

Votes and Proceedings

THIRD SESSION OF THE EIGHTEENTH LEGISLATIVE ASSEMBLY

August 21, 2019

The Assembly commenced sitting at 1:33 pm.

Ministers' Statements

- 237-18(3) The Minister Premier made a statement regarding the late arrival of Minister R. C. McLeod in the House.
- 238-18(3) The Minister of Health and Social Services made a statement regarding the Report on Seniors Access to Government of the Northwest Territories Programs and Services.
- 239-18(3) The Minister responsible for the Northwest Territories Housing Corporation made a statement about housing for vulnerable populations.
- 240-18(3) The Minister of Education, Culture and Employment delivered a post-secondary education update.

Members' Statements

- 802-18(3) The Member for Hay River North made a statement recognizing "Buffalo" Joe McBryan.
- 803-18(3) The Member for Frame Lake made a statement regarding national pharmacare.
- 804-18(3) The Member for Sahtu made a statement regarding land administration and management.

- 805-18(3) The Member for Yellowknife North made a statement regarding land rights agreements.
- 806-18(3) The Member for Deh Cho made a statement regarding eligibility for home improvement funding.
- 807-18(3) The Member for Yellowknife Centre made a statement regarding the Child and Family Services Quality Improvement Plan.
- 808-18(3) The Member for Nahendeh made a statement recognizing Gabe Hardisty.
- 809-18(3) The Member for Kam Lake made a statement regarding waste resource management and a single-use plastics ban.
- 810-18(3) The Member for Nunakput made a statement regarding Arctic sovereignty.

Reports of Standing and Special Committees

- 35-18(3) Special Committee on Transition Matters "Lessons Learned" Report of the Special Committee on Transition Matters

Tabling of Documents

- 509-18(3) Draft Code of Conduct and Guide for Members of the Legislative Assembly. Tabled by Member for Yellowknife Centre.
- 510-18(3) Draft Rules of the Legislative Assembly of the Northwest Territories, August 2019. Tabled by the Member for Frame Lake.
- 511-18(3) Capital Estimates 2020-2021. Tabled by the Minister of Finance.
- 512-18(3) Government of the Northwest Territories Response to Committee Report 19-18(3): Report on the Review of the 2017-2018 Public Accounts. Tabled by the Minister of Finance.
- 513-18(3) 2018 Annual Report – Office of the Fire Marshal. Tabled by the Minister of Municipal and Community Affairs.
- 514-18(3) Report on Seniors Access to Government of the Northwest Territories Programs and Services. Tabled by the Minister of Health and Social Services.

- 515-18(3) What We Heard Report – Continuing Care Facilities Legislation for the Northwest Territories. Tabled by the Minister of Health and Social Services.
- 516-18(3) Northwest Territories Post-Secondary Education Strategic Framework 2019-2029. Tabled by the Minister of Education, Culture and Employment.
- 517-18(3) Operating Plans for Northwest Territories Education Bodies for the 2019-2020 School Year Ending June 30, 2020. Tabled by the Minister of Education, Culture and Employment.

Notices of Motion

- 41-18(3) Adoption of Code of Conduct for Members of the Legislative Assembly. Notice given by the Member for Yellowknife Centre.
- 42-18(3) Repeal and Replace Rules of the Legislative Assembly of the Northwest Territories. Notice given by the Member for Frame Lake.
- 43-18(3) Extended Adjournment of the House to October 24, 2019. Notice given by the Member for Frame Lake.
- 44-18(3) Dissolution of the 18th Legislative Assembly. Notice given by the Member for Yellowknife Centre.

Consideration in Committee of the Whole of Bills and Other Matters

The Committee of the Whole considered Committee Report 29-18(3): Committee Report 32-18(3): Standing Committee on Economic Development and Environment Report on the Review of the Process Used for Devolution Legislative Initiatives; Committee Report 34-18(3): Standing Committee on Social Development Report on the Review of Bill 45: *Corrections Act*; and Bill 45: *Corrections Act* and reported progress with 26 motions adopted, that Committee Report 29-18(3), Committee Report 32-18(3) and Committee Report 34-18(3) are concluded, and that Bill 45 is ready for third reading as amended.

Committee Motion 237-18(3)

The Member for Nahendeh moved the following motion:

I MOVE that this committee recommends that the Department of Justice explore the possibility of allowing for private interviews between an inmate and a facility's indigenous elder or spiritual advisor, subject to reasonable restrictions.

The motion was CARRIED.

Committee Motion 238-18(3)

The Member for Nahendeh moved the following motion:

I MOVE that this committee recommends that the Department of Justice conduct needs-based assessments for all inmates;

AND FURTHER, that the assessments be conducted in a manner that is timely relative to an inmate's release eligibility;

AND FURTHERMORE, that the assessments take into account Gladue and other factors such as an inmate's disabilities;

AND FURTHERMORE, that the Department explore additional measures to encourage all inmates to participate in suitable programming, including offering new incentives.

The motion was CARRIED.

Committee Motion 239-18(3)

The Member for Nahendeh moved the following motion:

I MOVE that this committee recommends that the Department of Justice prioritize work programs that are responsive to community needs, subject to necessary safety and security restrictions.

The motion was CARRIED.

Committee Motion 240-18(3)

The Member for Nahendeh moved the following motion:

I MOVE that this committee recommends that the security assessment tools used by the correctional service be objective, structured and empirically defensible, and that a risk assessment tool that considers the unique realities of indigenous inmates be developed and used.

The motion was CARRIED.

Committee Motion 241-18(3)

The Member for Nahendeh moved the following motion:

I MOVE that this committee recommends that the Department of Justice invest adequate resources into Victim Services to ensure public awareness of these programs;

AND FURTHER, that Victim Services staff are in a position to inform victims of details pertinent to their well-being and safety, including cases where a person remanded in custody is released by the courts.

The motion was CARRIED.

Committee Motion 242-18(3)

The Member for Nahendeh moved the following motion:

I MOVE that this committee recommends, to the extent it is possible before the dissolution of the 18th Assembly and for the public record, that the Government provide a response to these recommendations, even of a preliminary nature, that the Committee may publicly disclose.

The motion was CARRIED.

Committee Motion 243-18(3)

The Member for Nahendeh moved the following motion:

I MOVE that Bill 45 be amended by adding the following after subclause 40.1(5):

(6) On appeal under subsection (5), the Director of Corrections may confirm, quash, or reduce any period of separate confinement imposed by the adjudicator.

The motion was CARRIED.

Committee Motion 244-18(3)

The Member for Yellowknife North moved the following motion:

I MOVE that this committee recommends that the Government of the Northwest Territories establish a procurement advisory panel composed of members of industry, small business, procurement experts and members of the public service;

AND FURTHER, this panel should be guided by a clear terms of reference, setting out the panel's role in providing regular advice to the Government on how to improve procurement processes.

The motion was CARRIED.

Committee Motion 245-18(3)

The Member for Yellowknife North moved the following motion:

I MOVE that this committee recommends that the Government of the Northwest Territories undertake a comprehensive public review of all procurement-related policies with the explicit direction to modernize Government procurement processes, and to ensure that Northwest Territories businesses can benefit and a healthy private sector is developed in the Northwest Territories, taking into consideration concerns and issues raised in this report, along with the Committee's recommendation.

The motion was CARRIED.

Committee Motion 246-18(3)

The Member for Yellowknife North moved the following motion:

I MOVE that this committee recommends, to the extent it is possible before the dissolution of the 18th Assembly and for the public record, that the Government provide a response to these recommendations, even of a preliminary nature, that the Committee may publicly disclose.

The motion was CARRIED.

Committee Motion 247-18(3)

The Member for Yellowknife North moved the following motion:

I MOVE that this committee recommends that the Executive Council develop a protocol or protocols for engaging Indigenous governments, co-management organizations and the Intergovernmental Council in the development of legislation governing land and resources and any related regulations.

The motion was CARRIED.

Committee Motion 248-18(3)

The Member for Yellowknife North moved the following motion:

I MOVE that this committee recommends that the Government of the Northwest Territories develop a standard process and criteria for determining when a technical working group is to be employed, and the membership thereof.

The motion was CARRIED.

Committee Motion 249-18(3)

The Member for Yellowknife North moved the following motion:

I MOVE that this committee recommends that when employing a technical working group, adequate time and resources are allocated for the technical working group to provide recommendations prior to the introduction of the legislation in the Legislative Assembly.

The motion was CARRIED.

Committee Motion 250-18(3)

The Member for Yellowknife North moved the following motion:

I MOVE that this committee recommends that when the Government of the Northwest Territories is preparing complex bills of significant public interest, the Government should coordinate with the appropriate Standing Committee on the introduction of such bills to allow the public and Standing Committees to adequately consider the implications of each bill.

The motion was CARRIED.

Committee Motion 251-18(3)

The Member for Yellowknife North moved the following motion:

I MOVE that this committee recommends that standards should be developed for the production of plain language materials to assist Committees and the public in the review of bills, including appropriate reading levels, timelines for distribution and what role the sponsoring department has in promoting proposed legislation.

The motion was CARRIED.

Committee Motion 252-18(3)

The Member for Yellowknife North moved the following motion:

I MOVE that this committee recommends that each technical working group receive a comprehensive briefing on the legislative process and where the technical working group fits within that process;

AND FURTHER, this briefing should make it clear to participants that each bill undergoes a two-stage process, involving public consultation and development at the bill-development stage, led by the sponsoring Minister, and a second in-depth review, led by Standing Committees, once a bill is introduced in the Legislative Assembly, which can include public hearings, research and independent analysis.

The motion was CARRIED.

Committee Motion 253-18(3)

The Member for Yellowknife North moved the following motion:

I MOVE that this committee recommends that the Government of the Northwest Territories develop a standard process for how regulations will be developed for legislation that was developed under a technical working group.

The motion was CARRIED.

Committee Motion 254-18(3)

The Member for Yellowknife North moved the following motion:

I MOVE that this committee recommends that when a technical working group is used in the drafting process, the Government of the Northwest Territories conduct a collaborative lessons learned exercise with technical working group members, at the conclusion of the process, to provide recommendations on how it could be improved for future legislation.

The motion was CARRIED.

Committee Motion 255-18(3)

The Member for Yellowknife North moved the following motion:

I MOVE that this committee recommends that the Government of the Northwest Territories engage the public and interested stakeholders during the development of post-devolution legislation and regulations, and that a public process is needed for the notification and public comment on regulations.

The motion was CARRIED.

Committee Motion 256-18(3)

The Member for Yellowknife North moved the following motion:

I MOVE that this committee recommends that, should a bill be excluded from a technical working group process, the Minister responsible for the bill advise the appropriate Standing Committee at the earliest possible opportunity, along with the rationale for the exclusion.

The motion is CARRIED.

Committee Motion 257-18(3)

The Member for Yellowknife North moved the following motion:

I MOVE that this committee recommends that when legislation is being developed using a technical working group, that the appropriate Standing Committee work with the appropriate Minister to establish an agreed-upon way of keeping the Committee informed of progress, key issues and a way to have input into significant policy discussions.

The motion was CARRIED.

Committee Motion 258-18(3)

The Member for Yellowknife North moved the following motion:

I MOVE that this committee recommends that, should any portion of a bill require federal concurrence, a statement to this effect be included in the legislative proposal, and further, that the relevant clauses be identified at the time of introduction to the appropriate Standing Committee.

The motion was CARRIED.

Committee Motion 259-18(3)

The Member for Yellowknife North moved the following motion:

I MOVE that this committee recommends that devolution-related legislation and regulations use consistent terms and definitions.

The motion was CARRIED.

Committee Motion 260-18(3)

The Member for Yellowknife North moved the following motion:

I MOVE that this committee recommends that the Government of the Northwest Territories develop greater consistency in making information public, including

looking at how to make the various public registries enacted by law consistent, coherent and comprehensive.

The motion was CARRIED.

Committee Motion 261-18(3)

The Member for Yellowknife North moved the following motion:

I MOVE that this committee recommends that, for each legislative initiative, the Government of the Northwest Territories consider the need for the inclusion of preamble or purpose statement in the proposed bill and determine whether or not either is warranted, advising the Standing Committee of its decision and rationale at the legislative proposal stage.

The motion was CARRIED.

Committee Motion 262-18(3)

The Member for Yellowknife North moved the following motion:

I MOVE that this committee recommends, to the extent it is possible before the dissolution of the 18th Assembly and for the public record, that the Government provide a response to these recommendations, even of a preliminary nature, that the Committee may publicly disclose.

The motion was CARRIED.

Third Reading of Bills

Bill 34

Mineral Resources Act

The Minister of Industry, Tourism and Investment requested a recorded vote. The results of the recorded vote were:

Members for: Mr. Simpson, Mr. Blake, Mr. McNeely, Mr. Vanthuynne, Mr. Testart, Mr. Beaulieu, Mr. Thompson, Mr. Nadli, Mr. Nakimayak, Honourable A. Moses, Honourable C. Cochrane, Honourable G. Abernethy, Honourable R. R. McLeod, Honourable R. C. McLeod, Honourable W. Schumann, Honourable L. Sebert. (16)

Members against: Mr. O'Reilly. (1)

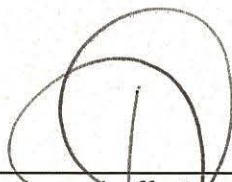
Members abstaining: Ms. Green. (1)

Assent

The Commissioner of the Northwest Territories assented to the following Bills:

- Bill 25 *An Act to Amend the Workers' Compensation Act*
- Bill 36 *An Act to Amend the Petroleum Resources Act*
- Bill 37 *An Act to Amend the Oil and Gas Operations Act*
- Bill 39 *Environmental Rights Act*
- Bill 40 *Smoking Control and Reduction Act*
- Bill 41 *Tobacco and Vapour Products Control Act*
- Bill 42 *An Act to Amend the Petroleum Products Tax Act*
- Bill 43 *An Act to Amend the Income Tax Act*
- Bill 46 *Public Land Act*
- Bill 48 *Post-Secondary Education Act*
- Bill 54 *Standard Interest Rate Statutes Amendment Act*
- Bill 56 *An Act to Amend the Legislative Assembly and Executive Council Act, No. 2*
- Bill 57 *An Act to Amend the Employment Standards Act*
- Bill 58 *Justice Administration Statutes Amendment Act*

The Speaker adjourned the House at 7:17 pm.



Hon. Jackson Lafferty
Speaker of the Legislative Assembly



Tim Mercer
Clerk of the Legislative Assembly