



# **NORTHWEST TERRITORIES LEGISLATIVE ASSEMBLY**

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## **HANSARD**

**Monday, June 17, 2002**

Pages 799 – 832

**The Honourable Tony Whitford, Speaker**

# Legislative Assembly of the Northwest Territories

## Members of the Legislative Assembly

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(Sahtu)

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*Executive Council*

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**Mr. Charles Dent**

(Frame Lake)

**Mrs. Jane Groenewegen**

(Hay River South)

**Mr. David Krutko**

(Mackenzie Delta)

**Mr. Leon Lafferty**

(North Slave)

**Ms. Sandy Lee**

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**YELLOWKNIFE, NORTHWEST TERRITORIES**

**Monday, June 17, 2002**

**Members Present**

Honourable Roger Allen, Mr. Bell, Mr. Braden, Mr. Delorey, Mr. Dent, Mrs. Groenewegen, Honourable Joe Handley, Honourable Stephen Kakfwi, Mr. Krutko, Mr. Lafferty, Ms. Lee, Mr. McLeod, Honourable Michael Miltenberger, Mr. Roland, Honourable Vince Steen, Honourable Tony Whitford.

**ITEM 1: PRAYER**

-- Prayer

**SPEAKER (Hon. Tony Whitford):** Thank you, Mr. Braden. Good afternoon, colleagues. Item 2, Ministers' statements. The honourable Premier, Mr. Kakfwi.

**ITEM 2: MINISTERS' STATEMENTS**

**Minister's Statement 57-14(5): Minister Absent From the House**

**HON. STEPHEN KAKFWI:** Mr. Speaker, I wish to advise Members that the Honourable Jim Antoine will be absent from the House today to attend the World Diamond Conference in Vancouver. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Premier. Item 2, Ministers' statements. The honourable Minister responsible for the Department of Health and Social Services, Mr. Miltenberger.

**Minister's Statement 58-14(5): Health Care Financing**

**HON. MICHAEL MILTENBERGER:** Mr. Speaker, I am pleased to inform the Members of this Assembly of recent discussions with the federal government about the important issue of health care funding.

The Premier and I had the opportunity to appear before the Commission on the Future of Health Care in Canada at the open public hearing in Yellowknife on May 16. In our presentation to Mr. Romanow we discussed the actions our government is taking to strengthen health and social services, and also some of the key challenges faced in the North.

We presented 11 recommendations to the commission, several of which were specifically related to the federal government's health care financing obligations. We recommended that:

- the federal government restore CHST funding, at a minimum, to the 1994-1995 levels;
- a significant investment be made in health promotion and prevention programs by all levels of government, in order to achieve meaningful sustainability;
- a federal funding formula, which goes beyond a basic per capita allocation, be established for health care programs taking into account northern costs and Canada's fiduciary obligations to services for aboriginal Northerners.

Following our presentation, Mr. Romanow asked us to comment further on our recommendation for the development of health funding formulae that are needs based. We have

subsequently corresponded with Mr. Romanow on this matter and I have shared this correspondence with the Standing Committee on Social Programs.

Over the past month, I have also had several opportunities to discuss federal program funding issues with federal Ministers. Most recently, I raised the matter during discussions with the Honourable Ann McLellan, Minister of Health, and the Honourable Jane Stewart, Minister of Human Resources Development Canada (HRDC). I suggested that funding approaches by Canada should not be based on per capita structures alone. Rather, there should be recognition of fixed costs as well as the particular needs of a jurisdiction.

Our position received some support during a recent Ministers of Social Services meeting. There was consensus that negotiation of future agreements for Employment Accessibility for Disabled Persons (EADP) should be based upon principles that ensure the Territories receive a standardized minimum level of funding.

The Government of Canada has a major role in the renewal of the health system. The federal share of health expenditures must reflect not just nationwide cost drivers, but also the unique cost of doing business in the North and, more importantly, the health needs of people living in isolated communities.

Mr. Speaker, funding formula structures are complex, and challenging previous assumptions is difficult. However, I do believe that we are seeing progress. There is an increasing recognition that historical approaches to federal funding of health and social programming must be changed. Thank you.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Minister. Item 2, Ministers' statements. Item 3, Members' statements. The honourable Member for Mackenzie Delta, Mr. Krutko.

**ITEM 3: MEMBERS' STATEMENTS**

**Member's Statement on Utilization of Conference and Meeting Facilities in Small Communities**

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, one thing that we see is a lot of people conducting meetings. We do a lot of travelling and attend a lot of workshops, conferences and committee meetings. Expenditures at a lot of these major events usually take place in our large centres like Inuvik, Yellowknife and Fort Smith.

However, Mr. Speaker, I think it is important that we direct our departments and agencies such as the NWT Development Corporation, the Business Credit Corporation, the Power Corporation and also the departments that host workshops,

strategies and get-togethers, that those forms of get-togethers could be hosted in small communities.

I think it is time that we started promoting our small communities to these agencies and departments which represent all communities. I think it is important that we find a mechanism that allows people from the communities to also see the different structures of our government that represent them by making decisions, either through developing policies, procedures or looking at strategies.

We find that in a lot of our small communities, it seems like government comes around maybe once a year, if you are lucky. In most cases, a lot of our communities now have developed hotels and accommodations through bed and breakfast facilities. I think we have to look at that opportunity so that all communities in the Northwest Territories benefit, but also so we promote those communities to agencies of government and the expenditures made by government are shared, not only spent in the larger centres, but spent in our smaller communities.

I think it is important, Mr. Speaker, that we take the time to look at the public awareness of what we do as government and also get the people who represent communities on these agencies and public bodies to really get a feel for what is in our communities, to see exactly what is so unique about our communities, what makes our communities work and exactly who the people are in our communities.

Mr. Speaker, I would like to direct this government to take it upon themselves to establish a policy or a directive to those departments out there to do everything they can to ensure that small communities have this opportunity to host these different functions.

With that, Mr. Speaker, I will be asking the Minister questions on this matter. Thank you.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Krutko. Item 3, Members' statements. The honourable Member for Great Slave, Mr. Braden.

#### **Member's Statement on Reduced Costs for Northern Air Travel**

**MR. BRADEN:** Thank you, Mr. Speaker. During our term as the 14<sup>th</sup> Assembly of the NWT, we have been blessed with economic prospects that are in great shape. Employment activity, tax revenues and investment in the NWT are at record levels. Through my term as the Member for Great Slave, I have advocated that the cost of living and the cost of doing business in the NWT are among the biggest hurdles we have to realizing our full share of these gifts.

Mr. Speaker, I have focused especially on the three biggest cost drivers: housing, energy and northern air travel. As a result of an announcement last week by Canadian North, I believe we are turning the corner on the air travel issue.

Our northern-based airlines, like those around the world, have been going through some difficult times with increased fuel prices, new security costs and decreased passenger loads in this post September 11<sup>th</sup> era. These combined impacts have resulted in double digit increases in air travel here in the North

and it more than doubled the volume of complaints and demands for innovation and better ways of doing business.

In this regard, I am encouraged to see that Canadian North has listened, has sharpened their pencil and have introduced a range of improvements. Canadian North has heard the complaints, they have analyzed their business plan and they have taken responsive and responsible action, Mr. Speaker. It is innovative and aggressive and like any business, it also assumes risks.

The new plan lowers airfares throughout the system between 26 and 42 percent, Mr. Speaker. This is a full-time approach, it is not a one-time seat sale. Canadian North has eliminated over 100 different rate scales and the three-tier system it now has will make booking and paying easier for the customer.

We no longer have to deal with advance booking deadlines, Saturday stayovers and those annoying fees that crop up when we have to change bookings. In fact, we can now change plans and even get refunds within an hour or so of a scheduled flight.

Air travel with Canadian North is now more transparent, Mr. Speaker, with fewer complications and greater flexibility. It certainly helps the northern affordability issue that I have been advocating.

While one airline has demonstrated it is ready to take on these cost factors, government can also do its part. We have airport improvement fees, Nav Canada fees, GST fees, security fees, all of which make a difference. Now, as of the announcement from Canadian North, I congratulate the president, the company and Canadian North staff for their innovative approach to airline pricing reform. Thank you, Mr. Speaker.

--Applause

**MR. SPEAKER:** Thank you, Mr. Braden, for that good news. Item 3, Members' statements. The honourable Member for the Sahtu, Mr. Kakfwi.

#### **Member's Statement on 2002 Norman Wells Reunion**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. Mr. Speaker, on Friday, June 14<sup>th</sup>, 2002, I attended the opening festivities of the 2002 Norman Wells Reunion. Mr. Speaker, I must say that the community was already buzzing with activities.

This two-week reunion includes a creative roster of activities planned for the entire community. Day one alone included a magician who entertained the school children, a dusk till dawn charity golf tournament, mud football for the risk takers, a teen dance with a live band and an adult dance with Yellowknife's own Tracey Riley. Mr. Speaker, this was only day one and each of the nine days are likewise filled with exciting and fun events. Where else can you win, or get a chance to win, a 1.1 karat Ekati diamond for a \$10 ticket, or see a major Canadian band, Blue Rodeo, in such a small venue?

While these activities are bringing people together, the main reason people are gathering, Mr. Speaker, is to reunite all those people who have lived and worked and put time into the community of Norman Wells at some time in the past century, and to celebrate their contribution to over 50 years of community building.

The Royal Canadian Legion, Canol Branch 287 contributed to the celebration by recalling their members for a weekend of activities. Elders like Jim Sexsmith, founding charter member and first president, and Agnes Melynk, founding member of the Ladies' Auxiliary, both returned to see the changes and to eagerly show their memories of the community as it grew in the early days.

They met the new generation who are building the foundation for continued growth in the 21<sup>st</sup> century. Community members like Frank and Cathy Pope pointed out the scores of history-making moments captured in photographs and proudly displayed in the Legion. Mr. Speaker, I request unanimous consent to conclude my statement.

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

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. Young children and youth checked out the displays and basked in the comfort of a large and diverse community family coming together to celebrate a good life, then and now. Mr. Speaker, the weekend is over and now the town of Norman Wells' celebrations begin with many more activities which will last until Sunday, the 23<sup>rd</sup> of June.

I wish to thank the mayor, Kevin Diebold, for his support of the 2002 Reunion Committee. I also wish to acknowledge the Town of Norman Wells and the Norman Wells and District Chamber of Commerce, the Ernie MacDonald Corporation, the private businesses and government sponsors, and all the scores of volunteers for their great contribution and support of this worthy celebration.

Mr. Speaker, this weekend the people of Norman Wells showed everyone, including myself, all the kindness and hospitality that they are known for. We all look forward to returning this week to meet more people and attend the special events and concerts.

I invite you, Mr. Speaker, all the Members of this House and the people of the Northwest Territories to travel outside of your own communities and your own regions to take part in activities such as these. This reunion allows us to reflect and celebrate the enduring legacy of our people's efforts to build communities based on the solid mix of dreams and hard work. Please join me in congratulating this proud community for its many accomplishments and to wish it all the best for the future. Thank you.

--Applause

**MR. SPEAKER:** Mahsi, Mr. Kakfwi. Item 3, Members' statements. The honourable Member for North Slave, Mr. Lafferty.

#### **Member's Statement on Development of Highway Infrastructure**

**MR. LAFFERTY:** Thank you, Mr. Speaker. Mr. Speaker, today I would like to follow up on a statement made on Friday by the Member for Great Slave. It was regarding the development of territorial roads. My colleague, Mr. Braden, pointed out in his Member's statement that sometimes projects such as a road network extending into the North Slave region would be done

at the exclusion of another piece of road, such as the Ingraham Trail.

I guess, like anything, this is a matter of perspective. The status quo has been that the Yellowknife area has dominated budget considerations and, subsequently, other regions have had little chance to grow or to develop. It is a matter of which regional hat you are wearing as to which areas you feel are being excluded.

Unfortunately, the hat that has often been worn is a Yellowknife hat and this area not only has a hat in budget considerations but a full suit of clothes. In contrast, other areas are threadbare in terms of budget considerations.

As an example, I feel that the opportunities in my region are being stunted because of the money spent on the development of the Ingraham Trail as an access point into the mining region. Mr. Speaker, I would like to acknowledge that the Ingraham Trail is the Territories' busiest recreational road and that it is suffering because of it. Wildlife and fish stock are stressed because of the overuse and abuse and the road is also hazardous to drive. New areas and roads need to be opened up in all regions, Mr. Speaker.

I know local operators have spent years developing the aurora industry. I see no reason why this would be compromised if a road network were developed in the Dogrib region. I recognize that maintenance still needs to occur along the Ingraham Trail for the people who live and play along it. My concern has always been with the government's plans and priorities to develop a road past the Ingraham Trail to access the mines.

Mr. Speaker, I think we limit ourselves when we think of either/or situations. That is when one area gets funding and another area gets none. Perhaps collectively, we can, as a consensus government, come up with options.

**MR. SPEAKER:** Mr. Lafferty, your time is up. Mr. Lafferty.

**MR. LAFFERTY:** Thank you, Mr. Speaker. I seek unanimous consent to continue with my statement.

**MR. SPEAKER:** Thank you, the honourable Member is seeking unanimous consent to conclude his statement. Are there any nays? There are no nays. Mr. Lafferty, if you would just go back a paragraph, we missed some of it.

**MR. LAFFERTY:** Thank you, Mr. Speaker. Thank you, colleagues. That is when one area gets funding and another gets none. Perhaps collectively, as a consensus government, we can come up with options so that areas are not excluded and that the Territory as a whole benefits.

I would like to refer to the statement made by Minister Handley on Friday that he has no intention of delaying consideration of a potential road through the Dogrib region. Unfortunately, I found little comfort in his statement as recent government documents do not reflect the issues that I have been bringing forward for the past two-and-a-half years. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Lafferty. Item 3, Members' statements. The honourable Member for Deh Cho, Mr. McLeod.

### Member's Statement on Capacity Building in Communities

**MR. MCLEOD:** Thank you, Mr. Speaker. Mr. Speaker, I wish to bring up the important subject of capacity building within our communities. It is a difficult term to define. It has been defined as the ability to shape, control and take responsibility. The components of capacity building include basic literacy, education, life skills and training. These components of capacity building are taken for granted by southern Canada while in the North we continue to struggle and fight for them.

Mr. Speaker, the delivery of programs for training in the North has problems that must be overcome. Our programs and training initiatives are fragmented and have numerous delivery agencies which have resulted in duplication and overlap. Numerous GNWT departments are providing and undertaking various training and education programs.

In addition to these government initiatives, we have Human Resources Development Canada, Community Mobilization, the Department of Indian Affairs and Northern Development, Aurora College, aboriginal governments and the private sector all providing various and similar types of programs and training with no apparent long-term vision of what we are trying to achieve.

Other problems facing capacity building include a lack of long-term focus on job and career opportunities, failing to recognize and meet the needs and expectations of communities, funding that is not adequate within the communities to develop their capacity, formal education that is undervalued or at times not appreciated in our communities, and a lack of basic literacy and education. These all limit access to mainstream employment opportunities.

Mr. Speaker, all is not lost when problems arise. We must look for solutions to overcome these problems. We must look outside the box to meet the unique demands placed upon us. We must plan for future development growth by identifying opportunities as they arise. We must take stock of our human resource capabilities. We need to determine our human resource requirements for the next five, ten and 20 years. It is important that training and education be coordinated for timely, meaningful and effective delivery. Financial and human resources must be made available for training within our communities.

Industry must buy into and actively participate in any capacity-building initiatives. Most importantly, aboriginal culture and its contribution must be recognized as an important component of sustainable development.

**MR. SPEAKER:** Mr. McLeod, your time is up.

**MR. MCLEOD:** Mr. Speaker, I seek unanimous consent to conclude my statement.

**MR. SPEAKER:** Thank you. The honourable Member for Deh Cho is seeking unanimous consent to conclude his statement. Are there any nays? There are no nays. Mr. McLeod, you may conclude.

**MR. MCLEOD:** Thank you, Mr. Speaker. Mr. Speaker, are these programs, the training and capacity-building initiatives, meeting our community needs? I do not believe that this

government has the answer to that. However, it is a question that had better be answered soon if we expect to have our communities participate successfully in the development of the North. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:** Thank you, Mr. McLeod. Item 3, Members' statements. The honourable Member for Hay River North, Mr. Delorey.

### Member's Statement on Diamond Jenness Secondary School 2002 Graduating Class

**MR. DELOREY:** Thank you, Mr. Speaker. Mr. Speaker, I rise today to bring well deserved praise to a fine group of young people from Hay River. It gives me great pleasure, Mr. Speaker, to take this opportunity to recognize the 2002 graduating class of Diamond Jenness High School.

Mr. Speaker, due to the fact that some of the names that I will mention are constituents of my colleague, Mrs. Groenewegen, this will be, to some extent, a joint statement of recognition. Mr. Speaker, I have consulted with my colleague on this matter.

Mr. Speaker, I would like to recognize the following graduates: Candace Balmer, Raymond Benoit, Sharon Bernarde, Jamie Blaibel, Joseph Boden, Misty Bourdages, Teresa Calvin, Candice Cockney, Jennifer Coleman, Heather Cowger, Trenton Daniels, Valerie Desilets, Brandon Froese, Tyler King, Robert Lafleur, Derek Latimer, Kaylan Lee, Richard Leonard, Jennifer Morgan, Jeremy Planidin, Crystal Potter, John Pynten, Melanie Ranger, Chad Stewart, Corey Tybring, Marlee Zebedee, Paul Dube, Stacey Wasylyshun-Flett, Jeremy Studney, Kristie Vyse and Vince Walsh.

Mr. Speaker, this group of fine young people is a perfect example of dedication and commitment. Graduation is truly a cause for celebrating this most important milestone. It is my hope that their well-deserved success will serve them well in all of their future endeavours.

Mr. Speaker, as they begin their journey of independence, I would like to wish them every success in all of their future endeavours. It will be my distinct pleasure and honour to attend the Diamond Jenness Secondary School graduation ceremonies on June 29<sup>th</sup> in Hay River.

Mr. Speaker, it is my sincere wish that these graduates take the knowledge that they have garnered and apply it well to their future career paths, wherever that may take them. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Delorey. Item 3, Members' statements. The honourable Member for Thebacha, Mr. Miltenberger.

### Member's Statement on Recognition of Thebacha Constituents on Recent Achievements

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. Mr. Speaker, today I would like to take the opportunity to acknowledge and recognize the achievements of two constituents from Thebacha. Specifically, I speak of Dixie Penner who was recently awarded the NWT's Outstanding



Volunteer of the Year Award for her considerable work with the local animal shelter which she has made a growing concern as it deals with the needs of animals in our community. She has also put in extensive time over the years with the Fort Smith Friendship Festival, and by her work has been a tremendous asset to the community and provided a service we cannot afford to pay for.

I would also like to recognize the award of achievement of Ms. Sarah Daitch, who was awarded the 2002 Mary Beth Miller Memorial Award for being the NWT's top Senior Female Athlete of the Year. Mr. Speaker, I also have the privilege of having Ms. Daitch working in my office in Fort Smith as a student this summer. I will be recognizing her in the gallery here in a few minutes. As a cross-country skier, Sarah travels all over the world and North America, and has represented the NWT. In 1999 she represented Canada at the World Junior Championships in Austria, and this year she placed fifth overall at the Senior National Championships and second overall at the Canadian University Championships.

Mr. Speaker, both these individuals in their respective fields of endeavour have excelled and have brought credit to our community and to the North, and they have made a difference in the work and the things that they have done. I thank them for all the things they have done and the achievements they have managed to complete. They truly make me proud to be the MLA for Thebacha, and I thank them for all the things that they have done. Thank you.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Miltenberger. Item 3, Members' statements. The honourable Member for Yellowknife South, Mr. Bell.

#### **Member's Statement on Value of Supporting Northern Business**

**MR. BELL:** Thank you, Mr. Speaker. I would like to rise today to speak briefly about the value of supporting northern business. I think that in all our discussion about the BIP last week this is something that seemed to get lost. I think that in past statements in the House by myself and other Members we have talked quite a lot about the value of supporting our northern businesses, so much so that I think it seems very obvious to us, and maybe some of these points have almost become cliché, Mr. Speaker, but I think that many of them bear repeating.

Obviously, we know that northern businesses hire Northerners, Mr. Speaker, and that the money spent by these northern businesses enters the circular flow of income in the North. Conversely, money spent on southern contractors and in southern businesses constitutes a withdrawal from that same circular flow of income. Mr. Speaker, northern businesses continue to make money and in-kind donations in our communities. It seems every time we turn around, whether it is golf tournaments, Super Soccer or sponsoring the arts, it is the small northern businesses that are contributing.

Past governments, Mr. Speaker, have recognized this value and have looked to support our northern businesses. The BIP is a perfect example. Yes, it has its flaws, and we understand it is being reworked and we look forward to a new and improved version. I think it would be a serious mistake to throw the baby

out with the bath water, as it were, Mr. Speaker, and abandon it now.

Even this government has been quick to point out that we want to be in the capacity-building business in our communities. I guess that is why I find the setting aside of the BIP policy on a singular project to be what I see as short-sighted and a knee-jerk reaction based on little more than speculation. Today in question period, I will have questions for the appropriate Minister. Thank you, Mr. Speaker.

-- Applause

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

#### **Member's Statement on True North Strong and Free National Symposium**

**MRS. GROENEWEGEN:** Thank you, Mr. Speaker. Mr. Speaker, I just want to make a brief statement today about how much I am looking forward to the activities planned for this upcoming week surrounding the True North, Strong and Free National Symposium. I was only 17 years old when I arrived in Hay River 28 years ago and I will never forget the very distinctive feeling I had when the wheels of the jet touched down. It was an overwhelming sense of being home, although I knew very little about the place where I had landed.

Mr. Speaker, I had the very good fortune of becoming involved politically very early on and I do not so much recall all the distinctions of the issues of the day as much as the relationships I began to develop with Northerners. There is no real shortcut to the kind of history that evolves and the friendships that develop over a period of time. I feel very privileged to have known many people who have so positively affected the North as we know it.

Mr. Speaker, we have much to celebrate when looking back at the past 25 years and we also have much to celebrate when we reflect on the unique richness of this Territory.

I recently commented to someone that the Northwest Territories is the best-kept secret in Canada, and maybe even the world, but I am glad that I found it when I did and I probably will not fully discover or experience all that the North has to offer if I live to be very old. Mr. Speaker, I do encourage everyone to celebrate with us and to get involved in the activities that will take place this week. I believe it will be very exciting and remind us once again of the uniqueness and the special Territory in which we live. Thank you.

-- Applause

**MR. SPEAKER:** Thank you, Mrs. Groenewegen. Item 3, Members' statements. The honourable Member for Inuvik Boot Lake, Mr. Roland.

#### **Member's Statement on Inuvik Graduation Ceremonies**

**MR. ROLAND:** Thank you, Mr. Speaker. Mr. Speaker, this is a season for graduations around the Northwest Territories. I would like to congratulate those who are going through their final stages of formal schooling years. In Inuvik, when I was back home, I had the opportunity to take in three different

ceremonies, Mr. Speaker. One of them was the Aurora Campus Certificate and Diploma Programs, where a large number of students had finally come to the completion of their courses and were ready to move on and move into the job market, Mr. Speaker.

As well, I had the opportunity to take part in the graduation ceremonies at the Samuel Hearne Secondary School 2002 class, and again at the Aurora Campus for the adult upgrading, the Nursing Access Program, and the University/College Access Program.

Mr. Speaker, in all of those programs and graduation ceremonies that I attended, I would probably miss a number of the students, but I had an opportunity to speak to them. One thing I stated to them was the importance of their education. That was one of the things that I could look forward to as a Member of the Legislative Assembly, to see some of the work that we do in this forum come to completion, in a sense, that students out there are actually moving through the program and they are graduating and moving on and are being prepared to take on life, so to speak, in the work world and job environment.

Mr. Speaker, it is not done there. They will continue to, as we know, through their life in the Northwest Territories, come back to this government for one program or another, and to depend on our guidance and wisdom as we develop laws and programs in the Northwest Territories. It is important that we continue to work hard in the field of education to ensure that those who are going through our system get the full benefit of the education and the years they put into it.

With that, Mr. Speaker, a quick congratulations to all the students across the North, especially those who come from my community. Thank you.

-- Applause

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

#### **Member's Statement on Addressing the Needs of Students With Disabilities**

**MS. LEE:** Thank you, Mr. Speaker. Mr. Speaker, I would like to speak today about education issues that have come across my desk lately. The first has to do with the lack of proper financial assistance programs for students with disabilities. Mr. Speaker, like every other member of our society with a disability, students with disabilities have a number of barriers they have to overcome in order to pursue education, especially in post-secondary institutions in the south.

One would think, Mr. Speaker, that the government would encourage and support the students who forge ahead, despite the difficulties. Instead, Mr. Speaker, I was dismayed to learn that the department policy is written in such a way as to exclude students from the student financial assistance for those who are going to schools geared towards helping students with disabilities advance and prepare for jobs in society. I urge the Minister to review and correct this injustice, Mr. Speaker.

The second issue I would like to speak about today is the fact that I am inundated with concerns from my constituents who

have answered the government's call for more northern-trained nurses. Those with the qualifications and the desire to enter the field of nursing to serve are routinely being turned down due to the lack of space, or for a slew of other reasons not understandable nor sensible to those who are being rejected.

They rightly ask, Mr. Speaker, why is it that the government keeps saying they need more northern nurses and spends thousands of dollars recruiting nurses down south, yet the government shows no foresight to accept with open arms those candidates who live in the North and want to be a nurse? Why is it that so many of them have to fight every inch of the way to get into the program?

Mr. Speaker, I must ask the same questions. I urge the Minister and Cabinet to review this situation. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:** Item 3, Members' statements. I just want to remind Members that Members' statements should only consist of one topic at a time. I have been lenient today, however... Item 3, Members' statements. The honourable Member for Frame Lake, Mr. Dent.

#### **Member's Statement on Strategic Infrastructure Fund Meetings in Ottawa**

**MR. DENT:** Thank you, Mr. Speaker, and good afternoon. Mr. Speaker, last week I attended meetings in Ottawa with federal Cabinet Ministers along with the Premier, Mr. Krutko, and NWT Chamber of Commerce president, Kelly Hayden. I would like to thank the Premier for inviting me to attend these meetings with him.

I was happy to help in the pitch to the feds for a share of the \$2.2 billion strategic infrastructure fund. I was pleased with the reception we have received -- pleased to hear that the fund has not yet been committed and that we are still in the running for some of the money.

Our pitch was well-received. It was gratifying to see the Ministers we met move from wariness, almost saying, "Now what do these guys want?" to what appeared to be genuine interest when we outlined the economic benefits that accrue across Canada from non-renewable resource development in the Northwest Territories.

As Members here know all too well, almost all of the taxes and royalties from oil and gas and mining development flow directly to federal coffers. Alluding to that, Mr. Hayden had a particularly catchy line for the Ministers he met when he answered the question of why we were looking for money for roads and bridges. His response was, "We want to make it easier for trucks to get to northern resources so they can come back full of money for the federal government." Mr. Speaker, that garnered some interest, I can assure you.

Mr. Speaker, we did not come back with a signed cheque, but I was pleased that we had at least one Minister who explicitly said he would support our application for funding, and others expressed support. I guess only time will tell, but I certainly hope that the federal government really does see the value of getting those trucks north so they can help fill our new Finance Minister's coffers for the benefit of all Canadians. Thank you, Mr. Speaker.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Dent. Item 3, Members' statements. Are there any further Members' statements? Item 4, returns to oral questions. Item 5, recognition of visitors in the gallery. The honourable Member for Thebacha, Mr. Miltenberger.

#### ITEM 5: RECOGNITION OF VISITORS IN THE GALLERY

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. Mr. Speaker, I would like to recognize Sarah Daitch, university student studying political science, but also a top-ranked Canadian athlete who has just been honoured with the Mary Beth Miller Memorial Award. I would like to welcome her from Fort Smith. She is here to see how the Legislative Assembly works and how all you fine legislators do your jobs. Thank you.

-- Applause

**MR. SPEAKER:** Thank you, Mr. Minister. Item 5, recognition of visitors in the gallery. The honourable Member for Sahtu, Mr. Kakfwi.

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. I would like to recognize Mr. Whit Fraser and our cameraman Mark and the latest interviewer in the media field, Rebecca Wong of Yellowknife. Thank you.

-- Applause

**MR. SPEAKER:** Thank you. Item 5, recognition of visitors in the gallery. I will take this opportunity to recognize a long-time Northerner, a fisherman from Hay River, Mr. Alex Morin. Also, I want to use a little bit of Speaker's license here to say hello to my mother who is watching me today in Fort Smith, Thebacha.

-- Applause

Item 6, oral questions. The honourable Member for Mackenzie Delta, Mr. Krutko.

#### ITEM 6: ORAL QUESTIONS

##### Question 269-14(5): GNWT Policy on Community Meetings

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, my question is directed to the Premier regarding my Member's statement. I think it is important to ensure we have some respect for our small communities, through the presence of government institutions, boards, agencies and departments when they host events, workshops or have a strategy session, that they make every attempt to go into our communities.

I would like to ask the Premier, if there is no policy or procedure in place to allow for these workshops and strategies to take place in small communities, will the government implement such a policy so that these agencies will be conducting their meetings in small communities?

**MR. SPEAKER:** Thank you, Mr. Krutko. The honourable Premier, Mr. Kakfwi.

##### Return to Question 269-14(5): GNWT Policy on Community Meetings

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. I believe the Member is making a good suggestion. There may be other ways in which to arrive at the suggestion he is making. We will take that under consideration and advise the Member. Thank you.

**MR. SPEAKER:** Thank you, Mr. Premier. Supplementary, Mr. Krutko.

##### Supplementary to Question 269-14(5): GNWT Policy on Community Meetings

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, I would like to ask the Premier, how soon can he get such a strategy in place and when can we see that strategy as Members of the House?

**MR. SPEAKER:** Thank you, Mr. Krutko. The honourable Premier, Mr. Kakfwi.

##### Further Return to Question 269-14(5): GNWT Policy on Community Meetings

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. Mr. Speaker, it has been a hectic few weeks. We are in session, there is the Living History project that is in full swing this week and a number of events going on. There is the signing of the Salt River First Nation, the Beaufort-Delta Self-Government Agreement, the oil and gas symposium in Inuvik, just to mention a few, as well as National Aboriginal Day festivities across the North.

I do not know. Probably the last two weeks of June we will try to have a preliminary discussion with Ministers about the suggestion he is making and then I think we are going into holidays and travelling. I will see what we can do with it in the month of July. Thank you.

**MR. SPEAKER:** Thank you, Mr. Premier. Supplementary, Mr. Krutko.

##### Supplementary to Question 269-14(5): GNWT Policy on Community Meetings

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, I too think it is important that we do have such a strategy, but I want to ensure the strategy is not limited to the boards and agencies but all levels of the government, so that those people within the government try to reach out to small communities and get a better feel for what the Northwest Territories is made of.

Will the Premier commit to not limiting the strategy, but to try to have a broad strategy affecting all aspects of government?

**MR. SPEAKER:** Thank you, Mr. Krutko. The honourable Premier, Mr. Kakfwi.

##### Further Return to Question 269-14(5): GNWT Policy on Community Meetings

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. I will consider what the Member is recommending and respond to him by letter before the end of July. Thank you.

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

**Supplementary to Question 269-14(5): GNWT Policy on Community Meetings**

**MR. KRUTKO:** Thank you, Mr. Speaker. A strategy is just a strategy with a slogan and I want to make sure there are some teeth in this strategy. I would like to ask the Premier, would this strategy be put in place through a policy or directive which will be binding on this government? Will it come forward as a directive or policy change?

**MR. SPEAKER:** Thank you, Mr. Krutko. The honourable Premier, Mr. Kakfwi.

**Further Return to Question 269-14(5): GNWT Policy on Community Meetings**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. That would be part of what the officials would advise us on, the recommended method of dealing with this. Once we have that we will advise the Member about the advice we get. We will share that with him. Thank you.

**MR. SPEAKER:** Thank you, Mr. Premier. Item 6, oral questions. The honourable Member for Frame Lake, Mr. Dent.

**Question 270-14(5): Cost of the Business Incentive Policy**

**MR. DENT:** Thank you, Mr. Speaker. Mr. Speaker, I would like to follow up on some questions I was asking the Minister for Public Works and Services on Friday. On Friday the Minister responded to a question I had asked by stating that he had been told as much as \$33 million a year could be going to pay the increased cost for the Business Incentive Policy.

Could the Minister please advise me whether or not the \$33 million was referring to the last fiscal year, or any year in particular?

**MR. SPEAKER:** Thank you, Mr. Dent. The honourable Minister responsible for Public Works and Services, Mr. Steen.

**Return to Question 270-14(5): Cost of the Business Incentive Policy**

**HON. VINCE STEEN:** Thank you, Mr. Speaker. Mr. Speaker, the reference I made to \$33 million is probably the only figure that I have that relates to the estimated costs of BIP through this government. The figure is not a recent figure by any nature. The figure was given to the committee that was reviewing BIP and I believe it was in the last government. I am not even sure if the figure applied to government as it existed in the time of one territory or whether it was in fact the new territory. I cannot recall the exact time, but as a committee member we received this information.

That was the estimated figure we were given by the consultants as to what it could cost this government in a year. It depended on the amount of contracting the government did and the nature of capital and O and M expenditures for the year. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. Dent.

**Supplementary to Question 270-14(5): Cost of the Business Incentive Policy**

**MR. DENT:** Thank you, Mr. Speaker. It makes a big difference what year we are talking about. If they had a capital budget of \$300 million, then \$33 million is a 10 percent figure, but if as we had last year, a capital budget of \$132 million, \$33 million of that would indicate that we had a 50 percent premium that we were paying for the Business Incentive Policy. I think that caught a lot of Members by surprise on Friday.

Will the Minister commit to find out what year that \$33 million figure referred to and report back to the House tomorrow?

**MR. SPEAKER:** Thank you, Mr. Dent. The honourable Minister responsible for Public Works and Services, Mr. Steen.

**Further Return to Question 270-14(5): Cost of the Business Incentive Policy**

**HON. VINCE STEEN:** Thank you, Mr. Speaker. Mr. Speaker, I will commit to try and find out that information, but like I said, it is old information that I had as a committee member and I am not sure where that information is sitting now. I will commit to try and find it. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. Dent.

**Supplementary to Question 270-14(5): Cost of the Business Incentive Policy**

**MR. DENT:** Thank you, Mr. Speaker. I just want to be clear then that the Minister makes it sound like the department which had prepared the decision paper to go to Cabinet to waive the BIP on this project did not have any current figures as to the impact of whether or not BIP costs any extra money directly. Is that the case?

**MR. SPEAKER:** Thank you, Mr. Dent. The honourable Minister responsible for Public Works and Services, Mr. Steen.

**Further Return to Question 270-14(5): Cost of the Business Incentive Policy**

**HON. VINCE STEEN:** Thank you, Mr. Speaker. Mr. Speaker, that is correct. The department did not have the exact figures of what BIP would cost on this particular project, because half of the project in phase two is still going to tender. The portion that applied to phase one is still in the process of being worked out as well.

What we did have were figures we used for comparison. The city project, for instance, the twin-pad arena, has no BIP applied to it. The city was receiving bids from southern tenders that were 10 percent less than northern tenders. There was no BIP applied. I believe it was either 10 percent or 9 percent less than what was received from northern tenders. We were using those types of things as examples of where we might gain. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Final supplementary, Mr. Dent.

**Supplementary to Question 270-14(5): Cost of the Business Incentive Policy**

**MR. DENT:** Thank you, Mr. Speaker. Since the Minister did confirm that there was no direct knowledge of what the expected savings would be, has the department ever done a comparison or an examination of the spin-off benefits of the BIP, the other jobs created in the North and then taking a look at what that means to us in terms of the grant from Canada and what we make in terms of corporate income tax? Has there been a macro-economic look at the performance of the BIP?

**MR. SPEAKER:** Thank you, Mr. Dent. The honourable Minister responsible for the Department of Public Works and Services, Mr. Steen.

**Further Return to Question 270-14(5): Cost of the Business Incentive Policy**

**HON. VINCE STEEN:** Thank you, Mr. Speaker. Mr. Speaker, Public Works and Services has never done that, as far as I know. The people who have been reviewing BIP may have done it, and they may have that information. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Item 6, oral questions. The honourable Member for North Slave, Mr. Lafferty.

**Question 271-14(5): Highway Infrastructure Development Proposal**

**MR. LAFFERTY:** Thank you, Mr. Speaker. My question is for the Premier, the Honourable Stephen Kakfwi. A proposal was submitted to the federal government without the knowledge or the input of Regular Members. Two Cabinet Ministers chose the routes for the proposal and I would like to ask the Premier why he chose the route that goes on the Ingraham Trail over the Dogrib region? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Lafferty. The honourable Premier, Mr. Kakfwi.

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. I will refer the question to the Minister of Transportation, Mr. Handley.

**MR. SPEAKER:** Thank you. The honourable Premier is referring the question to the Minister of Transportation, Mr. Handley.

**Return to Question 271-14(5): Highway Infrastructure Development Proposal**

**HON. JOE HANDLEY:** Thank you, Mr. Speaker. The reason that route was chosen is our proposal, called Corridors for Canada, looks at two corridors, one into the mining area and one into the oil and gas area. The only current route into the mining area is through Highway No. 4, Tibbitt Lake and up into the area. There is no road through the Dogrib area. There is not any agreement that I have right now from the chiefs to even build a road through that area, although we did take some steps to set up a steering committee to begin looking at it. We could not include that as an alternate route when there was no agreement to have one. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. Lafferty.

**Supplementary to Question 271-14(5): Highway Infrastructure Development Proposal**

**MR. LAFFERTY:** Thank you, Mr. Speaker. My question was for the Premier. I already asked this question to the Transportation Minister on Friday. The routes would facilitate community resupply and intercommunity travel for the Sahtu region. I would like my communities to have the same opportunities. I would like to ask the Premier, why did he not choose the Dogrib region so we could also have the same benefits? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Lafferty. The honourable Premier, Mr. Kakfwi. I have to direct it to you.

**Further Return to Question 271-14(5): Highway Infrastructure Development Proposal**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. Mr. Speaker, as the Minister of Transportation has indicated, we have to expect that the federal government is not going to be that receptive to totally financing new roads, especially into areas where there is already existing infrastructure. In our case, the Ingraham Trail is there, it is being used by industry and it is an existing road. What we have indicated is we want to rebuild and make sure it continues to have the proper maintenance for access into the mining area that requires this service. We believe that is something that is perfectly rational and can be substantiated to the federal government. This is what our proposal had indicated. Thank you.

**MR. SPEAKER:** Thank you, Mr. Premier. Supplementary, Mr. Lafferty.

**Supplementary to Question 271-14(5): Highway Infrastructure Development Proposal**

**MR. LAFFERTY:** Thank you, Mr. Speaker. I am glad they used the word existing because there is no road existing past Tibbitt Lake right now and there was not one two weeks ago either. So now it is the Dogrib region versus the Ingraham Trail. We can put a winter road through the Dogrib region or an all-weather road to the mines. I would like to ask them, when they can consider a Tuktoyaktuk road, why do they keep using the word existing? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Lafferty. The honourable Premier, Mr. Kakfwi.

**Further Return to Question 271-14(5): Highway Infrastructure Development Proposal**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. As we have indicated, the Dogrib chiefs had been invited to work through a committee to look at the issues of building infrastructure within their region. This committee has not been active. In fact, I do not know that it has even been activated. In the meantime, time was of the essence. When the federal government indicated they were interested in seeing us put a proposal forward in very short order, we took literally about two weeks and built on what we think is a well-substantiated, rational argument for getting infrastructure dollars to enhance, maintain and improve our existing infrastructure. In large part, this is the proposal that we put forward. As Members who have travelled with us to Ottawa have indicated, it is being well received. It is seen as a well-substantiated proposal. Thank you.

**MR. SPEAKER:** Thank you, Mr. Premier. Final supplementary, Mr. Lafferty.

**Supplementary to Question 271-14(5): Highway Infrastructure Development Proposal**

**MR. LAFFERTY:** Thank you, Mr. Speaker. Some of these plans have been kicking around since 1997 and 1998, so three weeks is not a time limit that they should be using. I would like to ask the Premier, why did he not consult with the Dogrib chiefs? If he did, he would have found out why. I would like to ask him, why did he not consult with them?

**MR. SPEAKER:** Thank you, Mr. Lafferty. The honourable Premier, Mr. Kakfwi.

**Further Return to Question 271-14(5): Highway Infrastructure Development Proposal**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. Mr. Speaker, the Minister of Transportation, Mr. Handley, is the lead Minister responsible for transportation infrastructure. He developed a draft proposal that was brought to Cabinet and Cabinet had since endorsed this. We believe by and large that it is supported by the general public and we will continue to use it as a basis for trying to lever some money out of Ottawa to ensure that we get some help to fix the roads, to improve on them and to enhance the present condition of these roads. We believe that once Ottawa makes a decision, hopefully they will allocate all the money to us that we are requesting. It would be unfortunate if they give us just a portion of it. Of course, we will expect to be consulting with the Members of the Legislature about the final allocation of these dollars. Thank you.

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

**Question 272-14(5): Appointment to the Hay River Health and Social Services Board**

**MRS. GROENEWEGEN:** Thank you, Mr. Speaker. Mr. Speaker, my questions today are for the Minister of Health and Social Services. The Hay River Community Health and Social Services Board finds itself in a unique situation at this time. Hay River was, for many years, somewhat of an anomaly with health services being delivered under contract, most recently with the Town of Hay River. That contract no longer exists. Every other health board consists of members appointed by the Minister on the advice and recommendation of the MLAs, local governments, aboriginal governments, et cetera.

Today, there is an opening on the health board in Hay River. I want to know, who is going to have a say in the appointment to that vacancy? Thank you, Mr. Speaker.

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

**Return to Question 272-14(5): Appointment to the Hay River Health and Social Services Board**

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. Mr. Speaker, it is my understanding that there was an ad placed in the paper for the public to submit names. The Member is right, the board in Hay River is an anomaly. It is

from the Societies Act. At this point, we are in a state of transition as we move to a standard nomination process for the health authorities across the Northwest Territories.

It would be my hope that people with the common interest of having the best service possible and the best people on the board, there would be consultation with the board, the mayor, and the MLAs so they can get a full look at the names being submitted and the best name chosen. Thank you.

**MR. SPEAKER:** Thank you, Mr. Miltenberger. Supplementary, Mrs. Groenewegen.

**Supplementary to Question 272-14(5): Appointment to the Hay River Health and Social Services Board**

**MRS. GROENEWEGEN:** Thank you, Mr. Speaker. Mr. Speaker, I would like to ask the Minister, how long will Hay River be in this state of transition? Mr. Speaker, we have some really serious concerns about the delivery of health and social services in Hay River right now, so it is very, very important who is on that board and who chairs that board.

Although I could refer to what the Minister said about taking a collective approach to this, I would like something more definitive from the Minister. How long is Hay River going to be in this state of transition? Thank you.

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

**Further Return to Question 272-14(5): Appointment to the Hay River Health and Social Services Board**

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. Mr. Speaker, we have, on our legislative list, amendments to the legislation that will allow us to clarify some of these issues to put in legislation, issues like the one we are discussing before this House, and to deal with other issues as well.

It is in the works. I am hoping that by the fall session we will have some information ready to bring forward and I ask for the patience of the Member. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mrs. Groenewegen.

**Supplementary to Question 272-14(5): Appointment to the Hay River Health and Social Services Board**

**MRS. GROENEWEGEN:** Thank you, Mr. Speaker. I would like to ask the Minister, does he not have some avenue at his disposal whereby he could invoke some interim measure to deal with this situation in Hay River? I know it takes a while to change the legislation, but surely there is something he can do short of an overhaul of the legislation to address this specific issue.

I believe he may have at his disposal a ministerial directive regarding those boards that are not covered by the standard approach and I would ask, will he consider doing that? Thank you.

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

**Further Return to Question 272-14(5): Appointment to the Hay River Health and Social Services Board**

**HON. MICHAEL MILTENBERGER:** Mr. Speaker, I would be happy to consider the possibility of a ministerial directive. I would also be interested in and possibly suggest that it may be of benefit for the leadership of Hay River to sit down with me to possibly come to an agreement on an interim arrangement so it is something that is done through consensus and in a collaborative manner, as opposed to a ministerial directive to the community instructing them on how they are going to choose their representatives pending the resolution through legislation.

I will do that. I will check into that. I also ask the Member to consider getting the leadership together and I would be happy to come down and work through that process with them. Thank you.

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

**Supplementary to Question 272-14(5): Appointment to the Hay River Health and Social Services Board**

**MRS. GROENEWEGEN:** Thank you, Mr. Speaker. Mr. Speaker, I thank the Minister for that offer. We look forward to working on this issue with him. With respect to this vacancy that exists today and the appointment that will be made very, very quickly here, I believe that it may inadvertently involve whoever is going to take the chair of the health board.

I would like to ask the Minister, would he intervene and ask the CEO, because there is no chairman at this time, to take this collaborative approach with the appointment of this specific vacancy? Thank you.

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

**Further Return to Question 272-14(5): Appointment to the Hay River Health and Social Services Board**

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. Mr. Speaker, I will do as the Member suggests. I will pass on the concerns and ask in fact if the board, under the Societies Act, should have and should be given the full information and that it should be the board that should be making the selection of the appropriate member and electing the chairperson.

The role of the CEO, as far as I am aware, is a staff person. It is a support role. It is to bring the information together to the board. The board representing the community should be making those decisions. I will talk to the CEO and encourage that approach to be taken. I will also assume that the board members who are currently sitting would also be expecting that approach to be taken. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Item 6, oral questions. The honourable Member for Deh Cho, Mr. McLeod.

**Question 273-14(5): Notification of Capital Project Changes**

**MR. MCLEOD:** Thank you, Mr. Speaker. Mr. Speaker, I would like to pose my question to Mr. Joe Handley as Minister of

FMBS regarding the Lady Evelyn Campground expansion project with respect to the handling of it and how it falls under the Financial Administration Act.

Mr. Speaker, the current protocol requires that if there are any changes to the scope or budget of a project, written notification is made to Members as well as the appropriate standing committee. I would like to ask the Minister, can he confirm whether that means an official letter to the Member and the committee or is a presentation of the main estimates adequate? Thank you.

**MR. SPEAKER:** Thank you, Mr. McLeod. The honourable Minister responsible for FMB, Mr. Handley.

**Return to Question 273-14(5): Notification of Capital Project Changes**

**HON. JOE HANDLEY:** Mr. Speaker, the act is fairly general in that sense in that there should be notification to the Member. It does not speak to whether it should be in writing, verbal, or to the whole committee. If there is a substantial change, then the requirement is that we let the MLAs know. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. McLeod.

**Supplementary to Question 273-14(5): Notification of Capital Project Changes**

**MR. MCLEOD:** Thank you, Mr. Speaker. The information provided to me through administrative directive 3.02 is fairly clear. It requires that any project of significant change be done in writing to the Member and standing committee. It is obvious he is not familiar with it. I would like to know what the common practice is. Thank you.

**MR. SPEAKER:** Thank you, Mr. McLeod. The honourable Minister responsible for FMB, Mr. Handley.

**Further Return to Question 273-14(5): Notification of Capital Project Changes**

**HON. JOE HANDLEY:** Mr. Speaker, I do not know the amount or significance of the change that was made on this particular project. Certainly, if it is a major change, then notice or advice would be sought through written communication. If it is a minor change we are making, then it may be done verbally. It sounds like the change that Mr. McLeod is referring to was major and I will certainly undertake to talk to Minister Antoine about that one. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. McLeod.

**Supplementary to Question 273-14(5): Notification of Capital Project Changes**

**MR. MCLEOD:** Thank you, Mr. Speaker. The FAA requires that any change over \$100,000 or 20 percent be done in writing. In this case we are talking about a change in project scope which is very significant, and almost \$400,000.

I would like to know, can he tell me what the protocol is when the FAA is not followed? Does the project still exist as initially was proposed or is it changed? Thank you.

**MR. SPEAKER:** Thank you, Mr. McLeod. The honourable Minister responsible for FMBS, Mr. Handley.

**Further Return to Question 273-14(5): Notification of Capital Project Changes**

**HON. JOE HANDLEY:** Mr. Speaker, I will have to talk to Minister Antoine about this one because I am not at all familiar with the scope of the change that is happening there. While the project may be worth several hundred thousand dollars, I really do not know to what extent it was changed. I will talk to Minister Antoine as soon as possible. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Final supplementary, Mr. McLeod.

**Supplementary to Question 273-14(5): Notification of Capital Project Changes**

**MR. MCLEOD:** Thank you, Mr. Speaker. I would like to ask the Minister, will he go further than just talking to the Minister? I ask, will he conduct a review of the handling of this project? Mr. Speaker, I was not made aware of it. The community of Kakisa was not made aware of it and I cannot confirm whether the committee was informed.

I would like to ask the Minister, will he conduct a review as the Minister of FMBS rather than just mentioning it in passing to the Minister of RWED? Thank you.

**MR. SPEAKER:** Thank you, Mr. McLeod. The honourable Minister responsible for FMBS, Mr. Handley.

**Further Return to Question 273-14(5): Notification of Capital Project Changes**

**HON. JOE HANDLEY:** Mr. Speaker, I will have to take the question as notice. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. That question has been taken as notice. Item 6, oral questions. The honourable Member for Great Slave, Mr. Braden.

**Question 274-14(5): Women in Apprenticeship Programs**

**MR. BRADEN:** Thank you, Mr. Speaker. My question this afternoon is for the Minister for Education, Culture and Employment. It is about the issue of apprenticeships and especially, Mr. Speaker, women in apprenticeship roles. I discovered, prompted by a question at a constituency meeting, that there are 302 registered apprentices in the NWT apprenticeship program. I understand that this is a dramatic increase and one that puts us among the top in Canada on a per capita basis.

However, Mr. Speaker, of these 302 apprentices only ten are women. Women are an untapped and I believe a valuable part of our workforce in the North. What is the government doing to encourage and support women entering trades and apprenticeships? Thank you.

**MR. SPEAKER:** Thank you, Mr. Braden. The honourable Minister responsible for Education, Culture and Employment, Mr. Handley.

**Return to Question 274-14(5): Women in Apprenticeship Programs**

**HON. JOE HANDLEY:** Thank you. Mr. Speaker, the department is very much aware of the imbalance in the apprenticeship programs between men and women. We have undertaken a number of initiatives to try to correct that. The main thing is to ensure that apprenticeships are advertised in the schools as being an alternative worth looking at. We are working, for example, with the Yellowknife Catholic schools in setting up a pre-trades facility. We have been working with the other high schools on the SNAP program, the Schools North Apprenticeship Program, the Training for Occupational Certification Program, the Ready to Work Program and another one called Bridges.

There are a number of initiatives we are undertaking to make students more aware of apprenticeships and of course, Mr. Speaker, the decision in the final analysis is up to the student as to which they choose. We have done a lot of work in the last couple of years to make sure that students in high school are familiar with the apprenticeships. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. Braden.

**Supplementary to Question 274-14(5): Women in Apprenticeship Programs**

**MR. BRADEN:** Mr. Speaker, the need to advertise and promote is valuable and it is a good one, but advocacy groups consistently point out that within our society and within our system there are barriers to women entering this kind of thing. Some of the most critical ones, for instance, are lack of day care and child care facilities on some work sites and the lack of washrooms or change rooms for female workers. What is the government doing, Mr. Speaker, to address the specific barriers that prevent women from participating in training and employment opportunities? Thank you.

**MR. SPEAKER:** Thank you, Mr. Braden. The honourable Minister responsible for Education, Culture and Employment, Mr. Handley.

**Further Return to Question 274-14(5): Women in Apprenticeship Programs**

**HON. JOE HANDLEY:** Mr. Speaker, over the last two years I think we have had some good success, particularly with the bigger employers such as BHP, Diavik and some of the oil and gas firms in attracting more women into the apprenticeships and into the workforce on those sites. The workplace has changed considerably over the last few years where there are certainly facilities like change areas, washrooms and so on that are there for the convenience of all the workers. There has been a lot done with the employers, but we continue to advertise to attract women, we continue to work with the employers, and I have to say that many of them are very much on side in getting more women into the trades with us. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Your final supplementary, Mr. Braden.



**Supplementary to Question 274-14(5): Women in Apprenticeship Programs**

**MR. BRADEN:** Thank you, Mr. Speaker. The Minister mentioned the private sector and I would like to ask if there are any protocols, agreements or understandings that we have as a government that would attract and include the private sector in building a place for more women in our apprenticeship program. Thank you.

**MR. SPEAKER:** Thank you, Mr. Braden. The honourable Minister responsible for Education, Culture and Employment, Mr. Handley.

**Further Return to Question 274-14(5): Women in Apprenticeship Programs**

**HON. JOE HANDLEY:** Mr. Speaker, to my knowledge we do not have any targets or anything like that that we have set for women in trades. We do have agreements with larger employers on socio-economic agreements that require them to establish the trades. Beyond that, no, we have not set targets. I think we have a general understanding that we encourage all young people, all women, to go into trades and work well with the industry, but no we do not have targets. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Item 6, oral questions. The honourable Member for Hay River North, Mr. Delorey.

**Question 275-14(5): Busy Hay River Highway Study**

**MR. DELOREY:** Thank you, Mr. Speaker. My question today is for the Minister responsible for Transportation, Mr. Handley, and it has to do with a stretch of territorial highway that I have brought up in this House on a number of occasions over the last couple of years. It has to do with the stretch of highway from the bridge in Hay River to the West Channel.

At the time that I brought this up well over a year ago, probably two years ago now, that stretch of highway I had indicated was the second highest travelled piece of highway in the Northwest Territories. At the time the Minister committed to doing an engineering study on this road to see what we could do. I would like to ask the Minister where are we with that study? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Delorey. The honourable Minister responsible for Transportation, Mr. Handley.

**Return to Question 275-14(5): Busy Hay River Highway Study**

**HON. JOE HANDLEY:** Mr. Speaker, that engineering review is going on, I am told, and I will commit to having it completed this fall. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. Delorey.

**Supplementary to Question 275-14(5): Busy Hay River Highway Study**

**MR. DELOREY:** Thank you, Mr. Speaker. Mr. Speaker, this particular stretch of highway that I talk about is travelled considerably by the public, not only by vehicles but constituents

of mine and others that ride their bicycles and walk that stretch of highway. It is very narrow and there is a considerable safety factor with people walking and riding bicycles on this stretch of road. I was wondering, is the Minister aware of anything that we could do to improve the safety on this stretch of road, beyond a full rebuilding of this stretch of highway? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Delorey. The honourable Minister responsible for Transportation, Mr. Handley.

**Further Return to Question 275-14(5): Busy Hay River Highway Study**

**HON. JOE HANDLEY:** Mr. Speaker, as I said, the engineering study will be done this fall. The Member did give me a ride up that road and we had a look at it this spring. I realize the condition it is in. I will certainly ask the department to have a look at what we may do in the short term for this summer, but there are major problems with that road and its tendency to settle. In terms of any major expenditures on it right now, I would prefer to wait until we have the engineering study to make that commitment. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. Delorey.

**Supplementary to Question 275-14(5): Busy Hay River Highway Study**

**MR. DELOREY:** Thank you, Mr. Speaker. Mr. Speaker, I am aware that there are some stretches of highway or access roads that have been addressed in the House later than when I brought this stretch of highway up to see what we could do that have now shown up in capital projects and funding has already been identified to do something with, but this particular stretch of highway has had nothing. When can I expect to see some kind of cost figure or dollars addressed to do something with this stretch of highway? Thank you.

**MR. SPEAKER:** Thank you, Mr. Delorey. The honourable Minister responsible for Transportation, Mr. Handley.

**Further Return to Question 275-14(5): Busy Hay River Highway Study**

**HON. JOE HANDLEY:** Mr. Speaker, I will speak with the Department of Transportation about this one right away, but I think that we will want to wait until we have the results of the engineering study before we pin any dollar amount to repair work on that road. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Your final supplementary, Mr. Delorey.

**Supplementary to Question 275-14(5): Busy Hay River Highway Study**

**MR. DELOREY:** Thank you, Mr. Speaker. I can sympathize with the department in doing something as far as a band-aid solution where this stretch of highway is concerned, but it seems to continually get worse every spring. For example, this spring there was one particular location where one vehicle went through a pot hole that was so sharp and buried in water that it could not be seen. A guy got two flat tires from going over the same pot hole when part of this section of the highway was covered with water.

One of the areas that is of great concern is where the railroad tracks cross the highway. There are three locations where the railroad tracks cross the highway. Could the Minister inform us as to who is responsible for the condition of the railroad tracks or the sections just approaching the railroad tracks? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Delorey. The honourable Minister responsible for Transportation, Mr. Handley.

**Further Return to Question 275-14(5): Busy Hay River Highway Study**

**HON. JOE HANDLEY:** Thank you, Mr. Speaker. I will have to take that as notice. I am not sure who is responsible when it comes to the railway track crossing itself. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. That question has been taken as notice. Item 6, oral questions. The honourable Member for Yellowknife South, Mr. Bell.

**Question 276-14(5): Support for Northern Business**

**MR. BELL:** Thank you, Mr. Speaker. My question today is for the Premier, who has been integral in negotiating several socio-economic agreements with non-renewable resource companies, to basically ensure that big business has northern hiring quotas and to ensure that a percentage of purchasing is made through northern business. I think rightly so, Mr. Speaker.

I think we all understand that benefits must accrue to the North for this development, so Cabinet's recent decision to waive the BIP on this one project strikes me as a bit of, "Do as we say and not as we do." Would the Premier not see this as an inconsistent approach? Thank you.

**MR. SPEAKER:** Thank you, Mr. Bell. The honourable Premier, Mr. Kakfwi.

**Return to Question 276-14(5): Support for Northern Business**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. I view policies as generally agreements by government to follow a certain course of action. Policies guide us in our decision making but they are not set in legislation or anything. I think all policies indicate that Cabinet reserves the right to make the final decision and sometimes those are not consistent with the stated policy in that particular area. Thank you.

**MR. SPEAKER:** Thank you, Mr. Premier. Supplementary, Mr. Bell.

**Supplementary to Question 276-14(5): Support for Northern Business**

**MR. BELL:** Thank you, Mr. Speaker. I acknowledge that Cabinet does have the ability to waive policies as they see fit, but I think that we want to be very careful here that we are not setting a dangerous precedent and that industry could not come back and argue to us that when it is convenient for us we do it, but we expect them to abide, Mr. Speaker. Would the Premier not see this as a possibly dangerous precedent? Thank you.

**MR. SPEAKER:** Thank you, Mr. Bell. The honourable Premier, Mr. Kakfwi.

**Further Return to Question 276-14(5): Support for Northern Business**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. Mr. Speaker, we are in the business of politics. We are also in the business of government. We are scrutinized and critiqued to the most infinite degree. Of course there is always a danger. There are many dangers in being government, being politicians and surely this is one of them.

My view is that Cabinet will make a decision fully aware of the difficulties that could arise, but we still feel that the decision we made at that time was the right one and the decision stands. We will be reviewing the Business Incentive Policy to see that it reflects the best possible practice in the interests of the public, this government and the private sector as well. We look forward to discussing those recommendations with the Members in the next few months. Thank you.

**MR. SPEAKER:** Thank you, Mr. Premier. Supplementary, Mr. Bell.

**Supplementary to Question 276-14(5): Support for Northern Business**

**MR. BELL:** Thank you, Mr. Speaker. The Premier, I believe, has indicated the Cabinet was aware of all of these implications. I am wondering if the Cabinet was also aware of the cost of living differentials between Edmonton and Yellowknife being at some 20 to 30 percent, Mr. Speaker. I believe the BIP does allow northern businesses to operate and I am wondering if this was taken into consideration when deciding to waive the BIP? Thank you.

**MR. SPEAKER:** Thank you, Mr. Bell. The honourable Premier, Mr. Kakfwi.

**Further Return to Question 276-14(5): Support for Northern Business**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. Yes, Mr. Speaker, it was. Thank you.

**MR. SPEAKER:** Thank you, Mr. Premier. Your final supplementary, Mr. Bell.

**Supplementary to Question 276-14(5): Support for Northern Business**

**MR. BELL:** Thank you, Mr. Speaker. In that line of questioning, I am wondering how the Cabinet then decided that northern business could possibly compete with southern business, who not only have this extreme cost advantage but often economies of scale? Thank you.

**MR. SPEAKER:** Thank you, Mr. Bell. The honourable Premier, Mr. Kakfwi.

**Further Return to Question 276-14(5): Support for Northern Business**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. Mr. Speaker, we have had a discussion in Cabinet and looked at the pros and cons of the recommended decision. We made the

decision and we believe it is time to look at changes and recommendations to the Business Incentive Policy. We have been having consultations since January and we are now looking at draft recommendations that the responsible Minister will be bringing to Cabinet in the very near future. We believe that this will reflect the understanding of the additional costs of doing business, that it is a good time to revisit that particular policy and make sure it reflects all our needs at this time. Thank you.

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

**Question 277-14(5): Shortage of Health Care Professionals**

**MS. LEE:** Thank you, Mr. Speaker. Mr. Speaker, my question today goes to the Minister of Health and Social Services. Mr. Speaker, I am going to ask questions about the shortage of health care professionals. I assume a few things, Mr. Speaker. One is that he has been reading or listening to some of the statements made in the House on this issue and perhaps the media reporting on this.

Secondly, the fact that the ratification process is going on is really irrelevant in this matter, because whether or not the package is accepted, I think that the common understanding is a shortage of health care professionals will continue to exist.

My question is, having read and listened to various people speaking about this, has the Minister changed his mind that there is no crisis in Stanton? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Ms. Lee. The honourable Minister responsible for the Department of Health and Social Services, Mr. Miltenberger.

**Return to Question 277-14(5): Shortage of Health Care Professionals**

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. Mr. Speaker, my job as Minister is to deal with the issues that can affect the whole system of health and social services across the Northwest Territories. It is to be measured and careful on how I proceed. It is recognized that there are stresses and pressures from every corner. I am confident that the steps taken after careful consideration by the Stanton authority and their staff meet an issue that is there.

There are plans in place that mitigate the possible need for ICU beds. That it is a four-bed unit that tends to run at about 35 percent occupancy over the course of the year. We are taking steps to train staff over the summer so that by the fall, we will hopefully be operational again.

So do I see this as a crisis in this political pressure cooker called the Legislative Assembly when the House is in session? I see this as an issue where patient safety and concern is the first consideration. I believe that has been dealt with. We have to look at this very carefully and not just through the political lenses that may be before us. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Ms. Lee.

**Supplementary to Question 277-14(5): Shortage of Health Care Professionals**

**MS. LEE:** Thank you, Mr. Speaker. Mr. Speaker, I believe the Minister is going very close to questioning a Member's motive, to imply that perhaps there is not a problem, but there seems to be a problem just because this is session. I resent that very much, Mr. Speaker.

Mr. Speaker, does the Minister's perspective about what his job is as a Minister responsible for health care north of 60, does it not include an ICU unit or at least a reasonably staffed hospital? I am not just talking about ICU, Mr. Speaker, but an acute care centre in the North. Thank you, Mr. Speaker.

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

**Further Return to Question 277-14(5): Shortage of Health Care Professionals**

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. Mr. Speaker, first let me reassure the Member that I was not questioning her motives. I was just making an observation that there is a political arena, but there is also the health and social services arena that affects all the people in the Northwest Territories. As Minister, I am obligated to look at it from that perspective and not just through the political lenses.

Mr. Speaker, we are very committed in the Northwest Territories to service this ICU. There are about 500 staff at Stanton. It is about a \$54 million operation. We are talking about a four-bed unit that is currently facing some problems that have been addressed. Steps have been taken to ensure that patient safety needs are first and foremost. They will be met and continue to be met during the time that staff are being trained up until the fall. So yes, Mr. Speaker, I am aware of this and I am working with the authorities to ensure we provide the services necessary. Thank you.

**MR. SPEAKER:** Thank you, Mr. Miltenberger. Supplementary, Ms. Lee.

**Supplementary to Question 277-14(5): Shortage of Health Care Professionals**

**MS. LEE:** Thank you, Mr. Speaker. Mr. Speaker, I submit to the Minister that the Minister has not dealt with the problem. That the problem is shortage of staff and that it is not because of a political session, or whatever is happening. What would the Minister tell those nurses, for example, who have logged 150 hours of overtime last year, who are at the front line of taking care of patients? What would he say to those nurses, Mr. Speaker?

**MR. SPEAKER:** Thank you, Ms. Lee. The honourable Minister responsible for the Department of Health and Social Services, Mr. Miltenberger.

**Further Return to Question 277-14(5): Shortage of Health Care Professionals**

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. Mr. Speaker, we are working with the nursing association. We are working with the authorities to try to deal with the issue of adequate staffing. I do not want to create the impression that there is not a staff shortage and that it is not a problem, and

that we are not trying to deal with it. In fact, we are very clearly aware that there are shortages. I hear it every day from every community, from every authority. We are taking the steps to try to deal with it.

In the case of the Stanton ICU unit, I believe the steps have been taken to deal with the issue. I know that some staff have been putting in long hours, for which I am greatly appreciative, as are the people of the Northwest Territories. We are working to fix the situation. Thank you.

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

**Supplementary to Question 277-14(5): Shortage of Health Care Professionals**

**MS. LEE:** Thank you, Mr. Speaker. Mr. Speaker, I was not asking whether or not he was consulting with the nurses association. I am not just talking about the ICU. I need to know, and he keeps saying that steps are being taken, but as we speak now, the surgery unit will be closed, ICU is closed. The nearest centre for an intensive care unit is south of 60. Is that acceptable to the Minister? Is that taking care of the patients? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Ms. Lee, two questions there. The honourable Minister responsible for the Department of Health and Social Services, Mr. Miltenberger.

**Further Return to Question 277-14(5): Shortage of Health Care Professionals**

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. Mr. Speaker, each patient's needs are assessed on an individual basis. Some can be looked after within the confines of Stanton through other wards that are there, and other services and medical staff that are there. Should ICU facilities be required, we have arrangements with the Capital Health Authority to ensure that we have access to those services.

I do not believe that patient safety has been compromised. We have to take the steps necessary to deal with this particular situation and we are doing that in a very careful, considered way. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Item 6, oral questions. The honourable Member for Mackenzie Delta, Mr. Krutko.

**Question 278-14(5): Status of Assistant Deputy Minister Position**

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, my questions are for the Minister responsible for Education regarding questions raised in the previous session about the position of the assistant deputy minister of Education. We all know the individual was laid off some time ago. By last count it was almost five months. I would like to ask the Minister responsible for Education, what is the status of that position? What action has been taken?

**MR. SPEAKER:** Thank you, Mr. Krutko. The honourable Minister responsible for the Department of Education, Culture and Employment, Mr. Handley.

**Return to Question 278-14(5): Status of Assistant Deputy Minister Position**

**HON. JOE HANDLEY:** Mr. Speaker, the assistant deputy minister position in Education is currently being filled on a term basis, since the previous incumbent has accepted a similar position in another department. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. Krutko.

**Supplementary to Question 278-14(5): Status of Assistant Deputy Minister Position**

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, my concern, and also the concern of my constituents shown by a petition that was given to the Premier when he was in Aklavik, is the moral reality that women are facing in this government, especially having to deal with the pressures of having to be laid off for such a period of time.

I would like to ask the Minister responsible, what was the outcome of this? Is there going to be an investigation in regard to why this was handled in this fashion?

**MR. SPEAKER:** Thank you, Mr. Krutko. The honourable Minister responsible for the Department of Education, Culture and Employment, Mr. Handley.

**Further Return to Question 278-14(5): Status of Assistant Deputy Minister Position**

**HON. JOE HANDLEY:** Mr. Speaker, in my capacity as the Minister for the Public Service, I met with the person involved several times. We had a lot of discussion about it. We looked at what her options were. She made a choice herself of which option she wanted to exercise.

Mr. Speaker, just to clarify the record, she was not laid off. She was off work with full pay, so there was no financial loss to her. It may have been a very frustrating exercise for her, but there was no financial loss at all. She was not laid off. She was on paid leave. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. Krutko.

**Supplementary to Question 278-14(5): Status of Assistant Deputy Minister Position**

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, this event was tragic in the way it was handled, but yet, Mr. Speaker, it has had an effect on individuals and the people I represent, especially the constituents in the community of Aklavik. I would like to ask the Minister here today, will the Minister make a formal apology to the individual mentioned and also to the community of Aklavik?

**MR. SPEAKER:** Thank you, Mr. Krutko. The honourable Minister responsible for the Department of Education, Culture and Employment, Mr. Handley.

**Further Return to Question 278-14(5): Status of Assistant Deputy Minister Position**

**HON. JOE HANDLEY:** Mr. Speaker, in my discussions with the person involved, I think she has been able to exercise her

option. She has decided that she would like to try a parallel position in another department. The last time I talked to her, she was quite satisfied. There were a few outstanding issues that had not been fully cleared up, but I am sure they are being worked on right now. If I were to make an apology, I do not know what the apology would be for, Mr. Speaker. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Final supplementary, Mr. Krutko.

**Supplementary to Question 278-14(5): Status of Assistant Deputy Minister Position**

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, I think that is the problem with this government. It does not have a heart or a soul, yet it does things knowing that there are people out there who are covering up the mistakes that we make.

I would like to ask the Minister, or the Premier, will you apologize, write a written apology to the community of Aklavik regarding this matter?

**MR. SPEAKER:** Thank you, Mr. Krutko. The honourable Minister responsible for the Department of Education, Culture and Employment, Mr. Handley.

**Further Return to Question 278-14(5): Status of Assistant Deputy Minister Position**

**HON. JOE HANDLEY:** Mr. Speaker, this whole event was probably uncomfortable for a lot of people. It has been resolved satisfactorily. As I said, I do not know what I would be making a formal apology for. I think the person is happy where she is. Without knowing what the apology would be for, I would have to say that in my mind things are settled well and I wish her success in a new position she has taken on. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Item 6, oral questions. The honourable Member for Frame Lake, Mr. Dent.

**Question 279-14(5): Staff Shortage at Stanton Hospital**

**MR. DENT:** Thank you, Mr. Speaker. Mr. Speaker, my questions are for the Minister of Health and Social Services. Let me be clear right up front. I am not speaking only about the intensive care unit. This is a broad question.

Mr. Speaker, we have been hearing from health care workers, from doctors to nurses to physical therapists, that there is a real problem. Part of the problem is workload. I hear from constituents that they cannot get in to see a physiotherapist, for instance, for more than six months.

The Minister on Thursday, in answer to a question I asked, mentioned that Stanton had a surplus in their budget this year. Will he direct Stanton to consider using part of that surplus, or all of that surplus, to try to increase the staffing for some of the specialities where they are running with one instead of what are supposed to be three-person departments? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Dent. The honourable Minister responsible for the Department of Health and Social Services, Mr. Miltenberger.

**Return to Question 279-14(5): Staff Shortage at Stanton Hospital**

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. Mr. Speaker, once we resolve the outstanding debt issues, if there is extra money, I am sure the authority will consider that. Should the system as a whole be left with extra money, I can assure you that it will be spent. In fact, I know it will be spent, as we have already come back for supplementary appropriations and will be coming back for more. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. Dent.

**Supplementary to Question 279-14(5): Staff Shortage at Stanton Hospital**

**MR. DENT:** Thank you, Mr. Speaker. Mr. Speaker, when the authority is running short of staff, and it is not just this authority but all authorities seem to be running short of staff, why has the Minister chosen the arbitrary figure of 60/40 as the split of the deficit? Why are we not looking at letting the authorities use the funds that they need to hire adequate staff?

**MR. SPEAKER:** Thank you, Mr. Dent. The honourable Minister responsible for the Department of Health and Social Services, Mr. Miltenberger.

**Further Return to Question 279-14(5): Staff Shortage at Stanton Hospital**

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. Mr. Speaker, it was not totally an arbitrary figure. It was an issue that was outstanding, that was not being moved to resolution, that had been caught up in debate between staff, the department and authorities. It required resolution so that we could move forward. We are doing that and we are proceeding to deal with this issue among many others. We have done it in a way that was agreeable to the authorities as well as to the department. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. Dent.

**Supplementary to Question 279-14(5): Staff Shortage at Stanton Hospital**

**MR. DENT:** Thank you, Mr. Speaker. Mr. Speaker, can the Minister tell this House, if it was not an arbitrary figure, how did they establish the 60/40 breakdown?

**MR. SPEAKER:** Thank you, Mr. Dent. The honourable Minister responsible for the Department of Health and Social Services, Mr. Miltenberger.

**Further Return to Question 279-14(5): Staff Shortage at Stanton Hospital**

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. Mr. Speaker, the figure was arrived at after some discussion when I became Minister. In discussions with Joint Leadership Council, we tried to bring some resolution to this. It was on a trip to Inuvik where I met with the Inuvik chair, some of her staff and a board member to come to an agreement on how we are going to move ahead on this. There was some frustration that the protracted debate and discussion had not come to any

resolution in terms of how we were going to deal with the deficit and the accumulated debt.

There was agreement that this was a shared responsibility and should not just be the onus of authorities or just the onus of the department. Discussions in that particular forum resulted in that figure.

**MR. SPEAKER:** Thank you, Mr. Minister. Final supplementary, Mr. Dent.

**Supplementary to Question 279-14(5): Staff Shortage at Stanton Hospital**

**MR. DENT:** Thank you, Mr. Speaker. Mr. Speaker, that still sounds very arbitrary to me. There were no facts on the table. Will the Minister tell me, how can he possibly say that the deficit experienced by the Hay River health board met the exact same ratio as the deficit from Stanton? How can 60/40 just happen to apply all across the Territories and not be an arbitrary figure?

**MR. SPEAKER:** Thank you, Mr. Dent. The honourable Minister responsible for the Department of Health and Social Services, Mr. Miltenberger.

**Further Return to Question 279-14(5): Staff Shortage at Stanton Hospital**

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. Mr. Speaker, we can debate whether the decision was arbitrary or whether in fact we made a good decision to resolve a thorny, outstanding issue so that we can move ahead as a system. I prefer to think of it as an agreement that was reached after discussion in briefings and was subsequently agreed to by the other authorities.

We are dealing with the issue. We have done our rebasing as well. We are hopefully not going to be plagued with the issue of debt and deficits again. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. The time for question period has ended. Item 7, written questions. The honourable Member for the Mackenzie Delta, Mr. Krutko.

**MR. KRUTKO:** Mr. Speaker, I seek unanimous consent to go back to item 6.

**MR. SPEAKER:** The honourable Member is seeking unanimous consent to return to item 6, oral questions. Are there any nays? There are no nays. We will return to oral questions. Item 6, oral questions. The honourable Member for North Slave, Mr. Lafferty.

**REVERT TO ITEM 6: ORAL QUESTIONS**

**Question 280-14(5): Highway Infrastructure Priorities**

**MR. LAFFERTY:** Thank you, Mr. Speaker. My question is for the honourable Premier, Stephen Kakfwi. On the opening day of this session I stated my concern that the process of consensus government was not being followed by this government. A recent decision of what to include and exclude in the Corridors for Canada document was made by the Premier and the Minister of Transportation and approved by a minority government, by Cabinet.

I would like to ask the Premier, is this the style of consensus government that the Premier endorses?

**MR. SPEAKER:** Thank you, Mr. Lafferty. The honourable Premier, Mr. Kakfwi.

**Return to Question 280-14(5): Highway Infrastructure Priorities**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. Mr. Speaker, we stand for a good, open, accountable, responsible government that tries to include everyone in every decision we make. However, we are also not afraid to exercise our responsibility to make decisions on a timely basis when it is necessary to do so. Thank you.

**MR. SPEAKER:** Thank you, Mr. Premier. Supplementary, Mr. Lafferty.

**Supplementary to Question 280-14(5): Highway Infrastructure Priorities**

**MR. LAFFERTY:** Thank you, Mr. Speaker. I would like to ask the Premier, if decisions are going to be made by only a few Members, how can we call ourselves a consensus government? Can he tell me how he can justify a consensus government? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Lafferty. The honourable Premier, Mr. Kakfwi.

**Further Return to Question 280-14(5): Highway Infrastructure Priorities**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. Mr. Speaker, all Members were involved in the drafting of the Non-Renewable Resource Strategy that we presented to government a year-and-a-half ago, and the infrastructure proposal was based in large part on that. It was also based on knowing where the existing roads are and the corridors we use for oil and gas activity for the Mackenzie Valley, the Mackenzie Delta and the Ekati and Diavik mines as well as other mines that are north of the city of Yellowknife. Thank you.

**MR. SPEAKER:** Thank you, Mr. Premier. Supplementary, Mr. Lafferty.

**Supplementary to Question 280-14(5): Highway Infrastructure Priorities**

**MR. LAFFERTY:** Thank you, Mr. Speaker. As a consensus government, everyone gets a chance to decide or vote on any item put forward in the House. We were not given that chance. I would like to ask the Premier, will he, in the future, consult and make sure that we get a chance to decide on any issues in the House? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Lafferty. The honourable Premier, Mr. Kakfwi.

**Further Return to Question 280-14(5): Highway Infrastructure Priorities**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. We always try to involve as many Members as possible in the initiatives we undertake, usually at the draft stages. It is also necessary sometimes for us to exercise our responsibilities as

a Cabinet and make decisions. As always, we stand and take responsibility for that and have to account for our actions to the Members. We will continue to do that in the future. Thank you.

**MR. SPEAKER:** Thank you, Mr. Premier. Final supplementary, Mr. Lafferty.

**Supplementary to Question 280-14(5): Highway Infrastructure Priorities**

**MR. LAFFERTY:** Thank you, Mr. Speaker. I am glad that the Premier is saying we will work towards that, but so far all of our strategies, all of our plans, have all been done from a minority government and it has not worked. I would like to ask the Premier, can he please put this in writing to me and to the other Members? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Lafferty. The honourable Premier, Mr. Kakfwi.

**Further Return to Question 280-14(5): Highway Infrastructure Priorities**

**HON. STEPHEN KAKFWI:** Mr. Speaker, I will be pleased to have a letter drafted indicating what our best intentions are and how we try to operate as a government with the Members of the Legislature. Thank you.

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

**Question 281-14(5): Long-Term Care for Seniors**

**MR. BRADEN:** Thank you, Mr. Speaker. My question this afternoon is for the Minister responsible for Health and Social Services. It concerns the long-term plans for establishing facilities in the Northwest Territories for persons suffering from Alzheimer's and other dementia. The Minister and the department had some very positive discussions with the Yellowknife Association of Concerned Citizens for Seniors. They have some very definite and progressive plans for building such a facility, but they need a hand to get this planning started.

Can the Minister advise as to what kind of progress has been made in assisting the YACC organization with this planning? Thank you.

**MR. SPEAKER:** Thank you, Mr. Braden. The honourable Minister responsible for the Department of Health and Social Services, Mr. Miltenberger.

**Return to Question 281-14(5): Long-Term Care for Seniors**

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. Mr. Speaker, I am aware of the issue as is my colleague, Mr. Braden. I met earlier on, before Christmas I believe, with YACC. We discussed the issue, we toured the facility that is currently there and I committed to giving them \$50,000 to move their work forward to engage in planning.

We are also committed to look at this issue under our Continuing Care Strategy and our Long-Term Care Strategy across the North, as this is not just a Yellowknife issue. This is an issue that affects all communities, communities with facilities that now deal with the seniors and the elderly. It is something

that we have to take a comprehensive look at. We are committed to working with the folks in Yellowknife to help them move their process along. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. Braden.

**Supplementary to Question 281-14(5): Long-Term Care for Seniors**

**MR. BRADEN:** Thank you, Mr. Speaker. I want to thank the department and the Minister for seeing the value in advancing those funds for that planning. That is a long-range goal. There is a more immediate urgency with the change in population. The Aven facility, where some patients are being cared for now, is under considerable stress. I am wondering if the Minister can confirm, is he aware of the situation there? What kind of options are under consideration to address this immediate stress at the Aven Centre? Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Braden. The honourable Minister responsible for the Department of Health and Social Services, Mr. Miltenberger.

**Further Return to Question 281-14(5): Long-Term Care for Seniors**

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker. Mr. Speaker, I am aware of these short-term, more immediate pressures, both in Yellowknife and other communities outside of Yellowknife. We are working, as we take the longer term approach with the Continuing Care Strategy and the Long-Term Care Strategy, we are looking at pulling together a response and plan to deal with the immediate pressures felt both here in Yellowknife and in communities like Inuvik, Hay River, Fort Smith and other communities that have facilities, as the pressures are very immediate. Thank you.

**MR. SPEAKER:** Thank you, Mr. Minister. Item 6, oral questions. The honourable Member for Mackenzie Delta, Mr. Krutko.

**Question 282-14(5): Petition From Aklavik Residents**

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, my question is to the Premier regarding the petition that was hand-delivered to him while we were in Aklavik. I would like to ask the Premier, what has he done with that petition? What actions have been taken?

**MR. SPEAKER:** Thank you, Mr. Krutko. The honourable Premier, Mr. Kakfwi.

**Return to Question 282-14(5): Petition From Aklavik Residents**

**HON. STEPHEN KAKFWI:** Mr. Speaker, petitions of this form, I think, that meet the requirements of the Legislature, are filed and tabled in this House. There is a certain time period by which the Minister that is being petitioned has to respond. I am assuming that it is an appropriate petition, it has been tabled, and if so, it will be getting a response within the time frame that is normally set out. Thank you.

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

**Supplementary to Question 282-14(5): Petition From Aklavik Residents**

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, I am not too clear on the Premier's comment. I am under the understanding that the petition has not been tabled in this House. The petition was directed to the Premier. I would like to ask the Premier again, what have you done with that petition and what is the status of that petition?

**MR. SPEAKER:** Thank you, Mr. Krutko. The honourable Premier, Mr. Kakfwi.

**Further Return to Question 282-14(5): Petition From Aklavik Residents**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. All petitions that I receive are normally sent to the staff to make sure that it is handled properly and filed, so that it can be tabled in this Legislature. I hope that is what is being done. We still have two days left in this session to do that. Thank you.

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

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, I would like to ask the Premier, knowing the outcry of the community of Aklavik and the comments he heard while he was there, as the Premier of this government, I would like the Premier to state, will he be responding to the community of Aklavik regarding their concerns on this particular matter?

**MR. SPEAKER:** Thank you, Mr. Krutko. The Chair is not comfortable with the question the way it is being asked, because it is not a document that is before the House. I would just caution the Member that you are speaking to the Premier on an issue that the Chair is unaware of. Mr. Krutko, maybe you should phrase it a little differently. Mr. Krutko.

**Supplementary to Question 282-14(5): Petition From Aklavik Residents**

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, the meeting I am talking about, for which the Premier and I were present, was a public meeting. The Premier and I are aware of this matter, so he does have knowledge of this meeting. I would like to ask the Premier again, exactly what will his government do regarding the concerns raised by the residents of Aklavik regarding the meeting the Premier and I attended, about the issue of the assistant deputy minister?

**MR. SPEAKER:** Thank you, Mr. Krutko. The honourable Premier, Mr. Kakfwi.

**Further Return to Question 282-14(5): Petition From Aklavik Residents**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. Mr. Speaker, I received a petition from the community at the time of a tour with the Member for the Mackenzie Delta. We are going to be tabling that petition and responding appropriately. I will not be responding to the community, as to discussing and negotiating in a public forum, matters between the government as an employer and individuals within its employment, and the nature of the relationship and the way we deal with our employees. It is not the proper forum and I would not want to see it politicized any more than it has been. Thank you.

**MR. SPEAKER:** Thank you, Mr. Premier. Final supplementary, Mr. Krutko.

**Supplementary to Question 282-14(5): Petition From Aklavik Residents**

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, I think the Premier hit the nail on the head when he said the way this thing was handled, because it definitely was mishandled from the word go. I, for one, made it clear at the meeting the Premier was at that if nothing was done prior to this House resuming, I was going to ask for the resignation of the Minister of Education. I, for one, feel that the Minister and the Premier have a responsibility to ensure, not only to the people of the North, but to the civil servants who are in our government, that there has to be some directive given that the way this was handled does not happen again.

I would like to ask the Premier, will there be a change in the directive in regard to how you deal with employees who are laid off with pay because of conduct or whatever happened within the department? Is there anything that is going to be coming down on this matter from the Premier's office?

**MR. SPEAKER:** Thank you, Mr. Krutko. The honourable Premier, Mr. Kakfwi.

**Further Return to Question 282-14(5): Petition From Aklavik Residents**

**HON. STEPHEN KAKFWI:** Thank you, Mr. Speaker. Mr. Speaker, this government is committed and will always try to do its best to treat its employees in the most fair and professional way that they deserve. It is also a relationship that has two sides. We expect our employees to also adhere to a certain mode of conduct, be professional, rational and level-headed, with consideration for everyone involved. That has always been the basis on which we have tried to deal with our employees.

Of course, no one is perfect. The government is not, nor are our employees. We try to take that into account when we are dealing with one another. Thank you.

**MR. SPEAKER:** Thank you, Mr. Premier. Item 6, oral questions. The honourable Member for Mackenzie Delta, Mr. Krutko.

**Question 283-14(5): Water and Sewer Operations Agreements**

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, my question is for the Minister responsible for Public Works and Services, regarding the operations agreements between the Department of Public Works and Services and hamlets to run the water and sewage programs in our communities.

I would like to ask the Minister, is he aware of the increases that are taking place in those operation agreements by way of increases with regard to administration costs of those agreements? Previously the agreements signed in the communities of Fort McPherson, Aklavik and so on had a 9 percent administration...

**MR. SPEAKER:** Thank you, Mr. Krutko. The honourable Minister responsible for the Department of Public Works and Services, Mr. Steen.



**Return to Question 283-14(5): Water and Sewer Operations Agreements**

**HON. VINCE STEEN:** Thank you, Mr. Speaker. Mr. Speaker, recently in discussions with the department on this I became aware that there was a 9 percent administration fee.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. Krutko.

**Supplementary to Question 283-14(5): Water and Sewer Operations Agreements**

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, is the Minister aware that there has been a major increase in that administration fee, which is now 16 percent, a 7 percent increase with respect to the administration of those water and sewage service agreements, which will be...

**MR. SPEAKER:** Thank you, Mr. Krutko. The honourable Minister responsible for the Department of Public Works and Services, Mr. Steen.

**Further Return to Question 283-14(5): Water and Sewer Operations Agreements**

**HON. VINCE STEEN:** Thank you, Mr. Speaker. I have been given to understand that Public Works reduced the administration fee to 6 percent from 9 percent. However, we included those costs that are associated with the projects, other than the administration aspects of it.

**MR. SPEAKER:** Thank you, Mr. Minister. Supplementary, Mr. Krutko.

**Supplementary to Question 283-14(5): Water and Sewer Operations Agreements**

**MR. KRUTKO:** Thank you, Mr. Speaker. Mr. Speaker, can the Minister clarify, are we are talking 16 percent? We are not talking 5 percent here. The increase is 16 percent with regard to the costs associated with this contract.

**MR. SPEAKER:** Thank you, Mr. Krutko. The honourable Minister responsible for the Department of Public Works and Services, Mr. Steen.

**Further Return to Question 283-14(5): Water and Sewer Operations Agreements**

**HON. VINCE STEEN:** Thank you, Mr. Speaker. Mr. Speaker, I think that for the sake of accuracy I am going to take the question as notice and respond to the Member in writing.

**MR. SPEAKER:** Thank you. The question has been taken as notice. Item 6, oral questions. 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. The honourable Member for Frame Lake, Mr. Dent.

**ITEM 12: REPORTS OF COMMITTEES ON THE REVIEW OF BILLS**

**Bill 13: An Act to Amend the Income Tax Act, No. 2**

**MR. DENT:** Thank you, Mr. Speaker. Mr. Speaker, I wish to report to the Assembly that the Standing Committee on

Accountability and Oversight has reviewed Bill 13, An Act to Amend the Income Tax Act, No. 2, and wishes to report that Bill 13 is now ready for committee of the whole.

Mr. Speaker, I seek unanimous consent to waive Rule 93(4) and have Bill 13 moved into committee of the whole for tomorrow.

**MR. SPEAKER:** Thank you, Mr. Dent. The honourable Member is seeking unanimous consent to waive Rule 93(4). Are there any nays? There are no nays. Bill 13 is moved into committee of the whole for tomorrow. Item 12, reports of committees on the review of bills. The honourable Member for Yellowknife South, Mr. Bell.

**Bill 8: An Act to Amend the Nursing Profession Act and the Pharmacy Act**

**MR. BELL:** Thank you, Mr. Speaker. I wish to report that the Standing Committee on Social Programs has reviewed Bill 8, An Act to Amend the Nursing Profession Act and the Pharmacy Act, and wishes to report that Bill 8 is ready for consideration in committee of the whole, as amended and reprinted. Mr. Speaker, I request unanimous consent to waive Rule 93(4) and have Bill 8 ordered into committee of the whole for tomorrow. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Bell. The honourable Member is seeking unanimous consent to waive Rule 93(4). Are there any nays? There are no nays. Bill 8 has been ordered into committee of the whole for tomorrow. Item 12, reports of committees on the review of bills. Item 13, tabling of documents.

**ITEM 13: TABELING OF DOCUMENTS**

**Tabled Document 45-14(5): Legislative Assembly Retiring Allowances Fund Financial Statements for the Year Ended March 31, 2002**

In accordance with section 21 of the Legislative Assembly and Retiring Allowance Act, I wish to table the financial statements for the year ended March 31, 2002, in English and in French. Thank you.

**Tabled Document 46-14(5): Board of Management Policies**

In accordance with section 42(2) of the Legislative Assembly and Executive Council Act, I wish to table the policies of the Board of Management in respect to the indemnities, allowances and reimbursements payable to Members. Further, in accordance with section 42(3) of the Act, I wish to table all other policies of the Board of Management. I would like to indicate that these policies are also available to the public on the Legislative Assembly's website. Thank you.

**Tabled Document 47-14(5): Report From the Office of the Languages Commissioner on the Advisory Board Meeting**

I wish to table a report dated May 16, 2002, from the Office of the Languages Commissioner on the advisory board meeting held on October 23 and 24, 2001. This report is in English and in French.

Item 13, tabling of documents. Item 14, notices of motion. Item 15, notices of motion for first reading of bills. The honourable Member for Inuvik Twin Lakes, Mr. Allen.

#### ITEM 15: NOTICES OF MOTION FOR FIRST READING OF BILLS

##### Bill 23: Miscellaneous Statutes Amendment Act, 2002

**HON. ROGER ALLEN:** Mr. Speaker, I give notice that on Wednesday, June 19, 2002, I will move that Bill 23, Miscellaneous Statutes Amendment Act, 2002, be read for the first time. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Minister. Item 15, notices of motion for first reading of bills. Item 16, motions. Item 17, first reading of bills. The honourable Member for Weledeh, Mr. Handley.

#### ITEM 17: FIRST READING OF BILLS

##### Bill 18: Forgiveness of Debts Act, 2002-2003

**HON. JOE HANDLEY:** Mr. Speaker,

I MOVE, seconded by the honourable Member for Inuvik Twin Lakes, that Bill 18, Forgiveness of Debts Act, 2002-2003, be read for the first time. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Minister. We have a motion. The motion is in order. All those in favour? Thank you. All those opposed? Thank you. The motion is carried. Bill 18 has had first reading. Item 17, first reading of bills. The honourable Member for Weledeh, Mr. Handley.

##### Bill 19: Write-off of Debts Act, 2002-2003

**HON. JOE HANDLEY:** Mr. Speaker,

I MOVE, seconded by the honourable Member for Thebacha, that Bill 19, Write-off of Debts Act, 2002-2003, be read for the first time. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Minister. We have a motion. The motion is in order. All those in favour? Thank you. All those opposed? Thank you. The motion is carried. Bill 19 has had first reading. Item 17, first reading of bills. The honourable Member for Thebacha, Mr. Miltenberger.

##### Bill 21: Health Statutes Amendment Act

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker.

I MOVE, seconded by the honourable Member for Nunakput, that Bill 21, Health Statutes Amendment Act, be read for the first time. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Minister. We have a motion. The motion is in order. All those in favour, please signify. Thank you. All those opposed? Thank you. The motion is carried. Bill 21 has had first reading. Item 17 first reading of bills. The honourable Member for Thebacha, Mr. Miltenberger.

##### Bill 22: An Act to Amend the Child and Family Services Act

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Speaker.

I MOVE, seconded by the honourable Member for Weledeh, that Bill 22, An Act to Amend the Child and Family Services Act, be read for the first time. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Minister. We have a motion. The motion is in order. All those in favour? Thank you. All those opposed? Thank you. The motion is carried. Bill 22 has had first reading. Item 17, first reading of bills. Item 18, second reading of bills. The honourable Member for Nunakput, Mr. Steen.

#### ITEM 18: SECOND READING OF BILLS

##### Bill 15: An Act to Amend the Real Estate Agents' Licensing Act

**HON. VINCE STEEN:** Thank you, Mr. Speaker. Mr. Speaker,

I MOVE, seconded by the honourable Member for Thebacha, that Bill 15, An Act to Amend the Real Estate Agents' Licensing Act, be read for the second time.

Mr. Speaker, this bill amends the Real Estate Agents' Licensing Act to remove the requirement that an individual must be a resident of the Northwest Territories to be licensed as an agent or salesperson. Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Mr. Minister. We have a motion. The motion is in order. To the principle of the bill. Question has been called. All those in favour, please signify. Thank you. All those opposed? Thank you. The motion is carried. Bill 15 has had second reading. Accordingly, the bill stands referred to a committee.

Item 18, second reading of bills. Item 19, consideration of committee of the whole of bills and other matters. Ministers' Statements 46-14(5), 47-14(5), Tabled Document 35-14(5), Committee Report 6-14(5) and Bill 5, with Mr. Krutko in the chair.

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

**MR. CHAIRMAN (Mr. Krutko):** I will call the committee to order. We have several items to deal with. Ministers' Statements 46-14(5), 47-14(5), Tabled Document 35-14(5), Committee Report 6-14(5) and Bill 5. What is the wish of the committee? Mr. Dent.

**MR. DENT:** Thank you, Mr. Chairman. I would like to recommend that the committee consider Bill 5 followed by Committee Report 6-14(5).

**MR. CHAIRMAN (Mr. Krutko):** Does the committee agree?

**SOME HON. MEMBERS:** Agreed.

**MR. CHAIRMAN (Mr. Krutko):** Agreed. With that, we will take a short break and will continue on with Bill 5.

-- Break

**CHAIRMAN (Mr. Krutko):** I would like to call the committee of the whole back to order. We are dealing with Bill 5, An Act to Amend the Adoption Act and Family Law Act. I would like to ask the Minister responsible if he has any opening comments? Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. Yes, I do.

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

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. I am pleased to have the opportunity today to speak with the members of the committee about Bill 5, which proposes changes to the Adoption Act and the Family Law Act. I would also like to thank the standing committee for their consideration of the bill.

The intent of the proposed amendments is to ensure that NWT law complies with decisions of the Supreme Court of Canada to ensure that individuals in the Northwest Territories are afforded the same rights and responsibilities as those of other Canadian jurisdictions. Sexual orientation is a prohibited ground of discrimination, not only pursuant to the Charter of Rights and Freedoms but also in human rights legislation across the country, including the Northwest Territories' proposed legislation.

The issue of extending rights and responsibilities cuts across all racial and cultural lines. Our review of the Northwest Territories' legislation is being conducted in two phases; these current amendments are the first phase. The second phase will look at all other legislation in the Northwest Territories that may require amendments to bring it into line with the law. The proposed amendments will ensure that those involved in same-sex relationships have the same rights and responsibilities as those involved in common-law relationships.

Under the Family Law Act, this will include the right to seek spousal support, division of property and the right to seek a restraining order. For the purposes of the Adoption Act, the amendments will allow a partner in a same-sex relationship to adopt a child of the other person and allow the couple to adopt an unrelated child. The amendments will mean, in effect, other procedural requirements in the acts do not eliminate the role of government officials or courts when reviewing any application.

In particular, the Adoption Act will still require that a court review any application to determine whether the adoption is in the best interests of the child. Likewise, there will be no change to the assessment process that prospective adoptive parents must undergo, nor will there be any changes to any of the other checks set out in legislation that ensure a child's interests are given priority.

The amendments to the Family Law Act also have an affect on nine other acts that adopt the definition of spouse in the Family Law Act. They are:

- Mechanics Lien Act;
- Fatal Accidents Act;
- Risk Capital Investment Tax Credit Act;
- Exemptions Act;
- Public Trustee Act;
- Maintenance Orders Enforcement Act;
- Residential Tenancies Act;

- Labour Standards Act;
- Home Owners Property Tax Rebate Act

I would be pleased to answer any questions that the committee members may have. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Krutko):** Thank you, Mr. Minister. At this time I would like to ask the committee responsible for reviewing this bill if they have any general comments? Mr. Bell.

**MR. BELL:** Thank you, Mr. Chairman. The Standing Committee on Social Programs reviewed Bill 5, An Act to Amend the Adoption Act and the Family Law Act on June 13<sup>th</sup>, 2002. The bill amends two acts to extend the definition of spouse to include individuals in same-sex relationships. The new definition in the Adoption Act will allow a same-sex spouse to adopt his or her spouse's child. The new definition in the Family Law Act will entitle a same-sex spouse to support, division of property and orders respecting the family home under that act. Finally, a number of provisions are included in the bill to deal with transitional issues.

The committee would like to thank the Honourable Michael Miltenberger, Minister responsible for the Department of Health and Social Services, his officials and those of the Department of Justice who appeared before the committee to present the bill and respond to questions raised by the committee.

During discussions on Bill 5, committee members expressed their appreciation to the concerned citizens who took the time to provide the committee with over 100 written submissions. These submissions provided great assistance during discussion of the bill. Members may have further comments on these submissions and the issues in committee of the whole here today. Mr. Chairman, this concludes the committee's comments on Bill 5, An Act to Amend the Adoption Act and the Family Law Act.

**CHAIRMAN (Mr. Krutko):** Thank you, Mr. Bell. At this time, I would like to ask the Minister if he would like to bring in any witnesses. Mr. Minister.

**HON. MICHAEL MILTENBERGER:** Yes I would, Mr. Chairman.

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

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Krutko):** Agreed. Sergeant-at-Arms, please escort the witnesses in. Mr. Minister, could you introduce your witnesses for the record?

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. I have with me Mark Cleveland, deputy minister of Health and Social Services; Diane Buckland, legislative counsel; and Ms. Lucy Austin, senior advisor for family law.

**CHAIRMAN (Mr. Krutko):** We are dealing with Bill 5, An Act to Amend the Adoption Act and Family Law Act. At this time I would like to ask if Members have any general comments? Mr. Roland.

**MR. ROLAND:** Thank you, Mr. Chairman. Mr. Chairman, first of all I must say I am somewhat disappointed that many of the

residents of the Northwest Territories did not have an opportunity to speak to this. I speak for many of my constituents who would probably not have spoken in favour of this if they had the opportunity to speak to the committee when they, if they had decided to, go and do community visits.

I listened to some of the comments being made. Through committee work there was not any opportunity to have public debate on the issue and go clause by clause, so we have saved it for this forum and that is all right. It just did not give an opportunity for many of the other committee members to hear concerns from other residents as to why they feel this is not an appropriate move by government.

Hearing the Minister and his comments, he referred to the Charter of Rights and Freedoms and a number of other things that the government considers as to being the push to bring this in line. Commenting on that, Mr. Chairman, some comments have been made about not going out to the people because we should not be looking at moral values to establish the laws of this government and of this Territory. If we were to take that to heart, Mr. Chairman, there would probably be at least half, if not more, of our laws that we would have to strike down because many of our laws that exist, exist because of the moral situation of society when the law was made.

There are many laws that we have that many people could argue against because they felt it was not right at that time, or that this law should be put in because it is morally appropriate. We seem to be moving away from that further and further.

Now for those who would argue that this is something that is coming across the land and we have to follow, well, as I did in the 13<sup>th</sup> Assembly, I disagree. We do not always have to follow every other jurisdiction on what they decide they want to do. Now many of us say that we would be challenged and we will lose. That is unfortunate to make up our minds based on that, because if we are challenged we lose, so let's just fall in line and let us be good boys and girls and do that thing.

I have my concerns, as many of my constituents do, about the move this government is about to undertake. Even though the vote went through on second reading and will potentially go through at this time, I feel it is still my duty to represent a number of my constituents who disagree with the move of the government.

All kinds of arguments could be made in favour of when talking about families because in any family situation one can come up with a poor example of a parent, whether it be as a single parent, a single mother or a single father, or a heterosexual couple. Parenting is not a guarantee and nobody is going to do it 100 percent, but it is the example, it is the state we put things in through government that draws me to go against what is being issued here as a Legislature. Yes I have my own beliefs as well. As a father I have my concerns, as many other families I have talked to in my constituency have their concerns about such a move.

There are facts, Mr. Chairman, that would speak to the issue that is before us that would cause us and should cause us some concern, as we put this in place or if it goes in place. There are facts out there that everybody would have to look at and accept to a certain degree that they are there, and that is what would happen in cases where there are same-sex couples and again relationships.

Unfortunately those who find themselves in a gay relationship, especially on the male side of the equation, if they end up acquiring AIDS or HIV that reduces their life expectancy. Even though the doctors and specialists are working to improve that situation – which they have to quite a degree – there is still the shortened life expectancy.

Here we can put a child into a relationship that, number one does not fit with many residents in the Northwest Territories but as well will put them potentially in a situation where they will have to deal with another matter when one of the parents would become quite ill because of a disease that would have its onset and slowly and progressively get worse. They would have to deal with that side of the equation of a family member that would be lost to a disease like this, and how that individual would then, as they become ill, have to focus on their own health and how they would take care of themselves versus taking care of a family. There are issues, and I know that many people would not like to speak of those, but those unfortunately are the facts of life in a situation like that. We do find that even in heterosexual couples, unfortunately, when disease comes in, if it is cancer or something like that, and that is a difficult time for any family member to undergo.

Mr. Chairman, just for the record I must state my disappointment that the committee is not going out to residents of the Northwest Territories. Even if they would have heard the negative side, at least they would have given people of the Northwest Territories, who they are making this law on behalf of, an opportunity to voice their concerns. Whether one agrees with the law or not, there are many people in the Northwest Territories who say that if this law was not put in place that would be fine, we could live with it. We could get on. I have heard many people say that right now somebody who is in a gay relationship can adopt today. They just adopt as an individual. I recall in the 13<sup>th</sup> Assembly when we did the tour on the Child and Family Law Act we were told of that situation, but it was not enough that that opportunity exists. They wanted it in law and they followed through, and have found at this time Members of this Assembly that will accept that. Members of this Assembly have made it their stand, I guess, to a certain degree when getting involved in this line of work.

Members in this House do speak and when laws are established, unfortunately good or bad, the majority will win. In this case I am saddened. I have heard one of my colleagues talk about the embarrassment that this did not go through in the 13<sup>th</sup> Assembly. I can say that I am equally embarrassed this time if this law does go through that more values of residents of the Northwest Territories are just thrown out the window because it is considered not good enough any more. Not only did they remove the opportunity to be taught a religion in the classroom during the regular school day, but now we are saying that family values are going to be removed as well. I must say at this time, for the record, that I am dismayed at what this Assembly is about to do, if in fact it does go through.

For those who have voted against this, I would urge you to continue to stand against it. Someone must stand for some rights of the Northwest Territories even though unfortunately at times the numbers are not there. With that, Mr. Chairman, I will leave it to other Members to speak. Thank you.

**CHAIRMAN (Mr. Krutko):** Thank you, Mr. Roland. General comments to Bill 5. Mr. Lafferty.

**MR. LAFFERTY:** Thank you, Mr. Chairman. As I did when it first came up in the House here, I did oppose this and I still oppose it, but I was going to go along with the rest of the Members as to which way they voted. As an aboriginal we have other avenues of taking care of our own, as I said, aboriginal adoptions. I am not sure how they are going to do it, but I think that there are places you can negotiate it into your land claims on self-government. Just listening to Mr. Roland, I must say that we are putting these children into an area where we are giving them a chance to be an orphan early in their lives when no one can take care of them.

We are putting them into a lifestyle where they have no choice as to which gender they wish to choose for a partner in their future life because as everyone knows a child follows, listens and does what a father does. If you do something a certain way, the way you walk, the way you do things, a child will do the same thing. I do things the way my dad did. I am sure he did it the way his dad did it. I have to tell you that they are watching what you do because in the home right now, what you say you have to watch your language, you have to watch what you do because the child will take everything you do and do the same as what you do.

Right now just even the medical facts that are out there with respect to same-sex relationships it might be a good relationship but we find out just by going through all the medical documents they all have a short lifespan – 20 years less than the heterosexuals. For the best interests of the child, I must say that this is not very good legislation that we are going to be putting in place. I think this is the time to say, do we need to follow Canada because we are the Northwest Territories. We can make our own laws. We do not need Canada to tell us what to do. Maybe we need to go to court. Maybe this is something that is very important. Maybe this is important enough to go to court. Maybe it is as important as the Friends of Democracy because we are dealing with people's futures here. The future of our future leaders. The young people that are going to be out there.

If we are going to shorten their lives by 20 years each, what are we looking at -- maybe the end of mankind or of the human species. I would like to say that I will vote against it, and I ask the rest of the Members in this House that they vote against this too because this is very important legislation, and I think that without talking to the rest of the Territories we are going ahead with it. We can defeat it today and bring it back to the people. Thank you.

**CHAIRMAN (Mr. Krutko):** Thank you, Mr. Lafferty. General comments on Bill 5. Mr. Delorey.

**MR. DELOREY:** Thank you, Mr. Chairman. Mr. Chairman, on this issue it has been one that has been talked about quite a bit since it was introduced. I know that I was expecting a lot more input from constituents and from residents over the last while, but I must say, Mr. Chairman, there were very few people who approached me on this topic. I had four people who approached me. Three of them were constituents of mine and all of them encouraged me to vote against this.

I had one person who approached me on this issue who was not a constituent of mine who figured I should vote for it, but more on how it pertains to the law and the refrain was I was not here to represent my own views, that I had to represent the views of the public. If I had to do that, strictly on the numbers of

people or constituents who approached me on it, I would have to vote against it.

I have to say, due to the public input, I would vote against it. That is not the only reason, Mr. Chairman, that I would vote against this bill. I am very disappointed, I guess, that the committee is not taking this to the people to hear concerns in the communities. I think this is an issue that is of far, far greater importance than some of the things we have gone to residents with before, as far as getting public consultation.

In this House, we are very quick to talk about things that have been handed down from generation to generation, whether it is beliefs, whether it is morals. I must say, for myself, if I had to look back on my generation and say, how would they have voted on this type of an issue if they had to make laws and regulations that are going to guide the people that we represent, how would they have voted on this issue?

I come from a very large family and they all have families. I know if I took a poll from them, I know how it would go. I think that each one of us has to ask ourselves that question. If we look at it from a moral issue, how would we vote on this if we were to represent the moral values that our generations have handed down to us and what we are supposed to believe in and what we are supposed to view as a good society to raise kids and family in?

I think that there is a way of doing this -- I am aware of court rulings that have taken place across the country and I do not doubt that if we were to vote this down today and a court case was made of it, that some judge somewhere would vote that that is the law and that is right. I do not think that every time a judge voices an opinion and makes a law in this country that it is totally the right decision either. There is an old saying that says, if you are in a group and everyone jumps off a high-rise, it does not mean you have to jump off as well.

I have no hesitation to say, whether it is right or wrong lawfully, I think it is not morally the right thing to do and they are not the principles that I stand for. For that reason, Mr. Chairman, I will not be supporting this bill. Thank you, Mr. Chairman.

-- Applause

**CHAIRMAN (Mr. Krutko):** Thank you, Mr. Delorey. General comments on Bill 5. Ms. Lee.

**MS. LEE:** Thank you, Mr. Chairman. I have stated my position on this legislation previously. I will not be very long. I wanted to put on record once again that I support this legislation, not because we are marching to the beat of drums everywhere else, but I do believe very strongly that this is the right thing to do. I feel very honoured that I am able to be a Member of this Legislature at a time when legislation such as this has come before us and I can exercise my privilege to vote in this House on behalf of the people.

By voting for this legislation, I do believe I am saying that I believe in the right of everyone to live freely in our land without fear of intimidation or discrimination based on who we are. That we live in a place where each of us values the rights and freedoms that we have and we are willing to share that with our neighbours and our friends and everyone else in our society.

Mr. Chairman, I must admit that this issue is not something that came to me naturally or innately, it was something that I had to

think through in my 20s and 30s as the issue came to me, especially when I was studying political science and law. It is something I have thought about and I had to rationally think that I do not have to understand every detail about what this is. It is very easy to make the leap when you really believe and trust the fundamental values that you appreciate in this world and this society.

I do believe that this is the right thing to do. It is not a question of a weakening of morals or a changing of society without any basis for principles, or anything like that. I believe strongly that this is not a question about morality, it is really a question about all of us recognizing and respecting the right of everyone to do that which we should all be entitled to, to have our family the way we want to. I believe fundamentally that families come in all shapes and sizes. I do not think that this legislation says that people who have a homosexual orientation are given the automatic right to a right that is not accorded to anyone else. I do not believe it is anything like that.

It is about all of us having the right to choose our life in a way that no one should be discriminated against because of who they are. This is about who they fundamentally are. Those who are homosexuals, or however people put it, they are valued citizens and we have to say that with legislation like this.

I was not planning to speak on this, but I wanted to make sure that voters and the people in our constituency know that we are joining the 21<sup>st</sup> century. That we walk the talk when we say that we value the Charter and the basic fundamental rights of everyone in our society. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Krutko):** Thank you, Ms. Lee. General comments on Bill 5. Mr. Braden.

**MR. BRADEN:** Thank you, Mr. Chairman. I too will be speaking in favour of this bill. We have seen discussion and progress on this bill now for about two years, which is, I think, a reasonable period of time for any kind of legislation to move through an Assembly. I have no doubt whatsoever in my mind that this is indeed the right thing for the Northwest Territories to be doing.

There is really no cause for us to further delay or debate whether this should be done. In the time that our Legislature has been looking at this, we have seen the Government of Alberta bring forward proposed legislation which is, I think, at least as progressive and forward looking as what we are proposing. I believe the Government of Quebec has passed legislation that I think surpasses any other legislation in Canada in terms of recognizing the rights and responsibilities of same-sex couples.

We have, I hope, an open and progressive society that can accommodate these changes in values and attitudes, Mr. Chairman. I have said in earlier debates that I do not believe this is an issue of right or wrong. This is an issue that each Member, each lawmaker here brings their values to the table; what they have been brought up with, what is important to them and what they hope to pass on to their families and the communities, so I am not going to say that people who will vote against this are wrong. I respect their views and those of their communities, absolutely.

Mr. Chairman, I think this is a piece of legislation that tests our readiness and our willingness to accept and tolerate different views and different values. I have noted in some of the

previous debates we have had on this that society does change. It needs to change. There were democratically elected governments in the past that accepted slavery, that curbed the rights of women, minorities, of blacks and Japanese Canadians to not participate fully in society. Thank goodness those things are behind us now. I view this law in the same context. It is not only progressive, Mr. Chairman, it is the right thing to do.

I think what convinced me most of all in a law sense and a Charter sense was that when it comes to recognizing the rights of people we are not differentiating between, or we are trying not to differentiate between, young and old; between religious grounds or on ethnic grounds; whether you are able-bodied or handicapped; we are not differentiating between whether people are men or women or mothers or fathers. We are saying in the eyes of the law, that we want to recognize people and individuals for who they are and what they can do and what they can contribute. This law recognizes that. It is the right thing to do. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Krutko):** Thank you, Mr. Braden. General comments on Bill 5, An Act to Amend the Adoption Act and Family Law Act. General comments. Mr. Kakfwi.

**HON. STEPHEN KAKFWI:** Thank you, Mr. Chairman. We as a government have decided that this is the right thing to do in moving this forward. In Canada, we live with a Charter of Rights. It is the overriding constitutional document that prevails across all governments and all legislation. This is what we accept. It is there to put an end to discrimination and to legislation that would be deemed unfair to individuals that live within this country. We have the view that these proposed amendments are the right thing for us to do as a government and our duty as legislators to enact and support.

One of the great pains or vacuums that some of us have grown up with is the denial of rights. Aboriginal people grew up with that. Until we experience it and live with it, it is difficult sometimes to understand how those who are oppressed and denied rights feel. There is no dignity in it. There is no respect and your self worth is something you have to struggle to maintain.

One way to look at this is, would you feel any different if your own children were born gay or born of a different sexual orientation, or some of your grandchildren were born with these different sexual orientations? Would you love them just as much as if they were born of the orientation you would prefer? Or would they be banished or treated different or denied the love and support and the fair treatment they should be accorded?

This is the way I look at this particular piece of legislation. We all have children. We all have grandchildren or are going to have grandchildren. It is up to us to prepare the future for them. It must be a future that strives to eliminate discrimination in whatever form it manifests itself. So I will be again, and the Cabinet will be, supporting the proposed amendments. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Kakfwi. Mr. Krutko.

**MR. KRUTKO:** Thank you, Mr. Chairman. I am very disappointed that there was a lack, or there was no allowance for public consultation to take place through the review process of this legislation. I think it is appalling that we allow an act

which will have a major effect on the majority of the population of the Northwest Territories, especially aboriginal people and aboriginal children.

I have a real concern that presently under the existing acts that we have for adoption that are in place, that the lack of consideration we have for the aboriginal cultures, the aboriginal groups and aboriginal people is not taken into consideration when children are given up for adoption or allowed to be adopted through the existing system we have. There is very little consideration given to aboriginal bands, communities, family units, grandparents.

If anything, the biggest concern I have is the effect we see in our society with the whole idea of the family unit, marriage and parents as husband and wife being diminished to a point where it is being pushed aside, yet we have nothing in legislation to enhance that idea. Instead we have legislation to deplete the whole idea of the existence of families and marriage as we know it. I think my biggest concern is the whole area of aboriginal children, their parents and grandparents and aboriginal organizations such as band councils or tribal councils realistically having a meaningful say on what happens to those children through this process.

Can you unilaterally say, "No, I do not want any of our children, through any band council or band corporation, to allow for the adoption of those children into gay or lesbian relationships, where you have that type of a unit"? I do not see it in this legislation. I do not see it anywhere in the existing legislation. We have legislation with regard to adoption where it says that you are supposed to notify the band council or organization that those children are from or the family unit, yet when the band chiefs or the communities get involved in these things, they are the last to be able to be involved in this process.

The system that we have now is deplorable. It is problematic in that it does not involve that aspect of the existing legislation. If it does not work in the legislation that we have now, what assurances do we have that this legislation will protect those children and those families and those aboriginal cultural groups in the communities I represent?

I am afraid that this will become the grounds of what we have seen through the hostel systems, where we have seen the effect on our small children in our communities being taken away to be put into an institution, regardless of if it is a family institution or an institution of government. Have we not learned anything from that?

For myself, I thought this legislation would have more teeth to ensure that would not happen. As a government, we are basically legislating into law to make it happen. I think that to say that we as a government are doing the right thing, sure we are doing the right thing under the Charter of Rights and Freedoms, but what about the rights of the aboriginal people and their aboriginal children? When will that come into the picture in regard to this legislation?

I find it deplorable for this committee to go out of its way to say we had public involvement. We got a whole bunch of submissions -- that is the involvement? They did not even step outside of the boundaries of Yellowknife to get that submission or even make an attempt to sit down with the aboriginal organizations to see what they think about this legislation. No attempt was made. To say that this legislation had due process

and went through the process in place to allow public input is deplorable.

I have a real problem and concern, especially when we talk about self-government, land claims rights, where we want to be in regard to the aboriginal people governing themselves, when we as a government establish legislation that undermines that whole idea of assuring the membership of those organizations that those self-government agreements will allow those organizations to establish their own membership is being undermined by this type of legislation, before we even have a chance to implement or conclude that legislation.

I think it is pretty apparent how fast this legislation was rushed through, and then when it comes to the public consultation aspect, how fast we find reasons or excuses to not allow for public input, especially to ensure that this did go through due process, to allow for the only avenue that the public has to have any say on any legislation that comes through this House. Once it goes to the committee for public hearings, that is the only avenue that the public has to have input to legislation in this House.

Yet, for us to sit here and say we can stand up and say that we tried, I do not think that we tried hard enough. I have a real problem with the question of aboriginal children and aboriginal people's rights. To basically have their children, knowing that the majority of children in the Northwest Territories that are adopted are aboriginal children, and not make one window or one ounce of energy put towards ensuring that that aspect is being protected. There has to be some type of a process in place to allow for and to ensure that those children who fall within the family unit of those organizations, regardless of if it is an aboriginal tribal council, a band council or a community Metis local, that there will be due process. That before anything happens, there will be a process to ensure that there is some means or some test that has to be followed before that takes place.

I think it is crucial that we vote against the bill today, knowing it probably will not make a difference. I feel that this definitely should be challenged on the basis that we did not follow the due process that is required under the existing rules and procedures of this House. We have undermined our fiduciary obligation to First Nations people when it comes to treaty rights, aboriginal rights and land claims rights for their memberships.

I have to sit here being totally embarrassed to be a Member of this House and say that we have a vote that some people can live with, knowing that most of the people outside of this Legislature did not have the opportunity for due process to have allowed public hearings in all of the regions, or at least in one or two communities in each of those regions to see what the public thinks, not what we think, knowing that the numbers are there to get it through. With that, thank you, Mr. Chairman.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Krutko. General comments on Bill 5. Mr. Dent.

**MR. DENT:** Thank you, Mr. Chairman. First of all, I would like to ask the Minister a question for clarification if I could. Could the Minister tell the House whether or not gay people may now under our laws, and do now under our laws, adopt children in the Northwest Territories?

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Dent. Mr. Minister.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. Mr. Chairman, the sexual orientation of an individual wishing to adopt is not a criteria. It is not asked, it is not an issue that is raised. The concern more is with the home, that there is going to be a good solid home environment and all the things that a young child needs to grow up in terms of the love, support and all of the other attendant values that are there. The issue of sexual orientation is not on the application. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. Dent.

**MR. DENT:** Thank you, Mr. Chairman. So an adoption worker may not even ask the question during a personal interview about the sexual orientation of an applicant to adopt, is that correct?

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Dent. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** That is correct, Mr. Chairman.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. Dent.

**MR. DENT:** Thank you, Mr. Chairman. If it comes to the adoption worker's attention through some other means that the person applying to adopt is homosexual, that may not be used as a disqualifying criteria for further adoption, is that correct?

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Dent. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. As I indicated, it is not a criteria either for qualification or disqualification.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. Dent.

**MR. DENT:** Thank you, Mr. Chairman. If under our current laws a gay person may already adopt, what is the purpose for this legislation?

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Dent. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. The purpose of the legislation is to allow couples that latitude. It also gives people in same-sex relationships -- it will legally afford them rights that they are not now eligible for in terms of division of property, spousal support, the right to seek a restraining order, as well as the issue of adoption. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. Dent.

**MR. DENT:** Thank you, Mr. Chairman. I knew the answers to those questions before I asked them, but I wanted to make sure that we had this on the public record because I think there has been some confusion. I know that from some of the letters and calls I have had about this issue I do not think people understood that gay people may right now, and probably have in the Northwest Territories, adopt children. This is really an issue of, say, a natural mother may want her partner to become the adopted parent of a child. I think that, as several others

have said and as I was on the record in the last Assembly of saying, that this is the right way to move.

I do not really have a lot to add to what others have said. I think the Premier was very eloquent in how he brought the issue forward. I just wanted to make sure that everyone understood that this does not create new rights for somebody to start adopting that were not there before. This is something that has been allowed for some time since the Charter of Rights and Freedoms was adopted in Canada. We have had to follow the same laws here. This just helps provide, hopefully, a better family unit for some of the children that are in adopted families in the Northwest Territories. Mr. Chairman, I will be supporting this legislation. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Dent. Mr. McLeod.

**MR. MCLEOD:** Thank you, Mr. Chairman. Just recently we went through a process of changing an act, the Wildlife Act. This government spent thousands and thousands of dollars consulting people across the North, talking to everybody that would attend their meetings, listening to them, asking about their concerns regarding animals in the North. But we cannot give the same consideration when we talk about people's lives. During the first and second reading I opposed this bill because of the process. I stated that it was flawed. There was no room for aboriginal people to make comment, and through the normal process there should have been an avenue, at least by the Social Programs committee, for the general public to have a say in it. I would have thought, and I had expected, this committee to hear from the people of the North and to hear their positions.

In my opinion, the Minister and the chairman of the Social Programs committee should apologize to the native people of the North for the disservice that they are doing.

As Mr. Krutko has said, the majority of children in foster care right now and the majority of children that are being adopted are aboriginal. We are speaking of rights and we are speaking of liability with no consideration for the aboriginal people. For years the aboriginal people have been saying that they do not want their children going out of the Northwest Territories. For years they have been saying they do not want their children adopted by non-aboriginal families.

We have not heard them, I do not believe, because we are not giving them any consideration. It was my expectation that the committee would have heard a request from the aboriginal people for a special provision for them, but there is not any. There is no avenue for them to submit that. There is really not even an approval process or a consultation process for the different bands that these children will belong to.

We all know and we hear. As an MLA I have experienced now many, many times children that were adopted out to non-aboriginal families and left the North, a lot of them -- I am not saying all of them -- but a lot of them now are coming back, or we are having to track them, and they ended up in very sad situations. Maybe we should study that before we act on new legislation. I cannot support this bill and I still believe the process is flawed. I have stated it during second reading and I continue to state it. I think there is a real important part of our whole consensus government, as we call it, being skipped here. Why, I do not know. Is it because the committee feels that only Yellowknife should be consulted? I do not believe so and I



cannot support this bill the way it has been presented and handled. Thank you, Mr. Chairman.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. McLeod. General comments. Mrs. Groenewegen.

**MRS. GROENEWEGEN:** Thank you, Mr. Chairman. Mr. Chairman, I will not be supporting this bill. I did not support it at first and I did not support it at second and I did not support it in the committee and I will not support it again today. I do concur with many of the comments that have been made here today by my colleagues, particularly those who have spoken against this piece of legislation. I am reluctant to say a lot more because I feel that unfortunately what I have said previously has been taken and twisted and reported out of context, so I am reluctant to venture into a lot of commentary on this bill. I do strongly oppose it. I also want to thank my colleagues who have, knowing that we are probably in the minority on this, still taken the position that they have and spoken very passionately to the issue. I do not think we can stop this from proceeding, but for the record, Mr. Chairman, I want to say that I am opposed to this legislation. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mrs. Groenewegen. General comments. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. I just have some brief comments. I would like to thank all the Members for their interesting comments which I will let stand on their own. I am not going to seek to address them. I do want to point out just a couple of things. This is an important issue which is why it is in this House and why we, as legislators, are moving on this and will make a decision. I would also like to point out, for the record, that in the Family Law Act and in the Adoption Act there are built-in provisions for consultation, for plan of care committees, for consultation should aboriginal children be taken into care and moves or adoptions planned, to consult and to involve the appropriate aboriginal governments in the decision making and the families.

This was deliberately done, Mr. Chairman, and I was on the Social Programs Committee when we took this act around, as my colleague, Mr. Roland, mentioned. We have learned from the lessons of the past. There is no intent to remove children at all whenever possible from their communities or their families, and we do not want to have children totally removed and put into institutions until they become adults and then turned onto the street with no support.

This issue is a legislative one and as the Premier eloquently pointed out, we have a duty and in our opinion, in my opinion, to resolve this and this particular amendment does that. We are very cognizant and respectful of our relationship with the aboriginal governments which is why the broad main legislation has the clauses that it does to address those concerns. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Any further comments? Mr. Krutko.

**MR. KRUTKO:** Thank you, Mr. Chairman. Maybe I can ask the Minister at this time if he can elaborate a little more on the consultation process with aboriginal organizations. I, for one, have had instances where children have been adopted in which there was no consultation with the families or even the band councils. Not even a letter. So if you are saying there is such a process, I would like you to elaborate and explain that

process. Could you tell me exactly how many times your department has intervened by way of ensuring that process works?

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Krutko. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. On page 8, section 7 of the Adoption Act, it states subject to subsection 8 "Where the director has reason to believe the child who is to be placed is or will be an aboriginal child, the director shall, before making any decision in respect of the proposed placement, consult with the aboriginal organization." It would be the applicable aboriginal organization in respect of the child and the circumstances as described in section 25 of the Child and Family Services Act. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. Krutko.

**MR. KRUTKO:** Thank you, Mr. Chairman. I would like to ask the Minister exactly how do you determine this status of that child in regard to membership? Who do you go to first? Do you go to the tribal council? Do you go to the band council or do you go to the family? Who does this process intervene with first and what is the process?

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Krutko. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. Mr. Chairman, each case is looked at individually. The process is to determine if the child in question is or will be a member of a specific kind of group, aboriginal government and then from there the process is followed to involve the appropriate aboriginal government, in addition to the family and appropriate community members. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. Krutko.

**MR. KRUTKO:** Thank you, Mr. Chairman. I would like to ask the Minister exactly where do the grandparents of these children fit into this?

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Krutko. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. Mr. Chairman, there is an opportunity in the issue of an adoption where when the assessment is done, and if an adoption, not a custom adoption but if a regular adoption is contemplated where the appropriate family members will be consulted and involved. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. Krutko.

**MR. KRUTKO:** Thank you, Mr. Chairman. In regard to custom adoption and the other process of having children adopted through the present bill that is there, which process supersedes which process? Does the custom adoption supersede the adoption under this bill?

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Krutko. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. This has no impact on custom adoption. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. Krutko.

**MR. KRUTKO:** Thank you, Mr. Chairman. That is exactly my point, that presently existing adoption rules and acts that we have, have no teeth. When it comes to custom adoption, there are very few adoptions that take place in which children who are usually taken away or put into a foster home, when the families argue to get those children back and they go into the adoption process, a large majority of the time those children that account for custom adoption will not be considered. It is usually adopted out, a decision by a social worker who usually is not in the community, because the child is usually elsewhere.

That is exactly the point I was trying to make earlier, that the present rules and regulations you have, the adoption process supersedes any aboriginal involvement by way of custom adoptions and ensuring that the organizations or institutions that those children originate under, by membership, are not being considered. Unless you strengthen that legislation, it does not mean boo. So I would like to know exactly how are you going to do it so that legislation is improved so that does not happen?

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Krutko. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. I would just like to restate that this proposed amendment does not affect the custom adoption process. It applies to formal adoptions under the Adoption Act and to the Family Law Act. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. Krutko.

**MR. KRUTKO:** Thank you, Mr. Chairman. Could the Minister state exactly, say within the request of an aboriginal organization, to say the band council or tribal council which puts the motion forward through an assembly motion or a band council resolution, that none of their children be adopted to same-sex couples? Where does that stand by way of this legislation? Does that motion or resolution from the band council supersede what we are doing here?

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Krutko. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. Mr. Chairman, that type of motion would be strongly considered in the process, but the involvement of the parents are the key determinant. If there was a decision to be made and there was some conflict, there would be further consultation.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. Krutko.

**MR. KRUTKO:** Thank you, Mr. Chairman. The Minister has not made it clear to myself exactly what is the status of aboriginal membership in regard to determining where their members go? Once you adopt a child out of a band or a community organization, at what stage can they stop that from happening by way of resolution, jumping up and down, screaming bloody murder, whatever you want to call it, what do they have to do at

that point? I do not think you as a Minister, have a clue on exactly what is going to happen when you come to that decision.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Krutko. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. Mr. Chairman, the fundamental premise is the best interests of the child. That is what is the driving force in this legislation. If an aboriginal child is going to be adopted then there are checks and balances and consultation processes built in to consult appropriately. The fundamental person involved is the parent. They have a strong say in laying out what they would like to see happen. The ideal would be that adoption is not necessary. The other process is custom adoption. If a child comes into care and adoption becomes one of the options being anticipated and contemplated, then the legislation as it is laid out is followed. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. Krutko.

**MR. KRUTKO:** Just using the Minister's scenario, if an aboriginal person living in a social economy knowing that your wage economy is a lot less than, say, a non-aboriginal economy, if that is one of the factors that you look at – which in 90 percent of the time it is – and because you are so-called “unfit” your child will be taken away because of the status you have of being who you are. That is my concern. The system we have in place, using the rules that we do use, has always been a hindrance to aboriginal people because that was the excuse used to take children away and send them off to school, to residential schools, to the hostel system, and here we are again using that same argument.

As a parent or a family member, the welfare of the child should include consideration of its cultural background – the family connection and the family unit that we have within aboriginal communities – not looking at it as a social or economic stamp that you put on somebody because your value is less than someone else because of the social conditions that you live in.

That is why so many of our aboriginal children have been taken away from aboriginal communities and put into homes outside our communities and in the south. I think we should learn from that. For aboriginal groups that have been fighting to try to get land claims, trying to get self-government and trying to get the status to determine our membership, this falls totally against that notion that we are trying to establish a system of keeping our children within the families and keeping them at home with their parents or grandparents, their nephews and nieces.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Krutko. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. Mr. Chairman, if one reads through the Adoption Act and through the Family Law Act, especially if you put it beside the old child welfare legislation, one would see very clearly and starkly that we share the same concerns as Mr. Krutko and that the very checks and balances that he talks about are there. We are in the process of trying to set up plan of care committees in the communities and we are very sensitive to the issues that he raised. This particular amendment speaks to the definition of

"spouse" and takes nothing from the obligations laid out in the current legislation. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. McLeod.

**MR. MCLEOD:** Thank you, Mr. Chairman, I just want to make a couple of more points. I stated earlier that I found the process very flawed and it is really strange the way this whole thing has been handled. Even the media has been criticizing some of us and pointing the finger at using arguments of moral values and religious views. It seems like we are expected to remove any sense of compassion on this issue and just look at it strictly from a logistic point of view.

However, my opinion and my problem is that there was really no consultation, and I am very disappointed with the Social Programs Committee for not doing so, but the Minister in his position could have done it. He has the authority to instigate the consultation process. One of the options he has at his disposal is to go into communities and consult, but he chose not to. I would like to know why he thought that he had no responsibility to go into the aboriginal communities. From my point of view, it is the aboriginal communities that I am concerned about because for the most part that is who I represent. I want to know why the Minister felt, decided and chose to ignore the aboriginal people of the North when dealing with this piece of legislation.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. McLeod. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. Mr. Chairman, no one was ignored. There was a process, obviously not to the satisfaction of my colleague, and he has the right to disagree, as it is my right to say I took the steps I deemed necessary and the Social Programs Committee did as well. Here we are today to decide on an issue before this House. There were no strong representations made to me from any aboriginal governments, and this is an issue that has history going back to the 13<sup>th</sup> Assembly. There have been many things said here today that will be in Hansard and that is where they will stand, but in this particular case the Member and I will just have to choose to disagree and I do not accept his assessment. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. McLeod.

**MR. MCLEOD:** Thank you, Mr. Chairman. Maybe the Minister could explain here and now to the people of the North why he felt he does not have to consult with them on this issue.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. McLeod. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. Mr. Chairman, in my opinion there was consultation, there was an opportunity for feedback and there was an opportunity for presentations. Steps were taken that were deemed appropriate given the circumstances, and here we are ready to go into a clause-by-clause review of the brief amendments being proposed. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. McLeod.

**MR. MCLEOD:** Thank you, Mr. Chairman. I cannot see how the Minister can sit there and say that there was consultation. There was a public hearing in Yellowknife. Is he going to try and convince me that a public hearing in Yellowknife is considered consultation? My colleague is telling me that there was not even a public hearing in Yellowknife, so I would like to know if he could explain to me what he means by "there was consultation."

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. McLeod. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. Mr. Chairman, we put advertisements in all the papers across the Territories for, I believe, two consecutive weeks inviting people's feedback. That was the course of action that I deemed appropriate and that was what was done. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. McLeod.

**MR. MCLEOD:** Thank you, Mr. Chairman, one final comment. I would like to ask the Minister if he feels that maybe the rights of the aboriginal people have been ignored and lost the opportunity to make any type of amendment to this piece of legislation by not going out there and consulting, or does he feel confident that this is the best way he handled it and it was all proper?

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. McLeod. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. Mr. Chairman, I am of the opinion that the appropriate steps were taken in this case. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. Dent.

**MR. DENT:** Thank you, Mr. Chairman. Mr. Chairman, we are having some extended discussion on this issue. I think it is an important issue and I think it is important that we try and conclude it so I move that we extend hours to conclude this item.

**CHAIRMAN (Mr. Delorey):** There is a motion on the floor. The motion is in order. All those in favour? All those opposed? The motion is carried. We will continue until this item is concluded. Mr. Dent, did you have anything further? Mr. Lafferty.

**MR. LAFFERTY:** Thank you, Mr. Chairman. I have a few questions for the Minister and his department. As we know, just going through medical information we find out how homosexual males are the highest risk group for acquiring AIDS, hepatitis A and B and 17 other different diseases that are there. Now we are going to be exposing this to the child, of being able to contract these kind of diseases. Has the department made allowances or do they have a long range plan on how they are going to be able to take care of all these people when they get sick all at once? Can the Minister tell us what kind of plan he has in place for this?

**CHAIRMAN (Mr. Delorey):** I think, Mr. Lafferty, that is probably beyond the scope of this bill and some of that is probably hypothetical. Do you have another question, Mr. Lafferty?

**MR. LAFFERTY:** Thank you, Mr. Chairman. You might say the same thing for every question I have but I will try it. I will give it a try. I would like to just bring this out to the Members in this House. How do they tend to ensure that the environment we are putting these children in is not going to be harmful to them? Are there any records or well-conducted studies on the long-term outcome of children raised by homosexual parents? Are there any studies you are going by that guarantees these children will be in a good environment and there will be no harm coming to them?

As we know, these children cannot speak for themselves. We are the ones who are going to have to lead the way for them. We are the ones who are making the choice for them right now, because they cannot make their own choice.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Lafferty. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. Mr. Chairman, there is a very rigorous process that is gone through with adoptions in terms of assessments and home visits and the checking out of the environment. The fundamental premise that the best interest of the child is first and foremost the most paramount. That is the process and approach that is taken in all cases. If the family setting is not deemed appropriate and the best interests of the child are not being met then the child will not be placed there. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. Lafferty.

**MR. LAFFERTY:** Thank you, Mr. Chairman. During the second part of his comments, the Minister talked about a solid home environment. Can the Minister give me an example of what a solid home environment is? Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Lafferty. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. Mr. Chairman, I am not sure if the Member wants me to give him an example of a family that I think would be a solid home environment. What I think it is is one where the child will be loved, nurtured, supported, protected and allowed to develop to his full potential and that takes many forms, but I would suggest those fundamentals should be there. That is what this process ensures and is not up for debate today. It is already there in legislation. What we have today is one relatively small amendment, or definition. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. Lafferty.

**MR. LAFFERTY:** No.

**CHAIRMAN (Mr. Delorey):** Any other comments? Are we ready for clause by clause?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Delorey):** Mr. Krutko.

**MR. KRUTKO:** I would like to move a motion to report progress.

**CHAIRMAN (Mr. Delorey):** There is a motion on the floor. It is not debatable. All those in favour? All those opposed? The motion is defeated. What is the wish of the committee?

**SOME HON. MEMBERS:** Clause by clause.

**CHAIRMAN (Mr. Delorey):** Clause by clause. If you would open your binders to tab 5. Bill 5, An Act to Amend the Adoption Act and the Family Law Act. Clause 1.

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Delorey):** I am not sure how many nays. We are going to have a vote on this. Clause 1. All those in favour? All those opposed? The motion is carried. Clause 1 is agreed. Clause 2.

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Delorey):** Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. I would like to propose a minor technical amendment.

**CHAIRMAN (Mr. Delorey):** Go ahead, Mr. Miltenberger, with your amendment.

**Committee Motion 28-14(5): To Amend Clause 2 of Bill 5 (Carried)**

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman.

I MOVE that subclause 2(5) of Bill 5 be amended by striking out proposed paragraph 37(4)(a) and by substituting the following:

(a) to take under the will under subsection (1) or paragraph (3)(b);

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. There is a motion on the floor. The motion is in order. To the motion. Mr. Krutko.

**MR. KRUTKO:** Thank you, Mr. Chairman. Could the Minister elaborate as to exactly what this amendment does to this bill?

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Krutko. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. Mr. Chairman, this was a minor technical amendment discovered late last week and I will get Ms. Austin to speak to the background.

**CHAIRMAN (Mr. Delorey):** Could you repeat that, Mr. Miltenberger?

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. I am sorry, I will say this again. This is a technical amendment that was discovered late last week and I will ask Ms. Austin to give us the particulars of what it entails. Thank you

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Ms. Austin.

**MS. AUSTIN:** Subsection 37(4) just clarifies that in the event a surviving spouse makes an election under either the Intestate Succession Act or to take under the will or both in the case of a

partial intestacy, the amendment just clarifies that a person can elect to take under the will, under subsection 1 or under subsection 3(b).

**CHAIRMAN (Mr. Delorey):** Thank you, Ms. Austin. Mr. Krutko.

**MR. KRUTKO:** Thank you, Mr. Chairman. Could Ms. Austin elaborate on intestacy? What is that? It sounds like an organ.

--Laughter

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Krutko. Ms. Austin.

**MS. AUSTIN:** Thank you, Mr. Chairman. An intestacy simply means an individual dies without making a will.

**CHAIRMAN (Mr. Delorey):** Thank you, Ms. Austin. Mr. Krutko.

**MR. KRUTKO:** Thank you, Mr. Chairman. I find it interesting that the Minister happened to stumble across this amendment a week ago. I would like to know exactly what were the circumstances of stumbling over this amendment a week ago, knowing that this did go through public consultation. Is this amendment major enough that maybe we would go back out to public consultation?

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Krutko. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. Today being Monday, this was late last week when this issue came to light in a final review of the legislation. It was noticed and rather than put the legislation through with that shortcoming in it, we made the decision we should proceed to try to do it right the first time, hence the minor amendment. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. Krutko.

**MR. KRUTKO:** Thank you, Mr. Chairman. I would like to move a motion to report progress.

**CHAIRMAN (Mr. Delorey):** The motion is in order. All those in favour? All those opposed? The motion is defeated. To the motion. There is a motion on the floor. Mr. McLeod.

**MR. MCLEOD:** Thank you, Mr. Chairman, could the Minister explain to me with this new clause completed, what that subclause means?

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. McLeod. Ms. Austin.

**MS. AUSTIN:** Just by way of background, these provisions under subclause 2 in the bill deal with the fact that the act deals with what happens to property in the case of one spouse dying. There are provisions in the act that deal with division of property on separation but also on division, when dealing with property if one spouse dies. There are choices available to a spouse. You can take under the will if there is a will. You can take under the Intestate Succession Act in the absence of a will or if there is a partial intestacy where there is a will, which deals with some property but not all of it, then the surviving spouse has an election to take a combination of the will. Same-sex spouses do not have any rights under the Intestate Succession Act, so what this provision is doing is ensuring a same-sex

spouse, who has elected to take under the will, is included in that subsection.

**CHAIRMAN (Mr. Delorey):** Thank you, Ms. Austin. Mr. Lafferty.

**MR. LAFFERTY:** Thank you, Mr. Chairman. I find that kind of puzzling that we are dealing with this area when one of the questions that was brought up was upon the death of one spouse, what happens to the adopted child of the biological parent? Who gets the child? Where is this covered in regulations or in our act?

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Lafferty. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. Mr. Chairman, when a child is adopted by a couple, if one of the couple dies, the child is still deemed to be legally adopted by the remaining parent, as far as I am aware.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. Lafferty.

**MR. LAFFERTY:** Thank you, Mr. Chairman. I am just referring to this amendment. Is this amendment, I am not really familiar with the whole thing, but I am just saying, is this amendment partly to do with children and also maybe custody battles between a biological parent versus an adoptive parent?

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Lafferty. Mr. Miltenberger.

**HON. MICHAEL MILTENBERGER:** Thank you, Mr. Chairman. Mr. Chairman, this particular amendment deals with property only. Thank you.

**CHAIRMAN (Mr. Delorey):** Thank you, Mr. Miltenberger. Mr. Lafferty.

**MR. LAFFERTY:** I move a motion to report progress.

**CHAIRMAN (Mr. Delorey):** There is a motion on the floor. The motion is not debatable. All those in favour? All those opposed? The motion is defeated. To the motion. There is a motion on the floor. Question has been called. All those in favour of the motion? All those opposed? The motion is carried. Clause 2 as amended.

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Delorey):** I am hearing both sides. We will have a vote on Clause 2, as amended. All those in favour? All those opposed? The motion is carried. Clause 2 is agreed as amended. The bill as a whole, as amended?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Delorey):** We will have a vote on the bill as a whole as amended. All those in favour? All those opposed? The bill as a whole as amended is agreed upon. Does the committee agree that Bill 5 is ready for third reading as amended?

**SOME HON. MEMBERS:** Agreed.

**CHAIRMAN (Mr. Delorey):** We may as well have one more vote on the agreement. The bill as a whole as amended. All

those in favour? All those opposed? The agreed upon bill is ready for third reading as amended. I would like to thank the Minister and witnesses for appearing.

What is the wish of the committee? Mr. Dent.

**MR. DENT:** Mr. Chairman, I move we report progress.

**CHAIRMAN (Mr. Delorey):** There is a motion on the floor. All those in favour? All those opposed? The motion is carried. I will rise and report progress.

**MR. SPEAKER:** The House will come back to order. Item 20, report of the committee of the whole. The honourable Member for Hay River North, Mr. Delorey.

#### ITEM 20: REPORT OF COMMITTEE OF THE WHOLE

**MR. DELOREY:** Thank you, Mr. Speaker. Mr. Speaker, your committee has been considering Bill 5, An Act to Amend the Adoption Act and Family Law Act and would like to report progress with one motion being adopted. Bill 5 is now ready for third reading as amended. Mr. Speaker, I move that the report of the committee of the whole be concurred with.

**MR. SPEAKER:** Thank you, Mr. Delorey. Do we have a seconder for the motion? The honourable Member for Nunakput seconds the motion. The motion is in order. All those in favour? All those opposed? Thank you. The motion is carried. Item 21, third reading of bills. Mr. Clerk, orders of the day.

#### ITEM 22: ORDERS OF THE DAY

**CLERK OF THE HOUSE (Mr. Hamilton):** Thank you, Mr. Speaker. A meeting of the Standing Committee on Accountability and Oversight immediately after adjournment tonight and also again at 9:00 a.m. tomorrow morning, and Caucus at 10:30 a.m. tomorrow morning.

Orders of the day for Tuesday, June 18, 2002:

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
  - Bill 17, Supplementary Appropriation Act, No. 1, 2002-03
  - Bill 20, Legal Registries Statutes Amendment Act
18. Second Reading of Bills
  - Bill 18, Forgiveness of Debts Act, 2002-2003
  - Bill 19, Write-off of Debts Act, 2002-2003
  - Bill 21, Health Statutes Amendment Act
  - Bill 22, An Act to Amend the Child and Family Services Act
19. Consideration in Committee of the Whole of Bills and Other Matters
  - Minister's Statement 46-14(5), Social Agenda Working Group Report
  - Minister's Statement 47-14(5), GNWT Response to the Social Agenda Report
  - Tabled Document 35-14(5), Social Agenda: A Draft for People of the NWT
  - Committee Report 614(5), Special Committee on the Implementation of Self-Government and the Sunset Clause: Report on the Sunset Clause
  - Bill 8, An Act to Amend the Nursing Profession Act and the Pharmacy Act
  - Bill 13, An Act to Amend the Income Tax Act, No. 2
20. Report of Committee of the Whole
21. Third Reading of Bills
  - Bill 5, An Act to Amend the Adoption Act and Family Law Act
22. Orders of the Day

**MR. SPEAKER:** Thank you, Mr. Clerk. Accordingly, this House stands adjourned until Tuesday, June 18, 2002, at 1:30 p.m.

-- ADJOURNMENT

The House adjourned at 6:00 p.m.