, supposedly, that's going to flow to the Government of the Northwest Territories and spend it every which way it feels fit.

I have to agree with my colleagues from the smaller communities that we have some varying demands on issues that people just take for granted such as the delivery of programs, regardless if it's health care, education, infrastructure, capacity challenges, regardless if it's human resource capacity, or even

the simple means to have the financial ability to build infrastructure in a lot of our communities.

I think it's this type of legislation that makes people wonder exactly what is the priority of this government, knowing that we have more demands than resources but we are considering having a piggybank that we can put money away for a rainy day, but yet in most cases we don't have money for mental health and addiction workers in all our communities, we don't have police in 10 communities, we don't have nursing services in 10 communities. I think, as government, before we start having these elaborate dream of exactly all this cash falling from the sky, that we should solve today's problems and make sure that we have the means to take care of ourselves today and realize that the only way you're going to move ahead is to have a healthy, vibrant Northwest Territories which includes 33 communities.

Again, I also think that I have to note that we are getting ripped off from the mining companies and the oil and gas companies in regard to our royalty systems, our way of basically allowing for diamonds to leave the Northwest Territories with a simple payroll tax, which is the only revenue that we have flowing from that industry, but yet in other parts of the world they basically have mineral taxes so that we retain a portion of the resources in the North or in the jurisdiction it comes from, in some cases up to 35 percent taxes on those products that leave the country, regardless if it's South Africa or looking at other countries where the same types of businesses are taken care of.

I'd just like to ask the Minister exactly have we considered those other types of taxes, regardless if it's by way of mineral leases, rentals, royalties, like a mineral tax, a sales tax of some sort so when the diamond or precious metals leave the Northwest Territories there's going to be a tax attached to it so we retain our tax and it can go wherever it wants in the world, but at least that tax will be paid before it leaves the Northwest Territories. That was one of the options that had been thrown around, and I'd just like to know how are we going to be able to collect enough resources and revenues to make this idea work, and more importantly, have the revenue flowing to ensure that we have enough revenues to make this thing do what everybody is hoping it will do.

I have to agree the Alaska model is great. People don't pay taxes in Alaska, but they definitely pay their share of royalties and basically mineral taxes that flow in that jurisdiction. I think that it's that type of an idea that's out there, but, again, we have to be conscious that we have to have the resources and we can't simply consider taking money out of existing programs and services and having the means to do that.

With that, I'd like to ask the Minister exactly what are we going to do to ensure that wherever those resources come from and wherever the impact's taking place, can you guarantee those communities and those regions that are going to be impacted by these developments will retain a portion of those royalties in those regions where those resources are being exploited. Thank you.

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

HON. MICHAEL MILTENBERGER: Thank you, Mr. Chairman. The Member has been in this Assembly 16 budgets, as have I, and we've talked since that time about taxes, resource royalty taxes, mining taxes, ways to raise revenue. We've tried hotel taxes and road tolls. We contemplated other taxes, as well, increases to the payroll tax. We've lived through the worst economic downturn since the Great Depression in the 1930s where we had to be very careful in terms of further negatively impacting the business community at a time when they were suffering significant loss.

The challenge for the 17th Assembly is going to be we are going to create an instrument, and this fund is not tied to devolution, this fund is not tied to a resource royalty sharing agreement. It was initially in there for discussion but it ended up after everything was said and done to be just a savings fund, a heritage fund that would be controlled by the Legislative Assembly and they will have to determine, looking at their budgets, revenues and expenditures, if there's an ability or a willingness to put any funds into this program. I would suggest to the Member that there will be significant attention being paid to the concern that the Member has raised that there won't be much support if we're going to be cutting programs to put money into this savings program, so it will have to be done carefully with good thought and consideration. But I'm not in a position to give any guarantees about what developments may happen in any particular region or constituency and whether they will be able to keep a percentage of the royalties in the region for whatever use may be deemed necessary.

I would point out that with the pipeline we do have a \$500 million socio-economic agreement that's contingent upon the pipeline going ahead, and that was negotiated as part of that project. It has nothing to do, necessarily, with this Heritage Fund, but it addressed some of the issues that the Member made reference to. Thank you.

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

CHAIRMAN (Mr. Krutko): General comments. Mr. Bromley.

MR. BROMLEY: Thank you, Mr. Chair. I want to follow up on a few points, actually. The first one is people have made reference to the amount of time

that the funds will remain in a sealed account gathering value, assuming we get some dollars in there. When this idea was first put forward, I know we had lots of discussions and I think there was general agreement that this would be an intergenerational fund and should be set aside for at least 30 years. Yet when the bill came back to us, Mr. Chair, I was startled to see that funds were put aside for only 10 years. I see committee has bumped that up to 20 years, still shy of a generation. I'm wondering what was the Minister's thinking when he dropped that period down to 10 years.

CHAIRMAN (Mr. Krutko): Minister of Finance.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Chairman. When it initially was looked at and the discussion was held, 10 years, a decade, was thought to be a good starting point. Then we got the recommendation from committee to go to 20 years and we've concurred with that because we think it's a substantial time frame and will give the fund a chance to build up some principle and some interest. So we concurred with that and I was under the impression that 20 to 21 years was pretty close to what was deemed to be a generation, I may be 10 years off, the Member said 30 years for a generation. But the point being that we've agreed to a substantial increase in the time to 20 years. Thank you.

MR. BROMLEY: I'm not an expert on what's a generation. My understanding is that there's 25 years to a generation, but I think we did have that sort of longer period in mind and I was very curious, I still am, about why that was reduced.

Moving on, I'd like to just briefly discuss this cart before the horse concept that my colleague Mr. Krutko raised. I think it stresses the point that we need to review how we are spending existing funds and we need to recognize that our most lucrative resources are rapidly being extracted and exported with little lasting benefit. I agree with Mr. Krutko that we have not acted responsibly to nail down full benefits and appropriate levels of benefits, and everybody knows right now that these precious metals are exponentially... It's quite the phenomenon in today's economic globalized world. These minerals are exponentially increasing in value. Gold is something around \$1,800 an ounce. Diamonds are at an all-time high and, of course, we know that our fossil fuels are going up every time the economy ramps up.

I'm curious, the Minister mentioned we had considered or discussed resource taxes and I don't recall that at all. I remember raising it a number of times, but I don't recall a serious consideration of a resource tax. I guess I'd like to get his take on where we've been with resource taxes and why we couldn't contemplate, or the 17th Assembly contemplate a resource tax that would immediately

start to put some real dollars into these funds, into the Heritage Fund. Thank you, Mr. Chair.

HON. MICHAEL MILTENBERGER: Going back to 1995 in the last century pre division, since that time of the four Assemblies I've been in there's always, during the course of the Assemblies, the issue of resource tax and mineral tax has come up. It's been discussed, it's been sort of like looking at a new car. You kick the tires, you examine it, but at the end of the day the decision has always been not to proceed. So the 17th Assembly will have the same authorities and rights that every other Assembly has had before it to look at how it wants to set up its budget, how it wants to deal with the revenue side. So they will be able to look at whatever they deem is appropriate in terms of how they want to generate further revenue, including, I would suggest, a revenue tax or any other type of instrument that they may think is appropriate. Thank you.

MR. BROMLEY: I appreciate those comments from the Minister. It's good to get some of that history. I guess and I suspect others have tried to get a good discussion going on a resource tax during this term and I regard that to mean some research done and some considerations presented to us by Cabinet on what would be involved, what the difficulties are and so on. I'm wondering if the Minister is planning to raise this in the transition document, and resource taxes are just my sort of pet idea, but how is the Minister going to profile this in the transition document of the idea of getting some dollars into this fund and dealing with the hard decisions that he has mentioned and several of us recognize are needed.

HON. MICHAEL MILTENBERGER: As we look to the transition document, there will be a revenue option section when it comes to finance providing fiscal update information that's available and the tools that are going to be available to the 17th Legislative Assembly in terms of generating revenue. There has been this issue of the resource tax that came up during the revenue options roundtable in this particular Assembly. We've also had different types of discussions about things that the Member holds dear as well. Things like what do you do with the carbon tax, and it's been a discussion that's been approached carefully by most people. We've got it in looking at a Greenhouse Gas Strategy, how we'd manage our emissions and the future discussions that would have to take place around that subject. So there will be a revenue options section for the 17th Assembly to consider. Thank you.

MR. BROMLEY: I appreciate the Minister's remarks again. I'm glad to hear that it will be mentioned at least there. I guess my last point here is the opportunity to establish an ethical investment protocol for when funds are in there, and I did make

the comment during the committee review, clause-by-clause, that standards should be established to ensure income from the fund principal is obtained from ethical investments, which observe environmental human rights and labour standards and avoid investment in socially harmful enterprises such as tobacco and arms production, and that we should consider a provision to allow the Heritage Fund, for example, to issue bonds from time to time, possibly an appealing mechanism for the public with the bonds to be guaranteed by the government. In this way the public, whose this fund really is, would secure some indirect ownership of the Heritage Fund through the public's bond purchases.

The other aspect I mentioned was that income earned on fund investment should be used to promote the NWT's environment, economic and social sustainability, and that a list of suitable projects should be established and should include such projects as infrastructure development aimed at energy conservation initiatives, development of renewable energy sources, resources to support long-term social benefit such as the building of early childhood programs, elder support and cultural centre, and community-based economic diversification. Obviously, these now are the 17th Assembly's bailiwick. But again, are these things going to be profiled in that transition document and does the act, the bill, provide any provisions for direction towards these objectives? Thank you.

HON. MICHAEL MILTENBERGER: As we develop the regulations around the fund, the issue of the investment guidelines in terms of not only being conservative but if there is the will to look at investment in ethical funds if those funds exist, those funds are available and that can easily be built in. I wasn't quite clear on the whole comment the Member made about bonds, but once again going forward all this information will be available to the 17th Assembly. The 17th Assembly will decide on how this fund is to be fleshed out and if it's to be invested in and where the money is going to come from and how the investments will be made, under what conditions.

The issue of a list of prescribed projects that it would be used for, the money would be used for eventually, I suggest would be a subject of some significant debate listening to the discussion around the table from the MLAs from small communities, for example. All that will be possible in the 17th Assembly.

CHAIRMAN (Mr. Krutko): General comments. Detail?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Turn to page 3. Before we begin maybe I'll just, for the benefit of the Minister, committee, suggest that we allow the Minister to remain in his seat if there are any votes

to take place in the House so that he doesn't have to... So because of his hardship, we'll allow that to happen at this time so he can stay seated. Bill 10, Northwest Territories Heritage Fund Act, clause 1.

---Clauses 1 through 3 inclusive approved

CHAIRMAN (Mr. Krutko): Clause 4. Mr. Bromley.

MR. BROMLEY: Thank you, Mr. Chairman. This is obviously a fundamental clause. It provides some guidance on how the fund will be managed. I just want to note that the public spoke very clearly and fairly consistently on this aspect and thought that there should be arm's length administration of the fund and that it should not be under the trusteeship of the Financial Management Board. An arm's length agency could indeed report to the Legislative Assembly and could be subject to verification by an independent auditor. This would allow for and promote public involvement in the administration and guiding vision of the fund. Members of the independent agency could be drawn from the public at large and represent a cross-section of cultures, genders, economic and social interests, and geographic regions. Consideration could be given to having two political representatives on the board, though not as chair. For example, one from Cabinet and one from regular priorities and planning. I guess I would like to hear what the Minister thinks of this consideration. It didn't make it into this version of the bill. Is this something we could consider in the future? Does the Minister have particular reasons why he's insisting in here that the Financial Management Board would be the trustee of the Heritage Fund?

CHAIRMAN (Mr. Krutko): Mr. Miltenberger.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Chairman. The thinking was that the fund, we're creating an instrument that at this point is only that. It's a tool that's an instrument that's there to be invested in. We have work to do. We have not decided if there's going to be money put into it. We anticipated for the first 10 years to get the fund up and running it would be best done through the Financial Management Board through the policies and procedures that are currently in place. The main concern being not wanting to generate expenses when we have no revenues in which to cover those if we have to create a board and an arm's length operation. Clause 10 of this bill at the review period lays out very clearly that that would be one of the things that could be considered at that time, whether such a board may be necessary or called for at that particular point.

CHAIRMAN (Mr. Krutko): Page 4, clause 4. Mr. Hawkins.

MR. HAWKINS: Thank you, Mr. Chairman. I just want to say that I fully concur with the Minister's answer and completely disagree with Mr. Bromley's ascertain to what should be done in this particular

case. Wasting money by administering something that doesn't make any money at that time seems to be a bit of a pointless, fruitless argument at this time. I think the 10-year review and every 10-year review after that will address those types of questions as need be.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): That was more of a general comment. We're on page 4, clause 4.

---Clauses 4 through 9 inclusive approved

CHAIRMAN (Mr. Krutko): Clause 10. Mr. Hawkins.

MR. HAWKINS: Thank you, Mr. Chairman. I'd like to now move a motion.

COMMITTEE MOTION 28-16(6):
AMEND SUBCLAUSE 10(2) OF BILL 10,
CARRIED

MR. HAWKINS: I move that subclause 10(2) of Bill 10 is amended by:

- (a) striking out "and" at the end of paragraph (c);
- (b) deleting paragraph (d); and
- (c) adding the following paragraph after (c):
- (d) recommendations respecting whether the act should be amended to include a provision requiring a special majority to make further amendments to the act or to authorize transfers from the Heritage Fund; and
- (e) recommendations respecting any other amendments that should be made to the act.

CHAIRMAN (Mr. Krutko): A motion is on the floor. The motion is in order. The motion is being circulated. To the motion. Mr. Hawkins.

MR. HAWKINS: Thank you, Mr. Chairman. This is a particular issue that may not have been fully supported in committee but the spirit intended in this particular one is, as I've stated a few times, which is we want to make sure that the fund is protected and the act is protected so that people at a whim don't decide that they're going to spend the money without any due thought and support. The original concept didn't get the support in committee and certainly by the Minister, but it was presented as a suggestion to put it in the review and allow the review to take that time and give it due consideration if it seems it's warranted to go forward as an amendment to the act.

Just simply, this protects the act from political fettering, in my view, and it ensures that no whim drives how the act will be spent or even changed. This will help protect the act while it grows and goes forward for future generations. It's just a

protection mechanism, I believe, that will ensure the true principles of why the act is in existence, which is to provide opportunities for people in future generations. I don't think it does anything more than that, and as I pointed out, it's to be added in the review clause as an item for consideration. I certainly hope Cabinet has seen the light of the suggestion and will vote in favour of this suggestion, but we will have to see how the outcome rolls.

CHAIRMAN (Mr. Krutko): To the motion. Mr. Abernethy.

MR. ABERNETHY: Thank you, Mr. Chairman. I think my colleague Mr. Hawkins did a good job describing what this is about. This is simply a motion to get the future government in 10 years to conduct a review of the concept of a special majority. It was brought forward by committee and it wasn't fully supported by Cabinet. There is some merit to looking into it and exploring it and doing some research. It definitely requires some additional research and I think 10 years from now when this comes forward for review is a good time for us to review the concept of a special majority. There might actually be some rulings in the next 10 years to that effect, so why don't we leave it in there so that we can put it as part of our official review of this act, because my colleague is right that we don't want political interference to occur with this money. We want it to be aboveboard. I think having these discussions at that time is both appropriate and prudent.

CHAIRMAN (Mr. Krutko): To the motion.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Krutko): Question has been called.

---Carried

CHAIRMAN (Mr. Krutko): Clause 10 as amended.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 11.

---Clauses 11 through 12 inclusive approved

CHAIRMAN (Mr. Krutko): To the bill as a whole as amended.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Does committee agree that Bill 10 as amended is ready for third reading?

---Bill 10 as a whole as amended approved for third reading

CHAIRMAN (Mr. Krutko): Thank you, Mr. Miltenberger. Thank you, witnesses. Sergeant-at-Arms, escort the witnesses out.

Does committee agree that we will now move on to Bill 22, An Act to Amend the Territorial Court Act?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Can I have the Minister responsible for the bill to make his opening comments? Mr. Lafferty.

HON. JACKSON LAFFERTY: Thank you, Mr. Chairman. I am pleased to be here today to speak about Bill 22, An Act to Amend the Territorial Court Act. This bill will amend the Territorial Court Act to increase the monetary limit in civil cases from \$10,000 to \$35,000.

The Territorial Court provides an effective process for civil claims but the limit of \$10,000 means that many lower-level civil claims must be heard in Supreme Court, which is much more complicated. Increasing the monetary limits will permit residents to bring forward claims in an affordable practical way and improve access to justice.

I would be pleased to answer any questions that Members may have regarding Bill 22.

CHAIRMAN (Mr. Krutko): Thank you, Mr. Lafferty. At this time I would like to ask the Minister if he will be bringing in any witnesses.

HON. JACKSON LAFFERTY: Yes, Mr. Chairman.

CHAIRMAN (Mr. Krutko): Does committee agree that the Minister can bring in his witnesses?

SOME HON. MEMBERS: Agreed.

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

Mr. Lafferty, for the record, could you introduce your witnesses.

HON. JACKSON LAFFERTY: Mahsi, Mr. Chairman. To my left is Karan Shaner, assistant deputy minister of Justice. To my right is Mark Aitken, part of the legislative counsel.

CHAIRMAN (Mr. Krutko): Thank you, Mr. Lafferty. Welcome, witnesses. For the record, there is no committee report on this particular matter because it was referred directly from second reading of bills right to Committee of the Whole. That's why we're not doing a report. General comments in regard to Bill 22. Mr. Abernethy.

MR. ABERNETHY: Thank you, Mr. Chairman. I'd like to thank the Minister for bringing this bill forward. It increases the monetary limit in civil cases from \$10,000 to \$35,000, as the Minister said. In committee this was discussed and it was felt that increasing it from \$10,000 to \$35,000 would speed up the court process as many people -- I think this is correct, correct me if I'm wrong -- a lot of housing issues that are going to the courts are forced to the Supreme Court because they're just over \$10,000, and this may expedite a number of those situations and allow us to clean up some of the cases outstanding with the Housing Corporation.

I do have a question. I'm curious if the Minister could give us a bit of a rundown on what the limit is

for territorial courts, or I guess provincial courts, in other jurisdictions. How does the \$35,000 stand up?

CHAIRMAN (Mr. Krutko): Mr. Lafferty.

HON. JACKSON LAFFERTY: Mahsi, Mr. Chairman. The . Alberta, British Columbia, Nova Scotia, Newfoundland, Ontario, and Yukon have a limit of \$25,000. Saskatchewan has a limit of \$20,000. Manitoba and NWT, our jurisdiction, is \$10,000. New Brunswick remains at \$6,000 with plans to increase theirs to \$30,000. PEI and Quebec respectively have limits of \$8,000 and \$7,000. So those are just some of the numbers we've received from other jurisdictions. Mahsi.

MR. ABERNETHY: So it appears that with the exception of one that is going to be increased to \$30,000, we're at least \$10,000 above any of the other jurisdictions. I'm wondering what was the research behind that. How did we determine or decide that \$35,000 in the Northwest Territories is the appropriate amount?

CHAIRMAN (Mr. Krutko): Ms. Shaner.

MS. SHANER: We did our research by, in part, looking at jurisdiction across the country, factoring things in like the cost of living here, and, as well, we received that suggestion from some of the stakeholders including members of the Territorial Court bench.

MR. ABERNETHY: In determining the amount and deciding to bring this bill forward, was there any assessment done as to the amount of reduced cases being brought to the Supreme Court, but in correlation, the increase in the work demand or workload on the Territorial Court as a result of these changes?

MS. SHANER: Yes. In fact, there was and it was determined that there would really be a minuscule amount of increased workload and it probably wouldn't be felt at the Supreme Court level. Where it would make a difference, though, is for litigants who, of course, would have access to a much more streamlined system.

MR. ABERNETHY: That sounds good and I agree and support that, but in the back of my mind it's suggesting or screaming to me that it may actually increase the demands on the Territorial Court, because many people don't file now if it's above \$10,000, between \$10,000 and, say, \$20,000, just to pick a number, because the amount of paperwork required and the fact that you need a lawyer to take it to the Supreme Court level can get quite expensive and there's no guarantee that you're ever going to be successful. Whereas if it's at the Territorial Court and you don't need a lawyer to be involved, people might be more willing or apt to take the chance; there's less to lose.

I'm curious if any assessment was done to that degree, because I think and I feel that there is a chance that we could see a significant increase on our Territorial Court.

MS. SHANER: I guess the answer is that we did the assessment that we could with what we know. The assessment that we did was that in 2009 there were 12 court cases filed in Supreme Court with claim amounts between \$10,000 and the proposed \$35,000. In 2010 there were 16 such cases. That would result, I guess, in a corresponding increase in workload for the Territorial Court, but there's no guarantee and there's no way to know if more people would come forward and file claims.

MR. ABERNETHY: I accept the argument or the evidence or the information provided. I mean, it's easy to correlate that. What was there will likely be there, but now in the new...(inaudible)... But I still worry that there may be an increased demand as more people realize that it's a territorial process instead of a Supreme Court process.

I guess my caution to the department is even though I do fully support the arguments behind doing this increase, I do fully support this increase and I fully support this bill coming forward, I do caution the department that it may result in an increase in workload and I hope the department is ready for that increase. I hope they have the resources within the department to handle the increased load.

I have a lot of respect for the people in the court system. I have a lot of respect for our GNWT staff who are the clerks and the sheriffs and the administrators. I think they have a hard job and an important job, and I want to make sure that they're resourced and have the ability to do their job, and I worry about any increased work demand without an offset resource to balance that. I accept that you don't think that there's going to be. I accept that you believe it's probably going to be the same numbers, but in the back of my brain I'm a little worried that if it's an easier process, it may result in an increase. Just simply a caution and I'll leave it with that. I do support this bill. Thanks for bringing it forward.

CHAIRMAN (Mr. Krutko): Bill 22, general comments. Mr. Jacobson.

MR. JACOBSON: Thank you, Mr. Chairman. Does this Act to Amend the Territorial Court Act streamline evictions?

CHAIRMAN (Mr. Krutko): Minister of Justice.

HON. JACKSON LAFFERTY: Mahsi, Mr. Chair. Those are streamlined in front of the rental officer.

MR. JACOBSON: But it still has to go to court, so if he could answer the question, yes or no, does it streamline evictions. Thank you.

CHAIRMAN (Mr. Krutko): Ms. Shaner.

MS. SHANER: Thank you, Mr. Chairman. With the changes to the Residential Tenancies Act that came into effect earlier, evictions can now be granted by the rental officer and no longer need to go to court. They also went to Supreme Court, not to Territorial Court in the past, so the answer is no.

CHAIRMAN (Mr. Krutko): General comments, Bill 22. Detail. Clause 1.

---Clauses 1 and 2 inclusive approved

CHAIRMAN (Mr. Krutko): To the bill as a whole.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Does committee agree that Bill 22 is concluded?

SOME HON. MEMBERS: Agreed.

---Bill 22 as a whole approved for third reading

CHAIRMAN (Mr. Krutko): With that, Bill 22 is now ready for third reading. Agreed?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): With that, I'd like to thank the Minister and thank the witnesses. Sergeant-at-Arms, escort the witnesses out.

As we agreed, next is Bill 23, Tobacco Damages and Health Care Costs Recovery Act. The Minister responsible for the bill, the Minister of Justice, Mr. Lafferty.

HON. JACKSON LAFFERTY: Mr. Chairman, I am pleased to be here to present about Bill 23, Tobacco Damages and Health Care Costs Recovery Act.

It has long been recognized that tobacco exposure is linked to serious health conditions in both smokers and non-smokers, including emphysema, heart disease and several types of cancer. The NWT has a very high rate of smoking and the need for many patients to travel south for treatment results in very high costs for our government.

This legislation would permit the GNWT to file a lawsuit to recover from past and future health care costs for smoking-related illnesses directly from tobacco companies. Currently all Canadian jurisdictions, with the exception of Yukon and the Northwest Territories, have enacted this kind of legislation. Nunavut was the first of the three territories to pass cost recovery legislation in November of 2010.

Mr. Chair, I would be pleased to answer questions that Members may have regarding Bill 23.

CHAIRMAN (Mr. Krutko): Thank you, Mr. Minister. Apparently, there is no committee report because the bill was referred directly from second reading right to Committee of the Whole, so there is no committee report on this bill. At this time, I'd like to ask the Minister if he'll be bringing in witnesses. Minister of Justice.

HON. JACKSON LAFFERTY: Yes, I would, Mr. Chair.

CHAIRMAN (Mr. Krutko): Does committee agree the Minister brings in his witnesses?

SOME HON. MEMBERS: Agreed.

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

For the record, Mr. Minister, introduce your witnesses.

HON. JACKSON LAFFERTY: Mahsi, Mr. Chair. To my left is Karan Shaner, the assistant deputy minister of Justice; to my right, Ian Rennie, legislative counsel.

CHAIRMAN (Mr. Krutko): Thank you, Mr. Minister. Welcome witnesses. General comments on Bill 23. Mr. Bromley.

MR. BROMLEY: Thank you, Mr. Chair. Just some quick questions to the Minister. Does the GNWT currently have any actions underway against manufacturers of tobacco products?

CHAIRMAN (Mr. Krutko): Minister of Justice.

HON. JACKSON LAFFERTY: Mahsi, Mr. Chair. No, we don't.

MR. BROMLEY: Thanks to the Minister. I noted in the Minister's comments that NWT residents have a higher rate of addictions to nicotine than most jurisdictions and I think we're all aware of that. I'm wondering what the consequences are of this to any future considerations of actions under this legislation. Are there consequences to being a much higher rate of addictions than in the provinces, for example?

CHAIRMAN (Mr. Krutko): Ms. Shaner.

MS. SHANER: Thanks, Mr. Chairman. Not in terms of this legislation.

MR. BROMLEY: The other aspect of that is while we have really intense users of tobacco products, we are fewer in numbers. Are there implications here to potential actions we can consider? Again, given that we have a very large proportion of our population that is using tobacco products, are there implications of this legislation given that? Thank you.

MS. SHANER: The trade-off, I guess, if I can use that word, is that although we have fewer numbers, we do have the, as you mentioned, very high rate of smoking. We also have very high health care costs compared to other jurisdictions because of the need for air travel and the need for southern facilities and a lot of the smoking-related illnesses that we have to treat.

MR. BROMLEY: I appreciate that information. I guess my last question here in this line is: have other jurisdictions started actions under similar legislation? Is it underway now or are they

contemplating it, and does this legislation position us to join them hopefully to enjoy the benefits of associating with a much larger jurisdiction and the capacity they bring?

MS. SHANER: With respect to the latter question, absolutely it does position us to perhaps try and work out some economies of scale. With respect to other jurisdictions, there are a number which have started lawsuits. British Columbia was the first to start a lawsuit. Alberta is very near to starting one. Ontario has one, Newfoundland has one, New Brunswick has one, Quebec is hoping to file -- they may have filed or at some time in the near future -- and all of the other jurisdictions with the exception of the Yukon and, of course, the Northwest Territories, have this legislation and most are contemplating, of course, an action of this nature.

MR. BROMLEY: That was exactly what I wanted to know, that there is an opportunity for an economy of scale by joining other jurisdictions. In this case, I'm curious to learn that Alberta is near to that and they're obviously our neighbour, the one we do the most business with. Is there potential, given the timing of this legislation and their action underway, that we could hook up with Alberta in their possible pending action? Thank you.

MS. SHANER: We would actually file our own action. So this wouldn't allow us to join other jurisdictions in their actions, but where we could possibly realize some benefit is just in the sharing of information because the legislation across the country is virtually identical and the issues are virtually identical.

MR. BROMLEY: So just for my clarity here, there are no partnerships between jurisdictions like provincial and/or federal in the actions that are underway.

CHAIRMAN (Mr. Krutko): Minister of Justice.

HON. JACKSON LAFFERTY: Mahsi, Mr. Chair. They have their own bills such as the one that's before us now. Each jurisdiction has their own initiative to proceed with their lawsuits. Mahsi.

CHAIRMAN (Mr. Krutko): General comments in regard to Bill 23. Ms. Groenewegen.

MRS. GROENEWEGEN: Thank you, Mr. Chairman. Has anyone had success to date in any lawsuit? Is there any precedent law been set, any precedent ruling been set with respect to public governments suing tobacco companies to recover costs of health care services? Is there any precedent?

Of course, I'm also curious to know what kind of money we are willing to allocate as a government if we are going to embark on such an action against tobacco companies. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Krutko): Ms. Shaner.

MS. SHANER: Thank you. This type of legislation actually originated in Florida and there was success enjoyed in Florida with respect to state-funded medical care. In Canada, the province of British Columbia was the first jurisdiction to pass this legislation. They passed three iterations of it and went to the Supreme Court of Canada three times before they finally had a version, upon which all of the other legislation is modelled, that was considered constitutional.

British Columbia is, to my understanding, quite near going to trial, but they haven't gotten to trial yet. So I guess the short answer is no, there's no precedent in Canada. However, we're very near to getting a precedent established.

MRS. GROENEWEGEN: Would it make sense for our government, being a small jurisdiction with limited financial resources, to perhaps hold off on trying to develop some kind of action against the tobacco companies until someone else has basically broken the trail, has gone ahead of us, has proven in the courts that it is actually possible to get compensation for this? Again, I know there's some economies of partnering with other jurisdictions that are pursuing the same thing, but just in terms of our timing and our resources, if we could see the success that someone else had and try to mirror some kind of an action on what someone else has done in a province that has a lot more money than we do, would that be not the wise course of action to take? Thank you.

CHAIRMAN (Mr. Krutko): Minister of Justice.

HON. JACKSON LAFFERTY: Mr. Chair, I'll get Karan to elaborate more on this particular area, but I just want to stress that there is a national strategy that the parties are involved from provincial and territorial jurisdictions. Once we file, let's say the bill comes into effect and we file a lawsuit, we'll be part of that national strategy. So we can seek out the information and input and others on what they've been through, but if Karan wants to elaborate a bit more on Ms. Groenewegen's question.

CHAIRMAN (Mr. Krutko): Ms. Shaner.

MS. SHANER: Thank you. There has been to date a bit of a cost-benefit analysis done and in fact we waited before bringing this kind of legislation forward to see if it was even worthwhile. We waited for British Columbia's to get the blessing of the Supreme Court of Canada. If the government does in fact decide to move forward with a lawsuit, then that cost-benefit analysis will, of course, have to be done and the considerations will be whether it is more beneficial to hire in-house counsel, what kind of expertise we're going to need, whether or not we can share with other jurisdictions with respect to what they've learned and those kinds of things.

CHAIRMAN (Mr. Krutko): Mrs. Groenewegen.

MRS. GROENEWEGEN: I have six minutes on the clock left, thank you. I'd like to ask the Minister when we would partner or collaborate with other jurisdictions to proceed down this path, supposing we get to that where we're going to try and recover health care costs, are the actions of our government going to be judged and the question asked what did we do to mitigate damages ourselves? I would suggest that other jurisdictions have far more proactive legislation rules when it comes to this, like, for example, people smoking in their vehicles with the windows rolled up and their children in there. I mean, it's a well known fact that health effects of second-hand smoke that will manifest themselves, surface later in life. Sometimes they are tracked back to children who are exposed to second-hand smoke. We don't have the most up-to-date kind of rules over those kinds of protections. I mean, would it come back on the GNWT and say, yes, you do have high health care costs related to smoking, but what did you do as a jurisdiction to mitigate the harm of tobacco through cessation programs, through protection of children, through whatever we could do, prevention measures. Would we be judged on what we did or did not do in relation to the success of such a lawsuit? Thank you.

MS. SHANER: Thank you. Those questions are being asked in other jurisdictions and we would need to be prepared to show what we did do to mitigate. The fact that our mitigation efforts may not have been successful, I don't think are going to mean that we would necessarily not succeed in a lawsuit of this nature.

CHAIRMAN (Mr. Krutko): Mrs. Groenewegen, you have four minutes.

MRS. GROENEWEGEN: Thank you, Mr. Chair. That's all I have. Thank you.

CHAIRMAN (Mr. Krutko): General comments. Minister of Health.

MOTION TO EXTEND SITTING HOURS,
CARRIED

HON. MICHAEL MILTENBERGER: Mr. Chairman, I would like to move that we extend sitting hours to conclude the item currently before committee.

CHAIRMAN (Mr. Krutko): A motion is on the floor. The motion is not debatable. To the motion.

SOME HON. MEMBERS: Question.

CHAIRMAN (Mr. Krutko): Question has been called.

---Carried

CHAIRMAN (Mr. Krutko): The motion is carried to extend sitting hours to conclude the item before the House. General comments on Bill 23?

SOME HON. MEMBERS: Detail.

CHAIRMAN (Mr. Krutko): Detail. Clause 1.

---Clauses 1 through 11 inclusive approved

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

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Does committee agree that Bill 23 is ready for third reading?

SOME HON. MEMBERS: Agreed.

---Bill 23 as a whole approved for third reading

CHAIRMAN (Mr. Krutko): Bill 23 is ready for third reading. I'd like to thank the Minister and thank the witnesses. Sergeant-at-Arms, please escort the witnesses out. What is the wish of committee? Mrs. Groenewegen.

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

---Carried

CHAIRMAN (Mr. Krutko): 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. Krutko.

MR. KRUTKO: Mr. Speaker, your committee has been considering Committee Report 6-16(6), Report on Review of Bill 10, Northwest Territories Heritage Fund Act; Bill 10, NWT Heritage Fund Act; Bill 22, An Act to Amend the Territorial Court Act; and Bill 23, Tobacco Damages and Health Care Costs Recovery Act, and would like to report progress with four motions being adopted, and that Committee Report 6-16(6) is concluded, and that Bills 22 and 23 are ready for third reading, and that Bill 10 is ready for third reading as amended. Mr. Speaker, I move that the report of Committee of the Whole be concurred with.

MR. SPEAKER: Thank you, Mr. Krutko. The motion is on the floor. Do we have a seconder? The Member for Inuvik Twin Lakes, Mr. Robert McLeod.

---Carried

Item 22, third reading of bills. The honourable Minister of Transportation, Mr. Michael McLeod.

Third Reading of Bills

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

HON. MICHAEL MCLEOD: Mr. Speaker, I move, seconded by the honourable Member for Inuvik Twin Lakes, that Bill 15, An Act to Amend the Deh Cho Bridge Act, be read for the third time. Thank you, Mr. Speaker.

MR. SPEAKER: Bill 15, An Act to Amend the Deh Cho Bridge Act, has had third reading.

---Carried

The honourable Minister of Transportation, Mr. Michael McLeod.

BILL 16:
AN ACT TO AMEND THE
MOTOR VEHICLES ACT

HON. MICHAEL MCLEOD: Mr. Speaker, I move, seconded by the honourable Member for Inuvik Twin Lakes, that Bill 16, An Act to Amend the Motor Vehicles Act, be read for the third time.

MR. SPEAKER: Bill 16, An Act to Amend the Motor Vehicles Act, has had third reading.

---Carried

The honourable Minister of Industry, Tourism and Investment, Mr. Bob McLeod.

BILL 17:
AN ACT TO AMEND THE
TERRITORIAL PARKS ACT

HON. BOB MCLEOD: Thank you. I move, seconded by the honourable Member for Deh Cho, that Bill 17, An Act to Amend the Territorial Parks Act, be read for the third time. Thank you, Mr. Speaker.

MR. SPEAKER: Bill 17, An Act to Amend the Territorial Parks Act, has had third reading.

---Carried

The honourable Minister of Industry, Tourism and Investment, Mr. Bob McLeod.

BILL 18:
AN ACT TO AMEND THE
PUBLIC UTILITIES ACT

HON. BOB MCLEOD: I move, seconded by the honourable Member for Inuvik Twin Lakes, that Bill 18, An Act to Amend the Public Utilities Act, be read for the third time. Thank you, Mr. Speaker.

MR. SPEAKER: Bill 18, An Act to Amend the Public Utilities Act, has had third reading.

---Carried

Mr. Clerk, orders of the day.

Orders of the Day

CLERK OF THE HOUSE (Mr. Mercer): Orders of the day for Wednesday, August 24, 2011, at 1:30 p.m.:

1. Prayer
2. Ministers' Statements
3. Members' Statements

4. Returns to Oral Questions
5. Recognition of Visitors in the Gallery
6. Acknowledgements
7. Oral Questions
8. Written Questions
9. Returns to Written Questions
10. Replies to Opening Address
11. Petitions
12. Reports of Standing and Special Committees
13. Reports of Committees on the Review of Bills
14. Tabling of Documents
15. Notices of Motion
16. Notices of Motion for First Reading of Bills
17. Motions
 - Motion 11-16(6), Devolution Negotiations
 - Motion 12-16(6), Mental Health Care Diversion Programs
18. First Reading of Bills
 - Bill 24, Supplementary Appropriation Act (Infrastructure Expenditures), No. 2, 2011-2012
 - Bill 25, Supplementary Appropriation Act (Operations Expenditures), No. 2, 2011-2012
19. Second Reading of Bills
20. Consideration in Committee of the Whole of Bills and Other Matters
 - Bill 9, Wildlife Act
 - Committee Report 7-16(6), Report on the Review of Bill 9, Wildlife Act
21. Report of Committee of the Whole
22. Third Reading of Bills
 - Bill 10, NWT Heritage Fund Act
 - Bill 22, An Act to Amend the Territorial Court Act
 - Bill 23, Tobacco Damages and Health Care Costs Recovery Act
23. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. Accordingly, this House stands adjourned until Wednesday, August 24, 2011, at 1:30 p.m.

---ADJOURNMENT

The House adjourned at 6:09 p.m.