



**NORTHWEST TERRITORIES
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The Honourable Tony Whitford, Speaker

Legislative Assembly of the Northwest Territories

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YELLOWKNIFE, NORTHWEST TERRITORIES**Thursday, October 2, 2003****Members Present**

Honourable Roger Allen, Honourable Jim Antoine, 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. Nitah, Honourable Jake Ootes, Mr. Roland, Honourable Vince Steen, Honourable Tony Whitford

ITEM 1: PRAYER

---Prayer

SPEAKER (Hon. Tony Whitford): Thank you, Mr. Delorey. Please be seated. Item 2, Ministers' statements. The honourable Member for Sahtu, Mr. Kakfwi.

ITEM 2: MINISTERS' STATEMENTS**Minister's Statement 81-14(6): Weekend Meeting With Federal Infrastructure Minister Allan Rock And Secretary Of State**

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. On Saturday, October 4, 2003, Transportation Minister Joe Handley and I will be meeting with the federal Minister responsible for Infrastructure and Minister of Industry, the Honourable Allan Rock.

Secretary of State for Rural Development, the Honourable Andy Mitchell, will accompany Mr. Rock.

I cannot speak about the specifics of the agenda, but you can be assured that Minister Handley and I will continue to make a forceful case for federal investment in the Northwest Territories for infrastructure and we expect positive results.

Mr. Speaker, Members will be provided with a full account of our meeting early next week.

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Premier. Item 2, Ministers' statements. The honourable member for Nahendeh, Mr. Antoine.

Minister's Statement 82-14(6): Tlicho Land Claims And Self-Government Agreement

HON. JIM ANTOINE: Mr. Speaker, I am pleased to report to this Legislative Assembly that the Tlicho Land Claims and Self-Government Agreement was signed in Rae on August 25, 2003.

I had the pleasure to sign this historic and important agreement on behalf of the Government of the Northwest Territories along with Premier Kakfwi. I am also pleased to note that many other Members of the Legislative Assembly were able to travel to Rae to participate in the ceremony.

Mr. Speaker, Grand Chief Joe Rabesca, Chief Eddie Paul Rabesca, Chief Joseph Judas, Chief Charlie Nitsiza and Chief Archie Wettrade signed the agreement on behalf of the Tlicho people. Finally, Mr. Speaker, the Honourable Robert Nault, Minister of Indian Affairs and Northern Development, signed on behalf of the Government of Canada.

Mr. Speaker, in recognition of the importance of this agreement with the Tlicho people, the Northwest Territories and Canada, Prime Minister Chretien also attended the ceremony and witnessed the agreement on behalf of the Government of Canada.

Mr. Speaker, I congratulate the Tlicho people on this incredible accomplishment. As I have previously reported to this Assembly, the Tlicho agreement is unique. It will be the first treaty in the Northwest Territories to address the inherent right of self-government. It is also the first land claims agreement whose settlement area has extensive overlap with lands used by other aboriginal people.

The Tlicho agreement is also unique in Northwest Territories claims in that the Tlicho will have both surface and sub-surface ownership of a single block of land totalling about 39,000 square kilometres surrounding their four communities.

Mr. Speaker, as someone who has been personally involved in this negotiating process since its very early stages, I believe that the Tlicho agreement has set a new standard for land and self-government claims across the country. For the first time, aboriginal people will not be required to cede or surrender their aboriginal rights as a result of this treaty. This is a huge step forward and one that aboriginal people have been trying to achieve for a great many years.

Mr. Speaker, the Tlicho agreement was also unique because of the way the public and interested groups were invited to comment on the draft agreement. Following the first initialing of the agreement by chief negotiators last September, the agreement was released to the public for review and comment to assist negotiators to amend and improve the agreement.

In October 2002, the chief negotiators sent letters to about 40 groups and organizations, including aboriginal organizations, offering to meet with them to discuss any concerns or suggestions they may have with respect to the agreement.

The chief negotiators met with seven aboriginal organizations and 10 other groups who requested meetings. The Tlicho also had bilateral discussions with the Deh Cho First Nations and the Akaitcho Dene First Nations to discuss overlap issues. They subsequently signed an overlap agreement with the Deh Cho in Fort Providence on October 31, 2002, and with Akaitcho on November 27, 2002.

Mr. Speaker, when the revised agreement was initialed for a second time early in 2003, the ratification process was set in motion. On June 27, 2003, the Tlicho people overwhelmingly ratified the agreement. The Government of the Northwest Territories and the Government of Canada subsequently approved the agreement leading to the signing ceremony in Rae on August 25.

Mr. Speaker, I firmly believe this agreement should be welcomed by all people in the Northwest Territories and those

who wish to invest in the Northwest Territories, as the agreement clarifies land ownership and jurisdiction over a large portion of the Northwest Territories. It also clarifies the future relationship between the Tlicho government, the GNWT and Canada. The next step for the GNWT is to work with the Tlicho and Canada to bring forward legislation required for the agreement to come into effect.

Mr. Speaker, I wish to acknowledge the efforts of the many people on all sides of the table who worked so hard for so long to make this agreement a reality. I would also like to thank the community of Rae for hosting a very well-organized ceremony and for the outstanding hospitality. I know that Prime Minister Chretien certainly enjoyed himself. He indicated that the next time he comes to Rae, he wants to use the paddle he received as a gift to go fishing with Grand Chief Rabesca.

Mr. Speaker, I am very proud to have been a part of the Legislative Assembly that contributed to reaching this historic agreement. An agreement that provides the Tlicho people with the tools to secure their economic future and to take their rightful place as a new government in the Northwest Territories.

Finally, and most importantly, Mr. Speaker, I would like to congratulate the elders, people and leadership of the Tlicho on this remarkable and historic accomplishment. Mahsi, Mr. Speaker.

---Applause

MR. SPEAKER: Mahsi, Mr. Antoine. Item 2, Ministers' statements. The honourable Member for Weledeh, Mr. Handley.

Minister's Statement 83-14(6): Activities Of The Department Of Finance

HON. JOE HANDLEY: Thank you, Mr. Speaker. Mr. Speaker, I would like to speak today about some of the activities of the Department of Finance over the past four years.

The department's mandate is to obtain the financial resources needed to implement the GNWT's policies and programs. This includes negotiating major financial agreements with the federal government, making recommendations on tax and fiscal policy, collecting the GNWT's taxes, and managing our cash and debt requirements.

Fulfilling this mandate has been particularly challenging over the last four years, as the GNWT faced growing expenditure needs in critical areas such as health care, education, and infrastructure, and in responding to the demands placed on our government by our rapidly growing economy.

We now anticipate that total government revenues over the last four fiscal years, 2000-01 to 2003-04, will exceed total operating expenditures by more than \$100 million. However, much of this was in the form of one-time revenues, and the ongoing fiscal outlook is for expenditures to outstrip revenues, requiring continued strategies to close the fiscal gap.

A number of issues relating to the calculation of formula financial grant entitlements were resolved in favour of the GNWT, resulting in adjustments to grant payments of more than \$150 million. In addition, several large, one-time corporate income tax adjustments contributed significant amounts to addressing the government's fiscal shortfalls.

Over these four years, the Department of Finance has also played a major role in intergovernmental fiscal arrangements.

Discussions with Finance Canada on renewal of the formula financing agreement and on the transfer of nonrenewable resource revenues to NWT governments are ongoing. Together with other government departments, Finance advanced the NWT case to federal officials with respect to funding for resource development, infrastructure and health care. We have made considerable progress in advancing the arguments why per capita funding allocations are not appropriate for the Territories.

In the 2001 budget, I announced that the GNWT would change the way we levy personal income tax. The move to a tax on income approach increased our flexibility to set tax brackets and rates. Acting on the recommendations of the Minister's Advisory Committee on Personal Income Tax, the department undertook to develop legislation that introduced a minimum cost-of-living tax credit for low-income NWT residents; reduced the tax burden for low-income tax payers; and increased tax support for seniors and persons with disabilities. These changes were approved by the Legislative Assembly for the 2002 tax year.

The Department of Finance is responsible for protecting the government's assets through appropriate risk management and insurance programs. The cost of property losses to the GNWT has declined substantially over the last five years and, in an increasingly difficult worldwide insurance market, the GNWT has been able to maintain affordable coverage.

The Department of Finance also includes the NWT Bureau of Statistics. The bureau is the government's central statistical office and has done an outstanding job of ensuring we have current, consistent and accurate data about our economy, our social conditions and our population. The bureau's 2002 population survey, as well as its detailed methodological review of Statistics Canada's census and coverage results, contributed significantly to the improved NWT population figures released by Statistics Canada in late September.

The NWT Liquor Commission and the administration and enforcement of liquor licensing also falls within the mandate of the department. Over the last four years, the focus has been on responding to community preferences.

Of course, Mr. Speaker, in the time available, it is only possible to touch on a few of the department's activities. I would also comment that much remains to be done to ensure we achieve our goal of fiscal sustainability and the department remains focused on that task.

Finally, I would like to take this opportunity to express my appreciation for the hard work and dedication of the staff of the Department of Finance in pursuing the goals set by this Assembly. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you, Mr. Minister. Item 2, Ministers' statements. The honourable Member for Yellowknife Centre, Mr. Ootes.

Minister's Statement 84-14(6): Literacy Week 2003 – Celebrating Literacy In The NWT

HON. JAKE OOTES: Thank you, Mr. Speaker. September 28 to October 4 is Literacy Week in the Northwest Territories, an opportunity for communities and residents to celebrate reading and support the need for literacy throughout our society.

Literacy is a person's ability to listen, speak, read, write, represent, compute and solve problems. This government has a vision for the Northwest Territories where all people can read and write, allowing them to participate as citizens, functioning fully in the family, in the community and on the job. We also see the NWT as a place where people value literacy in all official languages.

Since adopting the NWT literacy strategy in 2001, many exciting partnerships have been formed: with the NWT Literacy Council, Aurora College, the Native Women's Association of the Northwest Territories, the NWT Council of Persons with Disabilities, the NWT Seniors' Society, just to name a few. These groups work to ensure that the literacy needs of all citizens are taken care of. Partnerships also include non-government organizations at the local level and with the business sector. This ensures literacy remains at the forefront of all our efforts.

To help and encourage communities to celebrate Literacy Week, kits were sent to all schools, literacy programs, community learning centres, early childhood programs, libraries, friendship centres, community health representatives and other community groups. The kit contains a variety of literacy activities that can be delivered in each community.

Mr. Speaker, literacy is an issue that affects us all. Literacy contributes directly to a higher quality of life for individuals. This, in turn, fosters a more productive and self-reliant society.

I'd like to leave us with a quote today from Roy Richardson of Rae who won a Canada Post Literacy Award on Tuesday at the adult learners' luncheon held at Aurora College. He said, "I was afraid that people would tell me that I couldn't learn how to read. Two years of schooling got me here and I am afraid of nothing now."

Mr. Speaker, we couldn't have said this better. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you, Mr. Minister. Item 2, Ministers' statements. The honourable Member for Nahendeh, Mr. Antoine.

Minister's Statement 85-14(6): National Diamond Strategy

HON. JIM ANTOINE: Mahsi, Mr. Speaker. Mr. Speaker. On Monday, September 29, I met with provincial, territorial and federal mine Ministers in Halifax to review progress on the national diamond strategy.

I am pleased to report that the provincial and territorial mine Ministers approved and released a mandated work plan and the document "Towards a National Diamond Strategy." This document will be provided to the Premiers for their consideration at the council meeting on October 24.

Canada's diamond industry leaders and the federal government are both very interested in the national diamond strategy, which this government is co-leading with the Government of Quebec.

The strategy will look at a range of issues across the entire diamond industry including diamond exploration, mining, rough diamonds, polished diamonds, diamond jewelry, diamond retail sales and diamond tourism.

The Premier and I met with NWT diamond industry representatives on September 19 and we made a commitment to consult with them as the strategy is being developed. I will be sending the mandate, the work plan for the steering committee, which will consist of provincial and territorial governments, and the discussion paper on the national diamond strategy to them.

At the Northern Development Ministers' Conference in Iqaluit on September 25th and 26th, the Minister of Indian and Northern Affairs, Robert Nault, announced that his department would conduct a diamond industry study and encouraged provinces and territories to participate. At the mine Ministers' meeting, Natural Resources Canada reported on the first diamond roundtable meeting held in Edmonton in May.

Mr. Speaker, the provinces and territories are considering their involvement in these federal initiatives and are concerned about duplication of effort.

Our first commitment is to the national diamond strategy that was initiated by the western Premiers' at their conference in Kelowna earlier this year and later endorsed by all the Premiers at their annual conference in Prince Edward Island in July. I can also say that the work plan of the steering committee for the national diamond strategy refers to a second national diamond roundtable to be held in the Northwest Territories next May or June.

Mr. Speaker, I will continue to keep Members of this legislature informed about progress on the national diamond strategy. Mahsi cho.

---Applause

MR. SPEAKER: Mahsi, Mr. Minister. Item 2, Ministers' statements. Item 3, Members' statements. The honourable Member for Hay River South, Mrs. Groenewegen.

ITEM 3: MEMBERS' STATEMENTS

Member's Statement On Hay River Divisional Education Authority And The South Slave Divisional Education Council

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, I am sure that most of my colleagues in the House know of the highly-publicized and sometimes acrimonious relationship between the Hay River District Education Authority and the South Slave Divisional Education Council. Suffice it to say, Mr. Speaker, I do not believe that the residents and students of Hay River are being well served through this relationship with the South Slave Divisional Education Council. The residents of Hay River elect the people who sit on the Hay River DEA in a fair and democratic manner. The authority, in turn, chooses the representatives to sit on the South Slave Divisional Education Council and to look after the students of the second-largest community in the Northwest Territories.

Hay River's representative on the South Slave Divisional Education Council has been supported by fellow DEA members because of his diligence in pointing out inequities in funding allocation with the community of Hay River, and its students have suffered as a result of the decisions made at the divisional board level. Some would say that his representation has been done so well that the South Slave Divisional Education Council has kicked the Hay River representative off the council by stating that his questioning their decision goes against board policy.

It seems inequitable, Mr. Speaker, for the largest community in the division with the majority of the students to not be proportionately represented on the divisional council. Maybe we need a court challenge on the same basis as the case put forward by the Friends of Democracy, citing the representation by population argument. No matter who the representative of the education council is, we have a problem with the process for distributing resources. Quite apart from whether other council members and the DEC staff like the democratically selected Hay River rep, and quite apart from the exception they have taken to his unrelenting advocating on behalf of the Hay River DEA students and educators.

Mr. Speaker, we are at an impasse. There are two choices: find the money to fund a stand-alone education authority for the resident and students of Hay River, or address the issues that made the South Slave Divisional Education Council dysfunctional in the first place.

Mr. Speaker, sitting on the fence is not an option and I'll be questioning the Minister of Education, Culture and Employment later on this matter to see if he has any suggestions of how we can get beyond this impasse. Thank you, Mr. Speaker.

---Applause

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

Member's Statement On Access To The Community Futures Program In The Deh Cho Constituency

MR. MCLEOD: Thank you, Mr. Speaker. Mr. Speaker, I have an ongoing concern that this government is not taking the responsibility of developing our small communities' businesses seriously. This government, through the Department of Resources, Wildlife and Economic Development, assumed responsibility from the federal government for what is known in the communities as Community Futures. It is my understanding that, upon accepting this responsibility, all communities in the North would have access to the programs offered through this organization.

Furthermore, Mr. Speaker, it is my understanding that additional regional entities have been established, such as the Thebacha Business Development Centre in Fort Smith and the Deh Cho Business Development Centre in Fort Simpson. Thebacha provides lending and business services to Fort Smith, Lutselk'e and Fort Resolution. In Fort Simpson, the Deh Cho Business Development Centre provides services to the communities in Nahendeh.

Mr. Speaker, in the Deh Cho, it is not clear as to what -- if any -- Community Futures organizations provide services to Hay River Reserve, Enterprise, Kakisa or Fort Providence. The information that I have received is that the constituents in my riding do not have access to this program. Mr. Speaker, I am concerned that with the expectation of increased resource development, our communities must be provided equal access to business programs. Currently, Mr. Speaker, the people of the Deh Cho riding do not benefit from a program that other communities in the North enjoy.

Mr. Speaker, I will have questions for the Minister of RWED today during question period. Thank you, Mr. Speaker.

---Applause

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

Member's Statement On Lack Of Affordable Housing In Yellowknife

MS. LEE: Thank you, Mr. Speaker. Mr. Speaker, I rise today to speak about the Minister responsible for the Housing Corporation with regard to an issue that has caused a great deal of concern to me.

Mr. Speaker, over the life of this Assembly, I and other Yellowknife Members in this House have raised a concern again and again about the lack of affordable housing in Yellowknife.

AN HON. MEMBER: Hear, hear!

MS. LEE: We have been asking the government to assist the city administration with land development so that they can make more land available to ease the pressure on the market. Over and over again, the government and the Minister of Housing, in particular, stated that he did not feel the government should get involved in land development in market-based or tax-based communities.

Mr. Speaker, we have also raised concerns about lack of housing for low-income people and seniors in our city, and we have been following the process, as they are, to access some of the funding to alleviate this situation. So imagine my shock and distress, Mr. Speaker, when I woke up one September morning to hear a report on CBC Radio that the Minister of Housing -- who also happens to be the Member for Inuvik -- was handing out a cheque to the town council amounting to \$10,000 each for 12 residents as a subsidy to buy lots for their trailers. Even an Inuvik councillor questioned whether or not a normal process was followed in giving out this money. She was quoted as saying that many of the tenants of the trailer park wouldn't ordinarily qualify and that the Housing Corporation should follow the normal procedures. What's more incredulous, Mr. Speaker, the Minister is quoted as saying we have a larger way of subsidies to individual clients.

If the Minister has so much money to give, I would suggest that he shares with us what they are in this House. There are many in my community, I am sure, who would like to have a piece of this action.

Mr. Speaker, he's also quoted as saying we make a contribution to the Town of Inuvik every year through our appropriation. So it appears, Mr. Speaker, he provides money for some municipalities and some individuals but not all. I submit to you, Mr. Speaker, the Minister needs to explain himself in this House about what went on at this meeting, and I intend on following up with questions later in the House. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you, Ms. Lee. Item 3, Members' statements. The honourable Member for Mackenzie Delta, Mr. Krutko.

Member's Statement On Lack Of Palliative Care Services In Northern Communities

MR. KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, today I would like to speak on an issue that has a major impact on our communities, especially those families who are dealing with

family members who find themselves in situations dealing with illnesses such as cancer. One thing that we find in a lot of our small communities is that there are no palliative care programs to assist our communities. They have programs in the larger centres to help with the families that help them out whenever they need to be relieved. It is a very stressful time in a family's life to have to give someone care who is a loved one, but also deal with an illness such as cancer.

I've raised this question with the Minister in this House several times. Again, the smaller communities are being left out of programs that are being administered in the larger centres. I feel that we in the small communities need just as much assistance as they do in the larger centres.

This issue came up at the Gwich'in Tribal Council assembly in which there was a lot of debate around the number of cases of cancer we're seeing in our communities, and of the tough times that community members are having to cope with the lack of full-time nurses in our health centres, closure of our health centres, having no resource people such as alcohol and drug or mental health workers to help the families cope with the problems that this brings.

Mr. Speaker, here again it shows that this government does not have compassion for the small communities when it comes to administering programs. You have programs for palliative care, you have nutritional programs, you have other programs that are being delivered at this time at regional hospitals and regional centres, yet no effort is being made by this government to ensure those programs are extended to small communities.

So again, Mr. Speaker, I will be asking the Minister questions on this matter. Why is it that small communities again are having to cope with problems for which there is assistance available in larger centres. For some reason, however, you can't find the money to make it down to the small communities. Thank you, Mr. Speaker. I will be asking questions on this matter to the Minister. Thank you.

---Applause

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

Member's Statement On Need For A Separate Divisional Education Council For Hay River

MR. DELOREY: Thank you, Mr. Speaker. Mr. Speaker, along with my colleague from Hay River South, I would like to address an issue that has far-reaching implications for Hay River students.

Mr. Speaker, the seven elected members of the Hay River District Education Authority are very diligent and passionate about their role, which in turn directly benefits the approximately 850 students currently enrolled in the Hay River school system.

Since I was elected almost four years ago, Mr. Speaker, I have continued to raise the issue of the fractured relationship that exists between the Hay River District Education Authority and the South Slave Divisional Education Council, and of the need for a separate education council for Hay River. Mr. Speaker, this issue raised its ugly head again in March of this year when Andrew Butler, the chair of the Hay River District Education Authority, was removed from his seat as the Hay River

representative on the South Slave Divisional Education Council.

Mr. Speaker, on March 28, as a result of Mr. Butler's removal, the Hay River District Education Authority requested that the Minister of Education, Culture and Employment provide the district education authority with a legal opinion on the legalities of the aforementioned removal. Mr. Speaker, on April 17, the Minister wrote to Mr. Butler as chair of the district education authority and stated, and I quote, "Accordingly, I have instructed departmental staff to request a legal opinion on this issue from the Department of Justice. I will inform both your district education authority and the SSDEC as to the results of it." Now, Mr. Speaker, it appears the situation has changed somewhat. On September 23, the Minister wrote back to Mr. Butler and stated, and I quote, "In this situation, I am advised it is not appropriate to release the legal opinion."

Mr. Speaker, it gives me cause for great concern. First it appears that the Minister says once I have the legal opinion back I will provide it to you. Then, when the legal opinion comes back he is advised not to release it. What changed, Mr. Speaker? Is it that the Minister and his department officials did not like what was contained in the legal opinion? Or was it that the Hay River District Education Authority was correct in their assumption that Mr. Butler's removal from the South Slave Divisional Education Council violated the Charter of Rights and Freedoms? We may never know.

MR. SPEAKER: Mr. Delorey, your time for Member's statement has expired. Mr. Delorey, what is your wish?

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

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

MR. DELOREY: Thank you, Mr. Speaker. Thank you, colleagues. Mr. Speaker, there was an excellent editorial in the September 9 edition of the News/North whose headline read, "Students Suffer While Officials Feud". There were a lot of very thought-provoking comments contained in this editorial, but in particular, the last paragraph stated, "Ootes isn't seeking re-election. Perhaps his political legacy could be education peace in the South Slave." I couldn't agree more, Mr. Speaker. I urge the Minister to do the right thing and release the legal opinion to the parties concerned so that we can move ahead in the interests of all students. Thank you, Mr. Speaker.

---Applause

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

Member's Statement On Aurora College Infrastructure Needs In Yellowknife

MR. BELL: Thank you, Mr. Speaker. Mr. Speaker, for the last three years plus, I and a number of my colleagues have continued to make the case that the Yellowknife Campus of Aurora College needs additional classroom space, needs parking and it certainly, absolutely, needs student housing. We were, I think, reassured or relieved and saw at least some ray of hope when we discussed the project in Inuvik that's going forward and the fact that the Minister was prepared to work with

the private sector in Inuvik to address some of the housing needs, despite the fact that he didn't have the capital money at that time to build dormitories. I think that my colleagues and I saw that as an opportunity and had hoped to get the same flexibility and same response and accommodation from the Minister in Yellowknife.

Six or so months ago, Mr. Speaker, I wrote to the Minister, as did a number of my colleagues -- Mr. Braden, Ms. Lee, Mr. Dent -- about the need for classrooms, parking and student housing in Yellowknife. The Minister did acknowledge that there was a critical shortage and certainly students who were coming in from out of town are on a waiting list to get into accommodations in Yellowknife and often have to put up with less-than-ideal housing situations because we have such a shortage. He did note that the housing market is very tight in Yellowknife and it's difficult to find arrangements with private landlords at this point. We do know things are softening.

Mr. Speaker, I hope the Minister is prepared to work in this capacity. I'll have questions for him today about this and about what he's been able to do to date. I'd like to remind the Minister that before we get into this I expect that he'll tell us the government understands the concern, feels our pain, but there's a process, there's business planning, there's main estimates, et cetera, Mr. Speaker. I'd like to remind the Minister that, before we hear that and before we see that argument rolled out, we continue to deal with supplementary requests month after month in this House that are for operational funding that obviously should have been planned for, could have been planned for. So when there are priorities we seem to find the will and the way to get things done. I'd like to remind the Minister of that.

We know the problem is being further compounded by a system-wide housing shortage due to the closures of a couple of buildings in Fort Smith. Things are not getting better for the college and for our post-secondary students. I'll have questions for the Minister about this in question period. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you, Mr. Bell. Item 3, Members' statements. The honourable Member for the North Slave, Mr. Lafferty.

Member's Statement On Clawback Of The National Child Benefit Supplement

MR. LAFFERTY: Thank you, Mr. Speaker. Mr. Speaker, in August of 2003, provincial and territorial Ministers met in Yellowknife. At that time, Jane Stewart, the federal Minister of Human Resources Development Canada suggested to the territorial government that people on income support keep the national child benefit supplement. This federal program was designed to combat child poverty, but if you live in our territory and receive income support this money is clawed back. The benefit would pay a low-income family with two children about \$200 a month. The same amount is deducted from families on income support.

In my mind, this action by the territorial government defeats the very purpose of the federal program. This action penalizes the very children it is designed to help. For example, if a family earns \$5 and receives the supplement, the children benefit. However, if a family receives \$5 from income support because they are unable to find work in their community, the supplement is clawed back.

Many provinces, including Alberta, have recognized the flaw in this and are no longer clawing back the national child benefit supplement. I urge the territorial government to do so as well. I know that the Minister has stated that families on income support do not need the supplement because all their basic needs are met. This is debatable.

The Minister is also quoted as having stated that the child benefit was never intended to go to the people on welfare. Yet, the Minister is encouraging them not to claw the money back from people who rely on income support. On other occasions I have heard the Minister state that income support is a program of last resort. Mr. Speaker, in communities where there is no work, it is often the only resort.

Mr. Speaker, I do not think that we should be clawing back from children something that they are entitled to. Mr. Speaker, I will have questions for the Minister on this issue later. Thank you.

---Applause

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

Member's Statement On Involvement Of Tax-Based Municipalities In The Devolution Process

MR. BRADEN: Thank you, Mr. Speaker. I would like today to address the issue of tax-based municipalities and their involvement in the devolution process. Mr. Speaker, the Premier, in a September 8 press release, said it costs us more to respond to development than we receive in benefits. Further, he said that aboriginal and public governments in the Northwest Territories deserve the dignity of being able to provide the physical and social infrastructure to support growth. Mr. Speaker, I agree with the Premier and I, too, hope that, as he spoke about earlier today, he brings back some positive results from his weekend meeting with federal Ministers of infrastructure.

Tax-based municipalities in the Northwest Territories, I assert, would also support this approach as they have recently formed a coalition to study the impact of devolution in their communities. Mr. Speaker, I think something that is not all that well understood across the North is that tax-based communities are required to finance much of their own infrastructure, programs and services through their own tax dollars, supplemented by Government of the Northwest Territories contributions.

Across the country, the majority of Canadians have migrated into large urban areas, into tax-based areas. The Northwest Territories doesn't seem to be much different. Seventy per cent of the population is resident in our six tax-based communities, Mr. Speaker.

Yellowknife's mayor, His Worship Gordon Van Tighem, recently said, when you receive a share of the royalties you also take on a share of the expenses associated with earning those rewards. There really is no free lunch, and I think that's evidenced by a number of residential tax bills in the city that are over \$3,000 a year, Mr. Speaker.

Devolution and the sharing of resource royalties are of vital interest to us all. We can be and we want to be self-reliant and self-sufficient. But while there's been a lot of discussion regarding the share of royalties between our government,

Canada and First Nations governments, there's been little consideration by us of the involvement of tax-based municipalities. It should be a core principle of this government, Mr. Speaker, that if industry creates growth and generates wealth through royalties, the communities who directly bear the impact should be involved and should receive some of the benefit.

Tax-based municipalities say, with regard to devolution, that they have not been involved, nor represented, nor consulted on this issue. This is not an acceptable approach for our territorial government. Thank you, Mr. Speaker.

---Applause

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

Member's Statement On Lack Of Resources For Vital Statistics Office In Inuvik

MR. ROLAND: Thank you, Mr. Speaker. Mr. Speaker, I want to continue on a theme I started with yesterday about the benefits of being in a large centre and the capital, that being Yellowknife, Mr. Speaker. The cyclone effect of the capital city is something we continue to be reminded of on different occasions.

Mr. Speaker, I'll refer directly to government positions within communities and I'll specifically refer to the vital statistics office up in Inuvik. Mr. Speaker, it's been a number of years that that office has been established. My understanding is that vital statistics deals with every person in the Northwest Territories when it comes to their health care cards. I also understand that when that office was moved up to Inuvik all the human resources that were doing the job here in the capital city didn't quite make it out to the community that I represent and that office was established in.

Mr. Speaker, since that time, the increased workload that has continued to grow hasn't been met with new resources to help deal with that. Instead, the human resources, as I've last heard, were shrinking. Mr. Speaker, when that part of the department which is territorial in nature, but outside of the capital city, was seeking help and seeking support to try to deal with that issue it seemed to have fallen on deaf ears. In fact, at one point, Mr. Speaker, I became aware that the department had moved to try and pull that office back into headquarters. Mr. Speaker, I was told that nothing of that nature was occurring, but I was shown an actual letter by an employee who would be affected. That is when I became absolutely aware that this move was afoot.

Mr. Speaker, I have to thank the Minister for stepping in and ensuring that this territory doesn't continue to centralize itself in one location. But, Mr. Speaker, I became aware again that the concern continues to be there with those people trying to provide a service for the residents of the Northwest Territories. I will have questions for the Minister of Health and Social Services on this area and what he's doing to ensure that the needs are being met this department through that office in Inuvik. Thank you.

MR. SPEAKER: Thank you, Mr. Roland. Item 3, Members' statements. Item 4, reports of standing and special committees. Item 5, returns to oral questions. The honourable Member for Sahtu, Mr. Kakfwi.

ITEM 5: RETURNS TO ORAL QUESTIONS

Return To Question 245-14(6): Community Consultations On The GNWT Capital Planning Process

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. I have a return to oral question asked by Mr. Lafferty on Wednesday, June 4 with respect to coming to consultations on the government's capital planning process. The deputy ministers task team on "meeting infrastructure requirements" includes the task to clarify core capital need and development of infrastructure policy framework. The objectives of the above task include:

- the requirement to develop clarity between the government and communities on the types of infrastructure that will be funded;
- the involvement of communities in the planning and decision-making;
- community responsibilities on the maintenance and upkeep of infrastructure;
- community contributions to capital projects;
- how this government may address a balance between core service needs and community priorities; and
- application of capital standards and criteria.

The community consultation undertaken this spring was intended to seek the communities' input into both the development of the 2004-2005 capital plan and the capital planning process, including the criteria applied in prioritizing projects. A consultant was engaged to review the current capital planning process and also to address how we may better provide for the needs of communities. The results of the consultants report and the community consultations will form the basis of a number of recommendations to enhance the capital planning process to better serve the needs of this government and communities. Thank you.

MR. SPEAKER: Thank you, Mr. Premier. Item 5, returns to oral questions. Item 6, recognition of visitors in the gallery.

ITEM 6: RECOGNITION OF VISITORS IN THE GALLERY

MR. SPEAKER: Colleagues, I'd like to direct your attention to the visitors' gallery. In the presence of the visitors' gallery of the former Member serving two different Assemblies, Mr. James Rabesca.

---Applause

Item 6, recognition of visitors in the gallery. The honourable Member for Nunakput, Minister Steen.

HON. VINCE STEEN: Thank you, Mr. Speaker. Mr. Speaker, I'd like to welcome in the gallery two of my constituents from Holman, Jill Olifie and Janet Kanayok, and from Tuktoyaktuk, Helen Gruben and Lena Kotokak. Mr. Speaker, these ladies are attending the annual general meeting of the Native Women's Association being held here in Yellowknife. I would also like to mention that Ms. Kotokak has been serving as my constituent assistant for the last four years and doing a fine job. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you, Minister Steen. Item 6, recognition of visitors in the gallery. The honourable Member for Thebacha, Minister Miltenberger.

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Mr. Speaker, I'd like to recognize Dr. David Butler-Jones. Dr. Butler-Jones is past-president of the Canadian Public Health Association, a member of the Naylor committee and a respected public health advocate and expert who is in the North to speak on the importance of a strong, vibrant, well organized public health system in order to respond effectively to emerging issues such as SARS, West Nile Virus, mad cow disease and others. He's accompanied by Vicki Lafferty from the Department of Health and Social Services. Dr. Butler-Jones.

---Applause

MR. SPEAKER: Thank you, Minister Miltenberger. Item 6, recognition of visitors in the gallery. The honourable Member for Hay River South, Mrs. Groenewegen.

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, I'm surprised today to see Jack and Jan Cooper here. Jack Cooper is a former resident of Hay River. He taught school there for many years. He's now retired and he and his brother have a business called Cooper Studios, who have voice coached many renowned performing artists in Canada. So if you want to be a rock star, go see those two gentlemen. Thank you.

---Applause

MR. SPEAKER: Item 6, recognition of visitors in the gallery. The honourable Member for Inuvik Boot Lake, Mr. Roland.

MR. ROLAND: Thank you, Mr. Speaker. Mr. Speaker, I'd like to welcome as well Ms. Agnes Kuptana, originally from Holman, but now a resident of Inuvik.

---Applause

MR. SPEAKER: Item 6, recognition of visitors in the gallery. The honourable Member for Yellowknife Centre, Minister Ootes.

HON. JAKE OOTES: Thank you, Mr. Speaker. I'd like to recognize some members who attend the Tree of Peace Adult Education Program here in Yellowknife. Helene Usherwood is the instructor. Flossie Okoak, Theresa Martin, Theresa Wright, John Quitte, Michael Payne, Violet Kachkowski, Eli Ulayuk, Lawrence Mantla and Melanie Norwegian. They're up in the gallery, Mr. Speaker. Please help me welcome them.

---Applause

MR. SPEAKER: Thank you, Mr. Minister. Item 6, recognition of visitors in the gallery. The honourable Member for North Slave, Mr. Lafferty.

MR. LAFFERTY: Thank you, Mr. Speaker. I would like to recognize all my constituents from the North Slave.

---Applause

MR. SPEAKER: Are they all here?

---Laughter

Thank you, Mr. Lafferty. Item 6, recognition of visitors in the gallery. The honourable Member for Hay River North, Mr. Delorey.

MR. DELOREY: Thank you, Mr. Speaker. I would like to take this opportunity to recognize a Hay River resident up in the gallery, Ms. Wendy Morgan who happens to be a colleague, being Mrs. Groenewegen's constituency assistant.

---Laughter

---Applause

MR. SPEAKER: Item 6, recognition of visitors in the gallery. The honourable Member for the Mackenzie Delta, Mr. Krutko.

MR. KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, I would like to recognize a former national team member, Mr. Ernie Lennie, originally from Tulita. He is also an esteemed colleague with a Member of the House, Mr. Allen, who were both on the national team together. Welcome.

---Applause

MR. SPEAKER: Thank you, Mr. Krutko. Item 6, recognition of visitors in the gallery. The honourable Member for Nahendeh, Mr. Antoine.

HON. JIM ANTOINE: Thank you, Mr. Speaker. Mr. Speaker, along with my colleague from North Slave I would like to recognize all his constituents, and specifically recognize Chief Eddie Paul Rabesca.

---Applause

Chief Joseph Judas and Chief Charlie Nitsiza. I don't know if Chief Archie Wetrade is here, but if he's here I would like to recognize him. Mahsi.

---Applause

MR. SPEAKER: Item 6, recognition of visitors in the gallery. On behalf of all my colleagues, I would like to welcome you to the Legislative Assembly to see your government. Item 7, oral questions. The honourable Member for Hay River South, Mrs. Groenewegen.

ITEM 7: ORAL QUESTIONS

Question 356-14(5): Education Governance Issues In Hay River

MRS. GROENEWEGEN: Thank you Mr. Speaker. Mr. Speaker, I am sure that Minister Ootes is very well acquainted with the issues that have caused the strife between the Hay River DEA and the South Slave Divisional Education Council, so I will not reiterate what I have already said in my statement today and also the many discussions with the Minister on this matter. But for the record and the benefit of Hay River residents today, I would like to ask the Minister if there is anything that can be changed with our education governance system which would address the circumstances in Hay River which have left our DEA members, parents and teachers feeling as if their concerns cannot be addressed within this system. Thank you.

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

Return To Question 356-14(5): Education Governance Issues In Hay River

HON. JAKE OOTES: Thank you Mr. Speaker. I am very pleased that the member has asked me a question on this and the opportunity to speak on this, Mr. Speaker. There is a difficult situation between the DEC and the DEA and Hay River representatives. We are doing our best to resolve that issue through mediation. In terms of alternatives to this, we have suggested the process of mediation because we feel that it does need that process to see if some of the issues that are before us can be resolved. There is an opportunity for Hay River, which I have offered before, to have a separate DEA or DEC from the regional DEC. The cost factor has entered into this time and time again, Mr. Speaker, and that extra cost factor is substantial. It is approximately \$500,000 or within that range, and as a government we are just not prepared to pay that particular price. I have stated that if the community looked at the possibility then there is some way to resolve it, in that fashion, then certainly we would be very, very interested in doing that. Thank you.

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

Supplementary To Question 356-14(5): Education Governance Issues In Hay River

MRS. GROENEWEGEN: Thank you Mr. Speaker. Mr. Speaker, right now it is costing a certain amount of money to this government for the education of Hay River students. I was wondering, what does the extra \$500,000 that the Minister feels the government would have to come up with, what does that constitute? Thank you.

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

Further Return To Question 356-14(5): Education Governance Issues In Hay River

HON. JAKE OOTES: Thank you Mr. Speaker. This is a figure that has been provided to me. I have asked my officials to triple check this. It has been done in that fashion by my officials on a frequent number of occasions because the subject has cropped up. The issue is that it diminishes the ability of one organization to have the opportunity to provide services to all of its communities. We need to set up similar services in the Hay River community that is now provided out of one central office. We would be splitting that in essence and adding to the support staff that is in place now. Thank you, Mr. Speaker.

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

Supplementary To Question 356-14(6): Education Governance Issues In Hay River

MRS. GROENEWEGEN: Thank you Mr. Speaker. Mr. Speaker, I noticed in the newspaper the other day that there will actually be a question on the ballot with the municipal elections asking whether or not the Hay River residents would like a separate education council. So, is the Minister saying that if the community of Hay River came up with the \$500,000.00 to supplement the education budget, that he would be prepared to proceed with a separate district education authority for Hay River? Thank you.

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

Further Return To Question 356-14(5): Education Governance Issues In Hay River

HON. JAKE OOTES: Thank you, Mr. Speaker. Yes, that is the commitment I have made previously, Mr. Speaker. The issue is one of a cost factor here. We want to ensure the services to the students are not diminished because there is a feeling that it could be provided on a cheaper basis. We know from our studies of this that there is a certain level of service that must be provided for education districts. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Your final supplementary, Mrs. Groenewegen.

Supplementary To Question 356-14(5): Education Governance Issues In Hay River

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, that is an interesting proposal for the community of Hay River to consider and I am glad now that we have a dollar figure. However, I would like to ask the Minister, has he ever made a submission to the FMB or to the Cabinet with respect to Hay River's interest for a separate council and with a dollar amount attached to it, \$500,000. Has Cabinet or FMB ever considered that proposal? Thank you.

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

Further Return To Question 356-14(5): Education Governance Issues In Hay River

HON. JAKE OOTES: Thank you, Mr. Speaker. I have briefed Cabinet on an informal basis on that, Mr. Speaker. Nothing formal has been submitted.

MR. SPEAKER: Thank you, Mr. Minister. Item 7, oral questions. The honourable Member for Range Lake, Ms Lee.

Question 357-14(6): Lot Subsidies In Inuvik

MS LEE: Thank you, Mr. Speaker. Mr. Speaker, further to my Member's statement earlier today, my questions go to the Minister responsible for the Housing Corporation. It has to do with the cheques in the amount of \$10,000 that he gave to the town council on behalf of 12 residents as a subsidy for them to purchase the lot that their mobile homes are on. I would like to ask the Minister, what were the criteria that these people have to meet to get the \$10,000 each? Thank you, Mr. Speaker.

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

Return To Question 357-14(6): Lot Subsidies In Inuvik

HON. ROGER ALLEN: Thank you, Mr. Speaker. With all due respect, Mr. Speaker, we have a legal instrument. This is something we call the NWT Housing Corporation Act that we use to assist those who are involuntarily forced to move. So that was the discretion that I used at the time, after a number of consultations with the tenants. As well there were previous consultations between the tenants and the committee of the Town of Inuvik town council. So that was the base of that decision. Thank you, Mr. Speaker.

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

Supplementary To Question 357-14(6): Lot Subsidies In Inuvik

MS. LEE: Thank you, Mr. Speaker. Mr. Speaker, the Minister mentioned that legal instrument being the NWT Housing Corporation Act. At the same time he mentioned the word discretion, and I understand the discretion to mean a power of the Minister to make decisions. I would like to know, which is it? Is there a law that provides a program on this, or is this completely based on the Minister's discretion and are there any guidelines as to what criteria the Minister has to use to use his discretion? Thank you, Mr. Speaker.

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

Further Return To Question 357-14(6): Lot Subsidies In Inuvik

HON. ROGER ALLEN: Thank you, Mr. Speaker. I gather we are entering into some kind of a legal debate here. The issue here is that we have referenced a number of sections of the act. I guess I should have used more discretion, but the point is, Mr. Speaker, that we have an act and through that act, we have used a section to assist those who were at risk of having to move from their homes. Thank you.

MR. SPEAKER: Supplementary, Ms. Lee.

Supplementary To Question 357-14(6): Lot Subsidies In Inuvik

MS. LEE: Mr. Speaker, I don't believe there is any legal debate going on here whatsoever. Mr. Speaker, I am simply asking the Minister how he is spending public money. Not too long ago, he made decisions to give out 12 cheques in the amount of \$10,000. I want to know what these people had to do, fill out a form or anything, to get the \$10,000.

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

Further Return To Question 357-14(6): Lot Subsidies In Inuvik

HON. ROGER ALLEN: Thank you, Mr. Speaker. There are a number of avenues that we entertain when we deal with those people who are at risk and require assistance under certain housing programs. We have a number of policies. We have 16 different housing programs that are administered across the NWT. We also have a formal housing strategy that identifies both market and non-market communities for...(inaudible)...sufficient funding for housing. We assist every community and we work with those individuals who apply under certain programs and that's application based. So we deal with each one on an individual basis. In some communities, we have to entertain the idea that it's a community problem, so certainly I convey to the Members that we have done the best we can under certain aspects of our affordable housing strategy. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Your final supplementary, Ms. Lee.

Supplementary To Question 357-14(6): Lot Subsidies In Inuvik

MS. LEE: Thank you, Mr. Speaker. Mr. Speaker, I believe I am asking a very specific question that the Minister has failed to answer thus far. Mr. Speaker, my question to the Minister is what did these 12 people have to do? What did they have to do to get the \$10,000? What was the criteria? Thank you.

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

Further Return To Question 357-14(6): Lot Subsidies In Inuvik

HON. ROGER ALLEN: Thank you, Mr. Speaker. As I referred to earlier, there was a consultation process. It was a consultation process between the tenants and the town. We had done due diligence. We met with the tenants. The tenants indicated that they could not afford to pay some of those costs, so we made a decision based on a portion of the act. So that's the end result. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. Item 7, oral questions. The honourable Member for Tu Nedhe, Mr. Nitah.

Question 358-14(6): Decentralization Of GNWT Positions

MR. NITAH: Mahsi cho, Mr. Speaker. My question today is for the Premier. Mr. Speaker, I spoke the other day about the importance of employment to people in the Northwest Territories. At that point in time, I entertained the idea of diversifying the Northwest Territories economy. I believe through the transitional document, we considered the direction of how diversifying the economy and taking the evolution of jobs could benefit the Northwest Territories. I would like to ask the Premier if he would direct his government to start a process that would look at a study of the cost-benefit analysis of the socio-economic conditions of the people of the Northwest Territories by devolving 150 government positions into the 27 non-tax-based communities in the Northwest Territories.

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

Return To Question 358-14(6): Decentralization Of GNWT Positions

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. Mr. Speaker, the next legislature will, I am sure, entertain ideas like this. We have the transitional planning process that is being prepared now for the next legislature. Some suggestions on what we need to do to recognize if the political aspect of the Northwest Territories is changing. The Government of the Northwest Territories, as it was and the way it still appears to be, is possibly no longer viable in the sense that we are having emerging regional entities that also want to deliver programs and services and the next legislature may find the political will to embrace these regional governments that are aboriginal public institutions that are being created or in the making. If such is the case, then part of the planning documents entertain the suggestion that we may want to take some of the resources presently allocated at the Yellowknife headquarters level and reprofile or reallocate those to support these regional institutions and governments, so they can deliver programs and services. There is some planning going on to meet that if the next legislature should want to jump on that with both feet, eyes wide open. Thank you.

MR. SPEAKER: Thank you, Mr. Premier. Supplementary, Mr. Nitah.

Supplementary To Question 358-14(6): Decentralization Of GNWT Positions

MR. NITAH: Thank you, Mr. Speaker. Mr. Speaker, I kind of like that answer from the Premier. I wish we had gotten those answers the last four years, Mr. Speaker. Mr. Speaker, I agree with the Premier when he says the political landscape is changing in the Northwest Territories. Through negotiations and the creation of aboriginal governments, we will see positions devolve, but that's not going to happen overnight, Mr. Speaker. I would like a specific number. I think 150 positions is a reasonable number considering the number of people in the GNWT bureaucracy. It would be a good training program for people in those communities. If those people are not capable or able to do their jobs, then the entire NWT will be suffering. The quicker we put positions into the community, the quicker the transition between different levels of government and programs and services. Would the Premier use his Premiership to push the 150 positions or a number near there that is reasonable? Thank you, Mr. Speaker.

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

Further Return To Question 358-14(6): Decentralization Of GNWT Positions

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. Mr. Speaker, we have a little over a week left to do some work together. We have issues regarding some legislation that we've committed to dealing with. We have issues like the business incentive policy that will require attention. There is proposed legislation, such as the Tlicho agreement, that should be dealt with by this legislature. So as far as my capacity to give such direction, it's rather limited. If it's something we wanted to do, it's something we should have done in January 2000 or even in the first year, but the Member should be assured that while we are not talking numbers, there is the need for a political will by the next legislature to say there is a regional government emerging in the Mackenzie Delta, the Tlicho have set up a regional government; those have to be reckoned with.

The Government of the Northwest Territories provides budgets, provides legislation, and staff to provide the services. They will have to address these emerging institutions and decide either to be dragged kicking and screaming into the future without really knowing where they are heading or to take leadership and say here is where we are going to be in 15 years.

There are regional institutions coming up, there are aboriginal governments coming up, as far as legislative power, legislative process, the allocation of resources, budgeting. Here is how we have to provide leadership in order to keep everything happening and everybody working together in a way that brings benefits to everybody. That is going to be a huge question for the next legislature. I look forward to seeing them deal with it. Thank you.

MR. SPEAKER: Thank you. Item 7, oral questions. The honourable Member for Inuvik Boot Lake, Mr. Roland.

Question 359-14(6): Vital Statistics Office In Inuvik

MR. ROLAND: Thank you, Mr. Speaker. Mr. Speaker, my question would be directed to the Minister of Health and Social

Services and the area of vital stats in the office operation up in Inuvik. I would like to know and get a commitment from this Minister that no actions will be taken to remove that function from Inuvik and put it back into headquarters. Thank you.

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

Return To Question 359-14(6): Vital Statistics Office In Inuvik

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Mr. Speaker, that commitment has been given, I believe in writing, to the Member and to the people that worked in the office, but I will be happy to state here in the House that there are no plans or intentions of myself, as Minister, or the department to take that particular function out of Yellowknife. Oh sorry, I apologize for that Mr. Speaker, being from Fort Smith I should know much better. There is no plan to take it out of Inuvik and move it back to Yellowknife. Thank you.

MR. SPEAKER: Thank you, Mr. Minister, for clarification. Supplementary, Mr. Roland.

Supplementary To Question 359-14(6): Vital Statistics Office In Inuvik

MR. ROLAND: Thank you, Mr. Speaker. Mr. Speaker, I am glad he clarified that. I think being a Minister that long in this Cabinet is starting to affect him.

--Laughter

Mr. Speaker, a further question to the Minister is now that we have that confirmed, will his office provide the necessary support to ensure that vital stats office function can be done in an appropriate way and in a timely manner to help all citizens across the North? Thank you.

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

Further Return To Question 359-14(6): Vital Statistics Office In Inuvik

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Mr. Speaker, I am wounded by the Member's initial comments about how quickly I've forgotten where I've spent much of my time.

--Laughter

Mr. Speaker, I'd like to assure the Member that based on my interest and concern on this and many conversations I've had with the Member and with the department, that we are taking the steps to ensure that we look at how the office is functioning, if it is adequately resourced. In fact we have senior staff up there right now working on that and we are also working on the information systems that vital statistics needs to do their job effectively. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Minister. Supplementary, Mr. Roland.

Supplementary To Question 359-14(6): Vital Statistics Office In Inuvik

MR. ROLAND: Thank you, Mr. Speaker. Can the Minister inform us as to when this work might be done knowing that the lifeline of the 14th Assembly is quickly running out, I'd like to

know in fact this work will be done before the powers of this office are completed. Thank you.

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

Further Return To Question 359-14(6): Vital Statistics Office In Inuvik

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Mr. Speaker, I will commit to the Member to keep you fully informed as to the information that comes across my desk in terms of the analysis and review that is being done and the steps taken to properly and better support the services that are provided by the vital statistics office. Thank you.

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

Supplementary To Question 359-14(6): Vital Statistics Office In Inuvik

MR. ROLAND: Thank you. I guess I would like to thank the Minister for his responses and I take that in fact by his responses that there is an admission that that office has been under-resourced and having difficulty meeting the demands placed on it. I would like to know from the Minister if he can provide the workload that office was doing when it was situated here in Yellowknife to what it is now doing in Inuvik? Thank you.

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

Further Return To Question 359-14(6): Vital Statistics Office In Inuvik

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Mr. Speaker once we have concluded the review of the workloads and the volumes and the pressures that are on that particular office, I would be happy to share those with the Member. I will check with the department to see whether we have any information from the days when that office was located in Yellowknife.

MR. SPEAKER: Thank you, Mr. Minister. Item 7, oral questions. The honourable Member for North Slave, Mr. Lafferty.

Question 360-14(6): Clawback Of The National Child Benefit Supplement

MR. LAFFERTY: Thank you, Mr. Speaker. My question is for the Minister of Education, Culture and Employment, the Honourable Jake Ootes. In my Member's statement I noted that when federal Minister Jane Stewart was in Yellowknife in August, she encouraged the territorial government not to claw back the national child benefit supplement from people on income support. The Minister and his department have chosen to ignore the request from the federal Minister. I'd like to ask the Minister if you would allow people on income support to keep the national child benefit supplement? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Lafferty. The honourable Minister of Education, Culture and Employment, Mr. Ootes.

Return To Question 360-14(6): Clawback Of The National Child Benefit Supplement

HON. JAKE OOTES: Thank you, Mr. Speaker. Mr. Speaker, our program here in the Northwest Territories is substantially different than any other jurisdiction across the country and that is we profile some of the money that comes in and we put it into two programs, one is called the Healthy Children's Initiative and the other one is the NWT Child Benefit Program that provides a worker's supplement to help people's transition from income support into the workforce, Mr. Speaker. We would have a detrimental situation on our hands if we changed this particular program because we would have to eliminate the Healthy Children's Initiative, which has programs in most of the communities around the North, plus the transition program for people to go from income support into the workforce would be adversely affected as well, Mr. Speaker.

While I appreciate the concern, and it is complex, that is the problem with a program of this nature and I appreciate the Member's concern with this and that people are no doubt asking about this as to why we do this, but it has a tremendous complexity to it. Over the years we have designed this program in certain ways to help encourage our people to move into educational programs or into work situations and that is what this re-profiling allows, Mr. Speaker. Thank you.

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

Supplementary To Question 360-14(6): Clawback Of The National Child Benefit Supplement

MR. LAFFERTY: Thank you, Mr. Speaker. I'd like to ask the Minister, since your programs are very good, I would like to ask him, why can't he fund them separately without taking money away from the people that need it the most? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Lafferty. The honourable Minister of Education, Culture and Employment, Mr. Ootes.

Further Return To Question 360-14(6): Clawback Of The National Child Benefit Supplement

HON. JAKE OOTES: Mr. Speaker, I would have to go back to the original intent of the program and that was that this program provides basic needs and they are fairly extensive here in the Northwest Territories, again, comparative to other jurisdictions and that may have been the confusing parts for other people to understand. The other part of the program is the productive choice program. That is a philosophy developed by this legislature, the previous one and we were adhering to it in the Towards a Better Tomorrow document, that we want productive, independent individuals so it gets away from that. Now, I know what the Member is saying, are we meeting the needs of people? Well, we do provide quite a bit of assistance to people, we provide housing needs, we provide the fuel needs, we provide the power needs in addition to food allowance, in addition to clothing allowance on a monthly basis plus on an annual basis for winter clothing and furniture allowance and things like that. It is not a great lifestyle, I am not suggesting that, Mr. Speaker, but it is providing the basic needs for our people in the Territories. I have to emphasize that no other jurisdiction provides that kind of support. It is essential in our territory, I believe in that, but we can't go beyond that or we are going to get to the point of having people being on income support earning a lot more than you could if you were out there in the workforce. Thank you, Mr. Speaker.

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

Supplementary To Question 360-14(6): Clawback Of The National Child Benefit Supplement

MR. LAFFERTY: Thank you, Mr. Speaker. As I said in my statement, some communities don't have employment; they have no choice but to be on income support. I'd like to ask the Minister, this Legislative Assembly has powers to change legislation, to change regulation, why can't the Minister create funds to have these two programs without taking money away from the people that need it the most? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Lafferty. The honourable Minister of Education, Culture and Employment, Mr. Ootes.

Further Return To Question 360-14(6): Clawback Of The National Child Benefit Supplement

HON. JAKE OOTES: Thank you, Mr. Speaker. I guess I am getting repetitive. It becomes a case of having a discussion with all Members about the philosophy of the program and redirecting the intent of the program. Certainly we can change regulation, certainly we can change thrust, but it would require all of us to sit down, and what do we really believe in, what do we want for our people. I appreciate the comment but I think it would require just more than me to be able to sit there to change this regulation because it would change the intent of the program. Thank you.

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

Supplementary To Question 360-14(6): Clawback Of The National Child Benefit Supplement

MR. LAFFERTY: Thank you, Mr. Speaker. I'd like to ask the Minister if maybe he can get consultation going with the communities and the people that are affected the most so that he will know if it is affecting them the most. Is it negative or is it positive? I'd like to ask the Minister if he can do that, consult with the people that are affected the most? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Lafferty. The honourable Minister of Education, Culture and Employment, Mr. Ootes.

Further Return To Question 360-14(6): Clawback Of The National Child Benefit Supplement

HON. JAKE OOTES: Thank you, Mr. Speaker. I think that is actually a good suggestion that Mr. Lafferty is asking about because I think this issue may not go away. This issue might be on the table for a long time and it is time, I think, that we get some feedback perhaps from people, but also then be able to put it before the Members, to say okay this is the intent of the program, here is what it is all about and are we still in agreement with that. I think you have a good suggestion, let's get some information from people. We can do some survey work, I think it can be very basically done. I don't think we need a lot of complicated work done on this because we have a lot of information already and we know people's comments from time to time. We can put that before the Members. Perhaps the next Legislative Assembly could consider this as a very important element. Do we redesign this program, or do we keep it the way it is? I think we have to look at the philosophy of it. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Item 7, oral questions. The honourable Member for Mackenzie Delta, Mr. Krutko.

Question 361-14(6): Palliative Care Programs In Small Communities

MR. KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, my question is directed to the Minister of Health and Social Services. It is in regard to my Member's statement on palliative care. Mr. Speaker, the definition as used is that compassionate care of the terminally ill at the time when their disease is no longer responding to treatment or interventions aimed at care and prolonging life. The focus of this service is to ease the pain physically and emotionally to the client and their families. Mr. Speaker, I think that's tedious for the client and their families that basically the palliative care, looking at the pain, the symptoms and also the programs consists such as counseling and bereavement services with a multiple discretion approach to encompass the client, the family and the community. Mr. Speaker, that is the definition of the program. I would like to ask the Minister, we have people in our communities today who fit this criteria and I would like to ask the Minister, what does it take this government to do to implement programs that are presently being delivered in regard to care programs in our small communities when it comes to palliative care? Can you deliver palliative care programs in our small communities and if not, why not? Thank you.

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

Return To Question 361-14(6): Palliative Care Programs In Small Communities

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Mr. Speaker, this is a range of services in addition to palliative care. There is personal care, respite care, in-home respite and institutional respite, Mr. Speaker. We intend to provide those services to the level that is possible with the resources that are available in individual communities. In the communities that my honourable colleague is talking about, that he represents, we have social workers and nurses, we have doctors that come in, we have home support workers that are currently being trained to make them better able to deliver respite care. The larger centres where they have more infrastructure such as Inuvik, have the ability to provide a higher level of palliative care where there are doctors, there is an actual physical hospital and the other services that are needed during that difficult time for families. Thank you.

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

Supplementary To Question 361-14(6): Palliative Care Programs In Small Communities

MR. KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, I have a report in my hand that was delivered by the Minister's department. It clearly shows that in most of our smaller communities there are no resource people to assist in the palliative care program and you mentioned earlier that the home service worker program is presently developed. Those people will not be certified until November so, technically, we don't have those people to provide that service. I'd like to ask the Minister, exactly who do you think is going to provide this service in our communities knowing that your own department

has the data to prove that those people don't exist in our communities?

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

Further Return To Question 361-14(6): Palliative Care Programs In Small Communities

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Mr. Speaker, in the definition of that that was read into the record by the Member, there is a reference to a multi-disciplinary approach. So in smaller communities during difficult times such as the one referenced by my colleague, the families are involved, we try to involve the resources that we have be they social workers, nurses, community wellness workers, home support workers, they have backup provided from a larger centre such as Inuvik and where there are doctors available. As the Member indicated, home support workers are currently in training, which should be completed by November, so we are doing our best to provide important service during a very critical time in a person's lifecycle. Thank you.

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

Supplementary To Question 361-14(6): Palliative Care Programs In Small Communities

MR. KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, I'd like to ask the Minister if he can look at this program seriously and ensure that every effort will be made to assist those communities and those families in our communities who need such a program. Will the Minister make an attempt to ensure that every community that has the ability to carry out this program has the adequate resources and the people to do so? Thank you.

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

Further Return To Question 361-14(6): Palliative Care Programs In Small Communities

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Mr. Speaker, I will commit to reviewing the Hansard with the department officials and we will take the steps to ensure that we are providing the best and most able service we can with the resources that are available in the communities. I'd like to tell this House, we are also planning and putting more resources in whenever we have money to do so and we are trying to enhance that training. I will make that commitment to the Member.

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

Supplementary To Question 361-14(6): Palliative Care Programs In Small Communities

MR. KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, I hope the Minister understands the stress that this is putting on our communities, our families. I feel that the government has to ensure that our responsibilities and the people that we are there to serve are being served fairly and comprehensively by ensuring that those dollars that are supposed to be expended in the communities are not kept at the regional hospital. I would like to ask the Minister, could you ensure that those resources are expended to where they are earmarked for,

because I have a real problem when I see reports such as the one I have in front of me.

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

Further Return To Question 361-14(6): Palliative Care Programs In Small Communities

HON. MICHAEL MILTENBERGER: Thank you, Mr. Speaker. Mr. Speaker, I'd like to reassure the Member that as Minister I am constantly looking at the main estimates in the budgets and the programs to make sure that the funds are expended as close to the people that they are intended to serve and this case is no different. I appreciate that this is an incredibly difficult time for communities and families, and I along with the department are trying to be very sensitive to the needs to expand and improve this service. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Item 7, oral questions. The honourable Member for Hay River North, Mr. Delorey.

Question 362-14(6): Education Governance Issues In Hay River

MR. DELOREY: Thank you, Mr. Speaker. Mr. Speaker, I have, on a number of occasions in this House, discussed the fragile relationship that exists between the Hay River DEA and the South Slave District Education Council. Mr. Speaker, the situation has improved very little over the years that I have talked about it. The latest incident that happened with Mr. Butler being removed as representative for the Hay River DEA has not helped matters any and, Mr. Speaker, I have to quote a paragraph out of my Member's statement again and it has to do with a request from the DEA to the Minister for a legal opinion on that removal and the letter that the Minister wrote back to Mr. Butler as chair of the DEA. "I have instructed departmental staff to request a legal opinion on this issue from the Department of Justice. I will inform both your district education authority and the SSDEC of the results." Now, Mr. Speaker, when the results of that legal opinion were obtained, the Minister changed his mind on this. In view of the fact that he informed the DEA on this, will he release that legal opinion to the DEA?

MR. SPEAKER: Thank you, Mr. Delorey. The honourable Minister of Education, Culture and Employment, Mr. Ootes.

Return To Question 362-14(6): Education Governance Issues In Hay River

HON. JAKE OOTES: Thank you, Mr. Speaker. At the time, Mr. Speaker, it was my intention to seek a departmental legal opinion. I've got the request from the department to seek a legal opinion. That was subsequently changed to seek Ministerial advice on this. I seek advice from other parties, as well. It became a Ministerial request, Mr. Speaker. It came back and it had a privileged document warning on it that it was strictly for my eyes only, Mr. Speaker. The process is different when the department seeks a legal opinion, versus as a Cabinet Minister when I seek a legal opinion, Mr. Speaker, so that changed the process. Thank you.

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

Supplementary To Question 362-14(6): Education Governance Issues In Hay River

MR. DELOREY: Thank you, Mr. Speaker. In view of all the hardship that was caused in Hay River and the time delay, if the Minister changed his mind about getting a legal opinion for the Hay River DEA to strictly Ministerial advice, why didn't he let the DEA know in Hay River that that's what he was doing?

MR. SPEAKER: Thank you, Mr. Delorey. The honourable Minister of Education, Culture and Employment, Mr. Ootes.

Further Return To Question 362-14(6): Education Governance Issues In Hay River

HON. JAKE OOTES: I think, Mr. Speaker, DEAs and DEC's are in a position to get their own legal advice, which surprised me that they never did do their own. We recently, in response to a request from the DEA, advised them that if they wished to get a legal opinion, then they should be in the position to do so and they are free to do so, Mr. Speaker. Thank you.

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

Supplementary To Question 362-14(6): Education Governance Issues In Hay River

MR. DELOREY: Thank you, Mr. Speaker. Mr. Speaker, I heard the Minister say that he's doing everything that he can to try and resolve the issue that exists in Hay River, and I heard him say that he's trying to do it through mediation. Is the Minister aware that there was a qualification from the DEA in Hay River for them participating in a mediation process to do with this legal opinion?

MR. SPEAKER: Thank you, Mr. Delorey. The honourable Minister of Education, Culture and Employment, Mr. Ootes.

Further Return To Question 362-14(6): Education Governance Issues In Hay River

HON. JAKE OOTES: Thank you, Mr. Speaker. Mr. Speaker, the conditions for mediation are usually difficult to adhere to when parties start putting conditions on it. One of the things we have to recognize is legal recourses are not the panacea to resolving very complex problems such as this one. They sometimes don't resolve anything. My feeling is that through mediation we can get on the table what some of the issues are; what is causing some of the differences. We need to know that. What are the problems that are faced by Mr. Butler, what are the problems that face the DEC? I think we need to know that and to put it on the table to see if we can't resolve it.

You know, Mr. Speaker, in schools we teach this to our children, if they have any difficulties amongst each other, we bring the parties together, sit them down and say can you resolve this conflict, and its collective collaboration to try and resolve it. Thank you.

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

Supplementary To Question 362-14(6): Education Governance Issues In Hay River

MR. DELOREY: Thank you, Mr. Speaker. Mr. Speaker, the Minister is not aware of the problems that exist between Hay River and Fort Smith, and the department does not want to know what the problems are. I must put that to him. But, Mr.

Speaker, the Minister has said that he would like to address this through mediation. There is a qualifier from the DEA on mediation process. If the mediation process doesn't work, what is the department's plan to deal and resolve this issue?

MR. SPEAKER: Thank you, Mr. Delorey. The honourable Minister of Education, Culture and Employment, Mr. Ootes.

Further Return To Question 362-14(6): Education Governance Issues In Hay River

HON. JAKE OOTES: Thank you, Mr. Speaker. Just on the comment that we don't know what the problems are, as usual we need to get behind the scenes and behind all the arguments to find out substantiation, so mediation is a good process normally. We feel that this is the first step that needs to be taken. Perhaps it may be the only step, but certainly we need to know what is causing this rift between the two parties that they can't resolve together. As I say, we use this process for all our school children in our schools, to come together, be collaborative and resolve problems, Mr. Speaker. If we can't do that, you know, we seem to rely on legal processes and determination that outside bodies have to resolve this. I am an outside body, but they're also elected bodies, Mr. Speaker, and they have a responsibility to try and resolve this amongst each other. I think that's my recourse to it, Mr. Speaker. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Item 7, oral questions. The honourable Member for Deh Cho, Mr. McLeod.

Question 363-14(6): Access To The Community Futures Program In The Deh Cho Constituency

MR. MCLEOD: Thank you, Mr. Speaker. I'd like to follow up on a line of questioning based on my Member's statement regarding community futures. Mr. Speaker, the Government of the Northwest Territories, through the Department of Resources, Wildlife and Economic Development, assumed responsibility for the community futures program approximately eight years ago. At that time, we were told it would be a program that could be accessed by all the communities in the Northwest Territories. Up to now certain communities have been left out, especially in my riding. Most of the communities in the southern part of the NWT have access, except for Fort Providence, Kakisa, Enterprise and Hay River Reserve. So I'd like to know why those communities have access or don't have a community futures program.

MR. SPEAKER: Thank you, Mr. McLeod. The honourable Minister of RWED, Mr. Antoine.

Return To Question 363-14(6): Access To The Community Futures Program In The Deh Cho Constituency

HON. JIM ANTOINE: Thank you, Mr. Speaker. Mr. Speaker, yes, the honourable Member's communities are not on any of the boards. We are aware of that and our department has been in formal discussions with mainly the chair from the Deh Cho Business Development Centre, although it's located in Fort Simpson. The attempt there is to try to see if they could expand their services to include the communities of Fort Providence and Kakisa. We are told that once the Deh Cho Business Development Centre Board meets next, it will raise this issue at that time. Thank you.

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

Supplementary To Question 363-14(6): Access To The Community Futures Program In The Deh Cho Constituency

MR. MCLEOD: Thank you, Mr. Speaker. I thank the Minister for his answer. I'm hoping to see this direction to the Southwest Territorial Business Development Corporation happen soon. I'd like to ask the Minister, as part of providing the service under whatever umbrella structure we're looking at, will we also be looking at having representatives on those boards? Currently we have no representatives on any boards that are set up.

MR. SPEAKER: Thank you, Mr. McLeod. The honourable Minister of RWED, Mr. Antoine.

Further Return To Question 363-14(6): Access To The Community Futures Program In The Deh Cho Constituency

HON. JIM ANTOINE: Mr. Speaker, the communities' futures boards have representation on the boards from all the communities. If we're going to provide services, the Fort Providence and Kakisa communities will have members on that board. I just wanted to add, Mr. Speaker, that in the interim these communities still have access to all the RWED services and the different grant and loans services that are delivered through the futures board through the department, and that's how we've been dealing with it. But if they want to be represented on the board, then we will try to make that happen with the Deh Cho board. Thank you.

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

Supplementary To Question 363-14(6): Access To The Community Futures Program In The Deh Cho Constituency

MR. MCLEOD: Thank you, Mr. Speaker. It's quite different to go and access money from a community futures program which has a short, quick turnaround compared to going to access funding from the Business Credit Corporation which has a lengthy process. Up to now, those communities in my riding cannot go to a board in the Deh Cho or in the South Slave to access community futures money. Now I'm not quite comfortable, because the Minister has stated a couple of things here that I don't totally agree with. We were told six years ago the very thing that he's saying now. I'd like to know if he could give me a date. Can we get more specific, can we nail it down, can I get that information with a date attached to it? Thank you.

MR. SPEAKER: Thank you, Mr. McLeod. The honourable Minister of RWED, Mr. Antoine.

Further Return To Question 363-14(6): Access To The Community Futures Program In The Deh Cho Constituency

HON. JIM ANTOINE: Thank you, Mr. Speaker. Mr. Speaker, I'd like to commit to the Member to try to have this oversight for something that should have happened with these two communities being represented on the board as soon as possible. I don't have any dates now, but I will find a date as soon as I can and provide it to the Member. Thank you.

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

Supplementary To Question 363-14(6): Access To The Community Futures Program In The Deh Cho Constituency

MR. MCLEOD: Thank you, Mr. Speaker. As soon as possible is clear as mud I guess. I'd like to ask the Minister if he could explain to me what is the holdup? Can he tell me why this process hasn't already taken place in six years? What's stopping this process from happening?

MR. SPEAKER: Thank you, Mr. McLeod. The honourable Minister of RWED, Mr. Antoine.

Further Return To Question 363-14(6): Access To The Community Futures Program In The Deh Cho Constituency

HON. JIM ANTOINE: Thank you, Mr. Speaker. Mr. Speaker, I will have to take this question as notice. Thank you.

MR. SPEAKER: Thank you. That part of the question has been taken as notice. Item 7, oral questions. The honourable Member for Yellowknife South, Mr. Bell.

Question 364-14(6): Aurora College Student Housing Shortage In Yellowknife

MR. BELL: Thank you, Mr. Speaker. Well, we're well into another school year and students at Aurora College are underway in their classes. I'd like to ask the Minister of Education, Culture and Employment, as a follow up to my Member's statement, if he's made any progress or headway since he last responded to me in March and talked about how he was going to be diligent in trying to address the student housing shortage in Yellowknife, and certainly would be considering short-term leases as one solution. Has he got an update for me? Thank you.

MR. SPEAKER: Thank you, Mr. Bell. The honourable Minister of Education, Culture and Employment, Mr. Ootes.

Return To Question 364-14(6): Aurora College Student Housing Shortage In Yellowknife

HON. JAKE OOTES: Thank you, Mr. Speaker. Mr. Speaker, we are in the process of looking at gaining access to more units in Northern United Place. At this point, I don't know whether they've dedicated to a specific program such as the nursing program or others, as well, Mr. Speaker. But that is one update, and it would be on a lease situation, Mr. Speaker.

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

Supplementary To Question 364-14(6): Aurora College Student Housing Shortage In Yellowknife

MR. BELL: Thank you, Mr. Speaker. Access to units in Northern United Place; I guess I'd like some more detail as to the number of units that the Minister is trying to get his hands on. Since I just gave my colleague this advice, I should give it to myself; I'm wondering if he can also give me a date, and I'm not prepared to settle, I suppose, for just a date and a month, but year as well, Mr. Speaker. Thank you. Can he give me the year as well?

MR. SPEAKER: Thank you, Mr. Bell. The honourable Minister of Education, Culture and Employment, Mr. Ootes.

Further Return To Question 364-14(6): Aurora College Student Housing Shortage In Yellowknife

HON. JAKE OOTES: Well, I was going to say October. Where are we? It's October 2nd today. How about October 3, Mr. Speaker.

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

Supplementary To Question 364-14(6): Aurora College Student Housing Shortage In Yellowknife

MR. BELL: Thank you, Mr. Speaker. I guess October 3 is great to have some information on access to these units. I assume you're talking about 2003; if the Minister could confirm that. Thank you.

---Laughter

MR. SPEAKER: Thank you, Mr. Bell. The honourable Minister of Education, Culture and Employment, Mr. Ootes.

Further Return To Question 364-14(6): Aurora College Student Housing Shortage In Yellowknife

HON. JAKE OOTES: Mr. Speaker, I'm speaking about getting information to the Member by October 3, and I will get it tomorrow for the Member. Thank you.

MR. SPEAKER: Item 7, oral questions. The honourable Member for Great Slave, Mr. Braden.

Question 365-14(6): Community Involvement In Devolution Negotiations

MR. BRADEN: Mr. Speaker, earlier today I had made some remarks about the inclusion of communities in devolution talks. We know that development has impacted many communities, from Liard to Tuktoyaktuk, Yellowknife to Inuvik, and I wanted to ask the Premier in view of the direct impact that our municipalities incur from resource development and their obligation to provide municipal services, could the Premier advise how can communities, tax based or otherwise, be more effectively involved in devolution talks? Thank you.

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

Return To Question 365-14(6): Community Involvement In Devolution Negotiations

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. Mr. Speaker, this is a question that we addressed at the beginning of the life of this Assembly. It was an agreement with the federal government, the aboriginal governments and the Government of the Northwest Territories that we would establish a forum to begin discussions with the purpose of advancing, in real terms, economic development such as the pipeline, but as well devolution and revenue-sharing talks. It would be a government-to-government-to-government basis. It was discussed at the time. The federal government, the aboriginal governments and our government agreed there would be three governments involved in the discussions. We would see that the municipal governments, which are creatures of the territorial government, we would ensure that they would be involved and made aware of the discussions and the issues that were addressed. We will find some way to extend to them some involvement, but not direct involvement. That was what the agreement was. Thank you.

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

Supplementary To Question 365-14(6): Community Involvement In Devolution Negotiations

MR. BRADEN: Thank you, Mr. Speaker. Indeed I recall the issue being raised, I believe I was one of the ones who raised it three or three-and-a-half years ago to see where the municipal elected level of government would be included. The idea of the forum, I recall that. But from the information we're receiving from the mayors and the discussion I had with Mayor Van Tighem this morning, there has been no communication, there has been no forum, there has been none of this exchange of information with the municipal government. As we edge closer; for instance, with the Tlicho agreement, we now have tangible agreements in sight and the municipalities are rightly concerned about how they are going to be involved and included in decisions. Would the Premier please outline how he's going to implement this forum; this promised forum? Thank you.

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

Further Return To Question 365-14(6): Community Involvement In Devolution Negotiations

HON. STEPHEN KAKFWI: Thank you, Mr. Speaker. The municipalities had asked for some resources to allow for consultation and to keep themselves better informed, as well as to create a better dialogue and relationship with us. I think the Minister of Municipal and Community Affairs has agreed to allocate some resources for that purpose. As far as being kept up to date on the developments of any of the devolution talks, I would have to refer that to the Minister of Aboriginal Affairs, Mr. Antoine, who is more current on the status of those talks and why these municipalities may feel they are not being kept up to date. Thank you.

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

Supplementary To Question 365-14(6): Community Involvement In Devolution Negotiations

MR. BRADEN: Thank you, Mr. Speaker. I assume then that I can direct my question to the Minister of Aboriginal Affairs. To the Premier, then, thank you. I will continue to press then for some assurance and for some clarity on behalf of our municipalities to see how our government is going to smooth the way for communities to get a share of these resources and enable them to live up to their end of the bargain, which is to help our communities be safe and effective places. How are we going to streamline the flow of resources to them? Thank you.

MR. SPEAKER: The Premier chooses to redirect the question to the Minister responsible for Aboriginal Affairs, Mr. Antoine.

Further Return To Question 365-14(6): Community Involvement In Devolution Negotiations

HON. JIM ANTOINE: Thank you, Mr. Speaker. Mr. Speaker, devolution negotiations commenced just about a year ago now, since September 2002. There has been an aggressive agenda set to complete the devolution agreement. There are very complex types of discussions going on and we still need to do a lot of work in trying to come to grips with exactly what it is we

could get out of the federal government. Of course, there will be consultation with the other stakeholders that have interest in the Northwest Territories, such as the municipalities and industry, to ensure that the impact of any type of transfer of authority through devolution is minimal. So that work still has to get done. At this point in time, we have been developing negotiating positions. We want to reach a devolution agreement by 2005. So we still have some time here. Once we come to a good agreement with the Aboriginal Summit on some of these negotiating positions, then we will be prepared to consult with all the stakeholders.

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

Supplementary To Question 365-14(6): Community Involvement In Devolution Negotiations

MR. BRADEN: Thank you, Mr. Speaker. I thank the Minister for that information. As the devolution process continues, we are working on a framework with Canada, with the Aboriginal Summit. Can we anticipate that at least this framework document will give some indication and some clarity to address the concerns of our municipalities? Thank you.

MR. SPEAKER: Thank you, Mr. Braden. The honourable Minister responsible for Aboriginal Affairs, Mr. Antoine.

Further Return To Question 365-14(6): Community Involvement In Devolution Negotiations

HON. JIM ANTOINE: Thank you, Mr. Speaker. There was a framework agreement done in the springtime, in April, at the last intergovernmental forum meeting that was held in Inuvik. To look at the status of negotiations to date, the leaders at that time wanted to do a short framework agreement that has gone to the respective people who we represent. This framework agreement has been negotiated and is expected to be signed some time in the middle of October. The detailed work that has been done is continuing for the agreement-in-principle to ensure that we meet our targets. The framework agreement, once it's approved, will be an appropriate document to share with all the stakeholders. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Item 7, oral questions. The honourable Member for Range Lake, Ms. Lee.

Question 366-14(6): Lot Subsidies In Inuvik

MS. LEE: Thank you, Mr. Speaker. Mr. Speaker, I would like to ask further questions to the Minister responsible for the Housing Corporation. I don't believe he's provided information about how he's spending public money on behalf of the public. He mentioned that this funding that he used to give a \$10,000 cheque to 12 people was based on discretion and it was also application based. So which it is, Mr. Speaker? Was it based on application or was it based on Ministerial discretion? Thank you, Mr. Speaker.

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

Return To Question 366-14(6): Lot Subsidies In Inuvik

HON. ROGER ALLEN: Thank you, Mr. Speaker. The decision was based on the NWT Housing Corporation Act, a section of that act, as it applies. Thank you.

MR. SPEAKER: Supplementary, Ms. Lee.

Supplementary To Question 366-14(6): Lot Subsidies In Inuvik

MS. LEE: Thank you, Mr. Speaker. Could the Minister give us the name of this program that he gave the money out under?

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

Further Return To Question 366-14(6): Lot Subsidies In Inuvik

HON. ROGER ALLEN: Thank you, Mr. Speaker. As I stated, it was done under the auspices of the NWT Housing Corporation Act. There are various components of that that would apply in this instance. So that was path that I used. Thank you.

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

Supplementary To Question 366-14(6): Lot Subsidies In Inuvik

MS. LEE: Thank you, Mr. Speaker. Seeing as he's been the Minister responsible for the Housing Corporation for a long time now, I am assuming that he's very knowledgeable about the act. So could the Minister be kind and provide us with the name of the program in this act, under which he spent \$120,000? Thank you.

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

Further Return To Question 366-14(6): Lot Subsidies In Inuvik

HON. ROGER ALLEN: Thank you, Mr. Speaker. Mr. Speaker, I find that to be irrelevant to the point. Anyway, the point: As I stated, there are certain aspects of the act that are defined under general powers. There are other sections, 24, 33 and 37. Those are components of the act that I referenced. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Your final supplementary, Ms. Lee.

Supplementary To Question 366-14(6): Lot Subsidies In Inuvik

MS. LEE: Thank you, Mr. Speaker. I hope he's not suggesting that, under those clauses, he has the freedom to just write cheques in the amount of \$10,000 and give to 12 people. Is that what he's saying, Mr. Speaker?

MR. SPEAKER: The honourable Minister responsible for the Housing Corporation.

Further Return To Question 366-14(6): Lot Subsidies In Inuvik

HON. ROGER ALLEN: Thank you, Mr. Speaker. Actually, there is some prerequisite to that. I am going to reiterate that there was consultation conducted between the municipality and the tenants. They had a process. I followed up that process with the consultation meeting with the tenants. We arrived at an equitable decision to assist them. Thank you.

MR. SPEAKER: Thank you, Mr. Minister. Time for question period has ended. Item 8, written questions. The honourable Member for Range Lake, Ms. Lee.

ITEM 8: WRITTEN QUESTIONS**Written Question 10-14(6): Lot Subsidy Payments In Inuvik**

MS. LEE: Thank you, Mr. Speaker. Mr. Speaker, my written question is addressed to the Honourable Roger Allen, Minister responsible for the Housing Corporation.

Please provide answers to the following questions prior to the end of this Assembly.

1. What was the criteria that the people in Inuvik who received a \$10,000 subsidy each to purchase their lot in Husky Trailer Park had to meet to receive their funding?
2. Did they have to file an application for the money? If so, when were they filed?
3. What approval process was followed in receiving and approving these applications and who approved them?
4. Was the application opportunity open to the general public? If so, how were the general public informed about the availability of this funding?
5. What is the name of the program from which these monies were given?
6. How much money is budgeted in this program?
7. Is there room for Ministerial discretion in qualifying for this program? If so, what is the criteria or guidelines the Minister uses to exercise his discretion?
8. Were any of the 12 people who received the \$10,000 payment a member of his family or otherwise related to the Minister? If so, how? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Ms. Lee. Item 8, written questions. The honourable Member for Great Slave, Mr. Braden.

Written Question 11-14(6): Ministerial Discretion In Allocation Of Funding

MR. BRADEN: Thank you, Mr. Speaker. I have a written question also directed to Minister Allen reflecting somewhat that of my colleague. I have one question.

1. What discretion does the Minister have to make unusual allocations that are outside Housing corporation policies? Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Braden. Item 8, written questions. Item 9, returns to written questions. Item 10, replies to Opening Address. Item 11, petitions. Item 12, reports of committees on the review of bills. The honourable Member for Inuvik Boot Lake, Mr. Roland.

**ITEM 12: REPORTS OF COMMITTEES
ON THE REVIEW OF BILLS****Bill 25: Municipal Statutes Replacement Act**

MR. ROLAND: Thank you, Mr. Speaker. I wish to report to the Legislative Assembly that the Standing Committee on Governance and Economic Development has reviewed Bill 25, Municipal Statutes Replacement Act, and wishes to report that Bill 25 is now ready for consideration in Committee of the Whole, as amended and reprinted. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Roland. Item 12, reports of committees on the review of bills. Item 13, tabling of documents.

ITEM 13: TABLING OF DOCUMENTS**Tabled Document 91-14(6): Pension Administration Report; Retiring Allowances Act And Supplementary Retiring Allowances Act To March 31, 2003**

MR. SPEAKER: Colleagues, I wish to table the following document in accordance with Section 21 of the Legislative Assembly Retirement Allowances Act and Section 11.1 of the Supplementary Retirement Act, No. 1, I wish to table the Pension Administration Report to March 31, 2003.

Tabled Document 92-14(6): Annual Report Of The Office Of The Languages Commissioner For The Fiscal Year 2002-2003

I would also like to table, in accordance with Section 23 of the Official Languages Act, the Annual Report of the Office of the Official Languages Commissioner for the Fiscal Year 2002-2003 in English and French.

Item 13, tabling of documents. The honourable Member for Yellowknife South, Mr. Bell.

Tabled Document 93-14(6): Inter-jurisdictional Survey Results of Levels of Support for Disabled Persons

MR. BELL: Thank you, Mr. Speaker. Mr. Speaker, I wish to table the results of an inter-jurisdictional survey conducted by the Standing Committee on Social Programs on levels of support for disabled persons across Canada. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Bell. Item 13, tabling of documents. The honourable Member for Mackenzie Delta, Mr. Krutko.

Tabled Document 94-14(6): Department of Health And Social Services; Palliative Care and Respite Care Services

MR. KRUTKO: Thank you, Mr. Speaker. I would like to table a document with regard to the Department of Health and Social Services regarding palliative care programs.

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

ITEM 14: NOTICES OF MOTION**Motion 16-14(6): To Develop Strategies For Diversified Diamond Processing**

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, I give notice that on Monday, October 6, I will move the following motion:

NOW THEREFORE I MOVE, seconded by the honourable Member for Hay River North, that the Government of the Northwest Territories immediately undertake the development of a strategy to secure a stable supply of rough diamonds of an economic size and shape for cutting and polishing and encompasses communities outside of Yellowknife to ensure distribution of direct and residual benefits as widely as possible and ensure that this strategy has adequate resources to provide assistance and support for communities wishing to

participate in the secondary diamond industry. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mrs. Groenewegen. Item 14, notices of motion. The honourable Member for North Slave, Mr. Lafferty.

Motion 17-14(6): To Resubmit A One Rate Zone Application To The Public Utilities Board

MR. LAFFERTY: I give notice that on Monday, October 6, I will move the following motion:

NOW THEREFORE I MOVE, seconded by the honourable Member for Mackenzie Delta, that the Minister responsible for the Northwest Territories Power Corporation direct the corporation to resubmit their one-rate general rate application to the Northwest Territories Public Utilities Board so that meaningful discussion and consultation can take place amongst the people of the Northwest Territories. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Lafferty. Item 15, notices of motion. Item 16, notices of motion for first reading of bills. Item 17, motions. The honourable Member for Hay River South, Mrs. Groenewegen.

ITEM 17: MOTIONS

Motion 15-14(6): To Rescind The Revised Business Incentive Policy, Carried

MRS. GROENEWEGEN: Thank you, Mr. Speaker.

WHEREAS the Minister of Resources, Wildlife and Economic Development released a revised business incentive policy on August 15, 2003, and announced that it would take effect October 15, 2003;

AND WHEREAS Members have, on a number of occasions, advised the Minister of several concerns with the existing policy which are not addressed by the revised policy;

AND WHEREAS Members have repeatedly advised the Minister of their concerns with the revised policy which also have not been addressed;

AND WHEREAS members of the Northwest Territories business community have voiced concerns about the revised policy;

AND WHEREAS the agreement on internal trade grandfathers the existing policy and it is not certain that the revised policy will also be permitted under the agreement as a successor program, having similar objectives;

AND WHEREAS the Standing Committee on Accountability and Oversight has requested the implementation of the revised policy be delayed until the Minister has provided a cost-benefit analysis of the existing policy substantiating the need for revisions;

AND WHEREAS the Standing Committee on Accountability and Oversight has recommended that the existing policy could be properly re-evaluated in one year once a cost-benefit analysis has been completed;

AND WHEREAS the government has failed to provide Members with a cost-benefit analysis of the existing policy;

AND WHEREAS the Minister stated in the House on February 1, 2003, that the decision at that time was that the proposed changes would not proceed and that "we could probably leave this for the time being and introduce a registry to gauge what the costs are to have this policy in place;"

NOW THEREFORE I MOVE, seconded by the honourable Member for Frame Lake, that the Executive Council rescind the revised business incentive policy;

FURTHER that the Executive Council not introduce any further changes to the existing policy until it has provided at least one year of data substantiating the need for an intended effect of those changes;

AND FURTHERMORE recommends that the Executive Council of the 15th Legislative Assembly not consider any changes to the policy until this data is collected and reviewed in a substantive manner. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mrs. Groenewegen. There is a motion on the floor. The motion is in order. To the motion. The honourable Member for Frame Lake, Mr. Dent.

MR. DENT: Thank you, Mr. Speaker. Mr. Speaker, I would like to speak in favour of this motion. I'm hoping that Members will also support it. I'd like to go through my reasons for supporting the motion in the order presented in the motion.

Mr. Speaker, Members, including myself, have told the Minister a number of times of concerns about the existing policy that have not been addressed by the new policy. For instance, the issue of store fronting and the lack of adequate policing. We don't see those as being addressed in the new policy.

Store fronting; the new policy would limit the business incentive policy qualifications to companies that pay Northwest Territories taxes and operate from a bona fide place of business. There's no definition of what constitutes a bona fide place of business, so it makes it easier under the new policy for southern business to rent a little place and get around the spirit and intent of the business incentive policy. So this actually makes the new policy worse at stopping store fronting businesses than the existing policy.

Mr. Speaker, the revised policy also has been touted as something that improves access in the smaller communities. It's been suggested the changes will better serve small business. Mr. Speaker, from an examination of the policy this is flat out wrong. I can't figure out where this is coming from. I've gone through the proposed policy very carefully and discussed it with many people and there's no way that the new policy improves how the business incentive policy will support small business in the smaller communities.

Right now, Mr. Speaker, the new policy proposes a \$1 million limit on contracts. This is something that's new. The Minister said that the business community asked for these limits. He still said that, Mr. Speaker, in August, in the backgrounder that came with the press release on August 15 that I tabled in the House yesterday. That's not backed up by what we heard from business associations and individual businesses in our communities. I challenge the Minister to table in this House transcripts that prove that position was widely taken at the consultation process that his department undertook on the business incentive policy, because I haven't been able to find one business that supports that change.

This limit actually causes a lot of problems for smaller business, especially in construction contracts, because what will happen on a \$3 or \$4 million contract is that the general contractor will use up the entire incentive on their own forces on that first \$1 million. That leaves the general contractor with no reason to look at hiring any northern businesses if a southern one can do it cheaper. This, in fact, will hurt our small northern businesses that operate things like plumbing and heating or electrical companies. With this new system, all of the sub-contractors in a contract for \$3 million or better could wind up being southern.

With this new policy, there has been a removal of the definition of northern supplier. This creates a loophole allowing the contractor to purchase materials anywhere and claim a bid adjustment for it. This certainly won't help the small businesses and the smaller communities get business when contracts are let in their region.

Mr. Speaker, as we've noted in the motion, the Agreement on Internal Trade grandfathers the existing policy. We're not certain that this isn't going to cause a problem. I know that Minister Antoine and I were both elected to this House at the time that the current policy was put in place; 1992. At the time, we were told that the purpose of the business incentive policy was to stimulate northern ownership of businesses. Why? Because somebody who owns a business in the North, when they make profits, those profits circulate again and again through the North, multiplying their impact. They don't filter down to a person who lives in the South. That purpose has been removed from the new policy. All that we say is that the business has to pay taxes in the North and that it has to hire Northerners. So we've removed one of the significant reasons for this policy being in place and once you change that, I think it calls into question whether or not the grandfathering under the agreement on internal trade would actually continue.

Mr. Speaker, the standing committee has asked for information numerous times on what the current business incentive policy costs. I think it's something we've heard often, even from a Member now on the Cabinet side, that you shouldn't make decisions unless you have blue-chip information. Yet, whenever we asked the Minister, what does the current policy cost? He says that they can't tell us. The government has no idea what the current policy costs. So our committee suggested that what we should do is perhaps collect that information. Let's find out what the business incentive policy is costing us per year. Let's see just exactly what it costs us and then maybe we can take a stab at assessing whether or not we get any value for the money that we're spending.

The Minister has also said that one of the reasons we're proceeding with this is that the business incentive policy might cost us too much. At the press conference, his deputy minister suggested that there might be a \$10 million premium for it. Although the Minister has repeatedly told us that they have no idea what the actual premium is that's being paid, they were still floating numbers at the press conference. If he can't tell us how much it's costing us, how can they float those numbers publicly?

If we can't find out what this is costing us, how do we know that the changes from the current policy are actually going to fix what the Minister thinks is wrong with the policy right now? Until we know for sure what it's costing us or what we might be getting from it, there's no way of knowing whether we're going to fix that with these changes.

As I said, we had expected that we were going to see a year's worth of data presented to us and that we would then be able to hear from the Minister just exactly how we were going to be fixing the problem that would suddenly become apparent from the data that he collected. So, Mr. Speaker, in January, the committee sent the Minister a letter in which we very clearly stated that it was the position of the committee that no changes should be made to the business incentive policy at this time. In the absence of information on the costs and benefits of the policy to government, businesses, communities and residents, Members do not believe it is possible to know what the proposed changes would accomplish or even whether the policy should be continued at all.

Mr. Speaker, in February, when we were in Session, the Minister responded to a question from Mrs. Groenewegen asking what the government's intention was with the policy. We took his response to mean that the government was not going to proceed; that the government was listening to our advice; that we had achieved a consensus and that in the true sense of consensus that was going to be reflected in the government policy. I think, Mr. Speaker, that we should be able to take that sort of communication back and forth from the committees to the Ministers to set out what was going to happen. We should know that we can take a Minister at his word and it's going to be reflected in a policy that the Cabinet is going to back up.

Particularly in our system, Mr. Speaker, where we talk about having a consensus. When the Minister presented the reasons for changing the policy at the press conference and if you look at some of the back-up materials that were tabled yesterday you'll see that there's a certain assumption that the business incentive policy costs us extra money. Cabinet clearly thinks that it costs us money, because they waived the business incentive policy for the second phase of the North Slave Correctional Centre. What happened with those bids? All but one went to northern firms anyways. But the one that didn't was for electrical contracting and it didn't go because the northern bidder was high by \$85,000, or five percent. Had we not waived the business incentive policy, the northern electrical supplier would have gotten the tender, would have done the job, would have paid ten residents of Yellowknife salaries amounting to about \$600,000 which would have gotten this government back \$6,000 in payroll taxes, it would have gotten this government approximately \$50,000 in income taxes and it would have gotten this government six times whatever their family numbers were times \$15,000 back in payments from the federal government in transfer payments.

AN HON. MEMBER: Plus apprenticeship training.

MR. DENT: You know, in that instance it certainly looks like we cut our nose off to spite our face.

---Interjection

MR. DENT: We surely could have done a better job here. We would have gotten more jobs for more Northerners and had more revenues for this government had we not waived the business incentive policy. So I don't buy the arguments that the business incentive policy is costing us money and until we have accurate numbers on what it is costing us in raw dollars and until we can actually go through it and figure out what benefits we get, we have no idea whether or not we should be making any changes to the policy.

So, Mr. Speaker, I urge the Members to support this motion and I hope the government will do the right thing and take the time to collect accurate information for a proper assessment of

whether the business incentive policy gets us value for money. Then and only then should we discuss change. If this policy change goes ahead right now, I'm sure that it will be a big issue in the upcoming election. I have no doubt that a clear majority of those elected will recognize the concerns of the business people in their constituency and the 15th Assembly will cause the program to revert to the way it is until they can study how it should be fixed. Rather than throwing this whole policy into the mixer two times in a matter of a few months, let's just stop the change now. Let's take the time to collect really valid information and make a sincere effort to assess that information so we have blue-chip information proving that any change we make will in fact improve the policy. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Dent. To the motion. The honourable Member for Hay River North, Mr. Delorey.

MR. DELOREY: Thank you, Mr. Speaker. Mr. Speaker, I as well would like to speak in favour of the motion and, Mr. Speaker, when I came for this Session to Yellowknife, I had my Member's statement on the business incentive policy as number one. But seeing as this is such an important issue and the Minister wasn't in the House I held back on it. Then I was going to make it today, but then I couldn't because there was a motion on the floor. So, I will make it, probably some of this will sound like a Member's statement.

The issue that we speak of, this business incentive policy; way back some years ago, the Minister introduced some changes to the business incentive policy and it goes right to the very heart of the business community in Hay River. The business incentive policy, of course, as it is so unaffectionately known, has been around for a long time. As you're aware, Mr. Speaker, quite some time ago Resources, Wildlife and Economic Development embarked on a public consultation process to review the business incentive policy. At that time, I was very much in favour of this review process. Policies and procedures that are put in place by this government should be reviewed from time to time to see if they are effective for the people that we serve.

Mr. Speaker, the department heard in Hay River that the general public also heard that the intent of the business incentive policy as an economic tool to promote, create and maintain jobs and opportunities in the North was being met. The concerns that were raised at that same time were companies that Resources, Wildlife and Economic Development should be better policing -- companies that were registered under the business incentive policy -- that the contract award process should be more transparent to the public.

Mr. Speaker, in the recent release of the new business incentive policy regulations what puzzles me the most in the review process that Resources, Wildlife and Economic Development embarked on was, were the results already preordained? Were the results of the new business incentive policy known to Resources, Wildlife and Economic Development prior to the public review process? It would appear very much so, Mr. Speaker, to me and to the business community because most of the concerns that were raised by the businesses in Hay River did not show up in the business incentive policy recommendations that came forward. Not one person at the meetings, Mr. Speaker, stated that the scope of the policy should exclude hospital boards and education authorities from using the business incentive policy to evaluate construction contracts or make purchases. Not one person stated that the business incentive policy thresholds be

changed. It has left me to wonder where or from whom did the Minister hear this during the public review process?

Mr. Speaker, also in the business incentive policy there was a manufacturing component. Certainly the manufacturing community from Hay River didn't advocate for that component to be removed from the business incentive policy. Where did the Minister hear this from in the public review process?

Mr. Speaker, there is little in the revised business incentive policy that addresses the business community's concerns with store fronting. In fact, many businesses feel that the policy will see store fronting increase and that the changes are being made to meet their needs.

I would like to state, Mr. Speaker, that I'm very disturbed and somewhat angered that the Minister of Resources, Wildlife and Economic Development would implement revisions to an important policy like the business incentive policy that has far reaching ramifications to our large business sector without the consent of Members of this House. This flies in the face of one of the pillars of our legislature: Consensus government.

Mr. Speaker, in recent information sessions that were held by the department on the revisions to the business incentive policy in Hay River there were some good things that came out and they were addressed as being good things in the revision of the business incentive policy. I would hope that the Minister would take notice of about what was said about the good changes in the policy. One of the things that was very concerning to me during those information sessions was the fact that the staff that was doing the information session took down a whole bunch of concerns on a flipchart as if it was the very first time that they were hearing these concerns. The very same concerns that were brought up were brought up in the last session in this House when the Minister had stated that it was still open to changes and review, yet not one of the recommendations that was in place at that time have changed; not one thing. That was very concerning to me and to most of the people in the room, Mr. Speaker.

Also, Mr. Speaker, one of the issues that was brought up by the people doing the information session was the fact that people that were going to be administering the new BIP policy out in the field, were going to be trained properly to know how to address issues with the business community. In talking to some people out in the field there has been no training other than a letter gone to them saying these are the changes and this is what we want you to implement. In looking at that issue, I find it hard to imagine how you can address the issue of better policing of the business incentive policy. I don't believe, Mr. Speaker, that the people out in the field are anywhere close to being able to address the new business incentive policy. There has been no training going on other than the letter that went out saying these are the changes that we are going to make and this is what we are going to do. There is even a deadline put on to totally change the business registry and I think it is October 15, if I am not mistaken, that all business that are registered under the business incentive policy now, will be wiped out, totally wiped off the chart and only business that are registered, re-registered on the 15th, will be considered under the business incentive policy.

I hear of all kinds of implications and problems that people are having trying to get re-registered. One of the problems that was raised was what happens if a contract comes due on the 16th of October and we don't have all of these things ironed out yet or somebody has not been able to meet the re-registration process or have all the documentation in place, they may lose

contracts, we don't know that. So, Mr. Speaker, I am hoping that the Minister will do the right thing and give this the time and consideration that it needs to the public and take some of the recommendations that are coming out that are good. We don't have to make all kinds of substantial changes. If we know there are some good ones that everyone supports, why don't we make some small changes to the business incentive policy? I am hoping that the Minister will do the right thing and rescind this policy until we have had better time to look at it. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Delorey. To the motion, the honourable Member for North Slave, Mr. Lafferty.

MR. LAFFERTY: Thank you, Mr. Speaker. I also stand today to support the motion. Some of the reasons are not the same reasons as my colleagues, some are similar. In the year 2000-2001, I stood up in the House here and I made a statement saying that the BIP doesn't work, it is costing this government too much money. I mentioned that we can build five houses for the price of four. If we didn't use the BIP, we could have better housing programs out there, affordable housing, we can really call it affordable then instead of paying the high costs that there is right now.

We have been paying for supplies through the years because of the BIP for social programs. A good example is education, health, these are for supplies and services. Those are the areas that need to be looked at and this BIP, which were not looked at. We need to look at those areas. It was already brought up before the House, it's on paper, it was totally ignored and there are so many things that should have been done but were not done by the department. Just standing up here and have everybody repeating it is just not going to do it.

What I want to say is that I support the motion and that the department should be looking at everything over again, take another run at consultations with the business community and the people that are going to be affected, the people in the communities, the public that is out there that are going to be paying for the higher cost of living in the North. Mr. Speaker, I say I support the motion.

MR. SPEAKER: Thank you, Mr. Lafferty. To the motion. The honourable Member for Yellowknife South, Mr. Bell.

MR. BELL: Thank you, Mr. Speaker. Like my colleagues today, I will support the motion and rise today to speak to that, but I won't stand here and reiterate all of the concerns that my colleagues have so ably raised already. I will point to a couple of things that particularly have distressed me.

The process -- and I have raised a number of concerns about the process in the House -- that was undertaken by RWED and looking at the revisions, there were a number of times that consultations were done and it was made very clear that they were only information sessions, not consultations. I know the people who were present at a number of these meetings and have talked to me about this, felt that their input really wasn't being considered, really wasn't being valued and that they were simply being advised of something that was coming down the pipe and there was nothing they could do to get out of the way.

There were a number of arguments also made about some of the particularly controversial aspects of the revisions. I will say that there are some things that generally seem to have good support. I don't think anybody would argue, it seems to make sense to ask people to file taxes in the Northwest Territories if

they are going to receive this benefit, but some of the other ones, for instance, the thresholds. If we accept the argument that the thresholds were based on the need to comply with the agreement on internal trade, and that was the point put to us, Mr. Speaker, at the technical briefings and if we accept that, Mr. Speaker, it raises a lot of questions. I know that the department indicated we have a reporting requirement under the AIT to lay out the amount of contracts that we have over and above and under certain cutoffs but, Mr. Speaker, reporting requirement is simply not the same thing as suggesting that we have to implement new thresholds and can't have the BIP applied to an amount over that, and that is simply not the same thing.

Mr. Speaker, another provision that causes a lot of problems, and I think Members are certainly getting a lot of feedback on this, are the audit requirements. I am not sure and I think departments are now slowly aware of this, but the audit requirements, much of them, of this requirement will be hoisted onto departments because RWED has clearly laid out the case that they believe a number of the concerns become contract administration concerns and not BIP concerns. I think for us to fully understand these implications, we have to look at something like the northern labour premium that would be applied to contracts. We question why this premium wouldn't be at the back end of a contract. After a contractor has demonstrated they had used northern labour and can prove it, then we will give them the premium. RWED is insisting on a model that pays the premium up front but the audit requirement will be on the department administering the contract.

Mr. Speaker, I have talked to a number of people in departments who have said that they just don't have the capability of being able to do this on any kind of a consistent basis. So I think we are kidding ourselves to think that we will have an effective audit requirement in place in 10 or 11 or 12 or 13 short days from now. Mr. Speaker, it simply is not realistic. I think Members have really laid out a number of concerns that they have throughout the whole process, and we thought we had an agreement from the Minister to analyze the situation and get us some data after a year of tracking this and that is why we agreed to support the Minister going forward with the contract administration portion of the policy. It seemed to make sense to us that if you are going to collect this data, that is certainly not something we want to stop because we'd like to have an informed discussion about the business incentive policy and what the current policy does cost us. Mr. Dent laid this out and we wrote a letter to the Minister saying for all we know, we don't even need a BIP anymore, but how do we know? Without analyzing the data, without hearing from the department, admittedly, the department acknowledges that they don't know what it costs and we can't have an informed discussion about what we have in place and what makes sense.

So, Mr. Speaker, with all of these questions out there, I don't think that we can allow these changes to go forward as the department has proposed. The department might be right, it might be wrong, it might be partially right or wrong, none of us knows and I think that is a dangerous way to conduct ourselves. In the Minister's commitment in the House in the past and now a seeming reversal on that, but I am sure technically he can find a way to walk through that commitment and indicate that at the time he made those statements they were accurate, and I am sure they were, but I think that he knows that we believe the spirit of his comments are not being adhered to now and that is certainly concerning, especially when there are so many people out there looking to poke holes

in our consensus system and talk about the death now of consensus government. These are the kinds of things that further back that up and that really concerns me. I think we have a very effective system, but it's only as effective as the players who are involved in this House. I think we owe it to ourselves, as stewards of the consensus system, to treat each other with more respect and dignity and adhere to the true spirit of consensus, and we aren't doing that in this case, Mr. Speaker. Thank you.

---Applause

MR. SPEAKER: Thank you, Mr. Bell. To the motion. The honourable Member for Mackenzie Delta, Mr. Krutko.

MR. KRUTKO: Thank you, Mr. Speaker. Mr. Speaker, I, too, will be supporting the motion. I have a fundamental problem with the approach that's being taken by this government and it's in regard to NAFTA, the free-trade agreement, and also the agreement on internal trade; especially on the grandfather provision that deal with the different policies and procedures that exist today. By changing our existing Business Incentive Policy, does that now exclude the rest of the policies that we have negotiated, such as sole-sourcing and other policies in this government? Because that's what I'm afraid of, that's exactly what this is doing. I feel that as a government we have to ensure we protect ourselves from the larger powers that be with regard to the business community across Canada and also North America. I think it's important as a government that we do not find ourselves making these changes and not really understanding what the political implications of these policy changes are.

Also, Mr. Speaker, I have concerns about the whole consultative process that was used. Especially under the Gwich'in comprehensive land claim agreement, it's clear that the Government of the Northwest Territories shall consult with the Gwich'in Tribal Council when developing modifications to its preferential contracting policies, procedures and approaches. Mr. Speaker, it's pretty clear there's a consultative process that has to be followed. Consultation means (a) the provision of the party to be consulted, the notice of the matter to be discussed, and a significant form of detail to allow the party to prepare its views on those matters; and, (b) provisions of this reasonable period of time in which the party will be consulted and can prepare its views on the matters and provisions and an opportunity to present such views to the party obligated to consult; and, (c) to ensure full and fair consideration to the parties obligated to consult on its views that it has presented.

Mr. Speaker, I know the consultation process that we use in the government is usually we fly in, you have a meeting. That is not consultation. Consultation as it's spelled out means you have to have meaningful involvement and notice has to be given, and you have to have the allowable time to present your views and opinions. For myself, I don't believe that has happened. Especially in our land claims agreements, as a government we have different obligations by way of revisions to the existing Wildlife Act which, to date, didn't go anywhere in the four years of this government. Again, it's another land claim obligation that has been defunct by this government. So I feel that we as a government have to go back and re-look at the implication of what this Cabinet decision is and not move on it at this time because the extent of this change is so significant and not knowing what the implications will be in the long term is too great a risk.

So I suggest to the government that you hold off on any changes and that you do a thorough review and ensure that the

obligations you have under the comprehensive land claim agreements are looked at, and as government we do what's best for the Northwest Territories and realize what the implications are down the road. With that, Mr. Speaker, I will be supporting the motion.

---Applause

MR. SPEAKER: Thank you, Mr. Krutko. To the motion. The honourable Member for Inuvik Boot Lake, Mr. Roland.

MR. ROLAND: Thank you, Mr. Speaker. Mr. Speaker, I, too, will be supporting this motion. I was somewhat split initially, Mr. Speaker, as I'm aware of one company in my constituency that would benefit from this because they've been excluded by previous changes to this. But, Mr. Speaker, there are far too many other businesses that would be impacted negatively by this policy change, and not knowing the full impact of it would be one of the things I think we need to find out more about before proceeding to this.

I guess one can say, Mr. Speaker, this business incentive policy has always been one that has brought concerns from all sides of the table and been reviewed many times over. I can recall in the 13th Assembly when a joint committee was established to do something. At the end of the day when they reported back, they did not proceed with it. So I guess one shouldn't totally be negative on the department as they've been pushed to make changes, and now that the changes have been suggested, there's negative feelings on it and the feeling that it's not the right way.

But, Mr. Speaker, when questions were given to the department by Members of this Assembly, we felt that responses given were not accurate enough or were devoid of some information, and that just didn't lend to making good decisions on behalf of the businesses of the Northwest Territories. With that, Mr. Speaker, I will be supporting the motion. Thank you.

---Applause

MR. SPEAKER: Thank you, Mr. Roland. To the motion. The honourable Member for Range Lake, Ms. Lee.

MS. LEE: Thank you, Mr. Speaker. Mr. Speaker, I would like to speak in favour of this motion as well. I am not going to make a lengthy statement because I do believe that points are very well covered in the motion itself, and my colleague from Yellowknife, Mr. Dent, outlined some major points that I wanted to say, and so has everyone else. So I don't want to go back to all the points made.

But I do want to say a few things, and one is that before I came to the Assembly, when I was campaigning, I didn't run into anybody who liked BIP. Everyone had a problem with the current BIP policy. But the fact is, now everybody is saying they want to keep the old policy. They hate the new policy. I don't know how. I mean, we have failed in our job if somehow the changes being proposed by the Minister are falling so short that they would rather have the current one that they were unanimous in not liking. So, Mr. Speaker, I do believe that should say something about the need for the Minister and this government to revisit and address some of the major concerns that have been raised. The major concerns such as encouraging and enabling store fronting was a major issue in the original policy, but now with the new policy we've even made it worse. A \$1 million cap on a project is a problem for

many people. Lack of monitoring and enforcing the rules and lack of resources to do that is a big problem.

Mr. Speaker, the biggest concern I have is the fact that this could have been a good-news item. We could have really done something with this policy change, we could have really made a difference. I know that the government was off on good footing by starting a consultation process at the beginning of the mandate. The people went out and they spoke about what concerns they had about the existing policy. But it appears that the Minister has not been listening. I don't know if he has been otherwise preoccupied. I can tell you, I have this thick document here of all the correspondence that our committee has exchanged with the Minister. We have met with the Minister, I have notes, pages and pages of notes of concerns that the Members raised. I believe the Members were completely willing to work on this revised policy to make the policy better. But to date, all the major concerns that we had were not addressed.

I still remember the day in August when I got a call from a colleague at 10:00 in the morning to say the Minister was holding a press conference about the revised BIP policy, and asking if I was going to be there. Mr. Speaker, I say to you, in a consensus government, we're supposed to be involved in the decision-making process on an issue as big as this where we have expended government money to do consultation and to engage this much time. Yet, that announcement to change the policy happened in the middle of the summer when there was nobody in the building, without any notice to us, and then there it was.

I went to the press conference in my shorts hoping that maybe there was a big announcement to make there. Mr. Speaker, I can tell you neither the Minister nor the deputy minister could answer what the cost of this policy is at the moment. Yet in his statement, the Minister said we have to change this because the policy as it exists now is costing the government too much money. When the reporter asked him how much it was costing him, the Premier and Minister both said we don't know, but we know it's costing us money.

Mr. Speaker, that is not the way to change a major policy like this. It's really making a mockery out of what we are going through here, and it really is too bad, Mr. Speaker. I feel very sad about that, because I really believe that this was an opportunity missed, an opportunity with which we could have really made a real difference. I don't believe that it would be right for the Minister to forge ahead and implement this policy to be effective three days after the session is out.

I really would like to request the Minister take seriously the motion being presented here and arguments that we are making, and rescind the revision and leave it to the next Assembly to make the necessary changes. I do also want to say that some of the points that are introduced in the new policy could work for us, it's just that there are too many points that are not going to work.

Mr. Speaker, like Mr. Roland, I did have a constituent who said that they would be happy to see the new revised policy come into effect because at the moment that business does not qualify. I know that that business, in particular, probably is not happy that I'm not speaking here for the new policy, but I can tell you that I have to weigh the balance of feedback from the constituents, and I can tell you I don't have anybody else who supports this new policy. I've had hundreds of calls and letters from people who oppose this new idea.

Mr. Speaker, I just want to finish by reading a letter from a constituent of mine sent last week, and I think this really speaks to a lot of concerns that local businesses have. Local businesses that are here and they're here to stay, they're small businesses, they still rely on government contracts and they should be rewarded for making commitments in the North.

Mr. Speaker, the letter goes on to say, "As a northern supplier to the Northwest Territories, I feel that the proposed changes to the BIP will adversely affect our business. As an electrical distributor we have moved our operation to Yellowknife earlier this year to make sure we would be able to meet the intentions of the original Business Incentive Policy. After investing in a newer house, hiring two people and soon a third from Yellowknife, paying NWT taxes, using all local services, it looks like things are about to change. We have made a large investment in the NWT and are not just a storefront business. We have local inventory for the contractors, never mind the fact that we provide local competition to the Yellowknife market. This in turn saves money to the contractors that is passed on to the local consumer. We now incur all of the costs of doing business in the NWT, I don't think it would be fair to let southern businesses who have far less operating costs enjoy the same benefit as northern companies, without first stepping up to the plate and investing and making a long-term commitment to the people of the NWT."

Mr. Speaker, I believe that this letter shares the sentiment of many others, including the NWT Construction Association, who have made it known to us that the revised Business Incentive Policy not only doesn't deal with the problems of the old but it will create a whole new set of new ones and we have to change them. So I support the motion to rescind the revision and to stick with the old until we can do a better job of revising. Thanks, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you, Ms. Lee. To the motion. The honourable Member for Great Slave, Mr. Braden.

MR. BRADEN: Mr. Speaker, thank you. I am rising to speaking in favour of the motion. My colleagues have covered a lot of ground on this, all of which I agree and concur with. I would especially like to compliment Mr. Bell on his discussion about the need to adhere to the principles of consensus, and how we need to work at making the system work.

The point that I would like to underscore, Mr. Speaker -- I'm sure it's been covered to some extent but is a very significant one to me -- is that initiatives at this time are essentially ones of economic benefit or economic influence in our society and in the way we do business. Unless we have ways to easily and reliably and consistently measure what the impact is of these kinds of initiatives, they really become very difficult ones for MLAs to take responsibility for, Mr. Speaker. How can I really know that the taxpayer or the government is getting fair measure for any kind of incentive or benefit program like this if we can't measure it?

On the other side of the coin, Mr. Speaker, how can I be assured that the business community, the business owners and distributors are genuinely receiving something that enables them to continue business in the North that would otherwise potentially make it impossible or at best very marginal for them to be here? So that's essentially the only point that I wanted to make, Mr. Speaker, was that it's so important, it's of growing importance to the taxpayers who are seeing this across the country to be able to measure what we do to be able to know

how significant it is and to know what kind of value we're getting for it.

This is something that has been absent in the old BIP. I don't see much evidence of it at all in the new one, and until some kind of mechanism comes along that all sides in this debate can agree on, we can't get by with arbitrary yardsticks or criteria here. We have to have measuring sticks that all sides can agree to use. This is going to be an impossible piece of work to really assess its impact. So until we have that piece of work in hand, Mr. Speaker, this initiative will not receive my support. Thank you.

---Applause

MR. SPEAKER: Thank you, Mr. Braden. To the motion. The honourable Member for Tu Nedhe, Mr. Nitah.

MR. NITAH: Mahsi cho, Mr. Speaker. Mr. Speaker, when the project of BIP first came into this House for discussion, the position I took then hasn't changed today. My position is that BIP is good, but 20 per cent BIP in the Northwest Territories is too high and it's having an impact on our communities, especially in the housing market. I suggested then that maybe we should get rid of the 15 per cent territorial Business Incentive Policy and retain the five per cent community incentive policy. My position is still the same today, and this motion, Mr. Speaker, gives me another opportunity to put that position forward in the next Legislative Assembly and hopefully get consensus from my colleagues to that end.

For that reason, Mr. Speaker, I will support the motion. Mahsi cho.

---Applause

MR. SPEAKER: Mahsi, Mr. Nitah. To the motion. The honourable Member for Nahendeh, Mr. Antoine.

HON. JIM ANTOINE: Mahsi, Mr. Speaker. Mr. Speaker, I would like to speak to the motion. I realize that in February, Mr. Speaker, I advised Members in this House that I will not move forward at this point in time on the revision of the business incentive policy. But after further review through the year and with the Members on Cabinet, Cabinet determined that in August, the time was right to move ahead with a revised policy. There are many factors considered in this decision. As a government, we have to look at all the different factors involved in how we do government and how we run our policies. One of the major factors is that our economy is booming. We have a very hot economy, the hottest one in the country.

However, as a government, we are going broke, which is the result of the mining and the oil and gas development, the non-renewable resource development that's going on. It's not because of government spending. It's because we have a booming economy. In fact, there has been a major decrease in the Government of the Northwest Territories capital expenditures the last 10 years because of the increased fiscal pressures on this government and the increased demand for our services as government. While these are compelling reasons to decrease business dependence on government while still promoting the use of goods, services and construction provided by the Business Incentive Policy of this government, this policy has been in place for a number of years, since 1992.

Since that time, the business community has grown in the Northwest Territories, in number and in strength. Keep in mind

that in 1992, it was pre-division, pre-diamonds, pre-oil and gas development. Our economy has changed drastically in the past 11 years. In 1992, government spending was one of the major factors driving our economy. Today, non-renewable resource development and its spin-offs are driving economic growth more than government spending ever did.

The NWT business community has benefited greatly from this increased development activity, which we applaud them for. Today, there are 1,422 registered BIP businesses employing 7,673 NWT residents. We know there is competition between the NWT businesses to provide goods and services in all sectors to the Government of the Northwest Territories. There is still a need for a BIP. We are not doing away with it. It's going to be there and the business people will still have preferential treatment by our government to support the development of a healthy private sector, especially in our smaller communities and to make sure that our businesses become more competitive.

Right now, sub-trades in the construction industry are in very high demand, for all private and private sector projects. To try to get somebody to repair your house in this town is next to impossible. This trend is likely to continue with the diamond mines, with BHP opening and operating for five years now. Diavik, we haven't seen it fully ramped up yet with the repercussions to the economy. Then there is the oil and gas pipeline coming down the valley. So the majority of the contract opportunities, especially in the construction sector, are in the private sector and not in the GNWT.

So, Mr. Speaker, this Business Incentive Policy was established to foster the development of competitive and healthy business communities by providing an incentive on bidding on our Government of the Northwest Territories projects. When the agreement on internal trade was developed we, as the Government of the Northwest Territories, specifically requested an exemption for the Business Incentive Policy as it was serving important regional development needs. These are still in place today and will continue to be under our business incentive policy.

Again, I just wanted to reiterate that our business community has grown. Our larger businesses have become more competitive and have increased capacity to undertake a wide range of contracts. So businesses also noticed that the existing business incentive policy does not meet the key needs of the business communities. Through a consultation, which was very extensive, we heard a lot of concerns raised about providing fair and consistent contract administration. Aboriginal organizations felt that the old policy had driven the cost of housing construction higher in the outlying communities. This new revised BIP takes care of that. This is why the GNWT initiated a review of the Business Incentive Policy, public consultations have gone on for more than four years. It is now time for action and Cabinet reviewed the revised policy and had directed me, as Minister of Resources, Wildlife and Economic Development, to implement this policy on October 15.

We have said that we cannot identify the cost of the existing Business Incentive Policy except consider the premiums allowed under the BIP. So we currently do not have a contract report that identifies this premium actually applied on government contracts. So a contract report is being developed to provide this information in the future. However, reference made here today about the news conference from the deputy minister indicated that he indicated the BIP premium was about \$10 million. It was based on a number of valued contracts

issued by government departments and agencies last year. So this is five per cent of the total value of all contracts over \$5,000 awarded last year.

The GNWT issued 2,375 contracts valued over \$5,000 in the amount of \$216 million last year. So the figure was roughly drawn up in answer to the media question.

We checked with other jurisdictions with preferential policies and learned that they too were unable to quantify their increased costs. These jurisdictions advised that they no longer can afford to pay the premium and subsequently eliminated the preference policies. So we recognize that they must be able to determine the cost for the process of implementing a contract registry. We will produce annual contracting reports.

We have addressed many of the concerns raised in the public and business community during our comprehensive four-year review. These concerns focus on accountability, transparency, definition of a BIP business and monitoring and enforcement. We have made six major changes to the policy. The changes deal with the scope of the policy that now applies to GNWT departments and the applicable agencies only. It now excludes third-party boards, agencies and communities. So band councils that are now paying premiums for their houses, it will no longer be applicable. Definition of NWT content so that all businesses will be entitled to receive a bid adjustment for NWT resident labour.

I just want to make a point of using labour rebates. In one of our consultations, RWED, we proposed the use of these rebates in one of the first rounds of consultation. This method is used currently in the Yukon. The business community turned this option down as the rebate which we believe in the Yukon would take up to a year. So we tried that.

The definition of BIP business to emphasize contributions to the NWT economy. It now applies to businesses that pay corporate, property and payroll taxes in the Northwest Territories. It also encourages employment creation by allowing a bid adjustment for the amount of wages paid to northern residents to the contract.

Establishing a formal complaint mechanism to address contract administration issues. New thresholds will be applicable to the BIP adjustments. So we've done that. These are the different changes we've made to the goods, \$25,000, \$100,000 to services and \$1 million for construction. So the majority of GNWT contracts fall within the range. For example, in 2001-2002, there were 16 construction contracts over \$1 million with a total value of \$92 million. So under the existing business incentive policy this would allow for a maximum premium of 20 percent or \$18 million. We can no longer afford that level of premium and have put this threshold in place so we can get the best value for the dollars we are spending.

Strengthening the administrative procedures to differentiate between business incentive policy administration and contract administration was requested by many businesses. I want to inform the honourable Members that the interim manufacturing directive has not disappeared. It's still in place. We simply receive a report from the Business Advisory Panel containing 21 recommendations to support the value-added and manufacturing industries in the Northwest Territories. We are now reviewing the interim manufacturing directive in light of these recommendations to decide how we can improve this important sector.

So, Mr. Speaker, over the last month, Resources, Wildlife and Economic Development staff have run information sessions in communities to introduce businesses to the revised policy and inform them of changes. The revised policy, along with our new contract registry and reporting system, provides a level playing field for all businesses in the Northwest Territories. These two initiatives ensure that all businesses have an opportunity to bid on Government of the Northwest Territories contracts for goods and services and construction.

As I have committed to the Northwest Territories Construction Association and Northwest Territories Chamber of Business that we will work in partnership with them to ensure that the revised business incentive policy works for both businesses and government, and the revised business policy remains true to the original objective of the existing small, emerging, young Northwest Territories businesses while acknowledging the change in our...

MR. DENT: That wasn't its purpose.

HON. JIM ANTOINE: ...economic climate. So, Mr. Speaker, the business incentive policy will remain in place and we will continue to support the businesses through the revision that we put in place. I believe that the business incentive policy is still a good policy and that it will help develop a healthy, competitive business community in the Northwest Territories. Mahsi cho. Thank you.

MR. SPEAKER: Mahsi, Mr. Minister. To the motion. To conclude the debate on the matter before the House, the mover of the motion, Mrs. Groenewegen, you will have the final comments.

MRS. GROENEWEGEN: Thank you, Mr. Speaker. Mr. Speaker, after my colleagues spoke I thought there could barely be another topic to touch on, but now after hearing the Minister speak before the voting on this motion I could stand up here for a long time and respond to some of the things he said because they, in many cases, are pulling information out of the air which cannot be substantiated.

We talk about the cost and the premium. The reason why we asked for the moratorium for one year so we could collect good data was so that we could see what the premium was on having the business incentive policy. To just add an arbitrary five or ten percent onto the amount of contracts that have been issued by this government is really quite reckless.

When it comes to Northwest Territories communities bidding with each other and they're both 'BIPed,' I mean, I would submit to the Minister that many times there is no premium paid at all because there's already a competitive process that addresses that. What the business incentive policy was intended to do...and I commend the architects of the business incentive policy. I think it was a good policy when it was put together a number of years ago and I think it's served a useful purpose and I think it will continue to. We keep talking about not knowing what the business incentive policy costs us. I would like to, Mr. Speaker, suggest that we don't know what the negative impact of these revisions is going to cost our business community. I would say that there's been very little attention paid to what the ramifications are of these changes that the Minister is suggesting.

I don't know how we are going to undo the damage from that. We talked about our internal trade agreement and the fact that the agreement that we have in place right now was grandfathered. When we start playing around with that and

changing that I'm not sure that we can ever have a hope of going back to the original policy that we had.

So I would say that the public consultation that the Minister refers to where his department went out and solicited comments from the community, I would like the Minister to look at this side of the House and the constituents that we represent and the overwhelming concerns that have been raised to him. We represent constituents. We represent business communities. We represent people who have contacted us and, as Ms. Lee said, the contact with our offices on this particular issue has been very substantive.

So I'm really quite amazed at the Minister's reluctance to listen to the Members on this side of the House and to not just do what he committed to do, and that was to collect information for one year. Some of the Members have touched on the message that comes to us with respect to whether consensus government actually works or not. We were quite heartened when we met with the Minister earlier this year and explained our concerns and were granted the concession that he would collect the information for us and would provide that too so we could make an informed decision. All of a sudden this absolute reversal and we've wondered about what the motive could possibly be for it. Now we hear that it is a cost-saving measure. I would again submit that we have no idea what this is going to cost.

I want to raise this subject, Mr. Speaker, with the sub-trades, the \$1 million cap on the construction companies. A lot of business that has developed in the North as a result of this business incentive policy was as a result of the more level playing field that was created between companies that provide electrical, mechanical, those types of sub-trade services on construction projects. By putting this \$1 million cap on there, I think we are really putting at risk a lot of the sub-trades that have developed and grown up in the North and who have significant overhead and significant payrolls and contribute very greatly to the business community in their respective communities.

So, Mr. Speaker, I don't know what else we can say to the Minister about this. It sounds as if his mind is made up. But this will become an election issue, Mr. Speaker, and I would respectfully request that the honourable Minister, in the days between now and October 15th, consider this again and I would also ask the Premier to allow the Cabinet to have a free vote on this and I would like a recorded vote on this because I believe the business community is watching. They'll be very interested in knowing who in this House supports this business incentive policy which definitely supports the economy of the Northwest Territories. Thank you, Mr. Speaker.

---Applause

MR. SPEAKER: Thank you, Mrs. Groenewegen. Debate on the motion has been concluded and a recorded vote has been requested by the honourable Member moving the motion. Is the House ready for the question?

SOME HON. MEMBERS: Question.

MR. SPEAKER: All those in favour of the motion, please stand.

Recorded Vote

CLERK OF THE HOUSE (Mr. Hamilton): Mrs. Groenewegen, Mr. McLeod, Mr. Bell, Mr. Nitah, Mr. Braden, Mr. Krutko, Mr. Delorey, Mr. Lafferty, Ms. Lee, Mr. Roland, Mr. Dent.

MR. SPEAKER: Thank you. All those opposed to the motion, please stand. Thank you. All those abstaining from the motion, please stand.

CLERK OF THE HOUSE (Mr. Hamilton): Minister Steen, Minister Miltenberger, Minister Antoine, Mr. Kakfwi, Minister Handley, Minister Allen, Minister Ootes.

MR. SPEAKER: Thank you. The vote on the motion is concluded. We'll just wait for the results. The results of the vote: those in favour, 11; those opposed, zero; those abstaining, seven. The motion is carried.

---Carried

---Applause

MR. SPEAKER: Item 16, motions. Item 17, first reading of bills. The honourable Member for Yellowknife Centre, Minister Ootes.

ITEM 17: FIRST READING OF BILLS

Bill 31: An Act To Amend The Official Languages Act, No. 3

HON. JAKE OOTES: Mr. Speaker, I move, seconded by the honourable Member for Inuvik Twin Lakes, that Bill 31, An Act to Amend the Official Languages Act, No. 3, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister Ootes. The motion is in order. To the motion.

AN HON. MEMBER: Question.

MR. SPEAKER: Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Bill 31 has had first reading. Item 17, first reading of bills. The honourable Member for Nahendeh, Minister Antoine.

Bill 34: Tlicho Land Claims And Self-Government Act

HON. JIM ANTOINE: Mr. Speaker, I move, seconded by the honourable Member for Thebacha, that Bill 34, Tlicho Land Claims and Self-Government Act, be read for the first time. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister Antoine. The motion is in order. To the motion.

AN HON. MEMBER: Question.

MR. SPEAKER: Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Bill 34 has had first reading. Item 17, first reading of bills. The honourable Member for Yellowknife Centre, Minister Ootes.

HON. JAKE OOTES: Mr. Speaker, I seek consent to proceed with second reading of Bill 31, An Act to Amend the Official Languages...

MR. SPEAKER: Sorry, we're dealing with first reading of bills.

HON. JAKE OOTES: Oh, sorry.

MR. SPEAKER: That's okay, you're a little ahead there. Good government, you see. Item 17, first reading of bills. Item 18, second reading of bills. The honourable Member for Yellowknife Centre, Minister Ootes.

HON. JAKE OOTES: Thank you, Mr. Speaker. I seek consent to proceed with second reading of Bill 31, An Act to Amend the Official Languages Act, No. 3.

MR. SPEAKER: Thank you. The honourable Member is seeking unanimous consent to proceed with second reading...

---Interjection

MR. SPEAKER: Did I say unanimous? The honourable Member is seeking consent to proceed with second reading of his bill, Bill 31. Are there any nays? There are no nays. Minister Ootes, you may proceed.

ITEM 18: SECOND READING OF BILLS

Bill 31: An Act To Amend The Official Languages Act, No. 3

HON. JAKE OOTES: Thank you, Mr. Speaker. Thank you, colleagues. Mr. Speaker, I move, seconded by the honourable Member for Inuvik Twin Lakes, that Bill 31, An Act to Amend the Official Languages Act, No. 3, be read for the second time.

Mr. Speaker, this bill implements the recommendations in the final report of the Special Committee on the Review of the Official Languages Act. More particularly, this bill amends the Official Languages Act to ensure that:

- Inuinnaq̄tun, Inuvialuktun, North Slavey and South Slavey are fully identified as official languages;
- provide for the appointment, resignation, suspension and removal of the Languages Commissioner and for the appointment of an acting Languages Commissioner or a special Languages Commissioner in specified circumstances;
- specify the responsibilities of the Minister responsible for official languages;
- establish an official languages board and an aboriginal languages revitalization board and provide for their membership and duties;
- introduce new regulation-making authorities;
- standardize references to certain terms;
- renumber provisions for convenient reference.

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister Ootes. There is a motion on the floor. The motion is in order. To the principle of the bill.

AN HON. MEMBER: Question.

MR. SPEAKER: Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Bill 31 has had second reading and, accordingly, the bill stands referred to a committee.

Item 18, second reading of bills. Item 19, consideration in Committee of the Whole of bills and other matters: Bill 20, Forgiveness of Debts Act, 2003-2004; Bill 23, An Act to Amend the Safety Act; and, Bill 27, An Act to Amend the Access to Information and Protection of Privacy Act, with Mr. Krutko in the chair.

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

CHAIRMAN (Mr. Krutko): I'd like to call Committee of the Whole to order. In consideration of Committee of the Whole of bills and other matters there are several bills to deal with: Bill 20, Forgiveness of Debts Act, 2003-2004; Bill 21, Protection Against Family Violence Act; Bill 22, Waste Recovery and Reduction Act; Bill 23, An Act to Amend the Safety Act; Bill 24, Midwifery Profession Act; Bill 25, Municipal Statutes Replacement Act; Bill 26, Youth Justice Act; and, Bill 27, An Act to Amend the Access to Information and Protection of Privacy Act. What is the wish of the committee? Mr. Dent.

MR. DENT: Thank you, Mr. Chairman. I'd like to recommend we resume consideration of Bill 20 and then if we can complete that, move on to Bill 23 and perhaps even Bill 27 today.

CHAIRMAN (Mr. Krutko): Is committee agreed?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Okay. We'll take a short adjournment and begin with Bill 20 after the adjournment. Thank you.

---SHORT RECESS

Bill 20: Forgiveness Of Debts Act, 2003-2004

CHAIRMAN (Mr. Krutko): I would like to call the committee back to order. We are dealing with Bill 20, Forgiveness of Debts Act, 2003-2004. I would like to ask the Minister if he would like to bring in witnesses. Mr. Minister.

HON. JOE HANDLEY: Yes, Mr. Chairman.

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

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Sergeant-at-Arms, could you escort the witness in, please?

HON. JOE HANDLEY: Mr. Chairman, with me is Lew Voytilla, secretary to the Financial Management Board. Thank you.

CHAIRMAN (Mr. Krutko): Welcome, Mr. Voytilla. Yesterday we were in general comments. Any comments with regard to the bill?

SOME HON. MEMBERS: Clause by clause.

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

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Are you sure now?

---Laughter

Clause By Clause

CHAIRMAN (Mr. Krutko): Clause 1.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Schedule, forgiveness total, \$952,881.09.

SOME HON. MEMBERS: Agreed.

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

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Does the committee agree Bill 20 is now ready for third reading?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Bill 20 is now ready for third reading. Thank you, Mr. Minister. Thank you, witness.

Bill 23: An Act To Amend The Safety Act

We agreed the next item was Bill 23, An Act to Amend the Safety Act. At this time, I would like to ask the Minister responsible for the Workers' Compensation Board, Mr. Handley, if he has any opening comments. Mr. Handley.

Minister's Opening Comments

HON. JOE HANDLEY: Yes, Mr. Chairman. It's my pleasure to provide the committee with the opening remarks for Bill 23, An Act to Amend the Safety Act. Members will recall that in January 2002, a Legislative Review Panel submitted its report entitled Act Now recommending changes to the Workers' Compensation Act and the Safety Act. Earlier this year, Bill 15, An Act to Amend the Workers' Compensation Act was passed by this legislature and as part of the response to the Act Now report, Bill 23, An Act to Amend the Safety Act, has been introduced. This bill is a positive step to improve the health and safety of workers in the Northwest Territories.

A key component of any legislation is clearly identifying the person to whom it applies and setting out their responsibility. This has been done through amendments to the various definitions and establishing, for the first time, that persons who supply tools and equipment have a responsibility to ensure they are safe and directions are given for their proper use. Often there will be more than one employer working on a worksite. Their activities have to be coordinated so as to ensure the health and safety of their workers is not jeopardized. The principal contractor will now have this responsibility and if there is no principal contractor, the owner of the worksite will be responsible for coordinating the activities of various employees.

Amendments to permit safety officers to issue stop work directions when employers refuse to rectify potential dangers will eliminate the necessity of resorting to costly and time-consuming court proceedings. The current Safety Act only requires employers to have safety committees. However, modern occupational health and safety philosophy requires

employers to have appropriate safety programs. Safety committees are but one part of a proper safety program. These amendments will require employers to develop appropriate safety programs for their business. Regulations will be drafted to assist employers to determine the appropriate safety programs for them.

A safety advisory committee made up of representatives of the interest of workers, employers and shared by the chief safety officer will have a mandate to advise on the amendments to the act and regulations that are required in the interest of occupational health and safety. Codes of practice have been used to assist workers and employers to understand sections of the act and regulations which are often unclear. The intention is that codes and practices will be based on the industry's best practice and remain in place until proper regulations can be developed.

Provisions of the act related to disclosure of information will be brought in line to recognize the fact that the WCB has been given responsibility to administer a number of acts related to health and safety in the Territories and can use information obtained under the Safety Act to properly administer other legislation.

The bill also recognizes the Workers' Compensation Board's obligations under the Access to Information and Protection of Privacy Act. Because the WCB is a shared NWT/Nunavut board, any changes to NWT legislation must be mirrored in Nunavut. The content of the legislative proposal was developed with input from both governments. I would like to give well-deserved credit to the Standing Committee on Accountability and Oversight who spent a great deal of time reviewing the bill. Our discussions with AOC were constructive and helpful and I thank them for their contributions to the bill.

In closing, I would like to thank the members of the legislative review panel who provided the foundation for amendments that have been presented today. Mr. Chairman, they are Louise Vertes, chairperson; Shona Barkley, Dan Hallordson, Steve Petersen, David Samailak, Alex Stuit and Don Yamkowy. I would also like to thank the board and staff of WCB and the Department of Justice for their diligence for developing these amendments and the Government of Nunavut for their cooperation in ensuring this bill will be ready to go forward during the life of our representative governments. 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 comments. Mr. Roland.

Standing Committee On Accountability And Oversight Comments

MR. ROLAND: Thank you, Mr. Chairman. The Standing Committee on Accountability and Oversight conducted public reviews of Bill 23, An Act to Amend the Safety Act, on August 28 and September 19, 2003. The committee would like to thank the Minister and his staff for presenting the bill. There were no other witnesses.

The committee was pleased to see these amendments which will help make NWT workplaces safer. Some of the amendments address recommendations made in the December 2001 report of the WCB Legislative Review Panel titled Act Now. The committee is particularly supportive of the creation of the Safety Advisory Committee made up of representatives from employers and workers which will have a

mandate to make recommendations to the Minister on the act and regulations.

Members requested clarification on amendments that would make suppliers responsible for the safety of equipment and other things they provide to workplaces. The committee was advised that the supplier's obligation is limited to providing safe equipment and instructions for use. If someone uses the equipment in a manner that they are not supposed to and the supplier has provided safe equipment and proper instructions, the supplier will not be held responsible.

The committee was also advised that the definition of "supplier" is broad and could include a number of individuals and businesses in a particular case; for example, storefront operations, which might not be very familiar with all the equipment they are supplying.

The WCB would look at the facts of each case and would only be interested in prosecuting those who are truly responsible for unsafe supplies. The Minister's staff also clarified that owners are only responsible for safety where there is no principal contractor on a worksite. The example provided is if a building owner hired some people to wash the windows, that owner would be responsible for safety. If the owner hired a contractor to wash the windows, safety would be the contractor's responsibility. The committee did have a concern that the bill would remove the existing subsection 11(3) from the act. Section 11(3) currently reads, "Except for the purposes of this act, no safety officer shall divulge the name of any person from whom information is obtained in confidence." This section contains what is commonly referred to as protection for whistleblowers.

In combination with other provisions of the act, it is designed to ensure that no consequences will be directed towards persons making complaints to safety officers regarding safety concerns. Confidentiality in such situations is key to that protection.

The Minister and his staff advised the committee that it was not necessary to keep the provision in the Safety Act because the Access to Information and Protection of Privacy Act provides similar protections. Members were, however, concerned that the Access to Information and Protection of Privacy Act might not provide as strong a protection as subsection 11(3) and also believed it was useful to have a clear statement on confidentiality in the Safety Act itself.

It is the committee's understanding that the Minister will be bringing forward a motion in Committee of the Whole to amend the bill to reinstate a provision similar to subsection 11(3). The committee will be supporting this motion.

During the discussion on subsection 11(3), Members also raised concerns there may not be adequate protection to people who make safety complaints of their employers. Members realize this issue goes behind the scope of Bill 23, but would recommend the WCB undertake research and give consideration to whether further amendments are needed.

During the clause-by-clause review of Bill 23, the committee passed four motions to amend the bill at the request of the Minister. Two of the motions will remove provisions allowing for specific penalties to be set out in regulations. The committee was advised by the Minister that these amendments were no longer necessary as a summary of convictions procedures regulations provide the required authority. Another motion provides that the bill will come into force on a day or days to be fixed by the order of the Commissioner, rather than

immediately. This amendment was necessary because some sections in the bill cannot be brought into effect until regulations are in place. The amended provision will allow time for the Safety Advisory Committee to develop recommendations for regulations. The fourth motion was of a minor and non-substantive nature.

This concludes the committee's opening comments on Bill 23. Individual Members may have additional questions or comments as we proceed. Following the committee's review, a motion was carried to report Bill 23, An Act to Amend the Safety Act, to the Assembly as ready for Committee of the Whole. Thank you, Mr. Chairman.

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

HON. JOE HANDLEY: Yes, Mr. Chairman.

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

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Sergeant-at-Arms, escort the witness in. Minister Handley, for the record, could you introduce your witness?

HON. JOE HANDLEY: Thank you, Mr. Chairman. With me are Michael Triggs, corporate secretary/general counsel for the Workers' Compensation Board, and Rebecca Veinott, legislative counsel with the Department of Justice.

CHAIRMAN (Mr. Krutko): Thank you, Minister Handley. Welcome, witnesses. General comments. Ms. Lee.

General Comments

MS. LEE: Thank you, Mr. Chairman. I just have a small general comment to make and it pertains to something that we dealt with in this legislation under Section 6, with respect to whistle-blower protection legislation. It's not really limited to that clause, so I just wanted to bring that up in the general comments. That is, it is my wish in the next Assembly that this legislature would consider having legislation that would protect whistle-blowers in a general sense.

Mr. Chairman, I have been a party to reviewing this legislation in committee meetings and I'm aware that this is limited protection that we're providing for whistle-blowers. Whistle-blowers, that doesn't sound very good, but those that want to bring their concerns and questions with respect to their work place safety are protected under this legislation and under this clause. So we are in a limited way dealing with those who want to bring concerns and questions about safety issues in their work place, but we have a vacuum in the general sense and in all other work places. Not just those situations dealing with safety, but in many work environments, whether they be in situations where there are serious safety concerns.

It's reasonable to think of a lot of people who are in work places who see things that are not proper, maybe, or above board or something that concerns them. We do not have legislation that protects that situation. I think it would be very good for this or the next Assembly or this government to consider bringing something like that. I'm sure there are Members here who might have had a constituent who brought concerns about what's happening in their work place.

I am also aware that many of the big corporations in the Territories -- I was talking to them -- have their own sort of internal system in place where their employees could report to their management about some of the ideas or concerns they might have. I do believe there are lots of jurisdictions around the world and perhaps in Canada who have such legislation and it really speaks to addressing the need for any employers or people in power or people in a position of influence to be accountable and transparent to those people who work with them or over people whose wellbeing and welfare is in their custody.

I just wanted to add that unfinished business and try to put it on the agenda for the next Assembly. Thank you.

CHAIRMAN (Mr. Krutko): Thank you, Ms. Lee. Minister Handley.

HON. JOE HANDLEY: Mr. Chairman, I think a lot of jurisdictions do have that sort of whistle-blower legislation that Ms. Lee is referring to. I think the best we can do right now is make a commitment to include that recommendation in a transition document for the next government to take a look at it.

CHAIRMAN (Mr. Krutko): Ms. Lee.

MS. LEE: Thank you very much. This is a really good time to work in this Assembly because you do get lots of good responses. Mr. Chairman, I appreciate the Minister's quick response to have his advisors and staff consider this issue and add it into the transitional document for the next Assembly to consider. Thank you very much. I appreciate that.

CHAIRMAN (Mr. Krutko): Thank you, Ms. Lee. General comments. Bill 23. Clause by clause.

SOME HON. MEMBERS: Agreed.

Clause By Clause

CHAIRMAN (Mr. Krutko): Clause 1.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 2.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 3.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 4. Minister Handley.

Committee Motion 131-14(6) To Amend Clause 4 Of Bill 23, Carried

HON. JOE HANDLEY: Mr. Chairman, I move that Clause 4 of Bill 23 be amended by striking out "applicable federal and Territorial Acts" in proposed paragraph 6.1(c) and by substituting "applicable federal and Territorial enactments". Thank you, Mr. Chairman.

CHAIRMAN (Mr. Krutko): The motion is in order. To the motion.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Krutko): Question has been called. All those in favour? All those opposed? The motion is carried.

---Carried

Clause 4 as amended.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 5.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 6. Minister Handley.

Committee Motion 132-14(6) To Amend Clause 6 Of Bill 23, Carried

HON. JOE HANDLEY: Mr. Chairman, I move that clause 6 of Bill 23 be amended by adding the following after proposed subsection 11(1):

(2) Notwithstanding subsection (1) and the Access to Information and Protection of Privacy Act, no safety officer shall divulge the identity of any person from whom information is obtained under this Act in confidence, unless disclosure is necessary to investigate or prosecute an alleged contravention of this Act or the regulations.

Thank you, Mr. Chairman.

CHAIRMAN (Mr. Krutko): The motion is in order. To the motion. Mr. Bell.

MR. BELL: I wanted to make a couple of points on this amendment. This is something that came out of a lot of discussion between committee and the Minister and his staff. This seemed to be what we could arrive at and agree on after much discussion and debate.

I wanted to point out a couple of things and I think Ms. Lee has already touched on this. The committee was concerned that there was not enough protection in the bill as it had been originally proposed for whistle-blowers. We wanted to ensure that the identity of any informants was protected unless absolutely necessary and that it had to be in clear cases where it was necessary for investigation or prosecution, was what we arrived at.

It still causes some concern I think for a number of committee members and we talked about the need for broader whistle-blower protection across government and maybe that is the solution that we need to pursue. Maybe this wasn't the place to try to nail this down so tight that it would hamper the ability of investigations or prosecutions to be carried out effectively.

We are given some comfort in that Workers' Compensation Board, I think and I believe, has no incentive in trying to discourage whistle-blowing, so it would seem logical it would want to do whatever it could to protect the identity of any informants. I suppose we certainly are comforted by that.

I wanted to ask the Minister though, one thing I sort of thought a little bit about after our discussions had gone by, was why we wouldn't, or maybe I should phrase it this way, whether he had considered allowing or insisting on the consent of the informant when talking about disclosing or in any case of disclosing their identity. Obviously in prosecution if an informant is going to testify you'll need their consent. In investigations, not necessarily so. What about a provision that would have allowed for consent of the informant? Thank you.

CHAIRMAN (Mr. Krutko): Thank you, Mr. Bell. Minister Handley.

HON. JOE HANDLEY: Mr. Chairman, we hadn't really thought about that particular point, so it wasn't brought up. It's not something that would normally be in this kind of legislation. That's not saying it shouldn't be or couldn't be, but other than that I really don't have much sense that it would improve on this one a whole lot on what we have here.

CHAIRMAN (Mr. Krutko): Mr. Bell.

MR. BELL: I guess I had thought that it might provide some comfort to whistle-blowers who might read this legislation and be thinking about reporting a safety violation because when I read this and read all the legal jargon and the notwithstanding the Access to Information and Protection of Privacy Act and my identity can't be released unless that disclosure is necessary.

Who decides what's necessary? What is necessary? What constitutes an investigation? Which part is prosecution? I'm asking myself, are there a number of legal ways that my identity might be released? If I had that clause in here that insisted that unless my consent was given my identity wouldn't be released, that would give me a greater degree of comfort. I guess that's why I thought that something like this might make sense. I don't know if it exists in other Workers' Compensation Board legislation of similar nature across other provinces or territories, so that's not something we had a lot of discussion about at committee. Really, I think that would give informants more comfort and I think you'd see more people coming forward to report safety violations if they knew with a certainty that their identity was protected unless they could be convinced otherwise and convinced that it was, I suppose, in the greater interest to have their identity revealed in the course of investigation or prosecution.

CHAIRMAN (Mr. Krutko): Minister Handley.

HON. JOE HANDLEY: Mr. Chairman, I'll have Mr. Triggs just provide more response to what's meant by necessary.

CHAIRMAN (Mr. Krutko): Thank you, Minister Handley. Mr. Triggs.

MR. TRIGGS: Mr. Chairman, the way Workers' Compensation Board views the word "necessary" it would be the safety officer that'd make that decision, but it is what is necessary in order to make the investigation progress onwards and what is necessary for the prosecution to go forward. If it's absolutely required for the investigation to continue on, that the identity be disclosed, then that would be when the situations happen.

We had a quick discussion around Workers' Compensation Board as to when necessary would come up for the purposes of investigation. Really, the only situations we could think that would come would be when it's discussion amongst Workers' Compensation Board staff and other safety officers discussing with them or the chief safety officer with legal counsel or if the matter is such that it has to involve a police investigation or some other regulatory body investigating and insisting it. In that limited circumstance if it became necessary to disclose the identity of the person that would be when it happens, but it would not be something that's done in an arbitrary manner. It is something that is when it's required to do so to further on the investigation.

That's the limitations that we see being placed upon ourselves and as the honourable Member stated earlier, we do not want to discourage people from coming forward to us. Those who do come forward to us, they do not mention the legislation that exists at the present time. They say, hey, I want this to be kept

confidential and at that point in time we inform them, yes, it will be confidential based upon what the legislation now provides us. That's in its present form.

In the form that is now before the House I believe it's narrower than what was before because there previous limitations in the act that said something to the effect of, as required for the purposes of this act. That's been taken out now and it is just, what is necessary for the investigation as for the prosecution. It's our opinion that this is narrow that what previously existed in the legislation before. Thank you, Mr. Chairman.

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

MR. BELL: Thank you. I don't think that we're going to make much progress on this here. I would agree that I think that this is an improvement. I think they're improving the legislation and I would agree we aren't talking about arbitrary identity of informants being disclosed. As we agreed, Workers' Compensation Board has every incentive to try to keep those who report safety violations, keep their identities confidential so that people are more inclined to do so.

My real question was just whether or not there had been consideration of consent given. It doesn't sound to me like that was given much internal discussion and it probably, maybe at least, there would be some merit in considering this at some point. Maybe this point is better made in broader discussion about whistle-blower legislation that I hope we'll have in the 15th Assembly. Thank you.

CHAIRMAN (Mr. Krutko): Minister Handley.

HON. JOE HANDLEY: Mr. Chairman, yes. I think looking at broader whistle-blower legislation may be the way of getting around a lot of this. Just one comment, Mr. Chairman, is that if you make it on the person's consent then that person is really the one who's going to judge whether or not a prosecution is going to go ahead because they could stop the prosecution rather than the safety officer. So it's a bit complicated. Mr. Chairman, my feeling would be that this is an improvement, as Mr. Bell says, and when we get into the next government we can look at broader legislation that would cover all these kind of circumstances. Thank you.

CHAIRMAN (Mr. Krutko): To the motion. Ms. Lee.

MS. LEE: Thank you. Just on this clause, it is a clause that committee has spent a lot of time trying to clarify and improve and the existing legislation the way it reads certainly provides, I felt, less protection than the one we have here. It is definitely an improvement, but it is a comfort area and I don't know if we could have improved it too much more because you're balancing conflicting legislation and a number of issues. So, I just want to speak in favour of this motion.

Also, I just want to take a moment to clarify my request to have the next government consider territorial-wide whistle-blower protection legislation. I just wanted to make it clear that I did not mean in any way to impugn the conduct of any of the employers or major corporations in the Territories. We understand that the whistle-blower issue has become more fashionable since the scandal involving Enron and such south of the border.

For me personally, I just want to have the government look at it to create a process that is independent and legislated apart from one particular employer or anything and it will cover protection for anybody who works anywhere. It won't just be in

private companies. It will be government and everywhere else. I think there's a positive advantage to be had to have an independent process, because for me as an MLA it's very difficult when somebody comes and brings me an issue that goes on in a private company or private work setting because we don't always have the authority and power to get involved in a way that our constituent might want us to.

So I see this as some sort of ombudsman process and independent process, most importantly. I am sure that if this sort of legislation is introduced, the legislators would look at all of the competing interests and rights of employers and employees and all the other stuff that you have to consider in bringing into reality a law. So I just wanted to make that clarification and qualification and just to be more clear about what I was suggesting. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Krutko): A comment. To the motion.

AN HON. MEMBER: Question.

CHAIRMAN (Mr. Krutko): Question is being called. All those in favour of the motion? Those opposed? The motion is carried.

---Carried

Clause 6, as amended.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 7.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 8.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 9.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 10.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 11.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 12.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 13.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 14.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Bill as a whole, as amended.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Does the committee agree that Bill 23 is now ready for third reading, as amended?

SOME HON. MEMBERS: Agreed.

Bill 27: An Act To Amend The Access To Information And Protection Of Privacy Act

CHAIRMAN (Mr. Krutko): According to our schedule we're going to deal with the next bill which is Bill 27, An Act to Amend the Access to Information and Protection of Privacy Act. At this time I'd like to ask the Minister responsible for the bill if he has any opening comments. Mr. Allen.

Minister's Opening Comments

HON. ROGER ALLEN: Thank you, Mr. Chairman, for the opportunity to speak to Bill 27, An Act to Amend the Access to Information and Protection of Privacy Act. This bill responds to recommendations made by the Information and Privacy Commissioner and the Standing Committee on Accountability and Oversight.

There are three main elements to this bill. The first element gives the Commissioner the power to subpoena documents and require the attendance of witnesses during the investigation involving access to records or the correction of personal information.

The second element sets out a process to ensure that even when the department does not respond to the recommendations of the Commissioner, the applicant or third party still has a decision that they can appeal to the Supreme Court of the Northwest Territories. This process is based on a deemed refusal system, when the Commissioner's recommendation is different from the decision made by the head of a public body. When the head of a public body does not respond, it is deemed a refusal of the Commissioner's recommendations. The decision can be then appealed to the Supreme Court.

The third main element gives the Commissioner powers to investigate and make recommendations in cases involving collection, use and disclosure of personal information. This amendment provides the Commissioner with several powers already in place, to review and make recommendation on access complaints.

Mr. Chairman, I appreciate the comments of the Standing Committee on Accountability and Oversight during their review of this legislation. In response to their concerns, the bill is amended to ensure that the head of a public body provides a written response after the Commissioner has made recommendations to a privacy matter. The proposed amendments strengthen the Access to Information and Protection of Privacy Act and are consistent with this government's commitment to providing open, accessible and accountable government to the people of the Northwest Territories.

Mr. Chairman, I would be pleased to answer any questions or concerns the committee may have on this legislation. Thank you.

CHAIRMAN (Mr. Krutko): Thank you, Mr. Allen. At this time I would like to ask the committee responsible for reviewing this bill if you have any comments. Mr. Dent.

Standing Committee On Accountability And Oversight Comments

MR. DENT: Thank you, Mr. Chairman. Mr. Chairman, I don't have any formal opening comments for this part of consideration of the bill.

The standing committee tabled its report, which was Committee Report 16-14(6), on September 30th, so our comments are included in there. Perhaps Members may want to follow up under general comments. Thank you, Mr. Chairman.

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

HON. ROGER ALLEN: Yes, I will. Thank you.

CHAIRMAN (Mr. Krutko): Does committee agree to bring in his witnesses?

SOME HON. MEMBERS: Agreed.

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

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

HON. ROGER ALLEN: Thank you kindly, Mr. Chairman. I have with me this afternoon Janice Laycock to my left, acting director of policy; and to my right, Janis Cooper, legislative counsel, Department of Justice. Thank you.

CHAIRMAN (Mr. Krutko): Thank you, Mr. Minister. Welcome, witnesses. We will deal with Bill 27, An Act to Amend the Access to Information and Protection of Privacy Act. General comments. Mr. Dent.

General Comments

MR. DENT: Thank you, Mr. Chairman. Mr. Chairman, over the last few years as Members have looked at the committee reports from the Access to Information and Protection of Privacy Commissioner, we have made a number of recommendations for changes or amendments to the bill. I think it's safe to say that generally what the Minister has brought forward in terms of changes are good. I think committee is generally in support of what's proposed here.

But there are two areas that I would like to address that aren't covered by this legislation. I think they should have been addressed and it would have been nice to have them addressed either in this legislation or at some other point during our term.

One is that we've strongly recommended over the years that the government extend the coverage of our ATIPP legislation to municipalities, particularly the access side of it. But also we think there's a need to make sure the privacy provisions are extended to municipalities. Can I ask the Minister why the government has not moved forward on extending the coverage to municipalities? That would be the first question.

The second would be is his department looking at making such amendments and planning to ensure that they are ready to be considered early in the life of the 15th Assembly? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Krutko): Minister of Justice, Mr. Allen.

HON. ROGER ALLEN: Thank you, Mr. Chairman. I will refer the question to Ms. Laycock for response. Thank you.

CHAIRMAN (Mr. Krutko): Ms. Laycock.

MS. LAYCOCK: Mr. Chairman, in terms of the municipalities, we did have a number of meetings with the municipalities to

talk about bringing them on to the legislation, and we had a number of concerns that were expressed by the municipalities in having the legislation apply to them. One of the main concerns that they had was just the capacity of the municipality to actually abide by the legislation and have the record keeping that they would need to have in terms of their records to fall under this act. There were other issues around training, as well, that they discussed at the meetings that we held with them. So at this point, we're not prepared to bring them under the legislation, but that's something that we could consider in the future.

We haven't had any of the municipalities come forward to us either, asking that this is something they would like to do. We have worked with the City of Yellowknife on a directive that they would use or some guidelines that they would use on providing to their citizens on the whole issue of access and information. Thank you.

CHAIRMAN (Mr. Krutko): Mr. Dent.

MR. DENT: Thank you, Mr. Chairman. As I look at it, this government is covered by the Access to Information and Protection of Privacy Act, and that's largely because it's a public government. The public need to know that they are going to have reasonable access to look at government documents, and that any information collected by the government will be subject to reasonable protection from gaining access to it generally.

Since municipal governments are, in effect, creatures of this government, it seems totally reasonable that we would have an approach that's then being subject to exactly the same rules. I find it really hard to understand how we can't insist that if this level of government is held to a standard, that a government that is created by the laws of this government can't be held to that same standard. I'm not saying that municipal governments aren't doing that now. I think many municipal governments are. Ms. Laycock mentioned the City of Yellowknife. I think there is a conscious effort among many municipal governments to try and be open and accountable to their citizens. But I think if it's necessary for us to have laws to make sure that we and our officials respect certain rules about access to information and privacy, that I think we have to make sure that those apply all the way down the line.

So Ms. Laycock said that we could do that. I had specifically asked is the department working in preparing legislation to ensure that early in the 15th Assembly this could be considered. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Krutko): Minister of Justice, Mr. Allen.

HON. ROGER ALLEN: Mr. Chairman, again I'll ask Ms. Laycock to respond accordingly.

CHAIRMAN (Mr. Krutko): Ms. Laycock.

MS. LAYCOCK: Mr. Chairman, no, we're not working on legislation at this point to bring the municipalities under the ATIPP Act.

CHAIRMAN (Mr. Krutko): Mr. Dent.

MR. DENT: Thank you, Mr. Chairman. Then could I ask the Minister if he would direct his department to commence that work and commence the process of consultation with municipalities so that such legislation can be considered early in the life of the 15th Assembly? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Krutko): Minister of Justice, Mr. Allen.

HON. ROGER ALLEN: Thank you, Mr. Chairman. Not knowing the outcome of the next election, I certainly can't commit to that but I certainly will continue to raise that with the members of the department and see what we can do in the interim. Thank you.

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

MR. DENT: Thank you, Mr. Chairman. I'm not sure I understand why the Minister couldn't commit to provide that direction to his department right now. So I would hope that he would reconsider that and provide the direction that they should start work at looking at what draft legislation might look like, and then also start the process of consultation with municipalities.

The other issue that I have some concern about though is about the federal government and its Personal Information and Protection of Electronic Documents Act. As things stand right now, this federal act applies in the Northwest Territories, and our committee has, since reviewing the Commissioner's 2000-2001 report, asked the department to start work on legislation to make sure that we would have our own made-in-the-north legislation instead of leaving the field open to allow the federal legislation to have jurisdiction in the Northwest Territories. I know that this Minister was quite anxious to see that we didn't leave human rights legislation down south and that we have a made-in-the-north solution for that. So I guess I would have to ask why is he not prepared to make the same move on personal information and protection of electronic documents in the Northwest Territories? Why are we satisfied that the federal law shall prevail for the next two years, and then we'll take a look at how things are working and decide if we need our own when we didn't do that with the other legislation? I think we should do our own legislation now. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Krutko): Minister of Justice, Mr. Allen.

HON. ROGER ALLEN: Thank you, Mr. Chairman. I'm not exactly familiar with all the intricacies of the federal piece of legislation, so if I can I'll call upon the able assistance of Janice Laycock to give an overview of what the federal piece of legislation means to the North. Thank you.

CHAIRMAN (Mr. Krutko): Ms. Laycock.

MS. LAYCOCK: Mr. Chairman, the Personal Information and Protection of Electronic Documents Act, or as it's known as PIPEDA, comes into effect on January 1, 2004, and it will affect private business in the Northwest Territories as well as across Canada. There's a mandatory review of PIPEDA that's scheduled for 2006, and at that point we would be part of the review. After the review there would be an opportunity to determine whether specific legislation for the Northwest Territories would be a good idea. I think there's a lot that would be required to put this legislation into place in the Northwest Territories and a lot to support the legislation.

CHAIRMAN (Mr. Krutko): Mr. Dent.

MR. DENT: Thank you, Mr. Chairman. I would just make the point that other jurisdictions have proceeded to draft and introduce and pass their own legislation in this area, and I am disappointed that we haven't pursued a made-in-the-north solution in this area, as well. So again I would encourage the Minister to re-examine this and make sure that we are prepared

to consider the issue again early in the life of the 15th Assembly so we can move forward and perhaps bring in legislation before the two years that we would otherwise have to wait for a review. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Krutko): Minister of Justice, Mr. Allen.

HON. ROGER ALLEN: Mr. Chairman, certainly all pieces of legislation will be under review again, it's a matter of working closely with the department and see whether it's feasible at this point. So I'll leave it with my colleague. Thank you.

CHAIRMAN (Mr. Krutko): General comments.

SOME HON. MEMBERS: Detail.

Clause By Clause

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

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 2.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 3.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 4.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 5.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 6.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 7.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 8.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Clause 9.

SOME HON. MEMBERS: Agreed.

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

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Does the committee agree that Bill 27 is now ready for third reading?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Krutko): Bill 27 is now ready for third reading. With that, I would like to thank the Minister and his witnesses. At this time I would like to ask the wish of the committee. Those are the items we were going to deal with in Committee of the Whole today. Mr. Dent.

MR. DENT: Mr. Chairman, I move we report progress.

CHAIRMAN (Mr. Krutko): There is a motion on the floor to report progress. The motion is non-debatable. All those in favour? All those opposed? The motion is carried.

---Carried

We will rise and report progress.

MR. SPEAKER: The House will come back to order. May I have the report of Committee of the Whole. The honourable Member for Mackenzie Delta, Mr. Krutko.

ITEM 20: REPORT OF COMMITTEE OF THE WHOLE

MR. KRUTKO: Mr. Speaker, your committee has been considering bills 20, 23 and 27, and would like to report progress with two motions being adopted, that bills 20 and 27 are ready for third reading, and that Bill 23 is ready for third reading as amended. Mr. Speaker, I move that the report of Committee of the Whole be concurred with.

MR. SPEAKER: Thank you, Mr. Krutko. Do I have a seconder for the motion? The honourable Member for Tu Nedeh seconds the motion. The motion is in order.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Question has been called. All those in favour, please signify. Thank you. All those opposed? Thank you. The motion is carried.

---Carried

Item 21, third reading of bills. The honourable Member for Weledeh, Mr. Handley.

ITEM 21: THIRD READING OF BILLS

Bill 19: Write-off Of Debts Act, 2003-2004

HON. JOE HANDLEY: Mr. Speaker, I move, seconded by the honourable Member for Nahendeh, that Bill 19, Write-off of Debts Act, 2003-2004, be read for the third time. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. We have a motion. The motion is in order.

AN HON. MEMBER: Question.

MR. SPEAKER: Question has been called. All those in favour? Thank you. All those opposed? Thank you. The motion is carried.

---Carried

Bill 19 has had third reading. Item 21, third reading of bills. The chair recognizes the honourable Member for Mackenzie Delta, Mr. Krutko.

MR. KRUTKO: Mr. Speaker, I seek unanimous consent to go back to item 11, petitions.

MR. SPEAKER: The honourable Member is seeking unanimous consent to return to item 11, petitions. Are there any nays? There are no nays, Mr. Krutko.

REVERT TO ITEM 11: PETITIONS

Petition 6-14(6): Financial Assistance for Students in Aklavik

MR. KRUTKO: Thank you, Mr. Speaker. I would like to present a petition dealing with the matter of financial assistance to students in Aklavik. Mr. Speaker, the petition contains 21 signatures of Aklavik residents and, Mr. Speaker, the petition requests that the Government of the Northwest Territories provide financial assistance to students attending the Hope and Alex Gordon Learning Centre so they may continue to try to move and improve their lives and enhance their skills through educational pursuits that will benefit their futures and the futures of their children.

MR. SPEAKER: Thank you, Mr. Krutko. Item 11, petitions. Mr. Clerk, may we have the Orders of the Day.

ITEM 22: ORDERS OF THE DAY

CLERK OF THE HOUSE (Mr. Hamilton): Mr. Speaker, a meeting of the Standing Committee on Accountability and Oversight at 9:00 a.m. tomorrow morning and also of Cabinet House Strategy at 9:00 tomorrow morning.

Orders of the Day for Friday, October 3rd:

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 29, NWT Business Development and Investment Corporation Act
 - Bill 30, An Act to Amend the Official Languages Act, No. 2

- Bill 32, Supplementary Appropriation Act, No. 2,
2003-2004

- Bill 33, Supplementary Appropriation Act, No. 4,
2002-2003

18. Second Reading of Bills

- Bill 28, An Act to Amend the Official Languages Act

- Bill 34, Tlicho Land Claims and Self-Government
Agreement Act

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

- Bill 21, Protection Against Family Violence Act

- Bill 22, Waste Recovery and Reduction Act

- Bill 24, Midwifery Profession Act

- Bill 26, Youth Justice Act

- Committee Report 18-14(6), Report on the Review of Bill
21, Protection Against Family Violence Act, Bill 4,
Midwifery Profession Act, and Bill 26, Youth Justice Act

20. Report of Committee of the Whole

21. Third Reading of Bills

- Bill 20, Forgiveness of Debts Act, 2003-2004

- Bill 23, An Act to Amend the Safety Act

- Bill 27, An Act to Amend the Access to Information and
Protection of Privacy Act

22. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. Accordingly, this
House stands adjourned until Friday, October 3, 2003, at 10:00
a.m.

---ADJOURNMENT

The House adjourned at 5:50 p.m.