



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**Monday, October 25, 2004****Members Present**

Honourable Brendan Bell, Mr. Braden, Honourable Paul Delorey, Honourable Charles Dent, Mrs. Groenewegen, Mr. Hawkins, Honourable David Krutko, Ms. Lee, Honourable Michael McLeod, Mr. Menicoche, Honourable Michael Miltenberger, Mr. Pokiak, Mr. Ramsay, Mr. Villeneuve, Mr. Yakeleya, Mr. Zoe

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Paul Delorey): Good afternoon, Members. Welcome back to the House for another week of work. Orders of the day, item 2, Ministers' statements. The honourable Minister of Education, Culture and Employment, Mr. Dent.

ITEM 2: MINISTERS' STATEMENTS**Minister's Statement 66-15(3): Ministers Absent From The House**

HON. CHARLES DENT: Thank you, Mr. Speaker. Good afternoon. Mr. Speaker, I wish to advise Members that the Honourable Joe Handley will be absent from the House today, tomorrow and Wednesday to attend the First Ministers' meeting in Ottawa.

I would also like to advise Members that the Honourable Floyd Roland will be absent from the House today and tomorrow to attend the First Ministers' meeting in Ottawa. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Dent. Item 2, Ministers' statements. The honourable Minister of Resources, Wildlife and Economic Development, Mr. Bell.

Minister's Statement 67-15(3): Expo 2005

HON. BRENDAN BELL: Mr. Speaker, Heritage Canada has invited the provinces and territories to participate at Expo 2005, to be held from March to September 2005 in Aichi, Japan. Aichi Prefecture is about an hour train ride west of Tokyo, near the city of Nagoya. The theme of Expo 2005 is Nature's Wisdom.

Organizers anticipate that more than 15 million people will visit Expo 2005 over a six-month period and 1.5 million visitors are anticipated to visit the Canadian pavilion with some 90 percent of these visitors expected to be Japanese.

This exposition provides an excellent opportunity to market the Northwest Territories to key target audiences.

Over the past five years, the Japanese tourism market has grown substantially in the Northwest Territories. Last year alone, Mr. Speaker, Japanese tourists comprised approximately 24 percent of the total number of leisure tourists visiting the Northwest Territories and they contributed over \$16 million to our economy.

SOME HON. MEMBERS: Hear! Hear!

HON. BRENDAN BELL: This season, Aurora viewing companies are expecting 11,000 visitors, a 10 percent increase over the number that visited last year.

Mr. Speaker, I will co-chair an oversight review committee with my colleague, the Member for Hay River South, Mrs. Jane Groenewegen, to oversee planning for the Northwest Territories participation at Expo 2005.

Currently, work is underway to prepare for our participation in this important event. We intend to highlight all aspects of the Northwest Territories, with specific focus on tourism, diamonds, culture and the arts. We are also very interested in working with private sector partners to market the Northwest Territories and its products. This provides an opportunity to enhance our presentation at Expo 2005 through the leveraging of partnership funding from the private sector.

I look forward to participating with Canada, our tourism industry and private sector partners in promoting the Northwest Territories as a prime international destination for tourism and business. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you, Mr. Bell. Item 2, Ministers' statements. The honourable Minister responsible for the NWT Housing Corporation, Mr. Krutko.

Minister's Statement 68-15(3): The Northwest Territories Housing Corporation "From The Ground Up, Celebrating 30 Years"

HON. DAVID KRUTKO: Mr. Speaker, the month of October marks the 30th anniversary of the NWT Housing Corporation. Since its inception, the corporation has made significant strides toward improving and supplying housing in the NWT.

Communities in the Northwest Territories have been visibly transformed over the last 30 years. New modern houses have replaced those lacking basic facilities, seniors are enjoying uniquely-designed facilities and public housing units have been renovated to provide safe environments for singles and families.

In 1974, we offered a total of seven programs. Today, the Housing Corporation manages approximately 2,300 units and offers 16 diverse programs.

The Northwest Territories Housing Corporation is proud of its achievements over the past 30 years. As we look to the future, we see that the demand for housing will remain high, especially in our growing and developing economy. To meet this challenge, we must continue to work in cooperation with residents, Members of the House and the business community.

Both the Housing Corporation and I, as the Minister responsible, are looking forward to this challenge. It is important to mention, Mr. Speaker, that without the hard work of our dedicated staff and the 23 LHOs scattered

across the NWT this would not be possible. I would like to take this opportunity to commend staff for their hard work. Well done! Thank you, Mr. Speaker.

---Applause

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

Motion To Move Minister's Statement 68-15(3) Into Committee Of The Whole, Carried

MR. HAWKINS: Mr. Speaker, I would like to move the NWT Housing Corporation Minister's statement into Committee of the Whole. Thank you.

MR. SPEAKER: Do you have a seconder for that motion, Mr. Hawkins?

MR. HAWKINS: Thank you. My colleague, Mr. Kevin Menicoche, MLA for Nahendeh. Thank you.

MR. SPEAKER: Thank you, Mr. Hawkins. There's a motion on the floor. To the motion.

SOME HON. MEMBERS: Question.

MR. HAWKINS: Question is being called. All those in favour? All those opposed? The motion is carried.

---Carried

The Minister's statement for the NWT Housing Corporation will be moved into Committee of the Whole, Minister's Statement 68-15(3).

Item 2, Ministers' statements. Item 3, Members' statements. The honourable Member for Yellowknife Centre, Mr. Hawkins.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Multiyear Funding Of Non-Government Organizations

MR. HAWKINS: Thank you, Mr. Speaker. Today I rise to talk about year-to-year and multiyear funding. Mr. Speaker, first I would like to talk about the fact that in June of 2002, a social agenda was tabled in this House, it's Social Agenda: A Draft for People of the NWT. Some of the recommendations out of that talked about year-to-year funding and it was one of the primary key recommendations, as the way I see it.

Mr. Speaker, I would like to take a small quote from an open letter from then-Premier Kakfwi at the time. He mentioned in his letter: "The working group has worked hard over the last eight months to generate 10 recommendations in this report." He also recommended that it's critically important that we work towards an expedient response to the recommendations.

Mr. Speaker, this is over two years old and at the rate we are going, it's going to be three years very soon. Mr. Speaker, it's a real concern that we have many organizations out there that are working every year on year-to-year funding. They are putting more administrative time into doing the functions that they do instead of program and service deliveries which are the programs they should be doing.

Mr. Speaker, at present, this government has the appearance of being more worried about devolution deals, oil and gas, hydro and even diamond exploration than dealing with some of the social issues that these riches bring. Mr. Speaker, that causes me some very serious concern. It causes me a lot of duress when I think about this government spending more time worrying about money that we may get some day, dreaming of that money that someday may come. However, Mr. Speaker, we could start doing a lot with the money we have today.

Mr. Speaker, I want to say that we could create a hallmark of this Assembly. We could recreate a system by taking the recommendations raised in the social agenda and putting them to practice. It would be time better spent, Mr. Speaker.

As I said earlier, I would like to see the NGOs out there working with the three or five-year agreement rather than putting time, money and effort into renewing these agreements every single year. Mr. Speaker, what about bureaucratic time that is used to go through this process? We have hundreds and hundreds of organizations out there on year-to-year agreements. They put the time in, but bureaucrats put in a significant amount of time in reviewing these.

I think we could do a lot better for our people out there. Mr. Speaker, I think that time is well spent in program delivery. We could talk about the elimination of red tape, Mr. Speaker. May I seek unanimous consent to continue my Member's statement? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Hawkins. The Member is seeking unanimous consent to conclude his statement. Are there any nays? There are no nays, Mr. Hawkins. You may conclude your statement.

MR. HAWKINS: Thank you, Mr. Speaker. I say thank you to all my colleagues. Mr. Speaker, out there we have NGOs dealing with mounds of paperwork when they should be dealing with social issues they are signed onto. They should be doing program delivery, which they are supposed to do.

Mr. Speaker, long-term multiyear funding would provide stability for these organizations rather than getting them to deal with the stress that is created fighting for year-to-year funding. Mr. Speaker, this is not good for these organizations.

Mr. Speaker, in closing, I will say where is the hallmark of this Assembly? Long after the oil and gas is gone, who is going to be the backbone of the Northwest Territories? Social programs, social NGOs, that help our communities day to day? Where is our leadership? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Hawkins. Item 3, Members' statements. The honourable Member for Kam Lake, Mr. Ramsay.

Member's Statement On Evaluation Of Nursing Positions At Stanton Territorial Hospital

MR. RAMSAY: Thank you, Mr. Speaker. Mr. Speaker, I rise today to recognize the importance of a group of persons who often do not get enough credit for doing the great job they do for us. That group are nurses and health care professionals, Mr. Speaker.

My wife is a nurse and I have had a firsthand glimpse into what it is that nurses do, and I must say I have a tremendous amount of respect and admiration for the amount of work that nurses do for us.

In March of 2000, the Union of Northern Workers filed a grievance on behalf of 42 nurses working at Stanton Territorial Hospital alleging that the current job descriptions did not accurately reflect the duties the nurses were required to perform. In 2002, the decision was made to undertake a review of all nursing and allied health profession jobs within the health and social services system to ensure the job descriptions and resulting evaluations correctly reflected the knowledge, skills, abilities and working conditions of each position.

Mr. Speaker, the re-evaluation has resulted in some very troubling changes in the way in which we are paying our nurses. I will state that I am fully supportive of the increases that have taken hold for some nurses in the specialty areas. However, the change has been causing difficulties for those who have not seen an increase, especially the nurses that have been there for 15 to 20 years working alongside their colleagues.

Mr. Speaker, I am aware of a person who, after serving as an LPN for over 20 years, went back to school to become a registered nurse. Now that she's a registered nurse, there are LPNs at Stanton who are earning more than she is as a registered nurse. To me, Mr. Speaker, this is fundamentally wrong.

The Minister and his staff have told me on two separate occasions that this new practice of paying nurses happens in other jurisdictions. I have not seen any evidence or proof that this is the case. This is the only place in Canada where nurses are being subjected to wage segregation. In other jurisdictions, they pay all nurses the same. They can earn more through education and certification. This seems to be a more logical approach than the way we are doing things here at Stanton.

Mr. Speaker, in closing, I just want to say that nurses and other health care professionals all deserve to be treated equally. Nurses need our support in trying to correct what has happened at Stanton. Mr. Speaker, I would like to ask for unanimous consent to conclude my statement.

MR. SPEAKER: Thank you, Mr. Ramsay. The Member is seeking unanimous consent to conclude his statement. Are there any nays? There are no nays, Mr. Hawkins. You may conclude your statement.

MR. RAMSAY: Thank you, Mr. Speaker. Nurses need our support in trying to correct what has happened at Stanton. It doesn't happen in Hay River. It doesn't happen in Inuvik and, as a matter of fact, Mr. Speaker, it doesn't happen anywhere else in the country. Why would a government, in good conscious, set out to drive a wedge between our nursing staff at Stanton? Mr. Speaker, at the appropriate time on today's order paper, I will have questions for the Minister. Thank you.

MR. SPEAKER: Thank you, Mr. Ramsay. Item 3, Members' statements. The honourable Member for Tu Nedhe, Mr. Villeneuve.

Member's Statement On Enforcement Of Wildlife Harvesting Regulations Regarding Meat Wastage

MR. VILLENEUVE: Thank you, Mr. Speaker. Mr. Speaker, I rise in the House today to talk about an issue that was on CBC this morning that I feel will be coming up more regularly in the future and should be addressed by this government.

Mr. Speaker, I am referring to the government's hunting and harvesting regulation and the penalties for meat wastage. I don't believe the current penalties are sufficient and I would like to see more monitoring and policing of our highways and hunting areas by our renewable resource officers.

SOME HON. MEMBERS: Hear! Hear!

MR. VILLENEUVE: With regret to similar situations, Mr. Speaker, which have taken place in the Akaitcho Territory in 2002 that included a DIAND official, the penalties imposed or lack thereof, this type of hunting practice will only worsen and does not reflect traditional values which we are all trying to teach our children.

When violators know that our justice system does not effectively deal with infractions and people know they can get away with this type of practice, it will only continue. If a judgment had been made that was deemed fair and just, and a message to the public was made that this practice was totally unacceptable no matter who you are and who you work for, the number of incidents would be minimized and people would think twice about wasting meat or breaking traditional laws.

Mr. Speaker, I realize that it is one thing to get charged for such disrespect for wildlife through our justice system, but people have to get caught in order for our justice system to deal with the infractions. This increased pressure on our renewable resource officers to ensure proper monitoring and practices are adhered to by the public is something that this government should support by way of increasing the number of officers to carry out this function on a 24-hour basis. The migration of caribou being close to the city is something that does not happen annually or for extended periods, so the extra workload or costs associated with ensuring public safety for motorists and residents along the Ingraham Trail should not be jeopardized by government budget restraints. Mr. Speaker, I will be asking the Minister of Resources, Wildlife and Economic Development about this issue during the question period later today. Mahsi, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you, Mr. Villeneuve. Item 3, Members' statements. The honourable Member for Nahendeh, Mr. Menicoche.

Member's Statement On Public Commitment To Quit Smoking

MR. MENICOCHÉ: Mr. Speaker, a while ago, the Minister of Health and Social Services, the Honourable J. Michael Miltenberger, issued a challenge to me; the challenge to be smoke free. I am pleased to report that, today, I accept his challenge. At noon here in the Great Hall, I joined my fellow colleague, Norman Yakeleya, the

Member for Sahtu, and together we made a public commitment to quit smoking.

---Applause

Now, the challenge to be smoke-free is not primarily about getting people to quit smoking. It is about making sure that young people never start in the first place. If I am successful at quitting for life, I know that I will benefit and so I hope I am successful. But it is not only for myself that I am doing this. As a former smoker, I am well aware that smoking affects everyone who comes in contact with it. One of the biggest reasons that young people take up smoking to begin with is that they see other people around them smoking; not only their peers but older people too, parents and role models. Children copy what they see their parents doing, but I am hoping this influence can work two ways. By setting a good example when I am quitting myself, I hope to have a positive influence on other people around me, particularly on youth. Already, I know my decision to quit has encouraged others to try and achieve the same thing.

Smoking is a serious problem in the North. Our rates of tobacco use are twice what they are in other parts of the country. By the time NWT youth reach 15 years of age, 42 percent of them smoke. It is these young people who really need to hear the message.

To that end, part of the commitment I made today is to encourage youth in my riding to be smoke-free. I have accepted a challenge from Mr. Yakeleya to see which of our constituencies can get the most youth to commit to being smoke-free. I will be contacting schools in our respective ridings to encourage all students to join the challenge. Mr. Speaker, I seek unanimous consent to conclude my Member's statement.

MR. SPEAKER: Thank you, Mr. Menicoche. The Member is seeking unanimous consent to conclude his statement. Are there any nays? There are no nays. You may conclude your statement, Mr. Menicoche.

MR. MENICOCHÉ: Thank you, Mr. Speaker. Thank you, honourable colleagues. So let me make one more commitment today. I commit myself to inform this House of the results of the challenge that Mr. Yakeleya and I have taken. I promise to return with the statistics on the number of young people who have taken up the challenge with us. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you, Mr. Menicoche. Good luck with that, both in giving up the habit and being a role model for young people. Item 3, Members' statements. The honourable Member for Sahtu, Mr. Yakeleya.

Member's Statement On Public Commitment To Quit Smoking

MR. YAKELEYA: Thank you, Mr. Speaker. Mr. Speaker, this afternoon, I also made a decision along with the honourable Member for Nahendeh, Mr. Menicoche, to do the right thing not only for ourselves; we made this commitment for our people in our regions. I made the choice to stop continuous smoking. I have taken the Minister of Health and Social Services' challenge to be smoke-free. That is almost one year ago he gave me that challenge. It has taken me a long time to come to that

challenge. The decision to look at my life and the impact of cigarettes on the younger people greatly disturbed me, Mr. Speaker. However, the power of my addiction to the nicotine which is in the cigarette has always overridden my logical thinking of putting the cigarette away. It was a common statement that I would quit tomorrow, it was not hurting anybody, or it was nobody else's business.

So, Mr. Speaker, enough is enough. It is time to walk the walk and butt out for the rest of our lives. Our children, our youth, deserve a chance to live a good strong life away from the harmful addictions.

Mr. Speaker, the 2003 school tobacco survey similarly reports that 39 percent of young people between the ages of 10 and 17 years smoke in small communities like those in the Sahtu. A pack of cigarettes cost about \$15 in the Sahtu. However, although smoking is very expensive, it is more than that. Mr. Speaker, a letter will be sent out also to the schools in the Sahtu to challenge the school children not to smoke at all, or to give up smoking, to be smoke-free, and also a chance to be out there to all the constituents in the Sahtu region. I have also taken the challenge of Mr. Menicoche, to challenge his constituency to see which numbers would be the greater in terms of being smoke-free in our region. I love a good challenge. I would also like to report the results in January.

Mr. Speaker, for many years I have looked at cigarettes. One thing that really made a big difference in our life was, the other day when I was driving back from Peace River...

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

---Applause

MR. SPEAKER: Thank you, Mr. Yakeleya. The Member is seeking unanimous consent to conclude his statement. Are there any nays? There are no nays. You may conclude your statement, Mr. Yakeleya.

MR. YAKELEYA: Thank you, Members. Mr. Speaker, I was driving back from Peace River the other day. I have a two-and-a-half-year-old boy. He was colouring Spiderman in the truck. He had the crayon in his hand, Mr. Speaker, and he looked at the crayon and said, I want to smoke, I want to smoke. That really hit. That was really sore. Mr. Menicoche is so right. As leaders, we are role models. There are a huge number of smokers in the small communities. In that sense, Mr. Speaker, I want to thank the Minister for supporting me. I want to thank Mr. Menicoche for taking this challenge with me. Mahsi.

---Applause

MR. SPEAKER: Thank you, Mr. Yakeleya. Good luck to your endeavours, as well. Item 3, Members' statements. The honourable Member for Great Slave, Mr. Braden.

Member's Statement On Cleanup Of Con And Giant Mines

MR. BRADEN: Thank you, Mr. Speaker. I would like to talk this afternoon too, about cleaning up our act. It is not quite as noble as my colleagues here, but the problem that I am looking at is one that has been around for a long time. That is the legacy that is left over after 60 years of gold mining here in the Yellowknife area. That is the ongoing saga of trying to seek some kind of approval to

the processes by which the Con and the Giant mines are going to be cleaned up.

Mr. Speaker, my other colleagues have spoken of this issue many times in this Assembly and in the past one. We continue to see a process whereby the Miramar Con Mine is undergoing a cleanup operation, but one which has received, unfortunately, far too little public exposure and opportunity for public input.

On the Giant Mine property, Mr. Speaker, at least on the surface cleanup, we are caught in what I understand is a very difficult jurisdictional argument between our government and the federal government over who has responsibility and liability for the surface cleanup of this very large and really unfortunate situation. So, Mr. Speaker, I am going to draw attention to that again. We really, in this day and age, should not be ignoring this or leaving it on the back burner. It is probably tempting in an economy where there is so much other resource development going on, that we cannot lose sight of the fact that we have a responsibility to ourselves, to our children, and to the environment to do the right thing and clean up the mistakes of yesterday. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you, Mr. Braden. Item 3, Members' statements. The honourable Member for Range Lake, Ms. Lee.

Member's Statement On Staff Morale At North Slave Correctional Centre

MS. LEE: Thank you, Mr. Speaker. Mr. Speaker, I would like to speak again about the low morale at the North Slave Correctional Centre. Mr. Speaker, a veteran of 20 plus years at the correctional services contacted me over the weekend to tell me what so many others have told me already. That is that, in all this time at the North Slave Correction Centre, he can honestly say that he has never seen anything so bad in terms of low morale, sick leave abuse, forced overtime, problematic hiring practices, lack of support, inmate-staff confrontations, and assaults and micromanaging. Mr. Speaker, it also appears that the vacancy rate of seven to 10 positions that the Minister gave in this House does not really tell the whole story. It is not just about the positions on paper, but actual bodies that are required in the facility.

Mr. Speaker, I understand that there are approximately 35 casual employees who are now filling in for vacancies of various capacities. All the case management teams are acting; therefore, they are covered off with casuals. There are many positions still not filled, including the four unit supervisors, one shift supervisor, cooks, nurses, and many correctional officers.

Approximately 20 to 30 staff have resigned in the last 10 months and, ironically, none of them have been asked to give exit interviews. This is one of the concerns to me as well, Mr. Speaker, because, in our briefing about the internal review that is going on, there seems to be very little emphasis on talking to those who are either let go or who resigned.

Mr. Speaker, it is also my information that the new facility requires 14 officers on a shift as opposed to only nine or 10 that were required in the old facility, but there have

been no new increase in the staffing complement. Mr. Speaker, it is my understanding that even though the building is new, it actually requires more labour. It is much more labour-intensive. The Minister should consider revisiting the staffing complement to make sure that there are enough people to do the job. Also, another problem is that even though the vacancy might not show as being high, a lot of positions on paper, the bodies are not there because they have been seconded or they are acting in other positions. They are on some kind of leave, they are on special leave, transfer assignments. So the Minister needs to really listen. Mr. Speaker, I seek unanimous consent to conclude my statement.

MR. SPEAKER: Thank you, Ms. Lee. The Member is seeking unanimous consent to conclude her statement. Are there any nays? There are no nays. You may conclude your statement, Ms. Lee.

MS. LEE: Thank you, Mr. Speaker. Thank you, colleagues. Mr. Speaker, I want to tell the Minister and the senior management that of the people who are talking to us, many of them I consider to be the kind of people that we call the salt of the earth. I don't just accept whatever everybody tells me. These are the people who have lived here for a long time; 26 or 30 years. They have worked in the correctional system. They know what they are talking about. I think it will do the Minister and the management a lot of good to listen to what is being said and try to enhance or improve the situation that they are going through. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you, Ms. Lee. Item 3, Members' statements. The honourable Member for Hay River South, Mrs. Groenewegen.

Member's Statement On National Community Living Awareness Month

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, October has been designated as National Community Living Awareness Month. This is an extremely important campaign for the residents of the Northwest Territories as it encompasses national and local community living organizations working together to provide safe and healthy communities for families, adults and children with disabilities. Many of us take for granted everyday experiences like accessing local facilities, sending our children to neighbourhood schools and having the opportunity to contribute to our communities through work or volunteer activities. However, Mr. Speaker, it is important to appreciate that there are people living in our communities who do not have the luxury of taking these things for granted. People living with disabilities are as determined as anyone else to be productive citizens and deserve to be treated as such.

Mr. Speaker, we are the losers when we fail to be inclusive in our schools, workplaces, organizations and communities. We can all take responsibility for ensuring people living with disabilities are protected from discrimination, have access to any support they need, participate in community life; and, most important, are made to feel welcome and valued. This month is a great opportunity to show appreciation for the work of volunteers, local, community and national organizations and people living with disabilities, who offer their skills and talents to our communities, schools and families.

While speaking on the subject of assisting people in need, I would like to take this opportunity to pay a special tribute and extend my thanks to Hay River resident Lillian Crook who has devoted time to bring together interested parties in an effort to form a community living program in the community of Hay River. This program is in the beginning stages; however, will be a great benefit to many people who have difficulties that prevent them from living without assistance. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you, Mrs. Groenewegen. Item 3, Members' statements. Item 4, returns to oral questions. Item 5, recognition of visitors in the gallery. Item 6, oral questions. The honourable Member for Kam Lake, Mr. Ramsay.

ITEM 6: ORAL QUESTIONS

Question 291-15(3): Re-evaluation Of Nursing Positions

MR. RAMSAY: Thank you, Mr. Speaker. Mr. Speaker, my questions today are for the Minister of Health and Social Services, the Honourable Michael Miltenberger. I would just like to ask the Minister how the government could knowingly allow the re-evaluation of nursing positions at Stanton Territorial Hospital to happen when they knew that it would result in wage segregation to the nurses at Stanton. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Ramsay. The Minister of Health and Social Services, the Honourable Mr. Miltenberger.

Return To Question 291-15(3): Re-evaluation Of Nursing Positions

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Mr. Speaker, the Department of Health and Social Services of the Government of the Northwest Territories has a very competitive and, I think, progressive pay and benefits package for nurses. We see it as a very positive step, all the work that has gone on in the last number of years, the work with the nursing association and the work with the unions, the work with the government, to come up with a fair remuneration package. So the Member and I have a different point of view on the value and the benefits of that particular issue. Thank you.

MR. SPEAKER: Thank you, Mr. Miltenberger. Supplementary, Mr. Ramsay.

Supplementary To Question 291-15(3): Re-evaluation Of Nursing Positions

MR. RAMSAY: Thank you, Mr. Speaker. Mr. Speaker, I am just wondering, through you to the Minister, how, under the definition that I have been supplied by the department, does a float nurse, who is required to have the skills, knowledge and ability to work in various specialty areas, not earn as much as a nurse in a specialty area. That does not make sense to me, Mr. Speaker. I am just wondering if the Minister had an answer for that. Thank you.

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

Further Return To Question 291-15(3): Re-evaluation Of Nursing Positions

HON. MICHAEL MILTENBERGER: Mr. Speaker, the intent here is to recognize the complexity of the work in different areas; that a nurse is not necessarily a nurse any more than a pilot is, or that doctors all seem to be the same or remunerated the same. In this case, that is a similar circumstance. Thank you.

MR. SPEAKER: Thank you, Mr. Miltenberger. Supplementary, Mr. Ramsay.

Supplementary To Question 291-15(3): Re-evaluation Of Nursing Positions

MR. RAMSAY: Thank you, Mr. Speaker. Mr. Speaker, I mentioned in my Member's statement that this practice does not happen anywhere else in the country. I am just wondering, through you to the Minister, why is Stanton Territorial Hospital any different than the way they do this anywhere else across the country. Thank you, Mr. Speaker.

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

Further Return To Question 291-15(3): Re-evaluation Of Nursing Positions

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Mr. Speaker, I would like to think that the Northwest Territories is a very progressive jurisdiction as is the Stanton a very progressive hospital, but it is also my understanding that Newfoundland and P.E.I., as well, pay nurses in this similar way. Every other jurisdiction, in one way or another, recognizes that a nurse is not a nurse; that there are different levels. There are higher skill requirements in some areas. In the work that we did here as a government, no nurses' salaries went down, but there was a recognition, clearly, that there are some higher levels of skill requirements. Thank you.

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

Supplementary To Question 291-15(3): Re-evaluation Of Nursing Positions

MR. RAMSAY: Thank you, Mr. Speaker. Mr. Speaker, that is all fine and good. However, I am just wondering at what value the Government of the Northwest Territories places on education and certification of nurses. From what the Minister said, there really is not a value on education and certification. That is how it is done in other jurisdictions, Mr. Speaker. I am just wondering, to the Minister, what value he places on education and certification for nursing professionals. Thank you.

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

Further Return To Question 291-15(3): Re-evaluation Of Nursing Positions

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Mr. Speaker, we place tremendous value on the nurses and their skills that they bring to the job, and that is recognized by the way they are paid, the amount they are paid, the value we place on them in terms of other benefits that we give them, the work that we've done to

update and modernize the Nursing Act, the way we've moved to bring in nurse practitioners, and the way we are going to move to incorporate LPNs as well. Mr. Speaker, I think the proof for us is demonstrated by our actions and the reality that is there today, when you look at how well nurses are compensated. Thank you.

MR. SPEAKER: Thank you Mr. Miltenberger. Item 6, oral questions. The honourable Member for Great Slave, Mr. Braden.

Question 292-16(3): Responsibility For Cleanup Of Giant Mine

MR. BRADEN: Mahsi, Mr. Speaker. My questions today are for the Honourable Brendan Bell, the Minister of Resources, Wildlife and Economic Development and the caretaker of our environment. Mr. Speaker, as I referred in my statement, we are engaged in two processes regarding the cleanup of the two mines in Yellowknife. Both of them are underway under quite different circumstances. I would ask my first question, Mr. Speaker, in relation to the Giant Mine situation and what I understand to be a jurisdictional dispute between ourselves and the federal government over who has responsibility and accountability for the cleanup of that property. The last time I believe we talked about this, the Minister was going to talk to his federal counterpart to see how we could progress. Has any progress been made? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Braden. The Minister of Resources, Wildlife and Economic Development Mr. Bell.

Return To Question 292-16(3): Responsibility For Cleanup Of Giant Mine

HON. BRENDAN BELL: Thank you, Mr. Speaker. As the Member indicated, I was able to meet with the Minister of DIAND in Ottawa on September 1st and had a fair bit of discussion around the cleanup at Giant Mine. We discussed the issues in-depth and I was very impressed, he was well briefed on the file. He indicated that it was a priority for the department to see this cleanup move forward. The last time I stood in the House and answered the Member's questions in this regard, he had some concern about the level of dialogue, I believe, between our officials and DIAND officials. I am getting weekly updates from my staff; we are having almost weekly meetings with our staff and their staff. Our deputy minister of the department has just recently met with the regional director general of DIAND to go through these. There are several outstanding issues of liability and responsibility on surface. Who is responsible for what is something that continues to nag. I have given direction to our staff to try to negotiate a bit of a cap in terms of financial exposure on our part so that we can move forward on cleaning this mess up. I think if we decide that we want to resolve all of the potential outstanding liability and responsibility issues, we will be here for a long time.

I would rather see us start to clean this up and work those issues through as they arise, but the key to us being able to do this is having some understanding of what our potential financial exposure will be and we are working on that. Thank you.

MR. SPEAKER: Thank you, Mr. Bell. Supplementary, Mr. Braden.

Supplementary To Question 292-16(3): Responsibility For Cleanup Of Giant Mine

MR. BRADEN: Thank you, Mr. Speaker. Are we going into this with a bottom line of some kind? The Minister has indicated that there might be a financial line there, but there are other things about the timing and the standards that will be set. Are these things also part of our negotiating approach? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Braden. Mr. Bell.

Further Return To Question 292-16(3): Responsibility For Cleanup Of Giant Mine

HON. BRENDAN BELL: Thank you, we are discussing all of those issues and we do, in our minds, have a financial bottom line. I don't want to disclose that here, obviously. We are negotiating these issues with the federal government, but clearly we see, by and large, a federal responsibility. Obviously, underground is entirely a federal responsibility, they have been the mining regulator of record for the life of that mine. On the surface there is some debate. We want to move this forward quickly. DIAND is proposing to come forward with a project description and an A and R plan. I think they will do that this fall and early spring. We are going to participate in that. Really now it's timing, it is the timing that is imminent here. The real concern that we have, outside of this liability and responsibility question which I am willing to continue to work on, but to some degree park for the time being in order that we might get some sort of financial agreement, because I believe the most important thing is for us to start cleaning this thing up, sooner rather than later, and in order to do that we have to set aside some of these disputes. Thank you.

MR. SPEAKER: Thank you Mr. Bell. Supplementary, Mr. Braden.

Supplementary To Question 292-16(3): Responsibility For Cleanup Of Giant Mine

MR. BRADEN: Mr. Speaker, the process going on on the other side of town at the Miramar property is quite different. I think there is more substance to it, in that under, I believe, the Mackenzie Valley Land and Water Board, there is a process by which the cleanup of that property has been broken down into, I understand, eight different components. There is a process underway to evaluate and approve. However, the public access to this process is quite limited. Can the Minister provide some information on the progress of that cleanup approval process? Thank you.

MR. SPEAKER: Thank you, Mr. Braden. Mr. Bell.

Further Return To Question 292-16(3): Responsibility For Cleanup Of Giant Mine

HON. BRENDAN BELL: Thank you, Mr. Speaker. As the Member indicates, the A and R plan under the terms of the federal water licence is under review by the Mackenzie Valley Land and Water Board. They have formed a working group to review the draft plan put forward by the mine, by Miramar.

We are sitting on that working group and we also indicated our support for some public process. They have had public meetings and hearings on the draft A and R

plan. It is my understanding that Miramar has now taken some of that input and the recommendations from the working group. They have taken that away and are revising portions of their A and R plan and are proposing to come back before the water board with that revised plan. Thank you.

MR. SPEAKER: Thank you, Mr. Bell. Short supplementary, Mr. Braden.

Supplementary To Question 292-16(3): Responsibility For Cleanup Of Giant Mine

MR. BRADEN: Mr. Speaker, in news reports last week there was indication that the mine has missed some critical deadlines in this process. I won't go into the detail here, of course, but I would like to ask the Minister if our government is taking any notice of this and what pressures are we bringing to bear on either the process, or DIAND or the company to comply with rules that really have already been in place? Thank you.

MR. SPEAKER: Thank you, Mr. Braden. Mr. Bell.

Further Return To Question 292-16(3): Responsibility For Cleanup Of Giant Mine

HON. BRENDAN BELL: Thank you, Mr. Speaker. We believe that Miramar is out of compliance with their water licence because of the delays and, as a member of the working group, we were involved, obviously, when the chairperson of that group wrote a letter to Miramar Con Mine to advise them that they were in fact, in our minds, out of compliance with their water licence by not meeting the deadlines. We are waiting for a response from the company, but obviously we see it as being of paramount importance that we get some progress here, and are waiting for Miramar to respond. Thank you.

MR. SPEAKER: Thank you, Mr. Bell. Item 6, oral questions. The honourable Member for Sahtu, Mr. Yakeleya.

Question 293-15(3): Update On The Seniors Facility In Deline

MR. YAKELEYA: Thank you, Mr. Speaker. Mr. Speaker, my question is to the Minister responsible for the Housing Corporation. Mr. Speaker, recently the Minister and I went to the Sahtu to talk about some of the housing issues in the Sahtu. I want to ask if the Minister could give me an update on the terms of the one seniors' facility in Deline that the people in the Sahtu would like to see open. Thank you.

MR. SPEAKER: Thank you, Mr. Yakeleya. Minister responsible for the Housing Corporation, the Honourable Mr. Krutko.

Return To Question 293-15(3): Update On The Seniors Facility In Deline

HON. DAVID KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, there is a care facility in Deline that has been unoccupied for some time. We have put a proposal to the community to come back with something in writing, if they can find another use for it. We are talking to people within the department, from the Department of Health and also if there are any non-government organizations interested in making use of that facility, we are open to offers. So we have put an offer out there, we haven't heard anything

back to date, so the offer is still there. So that is where it sits today.

MR. SPEAKER: Thank you, Mr. Krutko. Supplementary, Mr. Yakeleya.

Supplementary To Question 293-15(3): Update On The Seniors Facility In Deline

MR. YAKELEYA: Thank you, Mr. Speaker. Mr. Speaker, would the Minister inform the House here as to some sort of a time frame that they would make a decision on it with the community of Deline, in terms of the uses of that facility? Thank you.

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

Further Return To Question 293-15(3): Update On The Seniors Facility In Deline

HON. DAVID KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, this is not the only facility that we are having problems with in regard to occupancy. It has been unoccupied for some time. We still continue to pay the operational costs of this facility. This is one of the items that have been put forward to the government by way of doing an assessment of all of our capital assets that have less than 30 percent occupancy. So we are putting the word out there that we want people to be aware this facility is available. Again, the corporation is definitely looking for someone to let us know if they are interested so we can dispose of this asset so it can be used for other functions besides a care facility.

MR. SPEAKER: Thank you, Mr. Krutko. Supplementary, Mr. Yakeleya.

Supplementary To Question 293-15(3): Update On The Seniors Facility In Deline

MR. YAKELEYA: Thank you, Mr. Speaker. Mr. Speaker, would the Minister provide the House with the reports of the assessments? He mentioned they are doing assessments of less than 30 percent occupancy of those types of facilities that they are responsible for. Would he provide this House with the report within the time frame? Thank you.

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

Further Return To Question 293-15(3): Update On The Seniors Facility In Deline

HON. DAVID KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, I should be able to acquire that information and get it to the Member so he is aware of other facilities we're talking about. Thank you.

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

Supplementary To Question 293-15(3): Update On The Seniors Facility In Deline

MR. YAKELEYA: Thank you, Mr. Speaker. I look forward to that assessment report from the Minister. Also, would the Minister provide this House with a timetable that he is going to work with the Minister of Health and Social Services in terms of seeing what type of occupancy that the people in Deline can look forward to in terms of occupying that seniors facility and that they can at least

have some decisions as to where to go next with that facility? Thank you, Mr. Speaker.

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

Further Return To Question 293-15(3): Update On The Seniors Facility In Deline

HON. DAVID KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, in case the Members don't know, this facility was developed as a long-term care facility for the Sahtu and because the Sahtu is now in the process of establishing their own regional health board, there is still going to be a need for programs and services to be delivered in the Sahtu. So that's sort of where the discussion is at, that that facility still has the ability to provide services for the Sahtu region. So that's what the department or the regional health board is open to. That's sort of the dialogue that has taken place today. We are still open to use that facility for what the purpose was. Thank you.

MR. SPEAKER: Thank you, Mr. Krutko. Item 6, oral questions. The honourable Member for Range Lake, Ms. Lee.

Question 294-15(3): Issues At North Slave Correctional Centre

MS. LEE: Thank you, Mr. Speaker. Mr. Speaker, I don't know what to pursue today, maybe I'll just continue on with my Member's statement. To the Minister of Justice, Mr. Speaker, on the issue surrounding low morale problems and high vacancy rate and high overtime and such, I see two problems there. One is that I don't think there's recognition on the part of the Minister, he's never admitted or acknowledged that there is any kind of problem and the more he says that, the more our phone lines and our e-mails and everything is burning up because people are getting really, really frustrated. The second thing is the more we ask questions to the Minister and the department about these problems, the answer keeps coming back saying well, it's because there is a transition going on at the centre and whenever there is transition there are problems with change. That seems to not be the one that people are accepting either. They don't believe that is the problem. They have no problem accepting that. It's a whole lot of things. Mr. Speaker, one thing that keeps coming up is the fact that the warden of the correctional centre is related to a senior manager in the department and I'm very uncomfortable with this idea. This is a very small town and these are very good people, I'm sure they are doing a good job. I want to know from the Minister, to assure the people out there, what steps have been taken to ensure that there's no direct supervisory link. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Ms. Lee. The honourable Minister of Justice, the Honourable Mr. Dent.

Return To Question 294-15(3): Issues At North Slave Correctional Centre

HON. CHARLES DENT: Mr. Speaker, I am not prepared to address that kind of question in this House. I would submit to you, Mr. Speaker, that this issue has been addressed in this House where a person is named in this House who has no possibility of representing themselves here, and I believe that in the past the Speaker has ruled that that is not admissible. I believe that this is the same situation, because we have now identified two individuals

very clearly and they have no way of addressing that in this House. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Dent. The Chair will remind Members to not make reference to specific individuals in the House who are not here. The Chair did think that that question was slightly not related to the individuals in particular but, Ms. Lee, I will allow you a supplementary.

MS. LEE: Thank you, Mr. Speaker. Mr. Speaker, I totally appreciate what the Minister is saying and it is something that I have been thinking about for many months, many weeks now. It is true; I am giving the Minister an opportunity to explain what is happening in the department. It hasn't anything to do with the individuals. I am telling the Minister that there are concerns, and I want him to explain to the House what he has done as Minister of Justice to make sure that all is in good order. It's true; those two employees can't explain themselves. I'm giving the Minister an opportunity to explain that everything is fine and that there are measures in place so that relatives are not reporting to each other and I think that's important. We live in a...

MR. SPEAKER: What is your question, Ms. Lee? I didn't hear a question there, Ms. Lee. Supplementary, Ms. Lee.

Supplementary To Question 294-15(3): Issues At North Slave Correctional Centre

MS. LEE: Thank you, Mr. Speaker. My question was what has the Minister done as a Minister to make sure that there is no perception or occurrence of anything wrong going on? I think he could explain that because it's his department, it's his employees...

MR. SPEAKER: Thank you, Ms. Lee, there was a question there. The honourable Minister of Justice, Mr. Dent.

Further Return To Question 294-15(3): Issues At North Slave Correctional Centre

HON. CHARLES DENT: Mr. Speaker, I have outlined on many occasions in this House that there is an independent review of human resource practices that has been undertaken by corporate human resources to examine the practices across the Department of Justice. That will be completed within the next couple of weeks and that will identify whether or not there are any systemic problems with human resources in the department, particularly within corrections. If they identify any problems -- and I said if they identify any problems -- then the department will move to address them. At this point, Mr. Speaker, I have no inside knowledge that there are problems. I believe that the issues are being raised by individuals, and I do believe that a majority of the staff in corrections are satisfied with their jobs and the way in which the department is running. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Dent. Final supplementary, Ms. Lee.

Supplementary To Question 294-15(3): Issues At North Slave Correctional Centre

MS. LEE: Thank you, Mr. Speaker. I'm not sure that this issue can be explained by a review. I really would think

that it would be better for the Minister to explain what sorts of steps are in place to make sure that these two people can do their jobs independently and not be accused of interference, because I think that would be in their benefit as well. The second thing, Mr. Speaker, he talked about an internal review...

MR. SPEAKER: Thank you, Ms. Lee. You keep referring to two individuals. The Chair is going to rule that question out of order.

---Ruled Out of Order

Item 6, oral questions. The honourable Member for Tu Nedhe, Mr. Villeneuve.

Question 295-15(3): Enforcement By Wildlife Officers Along Ingraham Trail

MR. VILLENEUVE: Mahsi, Mr. Speaker. My question is in reference to my statement earlier today to the Minister of Resources, Wildlife and Economic Development, the Honourable Brendan Bell. In light of the recent developments along the Ingraham Trail with our discovery of more meat wastage by some hunters that are violating the Wildlife Act, I want to ask the Minister a simple question that if the department has taken steps or does plan on taking steps on increasing the presence of renewable resource officers along the Ingraham Trail to ensure public safety for residents who are living or hiking or hunting along the trail? Thank you.

MR. SPEAKER: Thank you, Mr. Villeneuve. The honourable Minister of Resources, Wildlife and Economic Development, Mr. Bell.

Return To Question 295-15(3): Enforcement By Wildlife Officers Along Ingraham Trail

HON. BRENDAN BELL: Thank you, Mr. Speaker. First, I want to give the Member every assurance that we have wildlife officers and the department has wildlife officers in all the regions, and we believe they do a very good job of enforcing the regulations under the Wildlife Act. We acknowledge that it is a difficult job. It's a vast territory and admittedly we don't have as many wildlife officers as we would like to, but we are constrained by resources. We were both surprised and, I suppose, concerned that barren ground caribou arrived so soon so close to Yellowknife and on the Ingraham Trail; concerned about the safety of people if in fact there is hunting from the road, which is not allowed. We are making sure that it is a priority of our regional staff to enforce the provisions under the Wildlife Act that speak to hunting from the road and speak to meat wastage. It is very important for us to remain in control of the situation and we do it in a couple of ways, both through enforcement, but also probably more importantly through public education. Thank you.

MR. SPEAKER: Thank you, Mr. Bell. Supplementary, Mr. Villeneuve.

Supplementary To Question 295-15(3): Enforcement By Wildlife Officers Along Ingraham Trail

MR. VILLENEUVE: Thank you, Mr. Speaker. I'd have to agree with the Minister that it is a vast territory and with the limited amount of officers we have, they each have a lot of area to cover. I notice that the migratory route is through this area of the barren land caribou and some

years they don't show up until late in season and some years they are close to town, other years they are quite a ways away. Because this doesn't happen every year and it only happens for a couple of months out of the year, why doesn't the department, to ensure public safety, have a renewable resource officer or officers there on a 24-hour basis? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Villeneuve. Mr. Bell.

Further Return To Question 295-15(3): Enforcement By Wildlife Officers Along Ingraham Trail

HON. BRENDAN BELL: Thank you, Mr. Speaker. I have to admit I don't know the hours that the officers are keeping in terms of monitoring and enforcement out on the Ingraham Trail. That is certainly some information that I can get and bring back to the Member. I guess the other point I would make is that we do see this as a priority, and obviously we are having discussion as a government and discussion with committee on an ongoing basis through the business planning process, and the issue of wildlife officers is very similar to environmental protection officers. We know we need more of them. It's simply a matter of getting the resources to put more in the field, and then also making sure we're making the best use of the personnel that we do have in the field regionally. So it is a priority for us. We are working on it and if the Member has any suggestions from his constituents about steps we need to be taking along the Ingraham Trail now that the caribou have clearly come down below the treeline, then I urge him to contact my office and we can certainly sit down and talk through those issues. Thank you.

MR. SPEAKER: Thank you, Mr. Bell. Supplementary, Mr. Villeneuve.

Supplementary To Question 295-15(3): Enforcement By Wildlife Officers Along Ingraham Trail

MR. VILLENEUVE: Thank you, Mr. Speaker. I commend the Minister for making this a priority of the department to ensure that the public is always safe along that Ingraham Trail, especially with all the wildlife that is going through there right now. With regard to the renewable resource officer human resource capacity in that area, I know that we're fairly limited with the amount of officers that we do have, but I know that this time of year is fairly slow in the whole renewable resource sector, I guess. People aren't out on the water as often and people don't go hunting until the ice usually forms and stuff. So I want to encourage the Minister that when he does do some research into the department hours of the renewable resource officers, if they aren't there on a 24-hour basis for the next couple of months, maybe they should implement that new policy for this particular circumstance. Thank you.

MR. SPEAKER: I didn't hear a question there, Mr. Villeneuve. Item 6, oral questions. The honourable Member for Hay River South, Mrs. Groenewegen.

Question 296-15(3): Status Of Resident Judge In Hay River

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, my questions today are for the Minister of Justice. It wasn't so long ago that we were very happy in Hay River to find out that with the retirement of Chief Justice Robert Halifax that, in fact, upon his retirement and departure that the Department of Justice agreed to

have a resident judge in Hay River. I was just wondering if the Minister of Justice could update us, Mr. Speaker, on what the status is of that judge relocating to Hay River. Thank you.

MR. SPEAKER: Thank you, Mrs. Groenewegen. The Minister of Justice, the Honourable Mr. Dent.

Return To Question 296-15(3): Status Of Resident Judge In Hay River

HON. CHARLES DENT: Thank you, Mr. Speaker. Mr. Speaker, since I have heard nothing to indicate, I would expect that Justice Schmaltz is expecting to take up residence in Hay River no later than April 1, 2005, which was the stipulation when she was offered the position. Thank you.

MR. SPEAKER: Thank you, Mr. Dent. Supplementary, Mrs. Groenewegen.

Supplementary To Question 296-15(3): Status Of Resident Judge In Hay River

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, further, for the benefit of my constituents, I wonder if the Minister could share with us what the rationale was for postponing the move to Hay River for one year. Thank you.

MR. SPEAKER: Thank you, Mrs. Groenewegen. Mr. Dent.

Further Return To Question 296-15(3): Status Of Resident Judge In Hay River

HON. CHARLES DENT: Thank you, Mr. Speaker. Mr. Speaker, the rationale was that it would allow the new justice a chance to learn from her colleagues, to spend some time working with them and, in other words, having discussions after circuits and becoming more and more conversant with the role that she would be fulfilling. That would allow some time for some of that development to take place. Thank you.

MR. SPEAKER: Thank you, Mr. Dent. Supplementary, Mrs. Groenewegen.

Supplementary To Question 296-15(3): Status Of Resident Judge In Hay River

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, I would also like to know if there are any support positions associated with this judge's position that would either be coming to Hay River or that exist in Hay River now that would stay there as a result of the judge coming to Hay River. Thank you.

MR. SPEAKER: Thank you, Mrs. Groenewegen. Mr. Dent.

Further Return To Question 296-15(3): Status Of Resident Judge In Hay River

HON. CHARLES DENT: Thank you, Mr. Speaker. In terms of that position, I guess I should be cautious. I'm not absolutely certain, but I believe that there is one support position directly for the judge that is tied to that. I suspect that the position is already in Hay River, but I would have to confirm that for the Member. Thank you.

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

MRS. GROENEWEGEN: I think that's everything. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mrs. Groenewegen. Item 6, oral questions. The honourable Member for Kam Lake, Mr. Ramsay.

Question 297-15(3): Levels Of Pay For Nurses

MR. RAMSAY: Thank you, Mr. Speaker. Mr. Speaker, I would like to pick up where I left off with questions for the Minister of Health and Social Services. I'd like the Minister to explain why an LPN at Stanton can earn more than a registered nurse under the new re-evaluation that's in place at Stanton. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Ramsay. The Minister of Health and Social Services, the Honourable Mr. Miltenberger.

Return To Question 297-15(3): Levels Of Pay For Nurses

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Mr. Speaker, my understanding is that the highest end of the LPN classification is that it's not classified higher than the starting salary of a nurse, so I'd have to look at the specifics. Thank you.

MR. SPEAKER: Thank you, Mr. Miltenberger. Supplementary, Mr. Ramsay.

Supplementary To Question 297-15(3): Levels Of Pay For Nurses

MR. RAMSAY: Thank you, Mr. Speaker. Mr. Speaker, I'd like to assure the Minister that that is indeed the case at Stanton, where, as I mentioned in my Member's statement, a lady went back to school, had been an LPN for 20 years and now she's an RN, and there are LPNs at Stanton earning more than she is as a registered nurse, Mr. Speaker. What steps are being taken to ensure that nurses who are working and getting paid in the specialty areas have the skills, knowledge and abilities to be there, Mr. Speaker? Can the Minister answer that question? Thank you.

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

Further Return To Question 297-15(3): Levels Of Pay For Nurses

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Mr. Speaker, the jobs have been classified, the job descriptions rewritten with the skills, requirements and the education in an outline, and it's my assumption that people in those positions meet those requirements. Thank you.

MR. SPEAKER: Thank you, Mr. Miltenberger. Supplementary, Mr. Ramsay.

Supplementary To Question 297-15(3): Levels Of Pay For Nurses

MR. RAMSAY: Thank you, Mr. Speaker. Mr. Speaker, let's say for all things being equal, two grads from the

Aurora College Northern Nursing Program, one goes into obstetrics and one goes into surgery. They have the same skill set, they just got out of college. One gets paid more because she's in obstetrics than the other one in surgery, Mr. Speaker. What is Stanton doing to make sure that the nurses that are coming into the specialty areas have the skills, the certification and the knowledge to get paid and to be in that specialty area? Thank you, Mr. Speaker.

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

Further Return To Question 297-15(3): Levels Of Pay For Nurses

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Mr. Speaker, if an individual wants to go into a specialty area, either nursing or going from being an MD to being a specialist, there are separate courses of study and training required. You don't just walk in with your college diploma in hand and walk into the most complex or high-requirement job in the operation without any further training and time on the job. I'm not clear on exactly what the Member is suggesting. Thank you.

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

Supplementary To Question 297-15(3): Levels Of Pay For Nurses

MR. RAMSAY: Thank you, Mr. Speaker. Mr. Speaker, I'd like to advise the Minister that that has happened and is happening at Stanton, and that's something he should perhaps check on. I'm also going to ask the Minister if he or his department are currently doing anything to address the concerns of the nurses that have been left out of the increases at Stanton. Thank you, Mr. Speaker.

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

Further Return To Question 297-15(3): Levels Of Pay For Nurses

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. The management has met with the nurses. No nurse took any loss in pay. There was a recognition, as we've indicated earlier in the House, that those jobs with the higher skill levels are paid more. There have been meetings, I believe there have been some grievances filed that are being dealt with through due process, but the fundamental bottom line is that no nurse took any loss in pay or benefits and, in fact, the pay and benefits for all nurses have gone up. Thank you.

MR. SPEAKER: Thank you, Mr. Miltenberger. Item 6, oral questions. The honourable Member for Sahtu, Mr. Yakeleya.

Question 298-15(3): Status Of The Protected Areas Strategy

MR. YAKELEYA: Thank you, Mr. Speaker. Mr. Speaker, my question today is to the Minister of RWED. Mr. Speaker, I'd like the Minister to provide this House with an update on the Protected Areas Strategy in light of the filing of the application of the Mackenzie gas pipeline that there's land that needs to be protected in the region. Can

the Minister provide the House with an update on the Protected Areas Strategy? Thank you.

MR. SPEAKER: Thank you, Mr. Yakeleya. The Minister of Resources, Wildlife and Economic Development, the Honourable Mr. Bell.

Return To Question 298-15(3): Status Of The Protected Areas Strategy

HON. BRENDAN BELL: Thank you, Mr. Speaker. As the Member has indicated, the filing of the EIS is another important milestone for the pipeline project, and we've always said that it is important and this is why we support the Protected Areas Strategy currently, financially and in support to the secretariat. But it's important to have protected areas established and we're working toward doing that. This is a three-way partnership with some ENGOs and the federal government. We are trying to find the money in our government to fund our portion of the Protected Areas Strategy -- I think it's \$1.5 million over five years -- and I've set out a plan and I'm going before FMBS with a submission very shortly to make the case that we need to find that money. We're also, obviously, waiting on the federal government to commit their full funding underneath the Protected Areas Strategy, and to date they haven't done that. We've always said that we would come to the table with our money when the federal government was fully committed. At this point we're sensing some urgency and we're not sure we can wait until the federal government has identified all of their funds. So we will have that discussion as a Cabinet very shortly, but obviously there is a requirement for the federal government to step to the plate with the lion's share of the money. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Bell. Supplementary, Mr. Yakeleya.

Supplementary To Question 298-15(3): Status Of The Protected Areas Strategy

MR. YAKELEYA: Thank you, Mr. Speaker. Mr. Speaker, what strategy is our government going to use to ensure that the federal government does come to the plate to get the ball rolling in terms of protecting our areas in the Northwest Territories? I'm asking the Minister what type of strategy we have. Thank you, Mr. Speaker.

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

Further Return To Question 298-15(3): Status Of The Protected Areas Strategy

HON. BRENDAN BELL: Thank you, Mr. Speaker. We continue to make the case to our federal counterparts that this is a priority and we believe support for development initiatives up and down the valley will hinge on federal support for PAS. I think that's true. You've seen quite a bit of lobbying from ENGOs who believe the federal government has to do more in this regard. So between ourselves and the ENGOs, we continue to press the case to the federal Ministers responsible that this is indeed a priority and this is something that needs to be addressed right now. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Bell. Supplementary, Mr. Yakeleya.

Supplementary To Question 298-15(3): Status Of The Protected Areas Strategy

MR. YAKELEYA: Thank you, Mr. Speaker. Mr. Speaker, can the Minister also ensure that the communities along the route who are looking at the Protected Areas Strategy, the communities that are in the land claims, that are following the land claims agreements in terms of the Protected Areas Strategy? Thank you.

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

Further Return To Question 298-15(3): Status Of The Protected Areas Strategy

HON. BRENDAN BELL: Thank you, Mr. Speaker. I hope I got the nature of the question. The PAS is, in fact, grassroots driven. It's really up to communities to identify areas that they think are culturally sensitive or natural or cultural areas that they feel are special and indeed need protection. So we rely on communities to identify those and then the various partners in the PAS all combine to make sure that those areas are, in fact, protected from future development. Thank you, Mr. Speaker.

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

Supplementary To Question 298-15(3): Status Of The Protected Areas Strategy

MR. YAKELEYA: Thank you, Mr. Speaker. Mr. Speaker, the reason why I say this is that the federal government sometimes puts the squeeze on the communities, you know. There's a time frame to do some really decent work in terms of the Protected Areas Strategy. So I'm asking the Minister if he could ensure that the Protected Areas Strategy deserves the quality and the work that it presents itself to the communities. Thank you.

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

Further Return To Question 298-15(3): Status Of The Protected Areas Strategy

HON. BRENDAN BELL: Mr. Speaker, we will continue to make the case to the federal government that this is a priority for northerners, and we would acknowledge that although there's been a lot of good work done by the partners over the past five years and we're in the fifth year of implementation, we have yet to protect a single area. There are interim areas, there are areas that have been identified for protection, but we haven't, in fact, done this and we see this as, to date, a failing of the work of both our government and the federal government and the ENGOS. So obviously we have to move forward clearly. We have to fund the strategy, the \$17.8 million approximately, and make sure that we actually, in fact, start to protect some of these very sensitive, special, natural and cultural areas. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Bell. Item 6, oral questions. The honourable Member for Range Lake, Ms. Lee.

Question 299-15(3): Review Of Market Housing Initiative

MS. LEE: Thank you, Mr. Speaker. My question is for the Minister responsible for the Housing Corporation and it has to do with the housing policy in the last six months or

year or so. There were huge debates about this employee market housing policy where the Housing Corporation purchased 22 mobile homes to be placed in small communities in order to make this housing available to employees of government, whether they be teachers or nurses or other professionals. I'd like to know whether or not the corporation has done a review of that and where the Minister is with that. Thank you.

MR. SPEAKER: Thank you, Ms. Lee. The Minister responsible for the Housing Corporation, the Honourable Mr. Krutko.

Return To Question 299-15(3): Review Of Market Housing Initiative

HON. DAVID KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, in regard to the market housing initiative, we are still in the process of implementing that program. We haven't concluded the construction or got all the units occupied. Some are occupied, others are not. Until the whole project is completed, we will be developing a review of the overall project. We will hopefully have that report ready by December, or November at the earliest.

MR. SPEAKER: Thank you, Mr. Krutko. Supplementary, Ms. Lee.

Supplementary To Question 299-15(3): Review Of Market Housing Initiative

MS. LEE: Thank you, Mr. Speaker. If the Members recall, we had a huge debate in this House in June. There was a lot of urgency there because the corporation felt it needed to meet the barge deadline. Now I'm being told that those units are not in place and this is almost the end of October now. So I'd like to know if the Minister could commit to holding off -- because I think there's a second phase to this program -- any thought of ordering 22 more of them for next year, until this whole thing is revisited. Thank you.

MR. SPEAKER: Thank you, Ms. Lee. Mr. Krutko.

Further Return To Question 299-15(3): Review Of Market Housing Initiative

HON. DAVID KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, until we complete our review, we can't make that decision outright right now. We will have to do that review before we determine if we're continuing on or not.

MR. SPEAKER: Thank you, Mr. Krutko. Supplementary, Ms. Lee.

Supplementary To Question 299-15(3): Review Of Market Housing Initiative

MS. LEE: Thank you, Mr. Speaker. I don't have it in writing, but I believe the former Minister responsible for the Housing Corporation, Mr. McLeod, almost wrote it in blood that he would not be ordering the 22 new units without a full review of how much of that contract could stay in the North. Could the Minister indicate to me as to whether or not he has the same kind of commitment? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Ms. Lee. Mr. Krutko.

Further Return To Question 299-15(3): Review Of Market Housing Initiative

HON. DAVID KRUTKO: Did what? Thank you, Mr. Speaker. Mr. Speaker, the whole intent of the review is to take a close look at exactly the overall cost of the project, what the benefits were to the northern economy and also to look at the systems to ensure that if we do continue on that we are able to meet the objectives that were set, which is to look at market housing and provide a needed service for non-market communities. We will have that as part of the report. Thank you.

MR. SPEAKER: Thank you, Mr. Krutko. Final supplementary, Ms. Lee.

Supplementary To Question 299-15(3): Review Of Market Housing Initiative

MS. LEE: Just to be clear on the 22 homes that were ordered, could the Minister be more specific about what the problems are? Is it getting the gravel there, or getting the stuff there, or are the people not being able to purchase those homes? Thank you.

MR. SPEAKER: Thank you, Ms. Lee. Mr. Krutko.

Further Return To Question 299-15(3): Review Of Market Housing Initiative

HON. DAVID KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, that's one of the reasons we have to complete this report, is because we did have some logistical problems by way of transportation, barging, looking at sites for these units, gravel was a problem in some communities, and power hookup. Because of the timing of this contract going out, we also weren't able to meet the timelines that we were looking at. So it's been moved ahead. With that, we are going to look at the overall project itself to see exactly the hiccups that we did have so we could avoid them in the future. Thank you.

MR. SPEAKER: Thank you, Mr. Krutko. Item 6, oral questions. The honourable Member for Hay River South, Mrs. Groenewegen.

Question 300-15(3): Course Load Requirement For Student Financial Assistance

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, my questions are for the Honourable Charles Dent, Minister of Education, Culture and Employment. Last week in the Assembly I raised the issue of student financial assistance and how some students mid-year don't receive transcripts and then later on find out that they didn't pass the proper caseload during the first semester and are sometimes required to pay back some very substantial amounts of money. Mr. Speaker, since then I've had occasion to ponder a few more questions about that. When the Minister was responding to me he referred to the percentages of 60 percent and 75 percent and how there had been changes recently in the policy. I was wondering if the Minister could elaborate on that, for starters. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mrs. Groenewegen. The honourable Minister of Education, Culture and Employment, Mr. Dent.

Return To Question 300-15(3): Course Load Requirement For Student Financial Assistance

HON. CHARLES DENT: Thank you, Mr. Speaker. Mr. Speaker, the difference is that until this year there was a requirement for students in third and fourth and fifth and sixth and so on years to carry a course load that was equivalent to 75 percent of a full load in order to qualify for Student Financial Assistance. We have this year instituted moving up one year at a time a 60 percent requirement for attendance. So a student who started this year in first year will be able to carry that requirement for a 60 percent course load through until the end of their schooling. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Dent. Supplementary, Mrs. Groenewegen.

Supplementary To Question 300-15(3): Course Load Requirement For Student Financial Assistance

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, I think that is probably a very good change in the fact that it's challenging sometimes for students to carry a 75 percent course load and then have any time for working or means of supporting themselves, or perhaps they're parents and they have family responsibilities. I think it's a good thing. What precipitated the Department of Education, Culture and Employment to make this change? Thank you.

MR. SPEAKER: Thank you, Mrs. Groenewegen. Mr. Dent.

Further Return To Question 300-15(3): Course Load Requirement For Student Financial Assistance

HON. CHARLES DENT: Thank you, Mr. Speaker. Mr. Speaker, it was a change that I had wanted to see made for some time and we had some evidence that students, in spite of being warned that there was a requirement for 75 percent success, or success in 75 percent of a full course load, that they weren't all aware of it. So the transition from first and second year to subsequent years was not going as well for some students as had been hoped. In order to make it more likely that students would be successful, I directed the department to come forward with this change. Thank you.

MR. SPEAKER: Thank you, Mr. Dent. Supplementary, Mrs. Groenewegen.

Supplementary To Question 300-15(3): Course Load Requirement For Student Financial Assistance

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Is any of the money that we use for student financial assistance directly funded for that purpose through the federal government? Thank you.

MR. SPEAKER: Thank you, Mrs. Groenewegen. Mr. Dent.

Further Return To Question 300-15(3): Course Load Requirement For Student Financial Assistance

HON. CHARLES DENT: Thank you, Mr. Speaker. When we opted out of the Canada Student Loan Program, we get about \$1 million a year from Canada in order to be able to carry on with the program in a similar fashion for people who would not qualify for our Student Financial

Assistance. We put millions more into the program on its own, but we do make sure that the program matches at least what the Canadian program is and we do collect some money from Canada, but we get it as a contribution towards our program. Thank you.

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

Supplementary To Question 300-15(3): Course Load Requirement For Student Financial Assistance

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, as a result of that contribution from Canada, are there any stipulations put on our program in terms of...I'm thinking of this 75 percent rule because, Mr. Speaker, it's come to my attention that in fact the federal government through other programs that they offer, Student Financial Assistance has never required a 75 percent case load and I want to know, in the contract or in the contribution agreement for the \$1 million we get from Canada was there not a stipulation in there with respect to the amount of course load in passing that needed to be required to receive that money? Thank you.

MR. SPEAKER: Thank you, Mrs. Groenewegen. Mr. Dent.

Further Return To Question 300-15(3): Course Load Requirement For Student Financial Assistance

HON. CHARLES DENT: Mr. Speaker, as I've said, we've opted out of the Canada Student Loan Program, so we don't maintain the exact standards of that program. The federal government has agreed to contribute, because our program, in general, is better than the federal program. So I don't believe there was that sort of stipulation in any agreement for the contribution, no.

MR. SPEAKER: Thank you, Mr. Dent. Item 6, oral questions. The honourable Member for Kam Lake, Mr. Ramsay.

MR. RAMSAY: Thank you, Mr. Speaker. Mr. Speaker, my questions today are for the Minister of Justice, the Honourable Charles Dent. I'd like to start off by saying that last Friday I started some questions saying that the department and the Minister were non-responsive to some questions I had. They were responsive, Mr. Speaker, but maybe just not with the answers I was looking for. I'd like to apologize to the Minister if I upset him with the questioning.

---Laughter

The question I have today for the Minister, Mr. Speaker, is last week I talked about a list targeting employees at the North Slave Correctional Centre and I'm just wondering if there is no list, then why are we paying hundreds of thousands of dollars in wrongful dismissal suits. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Ramsay. Mr. Ramsay, that's a hypothetical question, if there is no list. The Minister has confirmed that he doesn't believe there is a list. Would you like to rephrase your question, Mr. Ramsay?

Question 301-15-15(3): Wrongful Dismissal Suits In Corrections Services

MR. RAMSAY: Thank you, Mr. Speaker. I'll rephrase the question. Why are we paying hundreds of thousands of dollars in wrongful dismissal suits? Thank you.

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

Return To Question 301-15-15(3): Wrongful Dismissal Suits In Corrections Services

HON. CHARLES DENT: Thank you, Mr. Speaker. I can't confirm that we are paying that much money. If there are monies that are being paid out for wrongful dismissal, it's because it's been found that the process that was followed was not acceptable and, therefore, damages would be awarded in that case. I don't believe that there are that many cases that have taken place and, as I've said many times in this House, we've launched an independent review of human resource practices in the Department of Justice, specifically the area of corrections, from all of our facilities from Inuvik to Fort Smith, to review whether or not there is a systemic problem. I do not know that there is one. We will have the answer to that within a couple of weeks. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Dent. Supplementary, Mr. Ramsay.

Supplementary To Question 301-15-15(3): Wrongful Dismissal Suits In Corrections Services

MR. RAMSAY: Thank you, Mr. Speaker. Mr. Speaker, I find it difficult to imagine that the Minister is unaware of what's happening in his department in terms of wrongful dismissal suits. I would also like to know what measures are currently underway to get the amount of overtime being paid out at North Slave Correctional Centre under control. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Ramsay. Mr. Dent.

Further Return To Question 301-15-15(3): Wrongful Dismissal Suits In Corrections Services

HON. CHARLES DENT: Thank you, Mr. Speaker. As I said last week in response to Ms. Lee, there are a number of new staff who have been hired. There is a five week training program for 12 new correctional officers that started on October 4th. At the end of the five weeks, those people will move into positions that will help to alleviate the situation. The issue of the numbers of staff, as I also said to Ms. Lee last week, the North Slave Correctional Centre has a bigger staff complement than did the old centre and staffing up has required some work. In spite of that increase, there has been a reduction in the numbers of vacant spots, so that we are at seven vacancies as of September 30th. The moves are quite significant to try and deal with the issue of overtime and the staff complement. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Dent. Item 6, oral questions. The honourable Member for Great Slave, Mr. Braden.

Question 302-15(3): Occupancy Of Market Housing Units

MR. BRADEN: Thank you, Mr. Speaker. I would like to direct a question to the Minister responsible for the Housing Corporation and it's in follow up to my colleague, Ms. Lee's question about the market housing initiative. My understanding, Mr. Speaker, is that one of the reasons this program was undertaken was to, almost on an emergency basis, provide communities that had housing shortages with units for essential public services workers; teachers and nurses were especially highlighted. I would like to ask the Minister of the units that are now on site in various communities, how many of these are indeed occupied by those intended tenants, the essential tenants, such as teachers and nurses? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Braden. The honourable Minister responsible for the Housing Corporation, Mr. Krutko.

Return To Question 302-15(3): Occupancy Of Market Housing Units

HON. DAVID KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, right now I can't state exactly how many units we do have occupied, but we have received some 14 applicants for leasing those units, for professions in the Northwest Territories, so we have received these applications from 14 individuals. But right now until the project is totally completed and we have the units occupied, we can't say what it is. If the Member wants, I can get him that information.

MR. SPEAKER: Thank you, Mr. Krutko. Supplementary, Mr. Braden.

Supplementary To Question 302-15(3): Occupancy Of Market Housing Units

MR. BRADEN: Thank you, Mr. Speaker. Of course, I would welcome that information. I would like to ask further though, the corporation undertook at a considerable urgency and expense to put these units on site. Did it really know which communities required these units and whether the intended audience was indeed going to be satisfied with the services? Did the Housing Corporation really do its homework before engaging in this program? Thank you.

MR. SPEAKER: Thank you, Mr. Braden. Mr. Krutko.

Further Return To Question 302-15(3): Occupancy Of Market Housing Units

HON. DAVID KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, there was a call that went out to all agencies and different departments to see where there was a problem with regard to accommodating professionals in the different communities. The communities that were picked were Tulita, Fort Good Hope, Norman Wells, Lutselk'e, Fort Resolution, Fort Providence and Fort Liard. Those were the communities that seemed to have the most systemic problem of attracting teachers because of the problems with accommodations. Those are communities that were picked for the first round, and there were other communities identified for the second phase which are for the upcoming 22. So these communities were picked on the basis of where the most need was, and these communities that were picked were mostly on the barge

transportation system so the units were barged into those particular communities this summer. The other ones were supposed to be sent to those other communities through the different road systems. Thank you.

MR. SPEAKER: Thank you, Mr. Krutko. Supplementary, Mr. Braden.

Supplementary To Question 302-15(3): Occupancy Of Market Housing Units

MR. BRADEN: Mr. Speaker, I find it a little unusual that the Minister can't say at this point -- it is winter, it's freeze-up, those units should be in place and occupied by now -- how many of them are indeed occupied by the people that they were supposed to serve. In light of that, how can the Housing Corporation continue with installing yet more units if we don't even know if the first have reached the intended audience? Why are we proceeding? Thank you.

MR. SPEAKER: Thank you, Mr. Braden. Mr. Krutko.

Further Return To Question 302-15(3): Occupancy Of Market Housing Units

HON. DAVID KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, as I stated to the earlier question, we are going to do an evaluation of the project once the project is completed. The project has not been completed. Some of the units just arrived in Tulita just a couple of weeks ago. They were on the last barge. So until we actually have all the projects completed, the sites are being developed, the units are open for business, then we will have a better picture of how this program is working or not. Then through the reporting mechanism, we will look at what the problems were and avoid those problems from happening in the future.

MR. SPEAKER: Thank you, Mr. Krutko. Supplementary, Mr. Braden.

Supplementary To Question 302-15(3): Occupancy Of Market Housing Units

MR. BRADEN: Mr. Speaker, there was a news account a few weeks ago now, about I believe it was in one of the South Slave communities that a teacher who should have been one of the target tenants had to decline the unit because he found it unaffordable by the time it was installed and in place in that given community. This is the kind of thing that indicates to me that the Housing Corporation perhaps hadn't done its homework. This is what I'm trying to determine, Mr. Speaker, is that so far we don't have too much of an indication that the initial part of the program is working. Why should we continue with the other part? Thank you.

---Applause

MR. SPEAKER: Thank you, Mr. Braden. Mr. Krutko.

Further Return To Question 302-15(3): Occupancy Of Market Housing Units

HON. DAVID KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, I think that we have to clarify the notion. This is not subsidised housing like the government housing program in the past. This is market housing that was put forth as a business venture from the Housing Corporation. We are there to recoup the investment that we made by way of the rents that we would be charging. Also, another

point I would like to make is that the rates that we are setting for these units are less than what we are charging to clients in social housing. So on one hand you are saying that we are charging too much, but on the other hand is it fair to the residents of those communities that the rates that we are charging are less than the going market rate right here in Yellowknife?

MR. SPEAKER: Thank you, Mr. Krutko. Time for question period has expired. Mr. Braden, I will allow you one final supplementary.

Supplementary To Question 302-15(3): Occupancy Of Market Housing Units

MR. BRADEN: Thank you, Mr. Speaker. The Minister's explanation is, I think, off track here. The costs, regardless of how they compare with social housing or public housing, are still deemed to be unaffordable by some of these tenants. So I would again appeal to the Minister to give us a good explanation as to why we aren't checking or rearranging or realigning this program now, so that it does indeed help those communities that really need it. Thank you.

MR. SPEAKER: Thank you, Mr. Braden. Mr. Krutko.

Further Return To Question 302-15(3): Occupancy Of Market Housing Units

HON. DAVID KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, in regards to the way the price came about and exactly who the client is, I would like to state again this is not staff housing on behalf of the Government of the Northwest Territories. This is a business decision that was made by the corporation to go into those communities where the business sector does not want to make that investment. We made the investment, but we will not go back into staff housing until that decision is made by the Government of the Northwest Territories.

Basically, the whole idea of the rates is based on an arrangement between the employees of the Government of the Northwest Territories and their unions where they have a northern allowance which is built into their salary base, which again is there for the purpose of looking for accommodations. So there is that arrangement which is built into their wages. But, again, I think that, until this project is completed and we do the evaluation, then we can see exactly if this program is working or not. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Krutko. Item 7, written questions. The Honourable Member for Range Lake, Ms. Lee.

ITEM 7: WRITTEN QUESTIONS

Written Question 49-15(3): Statistics At The North Slave Correctional Centre

MS. LEE: Thank you, Mr. Speaker. My questions are for the Minister of Justice:

1. What is the number of cases involving staff inmate confrontation and assaults in the last three years at North Slave Correctional Centre?
2. How many employees at the North Slave Correctional Centre are currently on transfer

assignments, special leave, sick leave or other leave, for how long and when are they expected to return?

3. What is the staff complement required for the new North Slave Correctional Centre in comparison to the old facility, and is it being met?
4. Why are there as many as 35 casuals working full time and over the last six months a quarter million dollars have been spent in overtime, and why are so many casuals either being let go or not given permanent employment, even after working as casuals for a number of years?

Written Question 50-15(3): Supervisory Policy

My question is for the Minister of Finance:

1. Would the Minister provide the government's policy on supervisory relationships involving family members or relatives in the GNWT?
2. If there is no policy, please advise as to why not, and whether there is a plan to establish one.

Written Question 51-15(3): Fuel Spill At Jackfish Lake Power Plant

My question is for the Minister responsible for the NWT Power Corporation:

1. Please provide a report on exactly what happened at the Jackfish power plant with the recent diesel spill, including the answers to: when did it happen, how did it happen, what was the cause and what has been done to make sure it doesn't happen again?
2. What is the number of the full staff complement at the plant over the last five years?
3. How many overtime hours were worked at the plant by how many employees over the last five years?
4. What was done by the corporation to address any morale problem arising from the reduction in staff complement and too much overtime?

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Ms. Lee. Item 7, written questions. The Honourable Member for Tu Nedhe, Mr. Villeneuve.

Written Question 52-15(3): Hunting Practices And Charges

MR. VILLENEUVE: Thank you, Mr. Speaker. My question is for the Minister of Resources, Wildlife and Economic Development, with reference to my Member's statement about bad hunting practices and meat wastage in the NWT:

1. How many infractions have taken place since the Akaitcho incident in 2002?
2. How many have resulted in official charges being laid or fines imposed?
3. What changes in the Wildlife Act will help to alleviate or deter this type of practice in the NWT?

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Villeneuve. Item 7, written questions. The Honourable Member for Sahtu, Mr. Yakeleya.

Written Question 53-15(3): Statistics About Smoking

MR. YAKELEYA: Thank you, Mr. Speaker. My question is to the Minister of Health and Social Services. In light of the high percentage of smokers and smoking amongst our youth in the NWT, please provide:

1. The number of people in the Sahtu region who acknowledge they smoke.
2. A breakdown of smokers by age, gender and youth.
3. The cost of cigarettes in the Sahtu communities.
4. What are the actual health costs to the NWT associated with smoking?
5. In the Sahtu region, who works with the department on smoking education programs?
6. Can the department provide us with the types of financial support to combat smoking in the NWT?

Thank you.

MR. SPEAKER: Thank you, Mr. Yakeleya. Item 7, written questions. Item 8, returns to written questions. Item 9, replies to opening address. Item 10, petitions. Item 11, reports of standing and special committees. Item 12, reports of committees on the review of bills. Item 13, tabling of documents. The honourable Minister of Education, Culture and Employment, Mr. Dent.

ITEM 13: TABLING OF DOCUMENTS

Tabled Document 83-15(3): NWT Power Corporation 2003-2004 Annual Report

HON. CHARLES DENT: Thank you, Mr. Speaker. I wish to table the following document entitled NWT Power Corporation, 2003-2004 Annual Report. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Dent. Item 13, tabling of documents. The honourable Minister responsible for the Housing Corporation, Mr. Krutko.

Tabled Document 84-15(3): Community Driven Solutions: NWT Housing Corporation 2003-2004 Annual Report

HON. DAVID KRUTKO: Mr. Speaker, I wish to table the following document entitled Community Driven Solutions: NWT Housing Corporation 2003-2004 Annual Report. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Krutko. Item 13, tabling of documents. Item 14, notices of motion. The Honourable Member for Hay River South, Mrs. Groenewegen.

ITEM 14: NOTICES OF MOTION

Motion 20-15(3): Affordable Electric Power

MRS. GROENEWEGEN: Mr. Speaker, I give notice that, on Wednesday, October 27th, 2004, I will move the following motion:

Now therefore I move, seconded by the honourable Member for Nahendeh, that the government review the territorial Power Subsidy Program immediately to ensure that consumers in communities which rely on diesel power do not suffer any further hardship as a result of increasing oil prices;

And further that the government direct the Northwest Territories Power Corporation to provide information on options respecting current community-based rate structure in light of practices in other jurisdictions and general principles of fairness.

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mrs. Groenewegen. Item 14, notices of motion. Item 15, notices of motion for first reading of bills. Item 16, motions. Motion 18-15(3) has been called twice and is not being proceeded with, in accordance with Rule 57(1). Motion 18-15(3) will be dropped from the order paper. Item 17, first reading of bills. Item 18, second reading of bills. Item 19, consideration in Committee of the Whole of bills and other matters: Minister's Statement 48-15(3) Sessional Statement; Minister's Statement 49-15(3), Fiscal Update; Minister's Statement 54-15(3), Progress Report on Health and Social Services in the NWT; Minister's Statement 68-15(3), NWT Housing Corporation: From the Ground Up, Celebrating 30 Years; and, Bill 13, Supplementary Appropriation Act, No. 2, 2004-2005, with Mrs. Groenewegen in the chair.

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

CHAIRPERSON (Mrs. Groenewegen): I will call Committee of the Whole to order. We just had the Speaker give us a list of the matters before Committee of the Whole today. What is the wish of the committee? Mr. Menicoche.

MR. MENICOCHÉ: Yes, Madam Chair. Committee wishes to consider Bill 13, Supplementary Appropriation Act, No. 2, 2004-2005.

CHAIRPERSON (Mrs. Groenewegen): Thank you. Is the committee agreed?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mrs. Groenewegen): Agreed. Thank you. Before we proceed with that, we will take a short break.

---SHORT RECESS

CHAIRPERSON (Mrs. Groenewegen): Okay. I am going to call Committee of the Whole back to order. We are dealing with Bill 13, Supplementary Appropriation Act, No. 2, 2004-2005. We are on page 18. We are on the Department of Justice. I will ask Mr. Dent, who will be acting in Mr. Roland's absence today, if he would like to call witnesses.

HON. CHARLES DENT: Yes, please, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Does the committee agree?

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mrs. Groenewegen): Agreed. Thank you. Then I will ask the Sergeant-at-Arms if he would escort in the witness, and then we will look at page 18, Justice, capital investment expenditures.

Thank you. Welcome, Mr. Lew Voytilla, to the Committee of the Whole meeting. Public legal services, special warrants, \$115,000. Ms. Lee.

MS. LEE: Thank you, Madam Chair. Madam Chair, I have some more questions on this item. First of all, I have questions about the use of special warrant. My last question last Friday dealt with this issue because my understanding of special warrant is an expenditure of something that is of an emergency nature. Given that this premise that the government has leased for this legal aid office is not in any way being renovated or opening, and given that we just had session in June...

I only have 10 minutes so I don't want to use up all the time, but from a commonsense point of view, we understand when there is an oil tank that is deteriorating that is causing environmental disaster consequences and Sachs Harbour might warrant a special warrant expenditure. A roof collapsing in Inuvik warrants a special warrant expenditure, but a second legal aid office in a shopping mall somehow doesn't seem to be something that should fit under this. So that is one of my concerns.

Another one has to do with sole source contract. Minister Roland and I have been going back and forth in the House about this as well as outside of here. The government seems to be arguing that when two proposals came in on time but did not meet the criteria and the third one didn't meet the time criteria, but when it was found that that business might have some space to offer, under the government's guidelines it is completely appropriate for the government to get into a sole source contract negotiation with this business without having to either re-advertise or to go wider yet to figure out if there might be other suitable offices.

I have a problem with that sort of sole source contract. Going beyond that, if you go to any other legal aid clinic in many other places in the country, it is usually rented out of law offices. It is usually located where the people are. I don't know. I think this government has failed in looking at some other options that could have actually helped NGOs in paying for their operating costs. I have a problem with where this is located because I don't think it will guarantee the privacy of the clients. In fact, Minister Roland's information to the Members has stated very clearly that the client, the legal aid office, had a question about the privacy issue. In fact, it was agreed that the landlord would agree to give the windows a frosting treatment. I have a problem with the government spending money to lease somewhere where the storefront office glass is obviously a problem and that government is willing to spend extra money to give window treatment to that when I am sure there would have been other places that they could have looked into. I have lots of questions. I am going to go item by item to the Minister.

Lastly, on this opening statement, I want to say that it has been a long time since the legal aid budget got any kind of increase. This is the first time I have seen any significant amount of increase in this budget. I want to commend the Minister of Justice for that. I think it is very unfortunate that we seem to be on our way to blowing the budget on renovation and spending money where we wouldn't have

had to if there were some more thought put into this. My first question, Madam Chair, is what are the rules for special warrant generally? I don't want an hour's treatise on that, but what are the main requirements for special warrant, and how does this expenditure meet that requirement? Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Ms. Lee. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. Section 33(1) of the Financial Administration Act outlines the rules for a special warrant. First of all, the expenditure has to be urgently required. The expenditure has to be in the public interest, and there is no or insufficient appropriation to incur the expenditure within the department. I guess, Madam Chair, in the best of all worlds, it wouldn't have come back as a special warrant, but, when I went to FMB in May, I went in with two parts to a submission. One part was for the operations of the legal aid office. The other part was for the cost of leasehold improvements. The FMB accepted the submission for the operation and asked that I provide further detail on the costs to fix up the space. So that is why, in the June session, we were able to see the monies, the \$266,000, which was approved, and that supplementary appropriation came through without it being a special warrant. The timetable was that we were going to try and have the operation open by this fall. In order to do that, it meant that we had to move quickly to find the space. Because the FMB couldn't consider the revised estimate for the cost of capital improvements before the end of the June session, when I went back to FMB in the summer, it was accepted as a special warrant so that Public Works could advertise an RFP for the space.

It wouldn't be proper for Public Works to be out soliciting proposals for space without the money having been approved for expenditure. So it was felt that it was essential to have the monies approved so that we could seek some space and know that we were going to be able to actually spend the money to fit it up. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Ms. Lee.

MS. LEE: Thank you, Madam Chair. I just want to get more information on the cost of this. The information that Minister Roland provided states that the lease space would cost \$379 per square metre. I know that is a metric number, but I don't know what that is in footage, but could I just get a confirmation from the Minister as to whether this is a yearly figure? By my calculation, that is about \$36,000 a year because I think we are looking at 95 square metres of useable office space. I would like to know what other costs will be there, because this is located in a mall. In a mall, there are common-use fees. There might be condo fees like common-area fees. What is the utility and power? Does the Minister have information on the total expenditure required for this office space on a yearly basis? Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Ms. Lee. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. I believe the Member's figures are accurate. The cost of the space is within \$3 a square metre of what we had estimated the cost would be, in going out for class A

space, because it is almost exactly what the government is paying at other leased locations for class A space. The amount is actually less than what we had budgeted as part of the \$266,000 for lease payments. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Ms. Lee.

MS. LEE: Thank you, Madam Chair. I don't believe I got information as to what other costs there might be. Is that something that is within his knowledge? Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Ms. Lee. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. To the best of my knowledge, the per square metre costs are all the costs that we have. Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Ms. Lee.

MS. LEE: Thank you, Madam Chair. We have before us a special warrant for \$115,000. My understanding is that that is a ballpark figure. That is something that they had to allocate before they could go out for RFP. There is a very good chance that this might be higher. It may end up costing the government more to renovate this. It might be less; I don't know. Minister Roland indicated that the landlord is very cooperative in this regard. The landlord says that there are other plans to make some of the retail stores into office space, and this fits into their plan. That landlord has agreed to pay parts of renovating costs. Could the Minister indicate as to how much is the cost the landlord is assuming in terms of renovation and any other costs? Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Ms. Lee. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. I am not aware that the landlord has agreed to pick up any of the costs. The Member is right; the \$115,000 is an estimate that has been provided by Public Works and Services, based on typical costs that they are finding in doing tenant improvements in other comparable space in Yellowknife. It could be more, it could be less, but we expect it will be fairly close to that dollar figure. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Next on the list, I have Mr. Ramsay.

MR. RAMSAY: Thank you, Madam Chair. I will continue where my colleague, Ms. Lee, left off. In terms of the \$115,000 special warrant, I am just wondering how a special warrant could be approved for the new office. Actually, from the information that the Department of Public Works and Services has provided the House, we found out that the actual landlord is paying most of the leasehold costs on the new office locating into Centre Square Mall. I am just wondering if the Minister could tell us what exactly the \$115,000 is for and why the special warrant. Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Ramsay. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. The \$115,000 is an estimate provided by Public Works and

Services for the cost of tenant improvements for the space.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Mr. Ramsay.

MR. RAMSAY: Thank you, Madam Chair. Is the Minister aware of what that portion of the leasehold improvements the landlord will be paying is? Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Ramsay. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. As I told Ms. Lee, no, I am not aware that the landlord is paying a significant portion of the tenant improvements. If there are any savings, then \$115,000 won't all be spent. It would, instead, remain in the government's bank account.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Mr. Ramsay.

MR. RAMSAY: Thank you, Madam Chair. Again, I guess I am just a little bit confused as to why the Department of Public Works and Services and the Department of Justice would come up with a figure of \$115,000 for a special warrant, not knowing what they were getting themselves into in terms of the lease and the leasehold improvements that were going to be carried out in the new space at Centre Square Mall. That causes me some concern, that that wasn't taken into consideration prior to the special warrant being taken into consideration. Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Ramsay. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. Madam Chair, this amount of money was approved by special warrant before Public Works and Services went out with the RFP. It would not be appropriate for Public Works and Services to advertise for somebody to supply space if we didn't have the money to actually take it. So this estimate was done this summer, well before there was any knowledge of who or what space would be used. That is the normal process for making sure that we have a budget before the government advertises for somebody to provide us with a service or a space. We have to have the budget in place in order to justify it. So we had the budget in place. It was based on Public Works' estimate of what it would cost on a per square foot basis to provide tenant improvements, based on their experience in Yellowknife. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Mr. Ramsay.

MR. RAMSAY: Thank you, Madam Chair. I guess if that's government practice to spend this much money on an 1,800 square foot office location, that to me looks fairly exorbitant, really. I don't know if there are going to be gold-plated doorknobs or gold-plated toilet seats in this place, but it begs the question of what is the money going to be spent on? One-hundred-fifteen-thousand dollars on an 1,800 square foot office space? It's an awful lot of money to be spending on an office. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Ramsay. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. I'm advised that this is within the normal range for this class of office. It's certainly not anywhere near the cost that you would find for, for instance, the Human Rights Commissioner's office, which would be outfitted to a much higher standard. So this is just regular office space and that, Madam Chair, is what it's costing to outfit office space in Yellowknife.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Mr. Ramsay.

MR. RAMSAY: I thank the Minister for that and I questioned the expense on the human rights office, as well. I mean, it's exorbitant. It really is. I appreciate the Minister's response. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): I didn't hear a question there. Ms. Lee.

MS. LEE: Thank you, Madam Chair. Just for the record, I think it should be stated that the information Mr. Ramsay and I refer to in terms of the landlord agreeing to cover the majority of the cost comes from written information that we received from the Minister. We can't really table those, I guess, but it's stated clearly and I guess Minister Dent wasn't made aware of that. But it has been provided to all the Members, this information that the landlord has agreed to pay a majority of the renovation costs because they feel that it is in line with what they had been planning for the mall where they see more spaces turning into office spaces, I guess. I don't know.

One of the reasons Mr. Roland gave in terms of why the decision was made not to re-open this competition once the three proposals were received and all three were found to be not acceptable, the decision was then only made to go to those three to see if there were any alternative spaces and in the end the third one, the successful one, was able to provide a space. The reason given was that, one, they didn't think there was any other space in Yellowknife. I mean, that's what was provided to us. This is one of the answers that we got from Mr. Roland. Two was that they felt that it was good for the government to save on advertising costs that it would cost to re-run this ad. I don't know, those two reasons don't seem to justify to me a reason for a sole source for the government to enter into a five-year lease contract and two more options to renew that would in all likelihood turn into a 15-year lease. That's a long-term financial commitment and for the government to say we just assumed that there wasn't any other space and that advertising costs would be too large, that seems to me that it doesn't meet the test that I would think one would have to go through or the government should go through when deciding whether or not they should go with sole source or not. So I would like to ask Mr. Dent, or maybe Mr. Voytilla has this information, what was the basis or evidence that suggested that there was probably no other office space in Yellowknife?

I want to point out again that the first RFP advertisement was only out for 18 days. I don't know if that is normal time. I mean, when I was looking for staff in my office I made sure I ran it in September, not in August, because I knew everybody was away in August and I made sure I ran it for three weeks. If you're looking for office space, something that permanent, you would think that you would advertise for longer. So that's 18 days and on that basis they have concluded that they wouldn't come up with any

other space. The second thing is how much would the advertising costs be? I'm sure it's in the couple of thousands, \$2,000 or \$3,000. I don't know. I'd like to know how much the advertising cost is that made them justify that answer. Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Ms. Lee. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. Madam Chair, I think it's important to remember that this special warrant was approved on August 22nd. On August 22nd the FMBS had absolutely no idea that a landlord or potential landlord would be willing to pay for part of the tenant improvements, whether that's a small part or a big part. So that didn't factor into the decision at any time. The expectation was that the tenant, that being the Government of the Northwest Territories on behalf of the Legal Services Board, would have to pay for the entire cost of the tenant improvements, and that's typically what has happened. So if there has been a negotiation that has allowed the government to save money on this, then I think that's good news, but there was no way we could predict that was going to happen at the end of August. When I brought forward this proposal for money it was because we thought that we would need \$115,000 to provide the space for two lawyers and their support staff, no matter where the office was located in Yellowknife. That was just the cost that was expected. So that's what this amount of money was based on.

Why was it not advertised again? Well, when you've had an advertisement out for space you expect that because it's a public process that you're going to get all of the people who have space submitting a response. Eighteen days is usually considered quite adequate. If somebody who wanted to submit a proposal had called Public Works and Services and said listen, I'm interested, would you consider extending so that I have a chance to respond, I suspect that they would have considered it because oftentimes RFP closing dates are extended. So I think that probably would have been possible.

The other problem with advertising again, would have been with the delay. The reason that I sought the money was because I was very anxious to be able to get the Legal Services Board another office so they could start to deal with the backlog as quickly as possible. We didn't want to wait any longer than we absolutely had to in order to get this office open. So we had already advertised for lawyers, the process had been started to find new staff lawyers. There's not much point in having the staff if you don't have a place for them to work out of. So there was quite a bit of urgency on my part to make sure that this was moved forward. I didn't personally put any pressure on the department not to re-advertise, but they knew that I was anxious and the department was anxious to see this go ahead and I suspect that there was some concern about the extra time that it would take if the process of advertising had to be undertaken again. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Ms. Lee.

MS. LEE: Thank you, Madam Chair. I don't think I got the answer on why. At least Mr. Roland, and I know he's not here, at least his assertion that chances are there are no other spaces, I think it was just a matter of decisions that officials had to make with the set of circumstances that it

had. I had a question, now I'm just losing my thought here. My understanding is a special warrant is for money that has already been spent. Is that true? Or is it just allocated and sitting in a bank somewhere or account somewhere waiting for renovations to start, and if that's the case right now there's money sitting there somewhere? Right now there has been no work done on that renovation because we know that there is another business that's operating there as we speak. So then why are we being asked to approve this money because that money was not spent anyway?

CHAIRPERSON (Mrs. Groenewegen): Thank you, Ms. Lee. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. Madam Chair, actually maybe Ms. Lee missed it because I did answer her question about why the expectation was that anybody who had space would have already applied for it, and that is that whenever you have a public process, people who are landlords tend to be very aggressive. In the experience of government, when an advertisement is placed for space, there are always, or there seems to always be, particularly for governments to take that space, there is always a big demand. Landlords typically respond very aggressively when governments advertise that they have space available. So the expectation is that once you have run an advertisement process, and landlords also know about the Public Works website, once it's been posted and the advertisements have run, the expectation is that everybody who is interested in the space has submitted an application. Now, was there other space out there? Well, there may have been, but perhaps the landlords were not looking to rent 1,800 square metres or 1,800 square feet, they wanted to rent larger or smaller portions. It's really a question of supply and demand and what's available at the time. Since the interest was in finding the space at that time, the expectation was that everybody who had space that was suitable would have responded.

As to what is a special warrant; a special warrant is the authority to spend. So the Members are quite right; the money hasn't been spent, the money may not all be spent, but the usual practice is to make sure that you have the authority to spend before you sign a contract that would require the expenditures, such as tenant improvements.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Next I have Mr. Pokiak.

MR. POKIAK: Thank you, Madam Chair, just to follow in line with my colleagues here, Madam Chair, a special warrant for \$115,000 is a lot of money. Let's just say that I'm glad that the Legal Services will have an office, but at the present time I'm still struggling with the thought of \$115,000 for renovations of an office space. So that sort of falls in line with what Ms. Lee and my colleagues here were saying. The tenant or the landlord agreed that the majority of the cost would be at their expense, so how much above the \$115,000 is the landlord willing to put into the office space? Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Pokiak. Mr. Dent.

HON. CHARLES DENT: Madam Chair, if the landlord is going to put money into the tenant improvements, then I would suspect that we wouldn't spend the \$115,000. We

have the authority to spend \$115,000, but we will only spend whatever is required to develop the space. So if it only takes another \$10,000 to develop the space, that's all that would be spent. If it takes \$115,000 to develop the space, that's what will be spent. But we have the authority to spend in the area of \$115,000 now, to fit up the space. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Mr. Pokiak.

MR. POKIAK: Thank you, Madam Chair. Madam Chair, can the Minister please indicate whether the landlord is willing to cover the cost of renovations of the office space? Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Pokiak. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. I'm not sure that I can confirm that that's the case. There may be negotiations underway and that may be the end result, but to the best of my knowledge I can't say that that is certain.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Mr. Pokiak.

MR. POKIAK: Just one last thing, Madam Chair, thank you. It is indicated in the letter that we have in front of us here, it's very clear that the landlord is willing to take up most of the cost. So can you follow through to find out how much more, other than the \$115,000 it will cost to renovate that office space? Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Pokiak. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. Madam Chair, the landlord may be prepared to pay a good part of the expenditures. As I said, this special warrant was passed on August 22nd. There were no negotiations with any landlord at that point in time. So when FMB passed this, there was no way of knowing whether or not that was going to happen, so it doesn't really matter to this decision when it was passed as to whether or not a landlord is prepared to pay. If we can get the landlord to pay for it, then that's great, because it means that we don't have to take the money out of the government coffers; we've managed to save money instead of spending it.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Next on the list I have Mr. Hawkins.

MR. HAWKINS: Thank you, Madam Chair. Madam Chair, I'm going to seek clarification on a couple of things. I guess the first one is a concern that the territorial government went and pointed their finger and demanded that particular space. If I could have clarification from the Minister representing the government on this issue. Did this government, vis-à-vis whatever way they go about doing business, up and point at the space and say that they wanted this particular space? If you could supply some clarification on that issue, therefore, we can put that one to rest. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you Mr. Hawkins. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. No, I'm told that the government did not select that space, it was proposed by the developer.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Mr. Hawkins.

MR. HAWKINS: Thank you, Madam Chair. For my benefit, could the Minister go through significant timelines again, I stress again, the day of the issue of the RFP, the day the RFP closed, the day the RFPs were evaluated and then they decided to enter into the next step? Can I get those timeline dates, please, Madam Chair?

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Hawkins. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. In May I went to the FMB with two parts to a submission; one for the operations and maintenance of the Legal Services Board clinic in the amount of \$266,000, and I asked at that time for fit-up costs as well. The FMB asked my department to do more work with Public Works to refine the fit-up costs, the capital costs. So we came back to FMB on August 22nd, or it was approved on August 22nd; it would have been submitted some weeks before that. So the space was advertised, on August 9, 2004, and the close of that request for proposals was August 27th. So the decision on August 22nd was to approve the funds so that they would be available, so that we could enter into a contract on receipt of the final proposals. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Mr. Hawkins.

MR. HAWKINS: Thank you, Madam Chair. Just so I have my timelines correct, the approval from FMBS for the special warrant was signed, I guess in the official sense, for the \$115,000 officially on August 22nd, which is a Sunday. Can I get clarification on that? Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Hawkins. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. August 22nd was the date the Commissioner signed and dated the special warrant.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Mr. Hawkins.

MR. HAWKINS: Thank you, Madam Chair. You know I would consider myself relatively new to this process, and find it quite unusual that we would have a special warrant issued for the closing of the RFP and whatnot. Is this a normal practice, considering even on the 27th we don't know who is responding to this particular tender and whatnot? If I understand, the closing date is August 27th, and the FMB approval, I should say the final approval by the Commissioner -- let me say it that way -- was on the 22nd, six days before the closing. It may be possibly even the official evaluation. Is this considered a normal process that we approve? Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Hawkins. Mr. Dent.

HON. CHARLES DENT: Yes, it's usual to make sure that you have the authority for an expenditure before you are

in a position to have to sign a contract to spend the money.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Mr. Hawkins.

MR. HAWKINS: Thank you, Madam Chair. What were the timelines of acquisition of this particular space that was in the RFP? In the RFP, I suspect there would have been some type of timeline stated. If not, could I get some understanding? I assume no government would go out and RFP a space expecting to get it that afternoon after closing of the tender. What were the timelines? Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Hawkins. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. The amounts for this, including the \$266,000, by the way, were based on estimates for the cost of operation. So the \$266,000 that was approved in June in the supplementary appropriation was an estimate of the cost to operate the clinic for this year. The ongoing amounts that we are putting in through the business plan are estimates because we haven't actually set up the office. The same is true for the cost to do the tenant improvements; that is entirely an estimate based on the cost per square foot that Public Works is finding that we spend on fitting up space in Yellowknife right now.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Mr. Hawkins.

MR. HAWKINS: Thank you, Madam Chair. I guess my question would still stand because I don't think it was answered. My question was when was the government anticipating to get acquisition of this property in order to operate out of and as I said earlier when the tender closed on the 27th, I suspect we didn't anticipate to take it that afternoon. So when did the government anticipate or work towards with an RFP to close or actually take lease control of the space? Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Hawkins. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. Madam Chair, Members may remember that in the June session when asked that question, I had advised this House that we were aiming for October 1st as the opening day for the clinic.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Dent. Mr. Hawkins.

MR. HAWKINS: Thank you, Mr. Chair. I guess maybe my next stage is more a comment. I just find it very unusual. I am in favour of the expenditure. I'm in favour of the clinic. I'm in favour of it in almost every sense, except for the special warrant process. The special warrant process doesn't provide me any comfort. Just looking and trying to understand some of the timelines and the fact that this wasn't brought to the House, it feels like it kind of slipped under the radar before it was brought to Members. I don't agree with arguing it on the principle of the costs. I think the principle I'm coming from is I feel it sort of slipped by our radar for Members.

Of course, there is a rule that says we have a two-week period of notice, basically, if session is about to start or finish. So it wouldn't be appropriate. This is a little more than two weeks before session starts, but I have a concern about this being slipped in under the wire beforehand, running an RFP at the end of August; the timeline seems kind of funny I have to admit. I guess I'm doing the smell test and they seem kind of peculiar. I'm not sure I can offer anything new. I'm sure our Minister has every answer in the book at the push of a button. So like I say, that's probably more of a comment. A matter like this I'm not sure, I think maybe we should be dealing with this issue specifically; not on legal aid, but on the usage of special warrants. So it's more of a special warrant issue, not a legal aid issue. No question, Mr. Chairman.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Hawkins. Mr. Dent.

HON. CHARLES DENT: Thank you, Mr. Chairman. Mr. Chairman, the Members will remember that when I brought forward the submission or when the supplementary came forward in June, there was money in there for the operations and maintenance of a separate legal aid clinic, but there was no money to actually fit up the clinic. All it was was the O and M costs. So had we not agreed to do a special warrant, we would be waiting until this session right now to be considering this money before we could even advertise for space for the clinic. So there would be no possible way that we could get the clinic working this fall. We would be talking about January or February. So there would have been no point to having the \$266,000 that I got to run it because we wouldn't be able to run it anywhere.

So I don't know what the expectation was, but if we didn't approve the tenant improvements in June, if we didn't go ahead with a special warrant, then it couldn't possibly be done until this session right now. Since we haven't finished the supp, that means that we wouldn't be able to go out with the process to find space for this clinic until probably sometime next week. For another 18 days on top of that, we're talking about moving in at the earliest in January or February. I'm still hoping that we're going to beat that timetable. We had been aiming for October 1st. We've obviously missed that date now, but I still am hopeful that we will have the clinic open before Christmas and that we will, in fact, be able to start to deal with the backlog in legal aid clients. So there really is no other way to handle the expenditure other than through special warrant if you want to meet the timetable that was set when I came forward with the O and M monies.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Dent. Mr. Hawkins.

MR. HAWKINS: Thank you, Mr. Chair. I guess again thinking through, the Minister said June and I guess it is kind of perplexing. Whereas we approved money for bodies in order to put new legal aid personnel out there, then at that time, why did we not approve a particular chunk of money for the office? It seems like we did one element while not foreseeing that the other element would be required; seeing that chances are we'd have to go out and do this process. So I think -- and the Minister I have no doubt will correct me -- the Minister did mention that the original submission went out in June, he had said earlier and I would like to see him correct me or whatnot or confirm the date in June that they had originally

approached FMB for the money for the fit-up, not for the money for the people, the fit-up portion. Thank you.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Hawkins. Mr. Dent.

HON. CHARLES DENT: Mr. Chairman, in May, at the same time and the same submission that I asked for the O and M money, I asked for the fit-up money. FMB would not accept that submission at that time. They accepted the bodies, but not the cost for fitting up the space and asked that there be further work done with Public Works to make sure that the estimates were in fact accurate. That work was done and then the revised submission went to FMB either late July or the first week in August. I'm not sure exactly what the date was, but it would be in that two-week period. That's the timetable that I had to work to because there was a two-week deadline. So if you have one FMB meeting and something gets kicked out, you have to put together another submission. By that time you are past the deadline for the next meeting. So you are talking about four weeks, at the earliest, the next submission can be considered. We were past session, so we had finished the June session before there was any hope of getting the FMB submission in. So there was always an expectation that if we were going to live to meet the fall, we were going to have to have a special warrant to approve the capital expenditure. Thank you, Mr. Chair.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Dent. Mr. Hawkins.

MR. HAWKINS: Thank you. I guess from a Member's point of view, it certainly would have been nice to deal with this issue in the May-June session. I can appreciate that FMBS may have screened it out, but this is a decision before the House and I would have thought that hearing some of the timelines of the organization in May, how we were able to get our numbers together for the bodies portion, the workers portion for the May session. I find that almost kind of strange not to have been brought to us in May. I'm sure there is a reason why it wouldn't have been brought to Members for a full discussion during the House in May.

I'm sure there are steps that FMBS must have the final say before it sees all Regular Members, but I'm a little surprised that things couldn't have come directly to us in that particular case, noting the time windows. I would challenge the Minister by saying that I thought he said September it would be open, not October. So there were tight timelines at the time. I'm just a little surprised and I think I go back to what I in my earlier comment in that I think we're dealing with a special warrant issue and the fact that it seems to fly very low under the radar of Regular Members and it just seems to pop up long after the money has been spent. The fact is, in this particular case we don't have that space -- we may through a contract have that space -- but we don't have that space as of today and that money isn't being spent as of today on a fit-up at this moment. Potentially on a fit-up, I should say as well, because it's not really clear whether we're paying for this space or not. When it comes to the fit-up, that still has to flush itself out. Mostly a comment, but I have no doubt our loyal Minister will have some comments to provide back. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Hawkins. Mr. Dent.

HON. CHARLES DENT: Thank you, Mr. Chairman. Mr. Chairman, when that submission initially came forward in May, the FMBS was inclined to reject it because they said it wasn't complete enough particularly on the capital side. So I was able to convince my colleagues that at the very least we should be able to approve the money for the operations, and that I would come back and I sought their approval to be able to come back with a separate submission on the cost of tenant improvements because I explained to them the timelines. If it wasn't approved at that meeting, it wouldn't make it into the supplementaries in June and we wouldn't be looking at it until now and there would probably be no way that we would have the office in operation for more than one month in this current fiscal year. So my colleagues agreed that I could have the money in the supplementary for the operations, but I was directed to come back with a more detailed estimate of what it was going to cost for the tenant improvements. So I'm not sure if it was mentioned in the June session that there was going to be a further submission for tenant improvements. It may have been mentioned. It probably wasn't outlined that it would have to come forward as a special warrant in any case. But with the government moving ahead with only the operations and maintenance costs, there was clearly only one thing that was outstanding; that was the cost of tenant improvements. I had been, at that point in time, directed to come back with another submission for tenant improvements. Based on that, that's where the \$115,000 comes from and that's why it was approved prior to the close of the RFP process. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Dent. Mr. Hawkins.

MR. HAWKINS: Thank you, Mr. Chairman. I can't speak with 100 percent certainty, but I don't recall the words in the May/June session noting somewhere in the middle that thank you for approving this money and, by the way, we're going to be asking for more money very quickly to make this happen. Maybe that was just foolishness on our part that we did not foresee that there would be additional costs or whatnot, but again, as I've said before, I could be mistaken on this particular part, but I don't recall the Minister or anyone saying that a further submission specifically related to Legal Aid would come forward. So I can't say for certain, but it doesn't sound familiar. I think that's all for now, Mr. Chairman.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Hawkins. Ms. Lee.

MS. LEE: Thank you, Mr. Chairman. Just a final thought here. When you consider \$266,000 approved in the last supplementary appropriation and \$115,000 this time -- granted it's capital budget -- one could only wonder what we could do with that kind of money if we were to give it to private lawyers to take on files. I used to have Legal Aid files when I used to practice and many cases are approved for \$1,000, \$1,500 and \$2,000 for these sorts of cases. Most lawyers in town are willing to take on files at a real discounted rate. Actually, it's way too low now for them, to the point where they've determined that they're not going to take as many as they could had the tariff been able to go up a little. I understand the Minister's argument that there is a sense of urgency here, because we need to have the second clinic in order to serve the needs of these clients, but I have to argue that it's not like there aren't other ways until this gets sorted in a regular budgetary session where we could argue the points and

debate about whether or not the second clinic is more desirable to raising the tariff of the money that government is paying to private lawyers to take on some of these files and what's the offsetting advantage in not having to have our own government office open, a second Legal Aid office open. But where there are conflicts, private lawyers could take on cases and give them more. It could have been \$20 an hour more or something and that could have settled this problem. With the way this has been introduced in a supplementary budget on a piecemeal basis, and Mr. Hawkins and I and lots of others sit on the Social Programs committee and I don't recall that we had a debate about whether the direction the government is taking is the one that we had full knowledge of. We sort of approved the extra lawyers because how would you say no to that? I mean, we've been arguing for extra legal services for years. It's just that we didn't have the full picture to really argue about how to support it, to what extent and with full information. Now we are where we are.

The second point is what Mr. Pokiak was raising, Mr. Chairman, what you were raising on this side is important because the information that Mr. Roland gave us -- and I understand he's not able to be here -- but it's the government's information to us that said there were concerns raised by the client; the client being the Legal Services Board, I'm sure, or Justice, or whoever the client is. There were concerns raised about the layout of the office and privacy of the clients. It's our understanding that the landlord was able to resolve this. I'm reading almost verbatim from the information that Mr. Roland gave us, that the landlord agreed to on the space configuration and application of a window treatment. Those are extra deals that the landlord gave. More importantly, the landlord agreed to pay for the majority of the costs for tenant improvements and that this deal that the government got is much lower than market value for that sort of space. Why is that important?

I know Mr. Dent is saying well, we asked for \$115,000 because that's what we thought it would be and we had to ask for it under special warrant because it was an emergency, but we don't know if we're going to spend it or not. Okay, well, if we get a deal with the landlord we're going to spend less. What kind of budgeting process is that? We're sitting here saying okay. What we're arguing is this is a lot of money to spend. With \$115,000 you could buy a mobile home in my riding with that. You could hire a brand-new lawyer with that. Now you're saying okay, we needed \$115,000 to renovate. Renovate, okay. Just to renovate. We could get 5,000 files approved with \$110,000. So we're going to renovate and now all the information we got from Mr. Roland is don't worry, we got a really good deal. It wasn't our idea that because I made a big fuss about government going and renting a shoe store to turn it into an office. So the government tells me, well, actually it wasn't our idea, it was their idea. They wanted to turn, they really thought they had this plan, the landlord had a plan to change the shoe store into a retail store and we're not going to cover any costs. They're going to do that. It's their idea and they're going to give us a deal on how to frost the windows; clear, beautiful, retail store windows. We're just going to frost it up. But you know, we're not going to pay for it, the landlord is going pay for it. I'm saying that's great, you got the deal, but what's the deal? How much are they paying for it? Because it matters if we're approving \$115,000 for renovations or \$90,000 for renovations or \$50,000 for

renovations. What the Minister here is saying is well, it's just a ballpark figure of \$115,000. That's what it's going to cost to renovate 1,800 square feet and just give it to us. Actually, he's not even asking to give it to us because it's already been given. We just have to rubber stamp this thing. So we're not questioning whether you knew this when you went to FMBS, but now that we know and we've been given the information from Mr. Roland that the landlord made all sorts of deals with the government to get this deal, I want to know what kind of deal we're getting.

Lastly, I don't understand why the Minister, Mr. Dent, indicated that when he appeared before us in the Social Programs committee he said to us that he was hoping this facility would be opening by October 1st. It's October 25th now and that store is still in place. What happened there? Shouldn't there be any questions raised as to whether or not that space is even available? Was there any information? Did Public Works and Services go down and say what's happening with this? I certainly would not want to be in the position of approving the government going in somewhere and offering or working out a deal with the landlord to say, hey, we're looking for this place for five, 10, or 15 years and the landlord just kicking out a store. Because who could blame them? Everybody wants to get a deal with the government, but government should be in the position of promoting small businesses, not be a party to anywhere where we're somehow inducing a store being removed or something. I don't have any evidence to suggest that, but I don't understand what's going on because the Minister is suggesting that...Well, he stated he was hoping to be there by October 1st. Now he wants to be there by November 1st, by December 1st. As far as I know, anybody who passes by that the store in that mall, the store is there in full operation. So what's going on? Thank you.

CHAIRMAN (Mr. Pokiak): Thank you, Ms. Lee. Just a couple of things here for order. Ms. Lee, I understand that Mr. Roland is not in attendance here, so could you just refer to the Minister at the table? Also, with regard to some of the comments you made, specific references to what was said in in-camera committee meetings is not allowed. Members should refrain from doing so. So at this time, Mr. Dent, do you have a response? Thank you.

HON. CHARLES DENT: Thank you, Mr. Chairman. As I understand it, the government will take possession of the space on November 1st, as things stand. I can only reiterate that the government did not go and say we want that space. It was proposed by the landlord. The issue of whether or not that's proper, if the landlord comes forward and says this is what we want to do with our space and the space is suitable for the use, then the government is interested in it. The Legal Services Board had asked that Public Works and Services find space that was storefront, that was accessible, and we were also looking for space that was within the range of what is normally paid. The estimate in terms of what it would cost us to fit up was around \$60 a square foot, which is, I'm told, quite standard for tenant improvements in Yellowknife. It's not at the high end and it's not at the low end. It's about medium quality tenant improvements for that space. So you've got space that's downtown, which was a requirement of the Legal Services Board. They wanted to be close to the courthouse. It's accessible and it's storefront; obviously it's storefront.

In terms of what the costs are, I've been a little surprised by the Member quoting some prices because I had been advised that actual prices in leases and what is negotiated in the final terms of the lease can't be talked about publicly because it's proprietary information. So that information may be available in camera to the committee, but I can't in this format get into any more detail than I have. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Dent. We are now on page 18. We're looking at public legal services, special warrants, \$115,000. Ms. Lee.

MS. LEE: Just to clarify, I don't know if I should do it in a point of order, Mr. Chairman. I would leave that up to you. I am very mindful of how we use information. I was only going with what Mr. Dent said earlier. He said earlier, if you'll check the transcript, that he was expecting this office to be open by October 1st. It's his words, not mine and I'm not quoting from what we said in committee.

The second thing is the price of the lease -- \$395 per square metre -- was information given by Mr. Roland last Friday. So it's in the transcript. I was not exposing any information from private or confidential information. It's not my problem if two Ministers have a different willingness to open up. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pokiak): Thank you. Ms. Lee, can you just clarify one point here? Were you talking about when Mr. Roland was in committee or was it Committee of the Whole? Thank you.

MS. LEE: Thank you, Mr. Chairman. I can assure you that Mr. Roland confirmed that figure, the lease price per square metre, in Committee of the Whole in the House last Friday.

CHAIRMAN (Mr. Pokiak): Thank you. For the information of the Members here, there is no point of order. Mr. Dent, would you like to respond? Thank you.

HON. CHARLES DENT: Thank you, Mr. Chairman. Actually, if I look at Friday's, what I was talking about was the amount per square metre, which I believe is proprietary information in a lease and that is not normally released. Earlier today Ms. Lee quoted a number. I was careful not to use that number, I believe, myself, but did say that the amount that we had signed for was within a few dollars of what the estimate had been per square metre that it would cost. When I look at Friday's Hansard, it appears to me that Ms. Lee is the one again that used the number. Mr. Roland didn't appear to. All I can say, Mr. Chairman, is that I have a briefing note in front of me that says that I'm not allowed to give this information out because it's proprietary information. So I am just trying to follow the direction that I have been given when it comes to the amounts.

The same thing would be true though of an amount that was negotiated between a landlord and the government for tenant improvements in terms of the dollar amount. It's unlikely that we would normally discuss that in a public setting. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Dent. Page 18, public legal services, special warrants, \$115,000.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Pokiak): Total department, special warrants, \$115,000.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Pokiak): Page 19, Transportation, capital investment expenditures, airports, special warrants, \$3.4 million. Mr. Ramsay.

MR. RAMSAY: Thank you, Mr. Chairman. I have spoken at length about this and I will try to keep this short. I wonder how the government can spend in this special warrant, what amounts to \$3.4 million. Cumulatively, over three years, it was \$6.6 million without any public debate or stakeholder consultation taking place for this expenditure. It boggles my mind, Mr. Chairman, how this can happen. In a city the size of Yellowknife with our airport being the hub of the North – sorry, Jane, Mrs. Groenewegen – the airport serves a vital function here in Yellowknife. For the government not to consult with the city of Yellowknife, the stakeholders out there, the businesses, etcetera, it really boggles my mind how this could just take place and the government can spend this money.

I do realize the fact that they are up against some imposed CATSA regulations, that they have to put the bomb detection equipment at the Yellowknife Airport, but I don't understand how and why government can just spend \$3.4 million or \$6.6 million over three years without that debate taking place in public. Now we are left here at the 11th hour, Mr. Chairman, with this money already having been spent talking about a special warrant for \$3.4 million. It just doesn't make sense. I would like to question the Minister how this can happen. It just seems to be a travesty, Mr. Chairman.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Ramsay. Mr. Dent.

HON. CHARLES DENT: Thank you, Mr. Chairman. I understand that the process of negotiating with CATSA what their contribution would be and the time table took some time and in the best of all worlds, we wouldn't have any needs for special warrants. But by the time the agreement was reached between CATSA and this government in terms of what the structure of what their contribution would be, there was no choice but to go to special warrant for the amount of funding that you have in this supplementary appropriation right now.

It's worth noting that the balance of the expenditure will show up in the main estimate and be subject to the usual budgetary debate and process, but because of the timing and the requirement to get started on the project as quickly as was necessary right after the final deal was reached, it had to go in this way.

I understand that within a week of FMB being advised of these negotiations being concluded, that the standing committee was briefed and while that's no substitute for following the process that we would like to follow, in this situation there was no other opportunity to move the project forward in the speech in which it had to other than calling a special session. I don't know if that would have been acceptable either. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Dent. Mr. Ramsay.

MR. RAMSAY: Thank you, Mr. Chairman. I don't know if the Minister has this type of information available to him, but when was the Department of Transportation told by CATSA that they had to install this bomb detection equipment? Could I get that information, please? Thank you.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Ramsay. Mr. Dent.

HON. CHARLES DENT: Thank you, Mr. Chairman. I don't have that information. The Minister may have that information. It's not a question of whether or not this was known for awhile, it was. But the negotiations on what portion CATSA would pay went right up until the committee was advised that this was going to be an urgent expenditure. So it wasn't a situation where there wasn't some knowledge about the project having to go ahead, but there wasn't a clear knowledge of what this government was going to have to pay. As I understand it, the department was negotiating to try to get an even larger portion paid for by CATSA. In terms of when we got the first notification, I don't know, Mr. Chairman. Perhaps we could see if Minister McLeod has that information available.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Dent. Mr. McLeod.

HON. MICHAEL MCLEOD: Mr. Chairman, I don't have the specific date, but I think it's around December 2003, that we got notification that there would be a requirement to put in a screening device for passengers and baggage. The date was set for January 1, 2006. Having said that, we had no information in terms of the scoping of the project, the costing of the project and who would be required to cover which portions until early this summer, Mr. Chairman, which didn't leave us a lot of time or much room other than to go forward with a special warrant. The timing, as I stated earlier, is January 1, 2006. It doesn't leave us a lot of room.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. McLeod. Mr. Dent, would you like to add anything?

HON. CHARLES DENT: No, thanks.

CHAIRMAN (Mr. Pokiak): Mr. Ramsay.

MR. RAMSAY: Thank you, Mr. Chairman. I guess the CATSA segment of the expenditure for the bomb detection equipment, that is one thing, Mr. Chairman. I think the public could accept the fact that that was going to happen and we would need to spend a little bit of money. In the grand scheme of things, what's happening at the Yellowknife airport, from the information that I have, is a full blown expansion, both to the apron, both to the terminal building itself and we are adding an annex. We have seen them at the Edmonton International Airport. They are ATCO trailers. They are just an add-on, Mr. Chairman. Again, I will get back to the process here. There was no consultation with stakeholders at the airport. There was no consultation with the city of Yellowknife and there was no consultation with the Members of this House. Mr. Chairman, I find that completely unacceptable.

I don't know how else to say it, but it shouldn't have happened this way. You can wrap it all you want in the CATSA argument and the fact that the bomb detection equipment had to go in, but the stakeholders, the city of

Yellowknife and the residents of the Northwest Territories deserve better than what's happening here and the fact that we are going to try to recoup the cost over the next few years out of airport user fees is quite alarming, Mr. Chairman. I don't know exactly how it's going to work with the money in user-fees coming back to the government. Is it going to go back into the general revenue into the black hole or how is that money going to be applied, Mr. Chairman? Thank you.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Ramsay. Mr. Dent.

HON. CHARLES DENT: Thank you, Mr. Chairman. I guess to the last point first, since the money to pay for the project is coming out of general revenues, any receipts would go back into general revenues, as they should.

One of the terms and conditions of CATSA providing a contribution is that the improvements have to have a life of 10 to 15 years. Actually, CATSA says it has to have a life of 10 years. The department has projected the changes to the passenger terminal building will likely meet the needs of the travelling public for the next 10 to 15 years. So they feel they are safe on the CATSA side and are demonstrating that the building will be successful in providing the screening equipment for a life of at least 10 years, perhaps longer.

In terms of the process for recovering the funds, the department hasn't yet proposed the final solution. It is a process where they are examining what should take place and there are a few options that I believe the Minister still has under active consideration. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Dent. Mr. Ramsay.

MR. RAMSAY: Thank you, Mr. Chairman. Just a few more things I would like to bring up. One of the options that has been discussed was an airport improvement fee. I don't know how we sell that to the public based on the fact that some of these improvements to the air terminal building in Yellowknife might only be around for another 10 years. I don't know how that would work charging the travelling public an airport improvement fee for a facility that, for all intents and purposes, isn't going to be there after 10 years. That doesn't make a lot of sense, Mr. Chairman, and I don't think the public would swallow that.

The other thing I wanted to mention as well is most of the Members of this House and the public are well aware of the government's budgeting practices when it comes to capital projects, Mr. Chairman. I'm just wondering what safeguards we are taking and what safeguards are in place to ensure that this project doesn't cost us...It's \$6.6 million right now, Mr. Chairman, but that's over three years. This project could come back costing the Government of the Northwest Territories \$15 million or \$16 million, and that's my fear, Mr. Chairman, that we don't know all the numbers and it's going to be a free-for-all here for the next three years. Then we'll have a terminal building that has a life expectancy of another 10 years. It just doesn't seem to me to be a good expenditure of money if indeed the terminal building is going to be moved 10 years from now. Thank you.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Ramsay. Mr. Dent.

HON. CHARLES DENT: Thank you, Mr. Chairman. We don't know for sure that the terminal building is going to be moved in 10 years. It may be in place for 20 years; the traffic is really the issue. The proposed renovations to the building we'll make will last for at least 10 to 15 years. It could be 20 or 25 years. There's no guarantee that there's going to be a new terminal building required in that space of time.

On the issue of cost overruns, the department, I understand, has briefed Members on what they're going to do to try and make sure that the project comes in on budget, and there are a number of steps that they have outlined by setting up sub-projects, for instance, and setting up maximum budget limits for each part of it, using the design/build process and following up with RFP documents that will outline the scope of work.

So I think the department is aware of the concern. Government is also, by and large, concerned with the cost of the projects and cost overruns. So it's something that we will all have to keep an eye on as it's progressing. But as I said, Members will have an opportunity during the regular budget session to deal with the majority of this money. What we're seeing in this process today was what was needed to be spent urgently this year in order to get the project started, after we had come to a conclusion with CATSA on what they would pay for. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Dent. Mr. Braden.

MR. BRADEN: Thank you, Mr. Chairman. Mr. Ramsay and Mr. Dent have covered some of the ground on this project. I should state from the outset that I, too, have some big concerns about this. On one hand, I appreciate the need to be part of a secure and responsible screening and security network of Canada, and the government and the travelling public in the Northwest Territories should accept some of the inconvenience and the cost of doing so. However, the scope of this project and the urgency in which it is being implemented speaks to some shortcomings in our system. I'd like to start with just getting a confirmation, Mr. Chairman, that the whole of the project as it is scoped out now has a total value of \$14.6 million and that's made up of \$4.6 million that CATSA will inject; \$3.4 million that has already been spent; and \$6.6 million that we're anticipating will come from the travelling public. So is it a \$14.6 million overall project? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Braden. Mr. Dent.

HON. CHARLES DENT: Thank you, Mr. Chairman. My understanding is that the entire project will cost \$11.2 million. So if you have \$3.4 million here, the balance of that is what we will see through the main estimates process.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Dent. Mr. Braden.

MR. BRADEN: Thank you. That's why I asked for clarification, because the second paragraph in the bill -- and this is totally before the public, by the way, we're not popping anybody's secrets here -- the second paragraph says the total additional investment of \$11.2 million comes from CATSA and, therefore, user fees, which left the \$3.4

million special warrant. So I'm going to ask again, is it a \$14.6 million or an \$11.2 million total project? Thank you.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Braden. Mr. Dent.

HON. CHARLES DENT: Thank you, Mr. Chairman. The description is not entirely accurate in the supp. The total project is \$11.2 million.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Dent. Mr. Braden.

MR. BRADEN: Okay, so \$11.2 million. I'm just doing the math on the fly here, Mr. Chairman. We're going to get \$6.6 million from the travelling public, we've been asked to approve \$3.4 million, that makes \$10 million. Where's the other \$1.2 million coming from? Thanks, Mr. Chairman.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Braden. Mr. Dent.

HON. CHARLES DENT: Thank you, Mr. Chairman. Our expectation is that total expenditures will be about \$6.6 million from GNWT monies, and \$4.6 million from CATSA over the entire project, the \$11.2 million. So in this year, we're looking at \$3.4 million, and then the balance will show up in the main estimates in subsequent years.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Dent. Mr. Braden.

MR. BRADEN: I guess I would like to explore a little bit more along the line that Mr. Ramsay had started with. This is \$11.2 million just to install an explosive detection system. That's the only information we're given in the bill here. I don't know very much about explosive detection systems, Mr. Chairman, but is it costing this entire amount to put in this thing or is there other stuff that's being done out at the airport in addition to the detection system? Thank you.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Braden. Mr. Dent.

HON. CHARLES DENT: Thank you, Mr. Chairman. Yes, there is other work being done, it's largely work to ensure that the passenger terminal building will last for 10 to 15 years, again to make sure that we meet that minimum 10-year lifespan that CATSA insists on to get their \$4.6 million. If committee would like, I would suggest that perhaps Minister McLeod be asked for some information on the overall plan.

CHAIRMAN (Mr. Pokiak): Thank you, Mr. Dent. Mr. Braden, would you like the Minister to expand? Thank you. Mr. McLeod.

HON. MICHAEL MCLEOD: Sorry, Mr. Chairman, I'll have to ask you to repeat the question.

CHAIRMAN (Mr. Ramsay): Could you please repeat the question?

HON. CHARLES DENT: Mr. Chairman, Mr. Braden had asked for some outline of what other projects were included in the whole thing. There is about \$4.6 million that's allocated to CATSA, and that's what they have agreed to supply us with. There are other projects involved in order to make sure the terminal building lasts for 10 to 15 years. For instance, there's going to be a

secure hold room and washrooms, there's going to be new public access, there's going to be non-secure hold rooms and vestibules, there's going to be \$600,000 spent on mechanical and electrical and so on.

So there are a whole bunch of things that are in addition to the expenditure by CATSA, and the big part of it is on paving and the apron outside. The CATSA structure causes us to expand the terminal building in such a way that we lose an awful lot of airplane parking, so there has to be a lot of work on the outside airside to develop new apron space and new parking for airliners as they're out there.

There is going to be other work done as well in order to make sure that if you are going to be spending this kind of money you need to make sure it is going to last for 10 years. There are a number of other parts to the project that have to take place. So it is broader than just the absolute minimum required, because if we did that we couldn't be sure that we would get that 10-year life that CATSA requires for their funding to flow.

CHAIRMAN (Mr. Ramsay): Thank you, Mr. Dent. Mr. Braden.

MR. BRADEN: Mr. Chairman, this sounds good. How much then is actually being spent for the detection system in billing requirements itself and then how much for these additional up-fits, I think is the word of the day? Thank you.

CHAIRMAN (Mr. Ramsay): Thank you, Mr. Braden. Mr. Dent.

HON. CHARLES DENT: Thank you, Mr. Chairman. Well, \$4.6 million is clearly being spent on work related to what CATSA has required. However, as a result of that work, as I said we got a significant amount of money that has to be spent on the apron and areas outside. CATSA has refused to agree that they are responsible for any of those kinds of expenses. So they are willing to pay for the changes that are required in the building to put in their equipment and...(inaudible)...changes that are required because we are putting in their equipment they are not paying for. So it's hard to see that it's \$4.6 million for CATSA and \$6.6 million for the balance, because we have to spend a good portion of that \$6.6 million because we are spending the \$4.6 million too. It's difficult to do an exact calculation. That's why the department was really aggressive with trying to get CATSA to recognize that they had a responsibility beyond the \$4.6 million, but they have said they are not paying for it anywhere else in Canada and, therefore, are refusing to pay for it here as well.

CHAIRMAN (Mr. Ramsay): Thank you, Mr. Minister. Mr. Braden.

MR. BRADEN: Thanks, Mr. Chairman. There are a few other areas in this thing that I will want to get into, but with the time I have left I guess I'd like to go with this CATSA deal that we got struck with in Yellowknife. It doesn't seem appropriate that they can be totally arbitrary about what we get and what we don't get. I mean, every airport in Canada must be in some certain kind of circumstance. If Yellowknife's situation was such that putting in the explosive system required a huge amount of extra work, can't there have been some kind of allowance or provision made for that? Perhaps one way to ask this question, Mr. Chairman, is to say given our relative size and the number

of passengers and things like that moving through our airport and the cost of doing all this, is the deal Yellowknife has made with CATSA in line with the deal that similar airports have, or is this one costing us more than maybe the other average Canadian airport? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ramsay): Thank you, Mr. Braden. Mr. Dent.

HON. CHARLES DENT: Thank you, Mr. Chairman. I'd like to believe that it's as good a deal as anybody has gotten, but it would probably be best to ask the Minister responsible, Minister McLeod, to see if he can respond to provide some details of the negotiations.

CHAIRMAN (Mr. Ramsay): Thank you, Mr. Minister. Ms. Lee. Oh, Mr. McLeod.

HON. MICHAEL MCLEOD: Thank you, Mr. Chairman. My officials assure me that we have negotiated very aggressively and we have a good deal with CATSA. We had initially indicated and our position was to have all of our costs recovered. There was some work done at the airport in 2003, which was funded 100 percent. In this case, a lot of the work that was done inside the building required us to give up some of our space in the terminal building. It also required an addition to the facility, which would take up some of the aircraft parking and it also would require us to provide some new space for parking that we are losing. So as a result of this project moving forward, it forced us to look at a number of different things and anything outside of the facility, outside of the actual building, CATSA was not willing to cover. So in order for us to be able to accommodate the growing pressures, the traveling public that goes through this facility at the projected rates over the next while, we had to look at an expansion. I don't have the specifics to what other jurisdictions are getting. All I have is the reassurance from my officials that we still have a significant project that is comparable to other jurisdictions. Thank you.

CHAIRMAN (Mr. Ramsay): Thank you, Mr. McLeod. Mr. Braden, your time has expired. I will go to Ms. Lee.

MS. LEE: Thank you, Mr. Chairman. Perhaps one suggestion I could make that would maybe discourage the Cabinet from approving these special warrants in between sessions when we are not here is to have session every month. We could have one week a month and then they'll have to bring all their expenditure approvals to us. We'll just have a Cabinet meeting with 19 Members so that we don't have a special warrant for \$4.6 million where we have absolutely no say whatsoever. I mean, I was crying foul over \$115,000, now we are dealing with multimillions. That's one suggestion, which will go, I'm sure, unheeded.

---Laughter

But to the airport expenditure, Mr. Chairman, I don't know what transpired that made it such an emergency item here, and I guess the Minister and Ministers McLeod and Dent have been working hard to explain this. One of the fallouts from this is the restaurant contract at the airport; the requirement for extra equipment and whatever that they need to be put into the airport, that didn't come about just this summer. That has been an ongoing project nationwide and internationally at every airport since September 11th. That didn't just pop up on us and it's not a surprise, but for some reason I guess they've been

negotiating for three years and finally they got to it. The irony of it all is that the Department of Transportation let out a contract for the restaurant at the airport just this spring and they signed a contract for five years for a restaurant. It was only about three months after these people had been running a restaurant they get told actually there will be no restaurant under the new plan, there is just going to be fast food. The deal with the restaurant speaks to me about one part of the government not looking at what another part of the government is doing. There is the Department of Transportation, it's interested in looking after the airports, making sure it's meeting the standards and all of that. I don't know how that happened. I would like to know if the Minister is aware of any damages. Are we responsible for living up to the agreements under this restaurant lease, Mr. Chairman? Thank you.

CHAIRMAN (Mr. Ramsay): Ms. Lee, that is a bit of an aside from what we are talking about, but I will allow the question. Mr. Minister.

HON. CHARLES DENT: Thank you, Mr. Chairman. Mr. Chairman, I'm not aware of the terms and conditions in the contract for the restaurant space, nor am I aware of what the plans are for that space through this. So perhaps I could refer the question to Minister McLeod.

CHAIRMAN (Mr. Ramsay): Thank you, Mr. Dent. Mr. McLeod.

HON. MICHAEL MCLEOD: Mr. Chairman, the Member is right; we did sign a five-year agreement with a company here in Yellowknife to provide food and beverage services, and I'm not aware of the fact that we did indicate to them that we will no longer be using a restaurant, because we haven't made that decision yet. Right now we are in the process of doing a retail concession study along with a customer satisfaction survey, and we are doing a cost assessment as part of the request for proposals. So we have not decided at this point that we will not have a restaurant. We are more in a situation where we will be making a decision based on what is more cost-effective and what does the general public require and why. It may be a food court, but it may be a restaurant. There is no decision to terminate the contract with the company at this point. Thank you.

CHAIRMAN (Mr. Ramsay): Thank you, Mr. McLeod. Ms. Lee, further questions?

MS. LEE: Thank you, Mr. Chairman. I think I'm on the verge of doing three to zero here. It is in line with this because of the fact that this whole money for renovations to allow for an explosive protection system and different conveyor belts to make sure that all the baggage could be X-rayed and stuff, that is the money that is being sought here. It is that renovation that is requiring the Department of Transportation to look at all of the configurations in order to fit everything in. I am encouraged to hear that the Minister and his department are having talks with the proprietors of the restaurant to see if the contract that they had entered into could be lived up to. I think there's a question as to what kind of services they are able to provide or they thought they were required to provide, and whether or not it's similar to what the department has in mind. But I would encourage the department and the Minister to do anything they can to try to live up to that lease if at all possible.

The second thing is an issue about the added fees that would have to be levied to the businesses at the airport. Mr. Chairman, as I recall, it hasn't been that long since we increased the levies for the users at the airport. I think it was within the last two or three years, and the increase was quite substantial and it has had a very negative impact on the businesses. With the skyrocketing oil prices, I'm sure that is impacting heavily on the airline carriers. So it will be an extra cost on top of extra operating costs. At the time it was felt that the government had to make that tough decision, but I really don't believe there are enough numbers of operators out there to have a large enough base for the government to rack up a lot of money. So that's one area of concern that I need to express in light of what this government has to do, and the fact that this government has to pay a lot more money than what the federal government is prepared to pay to undertake these renovations that we are being required to do. I guess that's more of a comment, and I just wanted to express my view on that. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ramsay): Thank you, Ms. Lee. Mr. Braden.

MR. BRADEN: Thank you, Mr. Chairman. I'll pick up where I left off a few minutes ago, and that was to explore the negotiation that we undertook with CATSA, the Canadian Air Transport Security Authority. Minister McLeod assures us that his officials negotiated aggressively and we got the best deal, but that doesn't answer my question. How do we know we've got a deal that's at least comparative with other similar sized airports? Have you done the analysis? Have you got the comparisons to show that Yellowknife is at least being treated on an equitable basis for the investment that we're going to get in this from the national people? I want to see some proof here that we do indeed know we're getting a square deal. Thank you.

CHAIRMAN (Mr. Ramsay): Thank you, Mr. Braden. Mr. Dent.

HON. CHARLES DENT: Thank you, Mr. Chairman. I don't have any detail on the negotiations, so perhaps the Minister, if he doesn't have it with him, could commit to get the information to committee members about the details on the negotiations.

CHAIRMAN (Mr. Ramsay): Thank you, Mr. Dent. Mr. McLeod.

HON. MICHAEL MCLEOD: Mr. Chairman, I don't have the proof that the Member is asking for in terms of documents, so I would have to commit to providing that at a later time.

CHAIRMAN (Mr. Ramsay): Thank you, Mr. McLeod. Mr. Braden.

MR. BRADEN: Thank you, Mr. Chairman. I'll take that, but I think the criteria that I have here is I want to see that Yellowknife and the Northwest Territories is within range of the requirements that are being imposed on airports across Canada.

A couple of other areas in here have to do with the timing of this. Of course, so much of this was forced by the tragedy of 9-11, but that goes back three years now. Now we have this accelerated plan. The government was

caused to approve a special warrant on June 30th, four months ago. I would like to know when did the planning and the scoping really start in earnest for this project, and when do we have to have all this installation completed? What's our planning time frame here to completion? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ramsay): Thank you, Mr. Braden. Mr. Dent.

HON. CHARLES DENT: Thank you, Mr. Chairman. In terms of when this was initially started, the Minister already said today that we were advised, and he believes in December of 2003, of the necessity to add the equipment. I suspect that the department, over a period of months, developed a more detailed plan when they came to understand just how much space that equipment was going to take up in the existing building. The deadline to have it in operation, or else all airplanes leaving Yellowknife may not land at another national airport, is the beginning of January 2006. So we have just over a year before flights from Yellowknife would not be allowed to land at other national airports unless this system is in place. For instance, what's happening right now is that the work is already underway for the parking lot. The annex for the air terminal building tender will close on October 28th, so that's later this week. The passenger terminal improvements and hold bag screening construction tender closes on November 9th, and the apron construction will be tendered later this year. So in order to meet that January 2006 deadline, a number of parts of the project have had to be advanced, and again that points to the reason for the special warrant rather than coming to this session of the Assembly to present it. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Ramsay): Thank you, Mr. Minister. Mr. Braden.

MR. BRADEN: What kind of communications or information flow has there been with stakeholders, the tenants at the airport, passengers or anybody else who is involved with this? What kind of a program of information has been put out on that to date? Thank you.

CHAIRMAN (Mr. Ramsay): Thank you, Mr. Braden. Mr. Minister.

HON. CHARLES DENT: Thank you, Mr. Chairman. Perhaps I could ask the Minister of Transportation to answer that.

CHAIRMAN (Mr. Ramsay): Thank you, Mr. Minister. Mr. McLeod.

HON. MICHAEL MCLEOD: Thank you, Mr. Chairman. Mr. Chairman, we have been working with a stakeholder group for some time over the last while to assess the passenger terminal facility here in Yellowknife, and we had plans to look at this facility and to make assessments on the passenger terminal building and the CATSA requirements. We had talked with program staff, air carriers and CATSA technical staff. Initially we had looked at long-term plans and had confirmed that we would be looking at development on the west side of the airport, however, as I indicated earlier in my response, the notification came last winter to us indicating that we had to have the baggage and passenger screening devices in place by 2006. So we have talked to a number of the stakeholders. We have informed the carriers. We have not

sat in the airport and informed passengers as they're passing through. No, we have not done that. But we have talked to a number of the carriers. We have talked to the technical people from CATSA and the program staff. Thank you.

CHAIRMAN (Mr. Ramsay): Thank you, Mr. Minister. Mr. Braden.

MR. BRADEN: Thank you. The area that concerns me the most of this whole project, Mr. Chairman, has already been flagged by Ms. Lee, and that is the mention in the bill of an airport user fee of \$6.6 million out of the total \$11.2 million that will be somehow assessed and collected. Six-point-six million dollars is an extraordinary amount of money to assess on the, I think, relatively small number of users for this airport. I recall in some briefings, Mr. Chairman, that we were told Yellowknife is actually a very busy airport compared to others in Canada for the number of passenger movements. That may well be true, but we have a relatively small population that are very frequent fliers. I think what we're going to see through whatever kind of an airport user fee system is designed, is that a relatively small number of passengers are going to be paying an extraordinarily large portion of such a fee. Six-point-six million dollars coming out of mainly the Yellowknife economy, if you will, to pay for this project.

Mr. Chairman, what concerned me most at this stage was that while the government is ready to spend \$3.4 million and has awarded tenders and they're going to be closing within days and a whole bunch of stuff is going on, we do not have the outline of any kind of a program here that says how we're going to get \$6.6 million from the travelling public. In that sense, Mr. Chairman, this is a really bad piece of work, I think, to present to us at this point because it is so poorly outlined. We have no information whatsoever on which to base the merits of this. You're asking me as an MLA here just to say okay to \$3.4 million in special warrants, when the expectation is that \$6.6 million is going to come out of the general public and there's no plan whatsoever for how this is going to be done. It's where I really have to draw a line in here in terms of the preparation, the thinking and the planning that has gone into this. It is not a good piece of work and that's the question that I guess I put to the Minister. What is your proposal for \$6.6 million and how do you anticipate that we're going to make this palatable? Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Braden. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. First of all, I think it's important to remember that the \$6.6 million is over 10 years. So it's about \$660,000 a year. I don't believe the Minister has a final plan yet for how that money would be raised, whether it's from landing fees or an airport improvement fee. Mr. Braden suggested we have a small number of users. In fact, a couple of years ago there were 300,000 plus passengers through that air terminal building. So even if it was a couple dollars a head, you would pretty much raise that amount in an airport improvement fee. But perhaps we can ask Mr. McLeod what his timetable is for determining how that money would be raised because, as I understand it, it hasn't been set yet.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Mr. McLeod.

HON. MICHAEL MCLEOD: Thank you, Madam Chair. Madam Chair, as directed by Cabinet, the department is currently working on a decision paper for cost recovery. We're targeting the end of November to bring that forward. The number that we're targeting to recover is \$6.6 million, as the Minister indicated, over 10 years. At the present time there are already fees, as has been indicated. However, these two fees that are being collected now, the terminal fees and the landing fees, are well below the rates in southern Canada. Those are the areas we're looking at with the possibility of airport improvement fees. So we have a number of options in front of us. That decision hasn't been made. We have to take it to Cabinet and we'll be bringing a paper forward by the end of November.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. McLeod. Mr. Ramsay.

MR. RAMSAY: Thank you, Madam Chair. I'll pick up where my colleague, Mr. Braden, left off. I'm really concerned, as well, about this \$6.6 million and Cabinet's decision. I would like to know what the rationale was in Cabinet to go forward with this thing under the cost recovery plan without a plan. Here we have a \$6.6 million expenditure that Cabinet basically approved through this \$3.4 million special warrant with no plan, no consultation and, again, Madam Chair, no public consultation, no public debate on this issue. To me, Madam Chair, this is wrong. I'd like to ask the Minister what was Cabinet's rationale for proceeding with this without a plan on the cost recovery? Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Ramsay. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. At FMBS, not Cabinet, there was some discussion of an airport improvement fee. The Minister has proposed that he be given the opportunity to come back and look at what the other options might be. By the way, that's not part of this supplementary appropriation. What you have here is the expenditure. That's what is before you today. For the \$6.6 million it has been proposed that that be accomplished through cost recovery. The way in which it would happen has not been finally set. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Mr. Ramsay.

MR. RAMSAY: Thank you, Madam Chair. I know some of my colleagues were asking questions earlier; that \$3.4 million is included in the \$6.6 million, is it not, Madam Chair? Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Ramsay. Mr. Dent.

HON. CHARLES DENT: Sorry, Madam Chair. Could I get the question repeated, please?

CHAIRPERSON (Mrs. Groenewegen): Thank you. Mr. Ramsay.

MR. RAMSAY: Thank you, Madam Chair. The total project of \$11.2 million includes \$4.6 million from CATSA and \$6.6 million that's going to be recovered. The \$3.4 million is part of the \$6.6 million, is it not? Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Ramsay. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. The \$3.4 million is part of the \$11.2 million. We're actually expecting \$2 million from CATSA this year, so \$1.4 would actually be more likely the GNWT's out-of-pocket expense this year.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Mr. Ramsay.

MR. RAMSAY: Thank you, Madam Chair. I guess it's splitting hairs, but, again, we're going into this and once you start the renovations at the airport -- and they've already been started, Madam Chair -- you enter into the full expenditure and you also have to take into account the cost recovery of that expenditure. I don't think the Minister's response was good enough, in my mind, Madam Chair, in terms of what Cabinet's rationale for proceeding with a project that's \$11.2 million and, by anybody's best guess, could go off the rails quite easily as other capital projects have and end up costing the government \$13 million, \$14 million, \$15 million, and then is the cost recovery of that money going to be born on the backs of the travelling public? Again, I'll draw the Minister's attention to the fact that there is no public debate. None. It costs enough in terms of travelling out of Yellowknife by air.

Absolutely, it's very expensive. You can fly from Edmonton to Europe for the same amount of money that it cost to travel from Yellowknife to Edmonton. If we are going to increase that cost at all, I think that's a huge step, Madam Chairperson, in terms of people's affordability on travelling out of Yellowknife, or even travelling into Yellowknife, and I don't think it's fair to the public that this debate never had a chance to be discussed in public. It's not the way things should have happened, and again I'm disappointed that Cabinet would go down the road of full cost recovery and FMB would go down the road of full cost recovery on this \$6.6 million without any type of public discourse on this issue.

AN HON. MEMBER: Shame, shame.

MR. RAMSAY: It is a shame, it really is. Thank you, Madam Chairperson.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Ramsay. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. I guess it's important to point out the decision on cost recovery or how it's going to happen hasn't been made, so there are opportunities -- and you are having it right now -- for some comment and some debate. But I think it's important to remember that when this was approved on June 30th, the fiscal situation that we were looking at was quite severe.

We had, not that long ago, gone through a budget session. Members will recall that the Minister of Finance in his budget address announced that we would be looking at next year's budget -- the one that will be coming up this coming January or February/March -- there would be a significant reduction. Departments were being challenged to reduce their budgets. All of us had recently been given that direction when the call letter went out for the business plan process, that we were going to have to

give up money through all of our departments. So the question when the Minister of Transportation came forward and said well, if we don't do this, no one is going to be able to fly from Yellowknife to any one of the national airports in Canada as of January 2006. We have no money, how do we do it? So the issue of where we would find the money was one that was actually front and centre, and certainly I don't think Mr. Ramsay would say that we should have cut the money out of the school or some other important public project in order to pay for this, but we had no choice but to pay for the money if we wanted the public still to be able to travel.

So at that point the decision was made that it had to be done on cost recovery. If the Minister is to propose that it comes forward as an airport improvement fee, legislation would have to come before this House. Members will have a chance then if that's the way in which it's going to be handled, to discuss it and debate it at that time, if that's what the Minister proposes. But he has an opportunity now to take a look at what makes the most sense, in order to try and accomplish this through cost recovery. But Members want to provide some advice, I'm sure he would welcome what advice you have and will take that into account as he's considering what the options are for coming up with that \$6.6 million. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Airport special warrants \$3.4 million. Mr. Braden.

MR. BRADEN: Thank you, Madam Chair. Then the suggestion or the information that is provided in the supplementary bill that \$6.6 million will come from airport user fees, is just a suggestion or an option, or are we locked into that?

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Braden.

MR. BRADEN: That's okay; we get each other's mail all the time. It's okay, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. Madam Chair, it's a clear statement of what the government's intent is, is that it would come in some manner or form from a cost recovery from the users of the airport. Whether that be through landing fees, through lease payments, through airport improvement fees, that itself hasn't been finalized. But what Cabinet said when they considered this was we don't have enough money to pay for this unless you can find a way to raise the money. So the Minister has been tasked with looking at different ways to perhaps raise that money. Thank you, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Mr. Braden.

MR. BRADEN: I don't know how much more we can get out of this, or at least I can get out of the discussion this afternoon in the absence of some of this analysis and the options that the department might put forward on where this extra money is going to come from, but, you know, Madam Chair, it puts committee in a bit of a spot here to approve, to be asked to approve only 30 percent, 35 percent of a multimillion dollar deal leaving a whole bunch of it floating. The North depends to an extraordinary

degree on air transport, and what Mr. Ramsay, Ms. Lee and I have been working this debate this afternoon, every other MLA has constituents that are going to say at some point, "excuse me? Another how much to fly through Yellowknife? Gosh, it was expensive enough to fly through here and pick up your supply of donuts to take home, and now there is going to be an extra fee." Okay, I'm just kidding here. This is a serious matter. Madam Chair, whenever we do something through this government that increases the cost of living or the cost of doing business up here, we must look at it extremely carefully.

MS. LEE: Just say no.

MR. BRADEN: Saying no sounds like an easy way about it, but we cannot easily accept this and roll along. I also have some real concerns about the design/build approach, we're not very good at it, we lost control of the North Slave Correctional Centre through this stage. We have a hospital in Inuvik that is costing an extra \$1.8 million more over two years to run the utilities for than anybody could suggest. We're not very good at these big projects, and I must say that I don't have a lot of confidence in starting something like this and believing that we are going to get away with \$11.2 when we haven't got our planning this far down the pipe. I guess it doesn't leave me much choice, Madam Chair, other than to nay this item when you ask committee for its approval. Where it goes from there, I can only hope that the Ministers are going to live up to their commitments to provide the information, to get a communication plan out there, bring as many stakeholders as possible in. I know there will be acceptance to some degree, while it is our responsibility to have a secure airport and a secure system across Canada, but our ability to plan falls really quite short given what we have in front of us today, Madam Chair. I don't have a question. Unless there is something that the Minister would like to respond to, that concludes my debate on this item. Thank you.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Braden. Does Committee want to give Mr. Dent a chance to respond to that? Agreed. Mr. Dent.

HON. CHARLES DENT: Thank you, Madam Chair. I would just like to reiterate that what we are talking about here is the expenditure and not the cost recovery in this supplementary. I'm sure the Minister is prepared to and the government is prepared to listen to advice of the committee on cost recovery. As I said, if it were to be an airport improvement fee it would have to come forward as legislation. The government cannot institute an airport improvement fee without it coming back to this House for approval. So there will be an opportunity for debate if that would be the method that the government would choose. I just wanted to make sure that that was clearly understood, Madam Chair.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Mr. Dent. Mr. Braden.

MR. BRADEN: Thank you. That will do.

CHAIRPERSON (Mrs. Groenewegen): Transportation, capital investment expenditures, airports, special warrants, \$3.4 million.

SOME HON. MEMBERS: Agreed.

CHAIRPERSON (Mrs. Groenewegen): Ms. Lee.

MS. LEE: Thank you, Madam Chair. I move that we report progress.

CHAIRPERSON (Mrs. Groenewegen): Thank you, Ms. Lee. The motion is in order, it is not debatable. All those in favour of the motion? All those opposed to the motion? The motion is carried.

---Carried

I'll now rise and report progress. Thank you. Thank you, Mr. Dent. Thank you, Mr. Voytilla.

MR. SPEAKER: Could I please have the report of Committee of the Whole?

ITEM 20: REPORT OF COMMITTEE OF THE WHOLE

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, your committee has been considering Bill 13, Supplementary Appropriation Act, No. 2, 2004-2005, and would like to report progress. Mr. Speaker, I move that the report of Committee of the Whole be concurred with. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mrs. Groenewegen. Do we have a seconder? The honourable Member for Range Lake, Ms. Lee. The motion is in order.

AN HON. MEMBER: Question.

MR. SPEAKER: All those in favour? All those opposed? The motion is carried.

---Carried

Item 21, third reading of bills. Mr. Clerk, orders of the day.

ITEM 22: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Mercer): Orders of the day for Tuesday, October 26th, 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. Oral Questions
7. Written Questions
8. Returns to Written Questions
9. Replies to Opening Address
10. Petitions
11. Reports of Standing and Special Committees
12. Reports of Committees on the Review of Bills
13. Tabling of Documents
14. Notices of Motion

15. Notices of Motion for First Reading of Bills
16. Motions
17. First Reading of Bills
18. Second Reading of Bills
19. Consideration in Committee of the Whole of Bills and Other Matters
 - Minister's Statement 48-15(3), Sessional Statement
 - Minister's Statement 49-15(3), Fiscal Update
 - Minister's Statement 54-15(3), Progress Report on Health and Social Services in the NWT
 - Minister's Statement 68-15(3), NWT Housing Corporation: From the Ground Up, Celebrating 30 Years
 - Bill 13, Supplementary Appropriation Act, No. 2, 2004-2005
20. Report of Committee of the Whole
21. Third Reading of Bills
22. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. Accordingly, this House stands adjourned until Tuesday, October 26, 2004, at 1:30 p.m.

---ADJOURNMENT

The House adjourned at 5:58 p.m.

